

CALL TO ORDER

The Special meeting of the Board of Trustees of the Village of Deer Park was held on Tuesday, Aug. 1st, 2006, at the Village Office, 23680 Cuba Road, in the Village of Deer Park, Lake and Cook Counties, Illinois.

President Gifford called the meeting to order at 7:01 p.m. Board members and Guests recited the Pledge of Allegiance. Upon roll call, the following were present: President Gifford, Trustees Dowell, Ekstrom, Kizior, Rotter and Thrun. Trustee Plautz was absent. Other Village Officials present were Administrator Diesen-Dahl, Clerk Pratscher and Treasurer Stade.

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

RECOMMENDATION AND CONFIRMATION OF NEW VILLAGE ATTORNEY

President Gifford recommended that the Board confirm the Chicago law firm Ancel, Glink, Diamond, Bush, DiGianni, & Krafthefer as the new Village counsel. He introduced two of the partners of that law firm, Stuart Diamond and Paul Keller, and said Mr. Keller would be the active attorney for the Village.

In response to questions from trustees, Mr. Diamond and Mr. Keller provided the following information:

- ♦ The firm would not charge a monthly retainer; work would be billed at an hourly rate. The firm has a three-tier rate structure covering partners, associates and paralegals.
- ♦ The Village would be billed for travel time when Mr. Keller attends meetings in the Village, but no more than one hour each way.
- ♦ The rates stipulated in the firm's engagement letter would be for one year. The firm typically does not sign multi-year agreements. Mr. Diamond noted, however, that the firm's rates have gone up less than 5% a year in the past five years.
- ♦ Ancel, Glink has a satellite office in Waukegan that is staffed with 6-8 attorneys. It would be possible for this office to handle Village ordinance violation court cases, if the Board should want that in the future.
- ♦ Mr. Keller has spent his whole legal career in municipal law, including 20 years as an in-house attorney for Park Ridge.

Trustees had several questions about how the firm handles potential conflicts of interest and how often such an issue might arise. Mr. Keller responded that the firm conducts a conflict of interest check whenever it is approached by a new client. He said the firm will decline the work if a conflict is discovered unless any current clients who would be affected by the conflict and the potential client agree to the representation. He added that he does not anticipate any conflicts, but would let the Board know immediately if one arose.

Although Ancel, Glink represents some governmental bodies in the area, such as Ela and Palatine Townships and the Lake Zurich Rural Fire Protection District, it does not represent any other municipalities surrounding Deer Park nor would Mr. Keller represent any other municipality besides Deer Park.

Mr. Diamond stated that 95% of the firm's work is representation of governmental bodies. The firm represents very few developers or commercial accounts, he said. Trustee Rotter asked for a list of the developer accounts.

The Board questioned the necessity of paying travel time, but Mr. Diamond stated that the firm charges travel time to each community it represents.

Trustee Rotter questioned whether President Gifford considered any local law firms that would charge lower rates. President Gifford responded that he interviewed four different firms and that Ancel Glink's rates were not the highest nor the lowest. He said he didn't think that low cost should be a determining factor. He added that Ancel Glink is viewed as one of the pre-eminent firms in area of municipal law and he wants to have the community represented by the best counsel possible.

In regard to questions about the firm's engagement letter, Mr. Diamond stated that it would be a simple agreement stating that the firm would serve as an officer at will, as an independent contractor. He said the firm was prepared to begin representation as soon as it was confirmed by the Board.

MOTION: by Trustee Dowell to accept the recommendation of the Village President to appoint Ancel, Glink as counsel for the Village of Deer Park. Upon roll call:

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

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NO: (0)
ABSENT: (1)

Motion carried 5/0/1

President Gifford stated that Ancel, Glink had offered, free of charge, to handle the contract negotiations for the new Village Administrator.

MOTION: by Trustee Ekstrom to temporarily close the meeting of the Board of Trustees to go into Executive Session to discuss the recommendation and confirmation of an offer to a new village administrator. Upon roll call:

YES: (5) Dowell, Ekstrom, Kizior, Rotter, Thrun
NO: (0)
ABSENT: (1)

Motion carried 5/0/1

MOTION: by Trustee Ekstrom to enter into Executive Session to discuss the recommendation and confirmation of an offer to a new village administrator. Upon roll call:

YES: (5) Dowell, Ekstrom, Kizior, Rotter, Thrun
NO: (0)
ABSENT: (1)

Motion carried 5/0/1

MOTION: by Trustee Ekstrom to reopen the meeting of the Board of Trustees. Upon a voice vote:

YES: (5)
NO: (0)
ABSENT: (1)

Motion carried 5/0/1

ADJOURNMENT

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

YES: (4)
NO: (1)
ABSENT: (1)

Motion carried 5/1/1

The Special Meeting of the Board of Trustees was adjourned at 8:11 p.m.

H. Scott Gifford, Village President

Maureen Pratscher, Village Clerk