

CALL TO ORDER

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, Aug. 21st, 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 Clerk Pratscher, Treasurer Stade and Attorney Keller.

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

CLOSING OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES

MOTION: by Trustee Thrun to temporarily close the regular meeting of the Board of Trustees to enter into Executive Session to discuss personnel issues at 7:10 p.m. Upon roll call:

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

NO: (0)

ABSTAIN: (0)

Motion carried 6/0

REOPENING OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES

MOTION: by Trustee Dowell to close the Executive Session and reopen the regular meeting of the Board of Trustees at 8:10 p.m. Upon a voice vote:

YES: (6)

NO: (0)

ABSTAIN: (0)

Motion carried 6/0

CONSENT AGENDA

A) Approval and Release of Minutes from the:

- i) Plan Commission Meeting held 7/10/2006
- ii) Board of Trustees Regular Meeting held 7/17/2006
- iii) Board of Trustees Special Meeting held 8/1/2006

B) Approval but NOT release of Minutes from the:

- i) Executive Session held 6/19/06
- ii) Executive Session held 7/17/2006
- iii) Executive Session held 8/1/06

C) Village Engineer's pay requests:

- i) Chicagoland Paving Contractors, Inc. – Pay Request #1 - \$136,092.60
- ii) Applied Ecological Services – Deer Park playfields – Wetland consulting and permitting - \$853.75
- iii) Applied Ecological Services – Swansway mitigation monitoring – \$1,068.75

MOTION: by Trustee Dowell to approve the Consent Agenda with the modification of the minutes from the Executive Session held 8/1/2006. Upon roll call:

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

NO: (0)

ABSTAIN: (0)

Motion carried 6/0

EMPLOYMENT OFFER TO NEW VILLAGE ADMINISTRATOR

President Gifford stated that the Board, in Executive Session, discussed an employment agreement to hire Jim Connors as Village Administrator, starting Sept. 11. The one-year contract would run through Sept. 10, 2007.

MOTION: by Trustee Thrun to approve the employment contract with Mr. Connors as presented and modified in Executive Session. Upon roll call:

YES: (7) Dowell, Ekstrom, Gifford, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSTAIN: (0)

Motion carried 7/0

President Gifford congratulated and introduced Jim Connors.

Mr. Connors stated that he was looking forward to working in the Village. He said he has worked in city management for 30 years, and he said thinks local government is a team made up of an involved public, a concerned city council and a dedicated staff. He added that any success comes from these three groups working together.

PUBLIC COMMENT

Deborah Barry of 412 Bramble Lane, stated that she is president of Deer Park Neighbors and had hoped to be on the agenda tonight to discuss several issues. She asked to be on next month's agenda. Mrs. Barry addressed:

- ♦ A Village ordinance book. She asked for a plan and date when the code book would be updated and put online. She also asked to have the ordinances copied onto a CD for residents who are interested.
- ♦ Potential conflicts of interest with former Village Attorney Scott Hargadon. She said Mr. Hargadon has a lot of information regarding the Village and asked if it would possible to protect the Village for period of time in that regard.
- ♦ The return of original documents from Mr. Hargadon. She asked for a plan when they would be returned.
- ♦ Naming of an ethics officer. She asked that one of the trustees be named to this post, or that the Board amend its ordinance to allow a resident to serve in that capacity.
- ♦ The appointment of a permanent emergency management coordinator.
- ♦ The relationship between Deer Park Neighbors and Village officials. She said there is no rancor or disaffection on the part of the Neighbors and that they welcome the opportunity to help the Village.

Richard Chay of 408 Bramble Lane extended a welcome to Attorney Keller and said he is delighted that his firm almost exclusively practices municipal law. He also said he was pleased with the discussion of potential conflicts of interest that took place at the Aug. 1 Board meeting.

VEHE FARM FOUNDATION

A) Pay request from R&W Clark

Jim Peterson stated that there has been more progress on the Barn renovation in the past two weeks than in the past two months. At the current pace, he projected completion by the latter part of the year.

Mr. Peterson presented a pay request for the renovation work, adding that the contractor submitted the request late, but he has already talked to him about that. He recommended any payments be withheld until problems with various subcontractors (particularly Metropolitan Fire Protection, Great Lakes Steel and Stair and the parking lot paving company) have been worked out. He said the payment is a draw against work already completed.

In response to trustees' concerns about monthly penalties levied against the contractor, Mr. Peterson said the Village is holding more than \$100,000 in retention, which is more than the \$75,000-\$80,000 in penalties accrued to date.

MOTION: by Trustee Kizior to approve the pay request from R&W Clark in the amount of \$23,413.31 contingent upon a suitable agreement between him and his principal subcontractors, specifically Metropolitan Fire Protection and Great Lakes Steel and Stair.

Trustee Ekstrom asked for an amendment to the motion, stating that the check release would be based on Trustee Kizior and Mr. Peterson's acceptance that an appropriate plan with the subcontractors had been reached.

Trustee Dowell questioned why the Board should waive its deadline policy regarding the submission of bills. Trustee Kizior responded that it is the right thing to do in order to keep the project moving. In addition, he said the deadline was earlier because of Administrator Diesen-Dahl's vacation. Trustee Ekstrom urged the Board to be more consistent in enforcing the deadline policy.

Trustee Kizior and Trustee Dowell accepted Trustee Ekstrom's amendment to the motion.

Upon roll call:

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

NO: (0)

ABSTAIN: (0)

Motion carried 6/0

B) Video system for the Barn

Trustee Kizior recapped past Board discussions regarding the proposed video system for the Barn. He again recommended that the Board approve a two-camera system, which was recommended by the Vehe Farm A/V committee. The cost would be less than the \$12,000 budgeted earlier in the year.

Trustee Rotter asked who would do the mixing from two cameras, and Pat Winkelman said someone would have to be trained for that role. Trustee Kizior said he did not know how much that person would be paid, or if a volunteer could be found.

Trustee Plautz said she supports the idea of two cameras but, given other anticipated Village expenses, would rather defer the purchase of a second camera. Trustee Ekstrom said she preferred to defer all video purchases until the Board has a firm opening date for the Barn. She also requested a written confirmation from Comcast that the equipment would be compatible with the format used by the Village of Barrington to transfer video to Comcast. Trustee Dowell suggested that the Board make the approval subject to verification from Barrington that the equipment would be compatible for Comcast transmission and also defer the purchase until 30 days prior to when the Barn is predicted to be open.

MOTION: by Trustee Kizior to accept the two video-camera system proposal in the amount of \$11,976, contingent upon not releasing the purchase order prior to the date which would allow delivery 30 days prior to the opening of the Barn and also contingent upon confirmation of the right video transfer mechanism and confirmation from the Village of Barrington. Upon roll call:

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

NO: (3) Ekstrom, Plautz, Rotter

ABSTAIN: (0)

Motion carried 4/3

VILLAGE ATTORNEY'S REPORT

Attorney Keller presented a proposed extension of the Village's intergovernmental cooperation contract with the Illinois Municipal League Risk Management Association, which functions as the Village's insurance company for liability and property insurance. He said the contract has a provision for withdrawing on 60 days' written notice, and he recommended the Board approve signing of the agreement.

Trustees inquired if the contract would require the Village to maintain its insurance with IMLRMA beyond the end of the year, because the Board last fall agreed to review its insurance coverage and seek quotes from other insurance companies before the current IMLRMA renewal date in December. Attorney Keller replied that Article 5 of the contract states that the Village agrees to stay a member of association for not less than one year from the signing of the agreement. He recommended that Board table the contract if there is any doubt that the Village wants to continue its insurance with IMLRMA. The Board agreed to table the item, but asked Attorney Keller to make sure the Village is covered in case of a claim even though the renewal contract has not been signed. Trustees also agreed that the insurance carrier selection process should begin earlier this year so a decision can be made well before the IMLRMA premium is due.

REPORTS FROM PRESIDENT AND TRUSTEES:

A) President Gifford

i) General information

President Gifford announced that the Lake Zurich Rural Fire Department is hosting a meeting on Sept. 21 for community leaders to discuss a possible flu pandemic. He said he would attend or send someone in his place.

ii) Amendment No. 1 to the Village's contract with Groot Recycling and Waste Services Inc.

President Gifford stated that the amendment covers the fuel surcharge approved earlier this summer by the Board. Trustee Dowell questioned why the amendment does not address a drop in fuel prices. Trustee Ekstrom agreed that a clause stating the surcharge would be removed if fuel prices fall below the baseline would be appropriate.

President Gifford agreed to table the item and to ask for clarification on elimination of the surcharge from Groot.

B) Trustee Dowell—Finance

Trustee Dowell stated he and Treasurer Stade would continue the monthly account review and distributed a schedule noting which accounts would be reviewed each month. Trustee Ekstrom requested the schedule be modified so the largest accounts would be reviewed prior to the start of next year's budgeting process. Trustee Dowell agreed to revise the schedule.

Treasurer Stade distributed charts in addition to transaction reports for each account. She noted that interest income was above budget this year, primarily because rates have been higher in the past several months.

Other accounts reviewed include mosquito abatement, telephone, gas and water, all of which were very close to budget.

C) Ekstrom – Roads & Public Utilities

Trustee Ekstrom stated that several residents had called her with questions about the speed hump to be installed on Deerpath Road, specifically asking why it was being installed north of the stop sign at Corners Drive as opposed to between Corners Drive and Long Grove Road. She recapped the plan to monitor traffic before and after the speed hump is installed and, if the impact is positive, to install a second hump south of the stop sign. She said the second hump could not be installed now because the project would have to go out for a new bid. She asked if the Board was still behind this plan, and the consensus was affirmative.

Trustee Ekstrom also announced:

- ◆ Final resurfacing of Squires Subdivision roads would begin Aug. 28 and take about three days. Shoulder restoration would occur in mid-September.
- ◆ The Village Engineer has been meeting with the Army Corps of Engineers and the Lake County Stormwater Management Agency to verify what, if any, permits are needed before work can begin on the Ferndale Subdivision drainage project. She also said Engineer Gordon has been looking into a grant that could pay for \$2,500-\$5,000 of the project.
- ◆ The Middlefork Road drainage project was delayed because of a conflict with utilities, but she is hoping to receive bids in September.
- ◆ One hundred percent of the residents she has spoken to are in favor of the proposed speed humps.

D) Trustee Kizior—Parks & Recreation:

Trustee Kizior stated he was removing the parks and landscape expenditure item from his report.

Trustee Kizior stated that he had obtained more details regarding proposed vendors for maintaining the computer systems in the Village office. He said neither of the two companies he contacted requires a contract. DSN charges \$60 an hour for phone support and \$100 an hour for on-site support. Excalibur charges \$99 an hour for either phone or on-site support. Excalibur charges a \$25 trip charge; DSN has no travel charge but does require a one-hour minimum for on-site support. Both companies are capable of performing remote backup Village files for about \$50 a month.

Trustee Kizior stated he recommends DSN because the company was willing to modify its proposal to make its bid more competitive. In addition, DSN's charge for phone support, which the company estimated to be about 55% of the Village's need, is less than Excalibur's, he said.

Trustee Ekstrom recommended letting the new Village Administrator try both companies and assess the level of service from each. She also questioned if there is money budgeted for the monthly backup. Treasurer Stade said the amount could come from the office equipment category.

In response to security concerns, Trustee Kizior said he will find out what type internal security controls and encryption methods the company uses.

MOTION: by Trustee Dowell to use DSN for the computer needs that were outlined, including backup of village files, and that the second choice of Excalibur would be available if DSN doesn't perform to standards, with the Village Administrator making that decision. Upon a voice vote:

YES: (6)

NO: (0)

ABSTAIN: (0)

Motion carried 6/0

E) Trustee Rotter – Planning & Zoning:

Trustee Rotter stated that Comcast representatives had asked him if the Village would be interested in discussing an agreement under which Comcast would offer wireless internet access (WiFi) to all residents. He said the company would not offer any specifics, such as whether the Village would pay and then seek reimbursement from residents or whether residents would be billed directly. Trustee Rotter said the company wanted an indication of interest from the Board before beginning any discussions.

The consensus of the Board was that trustees were interested enough to get more information on the proposal. Attorney Keller suggested that Trustee Rotter obtain any proposals in writing.

TREASURER'S INFORMATION

MOTION: by Trustee Dowell to approve the Investments Held report dated July 31, 2006, in the amount of \$2,076,038.41. Upon a voice vote:

YES: (6)

NO: (0)

ABSTAIN: (0)

Motion carried 6/0

CASH DISBURSEMENTS

MOTION: by Trustee Dowell to approve cash disbursements for the month July 18- Aug. 21, 2006, in the amount of \$365,585.18.

Treasurer Stade stated that a correction needed to be made regarding Check #6212. The amount should have been \$4,000, not \$400. Also, the payment to R&W Clark was not included in this report. With that addition, the new total should be \$392,598.49, she said.

Trustee Dowell agreed to amend his motion to reflect the new amount.

Upon roll call:

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

NO: (1) Rotter

ABSTAIN: (0)

Motion carried 5/1

Trustee Ekstrom asked if the Village had paid the final bills due to former Attorney Hargadon. President Gifford said Attorney Hargadon is still working on a recapture fee agreement within the Triangle because he is familiar with the process and has done many agreements in the past. He said, however, that the cost might be covered by funds from the Special Service Area as opposed to Village funds.

Trustee Plautz asked if Attorney Hargadon had returned files to the Village. Attorney Keller responded that a meeting is scheduled for Wednesday to work out the details of that process.

ADJOURNMENT

MOTION: by Trustee Dowell to adjourn. Upon a voice vote:

YES: (6)

NO: (0)

ABSTAIN: (0)

Motion carried 6/0

The Regular Meeting of the Board of Trustees was adjourned at 9:55 p.m.

H. Scott Gifford, Village President

Maureen Pratscher, Village Clerk