

CALL TO ORDER

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, May 15th, 2006, at Charles Quentin Elementary, 21250 W. Shirley Road, Palatine, in the Village of Deer Park, Lake and Cook Counties, Illinois.

President Gifford called the meeting to order at 7:09 p.m. Board members and Guests recited the Pledge of Allegiance. Upon roll call, the following were present: President Gifford, Trustees Dowell, Ekstrom, Kizior, Plautz, Rotter and Thrun. Other Village Officials present were Administrator Diesen-Dahl, Clerk Pratscher, Treasurer Stade and Attorney Hargadon.

Others present were: (see attached sign-in sheets).

CONSENT AGENDA

Approval and Release of Minutes from the:

- A) Board of Trustees Regular Meeting held 4/17/06
- B) Special Board of Trustees Meeting held 4/24/06
- C) Plan Commission Meeting held 5/1/06

MOTION: by Trustee Ekstrom to change the agenda to allow Deer Park Neighbors to speak before the Red Seal Development Corp. request for final approval or to allow them to speak during the discussion.

President Gifford stated that he had already denied a request earlier in the day from Trustee Kizior to revise the agenda, and he thought it would not be fair to him if the agenda were changed at this point. Upon a voice vote:

YES: (2)

NO: (4)

ABSTAIN: (0)

Motion failed 2/4

Trustee Ekstrom stated she was in disagreement with some of the minutes on the Consent Agenda and would not vote to approve them. She questioned why trustees were not named for each vote. Clerk Pratscher replied that the Board's new policy on minutes calls for trustees to be named on roll call votes only.

MOTION: by Trustee Dowell to approve the Consent Agenda. Upon a voice vote:

YES: (4)

NO: (2)

ABSTAIN: (0)

Motion carried 4/2

PUBLIC COMMENTS

Teri Bridge of 23675 Hedgeworth Court referred to comments made by one of the trustees at the April 17 meeting regarding the budget, specifically a statement that numbers "had been validated by four individuals." She said that residents hold trustees to the highest level of ethics, and, therefore, trustees should not share information with anyone outside the Board before it is available to the general public.

Trustee Ekstrom responded that, if she was the trustee referenced, she believed she stated that she went over the numbers with Trustee Rotter and did not share budget information with anyone else.

Bob Kellermann of 21601 Old Farm Road questioned the procedure the Village is following in the proposed sale of land to Red Seal. He stated that sales of comparable properties included in the new appraisal were not current. He added that if an appraisal is disputed, the Village should obtain a second appraisal. He also criticized Attorney Hargadon for acting as a cost accountant by working with the Village Treasurer in figuring the original proposed sale price.

Roger Hankin of 20856 Swansway apologized for his emotions at last month's Board meeting. He also called the Board's vote not to change the agenda to allow Deer Park Neighbors to speak before the Red Seal vote insulting. He stated that the proposal to sell Village land to Red Seal is "a gift to the developer." He said the forced silence of the Board by the Village President doesn't allow residents to understand the decision process. Mr. Hankin said he would welcome the opportunity to meet individually with trustees to find out why they are rubber-stamping Attorney Hargadon's ideas.

Robert Levine of 24600 Middlefork Road stated that the overflow from the pond on the west side of Rainbow Road has not ceased running through a ditch in his yard since last November.

FINALIZING THE BUDGET FOR FISCAL YEAR 2006-2007

Trustee Ekstrom stated that the budget sent to trustees by Treasurer Stade had significant changes from the spreadsheet version that was approved at the April 24 Board meeting, specifically in the Vehe Farm construction budget. She said the Board approved \$208,000, but the budget sent out indicates \$291,976. She said the Vehe Farm Foundation has been reporting that Barn construction costs would be \$100,000 under budget, but the number in the budget computes to a total greater than original projections. She asked for an explanation.

Treasurer Stade responded that the preliminary budget she sent out before the budget meeting was updated to reflect actual construction expenses in 2005-2006, which totaled \$522,074. Subtracting that figure from the remaining construction budget of \$814,000 results in the revised budget figure for 2007.

Trustee Dowell added that he had specifically stated at the budget meeting that he was uncomfortable approving the budget in the electronic form, and the Board agreed that Treasurer Stade would have an opportunity to review it and make recommendations. He stated that he advocates taking a more conservative approach to the budget by staying with the higher budget figure and reallocating any excess funds when the Barn is complete. Several other trustees agreed with this approach, but others advocated going with the lower budget figure and allocating the difference for drainage repairs on Rainbow Road now.

Trustee Ekstrom also stated she had heard that the Village had been served with a summons regarding a lawsuit and asked if this would impact the amount budgeted for legal fees. Attorney Hargadon stated that the Village was not named in the lawsuit but was given a courtesy copy because Village ordinances and violations of those ordinances are cited in the suit.

MOTION: by Trustee Dowell to accept the budget as submitted with adjustments by Treasurer Stade. Upon roll call:

YES: (4) Dowell, Kizior, Plautz, Thrun

NO: (2) Ekstrom, Rotter

ABSTAIN: (0)

Motion carried 4/2

ALFRED CHRISTENSEN--PROPERTY AT 21180 N. RAND ROAD

Alfred Christensen stated that he is executor of the estate that owns property at 21180 N. Rand Road. He said the land, which has been in his family for three generations, is within the Village of Deer Park but bounded by Lake Zurich on the north and west sides. The land currently is served by well and septic, but Mr. Christensen asked for the Board's help in obtaining water and sewer service from Lake Zurich so a potential buyer would have more development options.

Mike Taylor, Mr. Christensen's real estate agent, stated that Mr. Christensen had sent letters to the administrators and engineers of Deer Park and Lake Zurich outlining his request, and the Village of Lake Zurich instructed him to ask Deer Park's Village Board to make a formal request that the property be connected to sewer and water because intergovernmental agreements would be necessary. Mr. Taylor said both water and sewer lines are available immediately next to Mr. Christensen's property. In response to questions about what benefit, if any, the Village of Deer Park would realize, Mr. Taylor said there is the possibility that the water lines could be extended to other properties in the Village's Planned Development district, such as the bowling alley. In addition, he said there would be no cost to the Village if Lake Zurich grants the request. All connection charges would be borne by the Christensen estate or subsequent owner.

Mr. Taylor presented a drawing of 33-35 townhomes, which could potentially be built on the property, but said that was only one possible option.

Trustee Ekstrom inquired whether Lake Zurich would handle the sewer and water billing. Mr. Taylor said that would have to be part of the intergovernmental agreement. He said he assumes that because Lake Zurich would be providing the service, they would do the billing. He added that Lake Zurich is not looking to annex the property.

Mr. Taylor stated that Mr. Christensen understands that water and sewer access will not guarantee approval of a specific project. Because the land is within the Planned Development District, any change of use would have to be considered by the Plan Commission and Village Board. President Gifford noted that Mr. Christensen would be responsible for all costs regarding sewer and water connections, including initial planning costs, not just project costs.

MOTION: by Trustee Ekstrom to ask President Gifford to write a letter to Lake Zurich saying that the Village supports Mr. Christensen's request for sewer and water connections from Lake Zurich. Upon a voice vote:

YES: (6)

NO: (0)

ABSTAIN: (0)

Motion carried 6/0

ORDINANCE 06-07—GRANTING SPECIAL USE OF A PLANNED DEVELOPMENT FOR RED SEAL DEVELOPMENT CORP. (DEER PARK ESTATES)

David Reifman, lawyer for Red Seal, prefaced his remarks by stating that it was regrettable that individuals chose to use such terms as "rubber-stamping" and "corruption" in relation to the Red Seal project. He stated that the company is highly regarded within the home-building industry and has completed every project it ever began. He stated that the matter before the Board was to determine if Red Seal's plan conforms with the preliminary plan, adding that the Plan Commission found unanimously that it does.

Todd Fishbein, president and CEO of Red Seal, stated that the Board's preliminary approval, granted April 17, contained 20 conditions, all of which have been met or will be met at the appropriate stage of development. Mr. Fishbein said minor modifications to the plan were approved by the Plan Commission, such as the addition of a small tot lot and the reversal of a few interior units. Mr. Fishbein stated that he wanted to summarize all the recapture and impact fees Red Seal would pay if the project receives final approval. They include (approximate) recapture fees of \$53,000 for sanitary sewers, \$560,000 for paving, \$475,000 for water, \$107,000 for the Metropolitan Water Reclamation District and \$230,000 for interest on all items, for a total of approximately \$1.42 million. One-time impact fees include (approximately) \$146,000 to Community Unit School District 95, \$178,000 to the Village of Deer Park's park development fund; \$27,000 to the Lake Zurich Rural Fire Protection District and \$16,000 to the Barrington Area Library District. Mr. Fishbein said the company calculated an annual net surplus of almost \$189,000 for the school district and \$7,000 for the fire district.

Mr. Fishbein stated that there is a strong market demand for Red Seal's product, evidenced by 30 signed contracts within the first 60-70 days of marketing. He called the proposed development a "win-win scenario" for the Village and the company, adding that he knows the Board will be pleased with the results when the subdivision is built out.

President Gifford asked for questions from trustees at this point.

Trustee Plautz referred to a letter from the Lake Zurich Fire Department, which recommended that the single-family homes have sprinkler systems. She stated that she endorses the recommendation, given the distance between homes. Mr. Fishbein responded that sprinklers are recommended but not required, and his company has seen great resistance to sprinklers from potential buyers because of the possibility of the sprinklers discharging accidentally. He said the company does not intend to install sprinklers in single-family homes in this development.

Trustee Kizior asked how many fire hydrants would be in the area of single-family homes, and Ron Adams, Red Seal's civil engineering consultant, said there will be three on the same side of the street as the homes as well as two across the street. Mr. Fishbein added that all life safety issues have been reviewed and approved by the fire district.

Trustee Rotter stated that he thinks some people have a misconception of his stance on the development. He said he has no problem with the project but feels a number of things in the development process were not done according to Village ordinance or state statute. He said he would address those issues at a later time. Mr. Reifman responded that Red Seal had no procedural infirmities, and he does not agree with Trustee Rotter's conclusion.

Trustee Ekstrom stated that she thinks the development will be beautiful but is concerned that no overnight guest parking spaces were included. After some discussion, it was concluded that four parking spaces added as asphalt extensions at the front of the development are, indeed, off-street and would not be subject to the subdivision-wide ban on on-street overnight parking requested by the Plan Commission.

Trustee Dowell stated that the Plan Commission meeting included a lot of discussion regarding sidewalks and the tot lot. He said he, too, is concerned about residents' safety and questioned whether there should be a tot lot if there is no sidewalk along the southern townhomes to walk to the play area. Other Board members were amenable to the plan as presented, emphasizing that the tree buffer would be squeezed if the sidewalk was installed and stating that because the tot lot is aimed at very young children, grandparents or parents would be accompanying those children.

Trustee Dowell also asked if the lighting issue discussed at the Plan Commission was resolved. Mr. Fishbein responded that the streetlight specification sheet was sent to Plan Commission Chairman Heidtke, and he approved the light. Attorney Hargadon stated that the approved fixture (V151 T-3 cutoff) should be stated in the final approval ordinance.

Trustee Dowell also questioned whether Plan Commissioner Koe's suggestions regarding an annual audit of the homeowners association's financial statements had been incorporated into the final documents, and Attorney Hargadon responded affirmatively.

Trustee Plautz asked whether side windows on the single-family homes would directly face one another. Mr. Fishbein said there are several floor plans available, but such a scenario could happen.

Trustee Kizior inquired whether his request that the Village be allowed to connect to the subdivision's deep well was addressed in the final documents. Mr. Fishbein said one of the conditions in the final approval ordinance is that plans are subject to engineer review, and Red Seal will work with Engineer Gordon to ensure that connection happens.

Trustee Ekstrom stated that because the Village is accepting bids on its land adjacent to the proposed development for another 10 days, it does not seem legal to vote on final approval of the project when the Board hasn't voted on the sale of the land. Attorney Hargadon responded that the ordinance says the approval is contingent upon Red Seal acquiring the 2.33 acres in question. He said if the company does not acquire the land, the ordinance is invalid.

Trustee Dowell inquired about the variety of trees proposed for the subdivision, citing a concern about the emerald ash borer. Mark Kurensky, Red Seal's landscaping consultant, responded that the plan calls for great diversity in shade trees, and the borer is a manageable disease within such a setting.

President Gifford asked whether Lake County had approved moving the construction entrance further west on Long Grove Road to avoid inconveniencing residents of Deer Park Place. Mr. Fishbein stated the company had been given verbal approval. A discussion followed about a contingency plan if the construction access was not approved, but the consensus was that it is 95% certain that access will be granted. President Gifford stated the Board could consider putting restrictions on Red Seal regarding cleanup of the area, prohibiting blockage of lanes and certain construction access times if Lake County denies the construction access.

MOTION: by Trustee Thrun to approve the Red Seal development as presented, with final engineering approval from village consultants, and contingent upon:

- ◆ Obtaining all necessary permits and jurisdictional approval by appropriate agencies
- ◆ Significant changes in plans in the permitting process shall result in resubmittal to the Plan Commission and Village Board for final approval

and subject to the following conditions:

- ◆ Access permits and right-of-way permits from the Lake County Division of Transportation
- ◆ Jurisdictional approval from the appropriate agencies (Metropolitan Water Reclamation District, Illinois Environmental Protection Agency, Village of Palatine, Lake County Division of Transportation, Lake County Health Department and Lake Zurich Fire Protection District)
- ◆ Final execution of the Watershed Development Permit and the Lake County Watershed Development Ordinance
- ◆ Burial of existing overhead utilities along Quentin Road and Long Grove Road
- ◆ Irrigation system be worked out to the approval of the Village Engineer, including stubs for the Village park land to the south
- ◆ Native plantings in the wetland buffer and detention facility are to be coordinated with the Village's wetland consultant, AES
- ◆ Red Seal to coordinate with United Land Development regarding proposed improvements to Westpark Place and Long Grove Road access
- ◆ Submittal of engineer's opinion of probable construction cost for establishment of a letter of credit

Attorney Hargadon suggested that the motion also specify that the approved streetlight is model V151 T-3 cutoff. Trustee Dowell suggested that the motion reference the actual ordinance number, Ordinance 06-07. Trustee Thrun accepted the amendments. Upon roll call:

YES: (4) Dowell, Kizior, Plautz, Thrun
NO: (2) Ekstrom, Rotter
ABSTAIN: (0)

Motion carried 4/2

WATER CERTIFICATION FOR RED SEAL

Attorney Hargadon stated that the Board agreed in its preliminary approval to allocate water to the Red Seal development upon final approval. He recommended that the Board direct the Village President and Clerk to execute an intergovernmental agreement with the Village of Palatine, which would allocate 25,200 gallons a day to Deer Park Estates. The Village's remaining water allocation would be 6,869 gallons a day, but Attorney Hargadon stated that he will be meeting this month with Deer Park Town Center to negotiate the return of 40,000 gallons a day of its allocation.

MOTION: by Trustee Dowell to approve Red Seal's water allocation and enter into an intergovernmental agreement with Palatine. Upon roll call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun
NO: (0)
ABSTAIN: (0)

Motion carried 6/0

LAYLA BROADUS--DRAINAGE CONCERNS

Layla Broadus of 23009 Thornhill Court distributed and read a statement regarding the drainage problems she has experienced on her property. Highlights of her statement include:

- ◆ Her house was completed in July 1986, but she had no drainage problems until 1991, the year after her next door neighbor Mr. Yoo's house was completed. She cited frequent flooding in her basement and standing water around her house and driveway. She noted that her driveway and front walkway were sinking. She stated that Mr. Yoo excavated most of his backyard for a walkout basement and placed the excavated dirt in the side yard closest to her house, eliminating the swale that was designed to move water from between the two houses to a pond in the rear of the property. Mrs. Broadus also stated that Mr. Yoo never had gutters installed on the portion of his roof near her house, and that he installed a sump pump that discharges water a few feet from her house.
- ◆ Mrs. Broadus stated that many of Mr. Yoo's projects were completed without a building permit. She also noted that his house plans were approved for Lot 7, not its current location on Lot 12, and that the septic system was not built as approved.
- ◆ Mrs. Broadus traced a timeline of correspondence, conversations and Village minutes regarding Mr. Yoo's property and her efforts to rectify the drainage problems. Specifically, she noted a report in 2004 by Engineer Gordon calling for drainage repairs, a decision approved but later rescinded by the Village Board.
- ◆ Mrs. Broadus stated that the damage to her property has been caused by unauthorized activities by her neighbor, and the Village's lack of intervention to stop or correct those actions makes the Village responsible for the repairs. She said that the Village should hire an independent civil engineer of her choice to review all data in her possession. She said his recommendations should be final and executed at the Village's expense. She also stated that Mr. Yoo should restore the drainage swale to its original shape at his expense.
- ◆ Mrs. Broadus passed around a binder containing photos, contour maps and other material in support of her statement.

A lengthy discussion followed, in which it was agreed that some old Village building records are not complete, but it appears that Mr. Yoo may have been given approval for some of the projects to which Mrs. Broadus referred. In addition, Trustee Rotter stated that Mr. Yoo was told to rectify several situations on his property, such as removing a buried soaker hose. The consensus was, however, that the Village Engineer and Village Building Inspector should review Mrs. Broadus' documents and prepare a report for next month's Board meeting. Several trustees also requested that the Yoo's be asked to attend the next Board meeting. The issue will be put on the June agenda. Trustee Kizior emphasized that the Board was not agreeing at this point to pay any costs Mrs. Broadus might incur if she proceeds with hiring an independent civil engineer.

The Board took a 10-minute break at this point.

DEER PARK NEIGHBORS' CONCERNS

Mary Lahr stated she had questions about the Red Seal development and the Village budget even though the Board had already voted on both issues. She asked:

- ◆ whether Red Seal asked to buy the 2.33 acres of Village land or whether the Village proposed the sale. President Gifford stated that Mr. Fishbein made the suggestion; Mrs. Lahr responded that that fact should make the land more valuable to Red Seal.

- ♦ whether the paving recapture fee was for internal or external paving. Attorney Hargadon responded that is a pro rata share for all Triangle road improvements.
- ♦ for details, including cost to the Village, regarding the lawsuit mentioned by Trustee Ekstrom. Attorney Hargadon stated it was a private action by Mr. Behrens against his neighbor, Mr. King, alleging violation of Village codes. The cost to the Village would be about 2/10ths of an hour of Attorney Hargadon's time.
- ♦ regarding the sale of the Motorola property, whether the Village was owed any money for police service. Trustee Thrun said it was an insignificant amount. Attorney Hargadon added that Motorola's annexation agreement is binding on the new owner.
- ♦ why Attorney Hargadon's memo regarding the debt on the Dahm property was not on Bryan Cave letterhead. Attorney Hargadon responded that he had a temporary secretary who did not know how to attach a letterhead to an e-mail.

Deborah Barry stated that Deer Park Neighbors have been very careful to say they don't have problems with Red Seal as a company or its reputation; the Neighbors' issues have been with the Village following its own ordinances, she said. She referenced the needs study and the setbacks Long Grove Road and Quentin Road, stating that the developer should give something back if the Village eases its requirements. She also questioned the impact of Red Seal on surrounding property values, saying it is the Board's job to ask the company to demonstrate that there will be no adverse effects. She asked the Village to be more consistent in the development process and not to rush the process.

President Gifford responded to several of Mrs. Barry's points. He said in regard to the needs analysis, the Village has a comprehensive plan that calls for the type of development proposed by Red Seal. He said the Village does not need to spend money to confirm what it has already stated it wants to do. He said the needs study is aimed toward a use that is not specifically covered in the Planned Development ordinance, such as a water park.

In regard to the 100-foot setbacks, President Gifford stated that the Board and Plan Commission considered this concession and decided that the tradeoff would be more open interior space. He said the discussions were conducted at open meetings. He said the building setback stated in the Planned Development ordinance was specified without knowing whether eventual development would be commercial, residential or something else.

In regard to land values, President Gifford said he thinks this type of development will increase the values of surrounding homes. He called it a quality development that will appeal to a number of people who want to live in Deer Park but don't want the maintenance issues of a single-family home.

Mrs. Barry stated she also wished to discuss the letter from Attorney Sarah Klaper to President Gifford regarding a variety of issues, but, given the length of the agenda, she would agree to postpone that discussion until next month if President Gifford would assure her that Deer Park Neighbors would be put on the agenda. He agreed to that plan.

VEHE FARM FOUNDATION

A) Update on current activities

Tom Benjamin stated that he wanted to clear up some misinformation regarding OSLAD grants. He said the grants come from the Illinois Department of Natural Resources in two forms: an acquisition grant or a development grant. The Village received an acquisition grant to help purchase Vehe Farm; that grant was not for any development purposes, he said. The Village may still apply for a development grant for future recreational uses at the farm, such as the proposed tot lot.

Pat Winkelman reported that volunteers, including a Palatine Cub Scout pack, have been working to clean up the grounds at Vehe Farm, including pulling the invasive garlic-mustard weed.

B) Request for payment to R&W Clark

Jim Peterson stated that progress is proceeding on the Barn, although not as fast as he would like. He predicted the building could be ready for the Board's July meeting. He recommended approval of the next payment to R&W Clark.

MOTION: by Trustee Ekstrom to approve payment of \$12,384 to R&W Clark. Upon roll call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSTAIN: (0)

Motion carried 6/0

VILLAGE ATTORNEY'S REPORT

Attorney Hargadon stated that he had spoken with the bond counsel at Chapman Cutler and learned that the Village has two options for the proceeds from the sale of the Dahm property: 1) The Village can pay off a portion its loan on the property as Harris Bank has agreed to waive any prepayment penalty; or 2) The Village can use the funds for projects that would qualify for tax-exempt financing, such as drainage or roads, provided that the project is not already budgeted for with other funds. Unbudgeted items could be covered.

Attorney Hargadon stated that bids on the land are due May 25. If the purchaser is Red Seal, the company has agreed to close on the land within 60 days of final approval, which would be mid-July, he said. No decision on the proceeds needs to be made until that time, he said, but he wanted to give the Board time to think about the options.

REPORTS FROM PRESIDENT, TRUSTEES, ADMINISTRATOR

A) President Gifford

i) Protection of Deer Park confidential e-mail list

President Gifford stated that the Village's e-mail list, which is kept by the Village Clerk and used to alert residents to items of a time-sensitive nature, was inadvertently revealed to all recipients on that list last fall. He said that list now is being used for other purposes, which he sees as a problem because the addresses were given to the Village with the implicit promise of confidentiality. Attorney Hargadon elaborated, saying that Clerk Pratscher asked Deborah Barry of Deer Park Neighbors if she was using addresses obtained from the revealing e-mail and, if so, if she would stop doing so. Mrs. Barry said it would be too difficult to determine exactly which addresses came from the Village's list, but Attorney Hargadon said the Village has received complaints from some residents, and he believes the group has a responsibility to determine which addresses came from the Village and to delete them.

The consensus of the Board was that it is disingenuous for the group to use an e-mail list that was obtained in such a manner. Trustee Rotter, however, stated that, legally, the group might have every right to use the list. President Gifford said he would look into the legalities of the issue.

ii) Confidential Information

President Gifford stated that he was concerned about confidential Village information being released to the public. Trustee Kizior noted that Mr. Kellermann's analysis of the Village's proposed Dahm property sale, which was distributed at a previous meeting, contained confidential documents. He said several of the pages came from the Village auditor's letter to management, which was distributed only to Village officials and was not intended to be released to the public. Trustee Kizior expressed concern that the pages in question were taken out of context, leading to incorrect conclusions which were then disseminated to other Village residents. He also expressed concern whether other confidential Village documents are being shared beyond the intended recipients.

President Gifford stated that trustees' Board packets often contain confidential information, and he asked that trustees not allow anyone else to pick up their packets.

B) Trustee Rotter – Planning & Zoning

i) Affordable Housing Ordinance

Trustee Rotter stated that he wishes the Board had passed the Affordable Housing Ordinance the way it originally was written, which would have included the land where the Red Seal development is planned. He also said he was very disappointed to learn that some of the land that is south of Deer Park Town Center is not served by Palatine water, because the ordinance states that areas with wells and septic systems are not satisfactory for affordable housing development. President Gifford disagreed, saying that the area is served by sewers and deep wells would be a satisfactory source of water. He also noted that there is the possibility of negotiating an additional allocation of water from Palatine.

Trustee Rotter also stated that the Affordable Housing Ordinance would need to be amended if the Board is interested in including the property that Mr. Christensen talked about tonight.

ii) Comcast Cable Franchise

Trustee Rotter stated that he is making progress in his franchise negotiations with Comcast, but it has been slow and tedious. He said he will meet again with the Comcast representative to discuss standardizing cable and internet access and possibly a reduction in rates. Trustee Rotter also referred to AT&T's Lightspeed project, saying this is a new technology that the Village should monitor.

Trustee Rotter left the meeting at this point.

C) Trustee Dowell – Finance

Trustee Dowell stated that the Board overlooked the Sewer Fund budget at the April meeting, and he recommended it be approved tonight.

MOTION: by Trustee Dowell to approve the proposed Sewer Fund budget for 2006-2007. Upon a voice vote:

YES: (5)

NO: (0)

ABSTAIN: (0)

Motion carried 5/0

D) Trustee Ekstrom – Roads & Public Utilities

Trustee Ekstrom stated that the bid opening for the road resurfacing and crack sealing program will be May 25. She said the Village Engineer's estimate for the program is \$3,000 greater than the budget. She said she would like to take a phone vote after the bid opening, seeking approval to accept the lowest bid.

MOTION: by Trustee Ekstrom to conduct a phone vote on May 25 or the week after seeking authorization to accept the low bid for the road program as long as the bid comes in at or lower than the engineering estimate of \$332,000.

Upon a voice vote:

YES: (5)

NO: (0)

ABSTAIN: (0)

Motion carried 5/0

E) Trustee Kizior—Parks & Recreation

Trustee Kizior stated he sought quotes to repair the Dover Pond tennis courts and recommends the Board accept the low bid. He added that the bid was less than the \$10,000 allocated in the budget.

MOTION: by Trustee Kizior to approve the low bid from US Tennis Court Construction in the amount of \$7,600 to repair the Dover Pond tennis courts to make them playable. Upon roll call:

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

NO: (0)

ABSTAIN: (0)

Motion carried 5/0

F) Administrator Diesen-Dahl

i) Excalibur Technology Corp. service contract

Administrator Diesen-Dahl stated Trustee Kizior has offered to help her obtain some additional bids for computer maintenance service contracts. She will bring the new quotes next month for comparison with Excalibur.

ii) Microsystems proposal

Administrator Diesen-Dahl stated she would like to transfer commercial plans and permits currently stored upstairs at the Village office to a CD. She said she received a quote for the work in the amount of \$2,783 from Microsystems Inc.

President Gifford asked if that figure was for the first batch of papers only or for all seven or eight batches referenced in the quote. Administrator Diesen-Dahl responded that it would cost about \$3,000 per submission, but the project could be spread out over time.

The consensus of the Board was that electronic storage of Village documents is a good idea, but, given the fact that the total project would cost \$21,000 to \$24,000, Administrator Diesen-Dahl should provide additional information and quotes. Specifically, trustees wanted to know how many and what type of documents need to be transferred.

iii) Memo from Bill Holmes regarding fences

Because of the late hour, Trustee Ekstrom asked to table this discussion until next month. President Gifford agreed that would be a good idea because Building Inspector Holmes will be at next month's Board meeting.

TREASURER'S INFORMATION

MOTION: by Trustee Dowell to approve Investments Held report dated April 30, 2006, in the amount of \$3,445,835.35.

Upon a voice vote:

YES: (5)

NO: (0)

ABSTAIN: (0)

Motion carried 5/0

CASH DISBURSEMENTS

MOTION: by Trustee Dowell to approve cash disbursements for the month of April 18-May 15 in the amount of \$211,787.54. Upon roll call:

YES: (4) Dowell, Kizior, Plautz, Thrun

NO: (1) Ekstrom

ABSTAIN: (0)

Motion carried 4/1

MOTION: by Trustee Thrun to temporarily close the regular meeting of the Village Board. Upon a voice vote:

YES: (5)

NO: (0)

ABSTAIN: (0)

Motion carried 5/0

MOTION: by Trustee Dowell to go into Executive Session to discuss personnel issues. Upon a voice vote:

YES: (5)

NO: (0)

ABSTAIN: (0)

Motion carried 5/0

MOTION: by Trustee Dowell to reopen the regular meeting of the Village Board. Upon a voice vote:

YES: (5)

NO: (0)

ABSTAIN: (0)

Motion carried 5/0

ADJOURNMENT

MOTION: by Trustee Dowell to adjourn at 11:59 p.m. Upon a voice vote:

YES: (5)

NO: (0)

ABSTAIN: (0)

Motion carried 5/0

H. Scott Gifford, Village President

Maureen Pratscher, Village Clerk