

CALL TO ORDER

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, Oct. 16th, 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 7:06 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 and Rotter. Trustee Thrun was absent. Other Village Officials present were Administrator Connors, Clerk Pratscher and Attorney Keller.

AGENDA CHANGES AND ANNOUNCEMENTS

Trustee Ekstrom stated that she could not approve the Sept. 18, 2006, Executive Session minutes because they do not show her dissenting vote to the motion to enter into executive session. Clerk Pratscher explained that the vote to close the regular session and enter into executive session was recorded in the public portion of the minutes from that evening.

Trustee Rotter stated he had objections to the Aug. 21 Executive Session minutes. President Gifford responded that they would be removed from the Consent Agenda.

Trustee Kizior stated that his motion regarding the payment request from R&W Clark should read "or the Village will call in the performance bond" instead of "or Clark will be referred to the bonding company."

MOTION: by Trustee Kizior to amend the Sept. 18, 2006, minutes from "will be referred to the bonding company" to "the Village will call in the performance bond." Upon a voice vote:

YES: (5)

NO: (0)

ABSENT: (1)

Motion carried 5/0

Trustee Ekstrom stated that the minutes regarding the agreement to participate in the EJ&E Quiet Corridor Study should capture the reason why she opposed the payment.

MOTION: by Trustee Ekstrom that the minutes should reflect the reason why she voted no to the agreement. Upon a voice vote:

YES: (4)

NO: (0)

ABSTAIN: (1)

ABSENT: (1)

Motion carried 4/0/1

Trustee Dowell stated that, while he does not disagree with the amendments, he thinks the Board should give the Village Clerk an opportunity to review the audio tape of the meeting in question before voting on an amendment. A discussion ensued about how detailed the minutes should be, with Trustee Rotter and Trustee Ekstrom expressing a preference to include the reason for dissenting votes. Trustee Plautz stated that trustees are not required to state a reason for voting the way they do. President Gifford reminded the Board that it had approved a minutes policy earlier in the year which states that the minutes should reflect the Board's actions, not the Board's discussions.

CONSENT AGENDA

A) Approval and Release of Minutes from the:

- i) Board of Trustees Regular Meeting held 9/18/2006
- ii) Plan Commission Meeting held 9/11/2006

B) Approval but NOT release of Minutes from the:

Board of Trustees Executive Session Meetings held 9/18/2006 and 8/21/06

C) Approval of the release of Minutes from the:

Board of Trustees Executive Session Meetings held, 8/1/06, 7/17/06, 8/15/05, 6/20/05, 5/16/05, 4/18/05, 1/18/05, 10/21/04, 9/20/04, 4/19/04 and 3/15/04

D) Village Engineer:

- i) **Approval** of Ordinance Adopting the Lake County Watershed Development (WDO) Appendix C FIRM Panel Revision

- ii) **Approval** of Village Engineer Recommendation to Approve Pay Request #2 for Chicagoland Paving for the amount of \$175,849.62 for the 2006 road program

MOTION: by Trustee Dowell to approve the Consent Agenda as amended, removing the Aug. 21, 2006, Executive Session minutes and subject to the two amendments to the Sept. 18, 2006, minutes. Upon roll call:

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

NO: (0)

ABSENT: (1)

Motion carried 5/0

PUBLIC COMMENT

Carrie Groeller of 219 Rue Touraine stated that she wanted to ensure there would be follow-up on her complaint that a contractor for the Village drove on the pathway to Michael D'Angelo Park to deliver a tree. She said part of that path is on her property, close to her septic field, and it was not meant for vehicular traffic.

Mrs. Groeller also stated that she was shocked to read the news article about former Administrator Diesen-Dahl. She requested a public apology to Mrs. Diesen-Dahl and her husband.

Sara Guarisco of 316 Briargate Lane stated she is parks captain for the Deer Park Neighbors and that last month she spoke of her concerns regarding the development of Town Center Park. She again expressed concern that those plans might be going forward without input from residents. Trustee Kizior said the Village is still waiting for approval from the Army Corps of Engineers to fill in some wetlands, and that approval is not expected until next August or September.

Mrs. Guarisco also noted that Dover Pond Park was quite waterlogged after a recent rain. Trustee Kizior explained that repairs to the park were deferred during budget discussions this year in favor of much-needed road projects.

Richard Chay of 408 Bramble Lane stated that he was pleased with the Plan Commission recommendation to deny Crème de la Crème's request for a special use permit for Lot 10 at Deer Park Town Center. He noted the two primary reasons for the denial were a desire to see a tax-revenue producing entity at that location and the height and opacity of the proposed fence.

Mary Lahr of 201 Rue Touraine questioned the decision to allow the Village Office to be used as a polling place. She stated that issues of parking, lighting and walkways should be discussed by the Board. She also asked if Lake County would be paying the Village staff to help with the election.

John Lahr of 201 Rue Touraine questioned the Village Clerk's response to his synopsis of the Lake County Transportation Summit, which was disseminated by the Deer Park Neighbors. He also stated that he thinks the Village should receive sales tax from the sale of Motorola property and assets to Continental AG. Finally, he stated that recent minutes have not included a list of names and addresses of all attendees and that information should be part of all Village minutes.

Deborah Barry of 412 Bramble Lane asked whether trustees will have microphones when Board meetings are moved to the Vehe Farm Barn. The answer was yes.

Speaking for her husband, Al Barry, she asked the Board to support the work of the Plan Commission and deny Crème de la Crème's special use permit request.

Amanda Howland, who is running for state representative in the district encompassing Deer Park, stated that she was alerted by a Village resident about the change in polling places, from the Barn to the Village Office. She said she drove to the Village Office in the dark and is concerned that there is inadequate lighting there. She urged the Board to make sure there is sufficient lighting in place so no one's right to vote is compromised. In addition, she said the Board needs to find an alternate location for the next two elections if the Barn is not complete.

CRÈME DE LA CRÈME SPECIAL USE REQUEST

President Gifford stated that, from his understanding, the Plan Commission recommended that the Board deny Crème de la Crème's request for a special use permit for Lot 10 at Deer Park Town Center primarily because of the solid fence, but also because of concerns regarding the best use of the property. President Gifford asked Plan Commission Chairman Dave Heidtke to recap the Plan Commission meeting.

Chairman Heidtke stated that commissioners did not feel the early childhood learning center was an appropriate use for the site because it would not generate tax revenue, but felt the Village Board should make the ultimate policy decision on that issue. Regardless of that decision, however, Chairman Heidtke said the commission probably would not have approved the building plan with the fence as it was proposed.

President Gifford asked if the developer had been willing to make a number of changes to the plan at the request of the Plan Commission. Chairman Heidtke said yes, but because the developer wanted assurance that the use would be approved before submitting additional drawings and documentation, the commission was forced to vote before fully considering those changes.

President Gifford said that the lot in question has been available for about two or three years, and nothing else has been proposed for development. He said Crème de la Crème maintains that it could be a different kind of revenue producer by bringing more traffic, and potentially more shoppers, into the Town Center. He said it was up to the Board to decide if the use is acceptable.

Trustee Rotter stated that he thought the developer was unresponsive to requests by the Plan Commission for additional information. He also complimented the Commission for holding the developer to the standards of the rest of the Town Center.

Trustee Ekstrom stated that she backs the Plan Commission on both the fence issue and the use. She said she agrees that the Village needs to look for more revenue-generating facilities.

Trustee Plautz said she would support the use but has reservations about the fence.

Trustee Dowell stated that the Board's objective is to increase sales tax revenue, whether the income is derived from synergistic sales or new sales from a retail establishment on that property. Trustee Ekstrom stated that she didn't think parents picking up children after work would be likely to go shopping at that time. Trustees Dowell and Kizior agreed that was probably the case.

Further discussion ensued regarding the use of Lot 10, and the consensus was that the use does not have to be a retail establishment itself but could be something that would drive sales at existing businesses by attracting people who would be inclined to spend additional time at the Town Center. Trustee Rotter also suggested that the Village research the possibility of enacting a ¼%-½% service tax if a non-retail use is considered.

MOTION: by Trustee Dowell to accept the Plan Commission recommendation to deny a special use permit for the Crème de la Crème property. Upon a voice vote:

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

Motion carried 4/1

VEHE FARM

A) Payment request for R&W Clark in the amount of \$26,289.98

Trustee Kizior noted that Jim Peterson's summary report on work at the Barn describes the recent pace as slow, adding that he has low expectations for a faster pace in the near future. Trustee Kizior stated that he thinks the only reason to keep R.W. Clark as the general contractor is to see if he can make progress before the November general election, because the Barn was scheduled to be used as a polling place. After that date, he suggested the Village look to the bonding company for help, adding that Mr. Clark might be able to get a loan from the company.

Trustee Ekstrom noted Mr. Peterson's request for \$1,000 to add glycol to the pipes so they won't freeze this winter and asked when the exterior doors could be installed so the Barn could be heated efficiently. President Gifford stated that the doors had not been installed so large equipment could be moved easily into and out of the building, but he agreed that installing the doors now makes good sense. Trustee Kizior asked Tom Benjamin to relay the Board's request to get as many exterior doors as possible installed as soon as possible, and the Board would consider the request for \$1,000 for glycol at its November meeting.

MOTION: by Trustee Dowell to approve the pay request to R&W Clark in amount of \$26,289.98. Upon roll call:

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

Motion carried 5/0

B) Payment request for HPZS in the amount of \$40.80

MOTION: by Trustee Dowell to approve the pay request to HPZS in the amount of \$40.80.

Trustees determined that a vote should not be taken because the item was not listed on the agenda. Attorney Keller suggested that the Board could vote to make the payment and then ratify that payment at the next meeting.

Trustee Dowell withdrew his motion.

MOTION: by Trustee Kizior to proceed with the expenditure of \$40.80 to HPZS for reimbursable expenses, as is, without a motion, and then we add it to the consent agenda next month since it's below \$500. Upon a voice vote:

YES: (5)

NO: (0)

ABSENT: (1)

Motion carried 5/0

VILLAGE ATTORNEY'S REPORT

Attorney Keller stated that he has undertaken the job of codifying all pertinent ordinances into the Village's municipal code. He said the only editable version of the code that he has been able to obtain is dated 2001, so he will have to review all ordinances and amendments passed since then. He said he intends to have the job complete by the end of the year. The consensus of the Board was that the Village paid for and owns the electronic version of the Municipal Code updated in 2003, and if the law firm that performed the work does not have the file in an editable form, it should pay to have the .pdf file converted. President Gifford asked Attorney Keller to pursue that avenue.

A) Ordinance Implementing the Provisions of the State Officials and Employees Ethics Act

Attorney Keller stated that this draft ordinance was discussed last month and recommended its adoption.

Trustee Plautz asked for dollar limits on gifts a trustee may accept, such as a dinner, and asked why these figures are not incorporated into the proposed ordinance. Attorney Keller stated that the state ethics act has two different limitations: \$100 a year on gifts to any elected or appointed official, not including food, and \$75 a day on meals and entertainment supplied to an elected or appointed official. He said the Village is required by state statute to adopt an ordinance consistent with the state's gift ban act. By incorporating the state's ethics act by reference in the proposed ordinance, any time the state statute changes, the Village's ordinance would automatically be in compliance. Attorney Keller stated he would distribute a memo to the Board outlining the dollar limitations on gifts.

Trustee Ekstrom asked what the penalties are for violating the act. Attorney Keller said the offender could be sentenced to a year in jail and action by state's attorney, which could result in the forfeit of office.

MOTION: by Trustee Dowell to approve the ordinance Implementing the Provisions in the State Officials and Employees Ethics Act in the Village of Deer Park. Upon roll call:

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

NO: (0)

ABSENT: (1)

Motion carried 5/0

Trustee Plautz requested a change in the agenda at this point to accommodate a consultant who was present to speak to President Gifford's agenda item regarding an amendment to the Groot waste hauling contract. The Board agreed to allow this change.

PROPOSED AMENDMENT NO. 1 TO AGREEMENT WITH GROOT REGARDING FUEL SURCHARGE

Andrew Quigley, executive director of the Solid Waste Agency of Lake County, stated he had sent the Village a letter dated Sept. 15 regarding the proposed amendment and was present to reiterate the reasons outlined in that letter why he thinks the Village should not approve the amendment. He said the Consumer Price Index already is factored into the Village's contract with Groot, and that index includes a fuel component. He said he feels the CPI sufficiently addresses rising fuel costs, but if the Board chooses to approve the amendment, then he recommends that the Village ask for a deflation to the CPI factor.

President Gifford agreed with Mr. Quigley, stating that many things have changed since Groot initially approached the Village to request the surcharge. He said at that time, the cost of fuel was more than \$3 a gallon, and recently it has been as low as \$2.18 a gallon.

Trustee Plautz proposed that Groot be allowed to keep the surcharges it has already collected, but that no surcharge will appear on future bills.

Trustee Rotter questioned why the company should be allowed to keep the funds if the contract didn't call for it (because the amendment was never passed). Administrator Connors stated it is Groot's position that they were instructed to start collecting the surcharge. Mr. Quigley concurred, stating that it was a good faith effort from what Groot officials understood from the previous Village Administrator. Trustee Kizior reminded the Board of the windfall residents received from Groot last year regarding yard waste pickup, and said that even if Groot is allowed to keep the funds already collected, residents still come out way ahead.

A discussion ensued regarding the minutes from the June meeting and whether the original motion actually approved a surcharge or only called for the creation of an amendment which would be voted upon at a later date. Attorney Keller stated that the sense of the motion was that the change should be incorporated into a written amendment to the contract.

MOTION: by Trustee Kizior to approve Amendment No.1 to the Agreement for Refuse Collection and Disposal and Recyclable Material and Compostable Yard Material Removal. Upon a voice vote:

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

Motion failed 0/5

MOTION: by Trustee Ekstrom to have the Village Administrator work with Groot about the fees that have already been collected up to this point and that they not need to be returned and that they roll back the prices to the original contract terms. Upon a voice vote:

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

Motion carried 5/0

Trustee Kizior asked the Village Administrator and Village Attorney to review the Board's minutes policy in an effort to alleviate the divisiveness among trustees regarding the minutes.

VILLAGE ATTORNEY'S REPORT (continued)

B) Proposed Ordinance regarding Remote Attendance Policy

Attorney Keller stated that an amendment to the Illinois Open Meetings Act that takes effect Jan. 1, 2007, will permit Board members to attend meetings via speaker phone or video conference. He said the amendment states that there must be an ordinance and written policy in effect regarding this new attendance policy, and there must be a quorum physically present at a meeting before others would be permitted to attend remotely. He added that the reason for remote attendance must be something such as business travel or personal illness, not a personal vacation. He said he had drafted a proposed ordinance for the Board to consider, but no action was required tonight.

Trustee Dowell stated that he thought such an attendance policy would be impractical for the Board because its meetings are too long. He suggested, however, that it might help with recruitment of members for the Plan Commission or Zoning Board of Appeals.

President Gifford agreed that remote attendance might be unworkable for a regular meeting, but thought it would be viable in the event that a special or emergency Board meeting was needed and several trustees were out of town.

Trustee Ekstrom stated that when Board meetings are moved to the Vehe Farm Barn, having an open phone line for four hours would not be a problem. Other trustees agreed that it would be worth reconsidering when the Barn is closer to completion and requested that Administrator Connors put the item on the January agenda.

REPORTS FROM PRESIDENT, TRUSTEES AND ADMINISTRATOR:

A) President Gifford:

i) Proclamation of U.S. Marine Corps

President Gifford stated that he would like the Village to proclaim the month of November in honor of those serving in the U.S. Marine Corps.

MOTION: by Trustee Dowell to accept President Gifford's proclamation honoring the U.S. Marine Corps for the month of November. Upon a voice vote:

YES: (5)

NO: (0)

ABSENT: (1)

Motion carried 5/0

ii) Report on the polling place location

President Gifford noted that resident Mary Lahr sent out letter to all candidates and Lake County expressing her concerns regarding voting at the Barn, but did not copy the Village on that letter. He stated if she had, Administrator Connors could have told her, prior to the letter being sent, that a tent was no longer being considered and that alternate plans had been made.

iii) Report on Lake County Transportation Summit

President Gifford stated that he and Trustee Ekstrom attended the summit. In response to John Lahr's summary, which said that President Gifford hadn't notified residents about the summit, President Gifford held up a copy of the Village's September newsletter, which contained an article about the summit and a web site to visit for more information.

President Gifford stated that none of the votes taken at the summit would have an impact on the immediate vicinity of Deer Park. Trustee Kizior stated that he had called the chairman prior to the summit and challenged him as to why he was urging a "No" vote on the proposed Route 53 extension.

iv) September Executive Session information

President Gifford stated that someone contacted the Illinois state's attorney's office following last month's Board meeting complaining that the Board had violated the Open Meetings Act by convening an executive session when one was not listed on the agenda. President Gifford said the state's attorney confirmed that there was no violation.

B) Administrator Connors

i) Polling Place Agreement for use of the Village Office for November General Election

Administrator Connors stated that the Board packet included a letter from Lake County election officials dated Aug. 17, confirming that the Village had agreed to allow the Barn to be used as a polling place. He said he talked recently with Luke Stowe of the elections office, who said that if the Barn is not able to be used, the County would like to use the Village Office.

A discussion followed about when the commitment was made to the county and by whom. Attorney Keller stated that it is too late for the Village to back out of its commitment for this election, but said it certainly can do so for future elections. Trustees suggested alternate locations, such as Deer Park Town Center, but President Gifford said the decision of polling locations is up to the county.

Trustee Ekstrom asked if the county will pay the Village staff for helping with the election. Administrator Connors replied that the Village Office will be open for business on Election Day.

The Board also discussed logistics of holding the election at the Village Office and asked Administrator Connors to work with Mr. Stowe to accommodate all safety and administrative issues.

ii) 2007 Village Board meeting schedule

Administrator Connors stated that the Board's normal meeting day, the third Monday of the month, falls on holidays during January and February in 2007. He proposed the meetings in those months be moved to the third Tuesday. The Board supported that decision.

iii) Report on Village Emergency Management Service Plan

Administrator Connors stated that, in response to a question at last month's Board meeting from Trustee Kizior as to whether the Village has a mitigation plan for non-natural hazards, he will be working in the next year to create an Emergency Management Service Plan for the Village.

iv) Report on the Intergovernmental Cooperation Agreement with State of Illinois concerning health insurance

Administrator Connors reported that it is in the best interests of the Village not to take any action to terminate the Village's agreement with the state concerning health insurance, which covers the former Village Administrator until

the end of the month. By taking no action, it will be possible for the Village to offer coverage to another employee in the future.

v) Report on future Plan Commission agenda items

Administrator Connors reported that there are two items scheduled for consideration by the Plan Commission, which normally meets the first Monday of the month. However, the Village staff will be busy with logistics of the election the first Monday in November, so he proposed scheduling the next Plan Commission meeting in December. The Board agreed with that proposal.

vi) Review of draft Performance Evaluation Process for Village employees

Administrator Connors stated that he was told during his interview process that the creation of an employee evaluation system was a high priority. He thanked Trustee Ekstrom for helping him put together the draft of the evaluation process that he was proposing. A discussion ensued regarding the timeline for implementing the evaluation process, and Trustee Ekstrom asked for feedback on the process by the end of October so that the Village Administrator and Village President could complete the goal-setting portion of the process by the November Board meeting.

C) Trustee Ekstrom – Roads & Public Utilities:

i) Request for speed limit reduction on Lake-Cook Road

Trustee Ekstrom presented a draft of a letter to the Illinois Department of Transportation expressing the Village's support for a reduction of the speed limit to 45 mph on Lake-Cook Road from Quentin Road to Ela Road.

MOTION: by Trustee Ekstrom that Administrator Connors sends the letter with the backup material so that we request the speed limit change on Lake-Cook Road. Upon a voice vote:

YES: (5)

NO: (0)

ABSENT: (1)

Motion carried 5/0

ii) Report on road and drainage projects

Trustee Ekstrom gave a recap of recent or ongoing road and drainage projects:

- ◆ The road resurfacing program in the Squires subdivision is complete and shoulder restoration is under way. A portion of the contract amount is being retained until spring to take care of any damage from snowplows.
- ◆ The Thrush Court irrigation repair is waiting for a schedule from Chicagoland Paving.
- ◆ Ela Township completed the restoration, top soil and seeding of the former Cardinal Court. Trustee Ekstrom suggested that some of the Parks budget might be used to plant bushes at what used to be the entrance to Cardinal Court in an effort to block people who might be unaware that the road was removed. Trustee Dowell requested reflectors be installed in the meantime.
- ◆ Letters were sent to Ferndale subdivision residents regarding the drainage project there. The Village also has applied for a grant from Lake County to cover a portion of the project expenses. A decision is due in December.
- ◆ The Middlefork Road drainage project is ahead of schedule. Storm sewers are installed and rough ditching is completed.
- ◆ The Sylvander Road culvert installation is complete.
- ◆ Ela Township is doing preventive storm pipe cleaning next week. Crews also will begin patching of potholes this week.

Trustee Ekstrom also reported that the Village is going to have to pay to move a Court La Grov resident's sump pump discharge pipe because it has created a drainage problem. She said the resident was told by the Village to move the pipe to its current location, so the Board can't expect the resident to pay to rectify the problem. She said that cost will likely be included in next year's budget.

D) Trustee Dowell – Finance:

Trustee Dowell presented the monthly analysis of selected income and expense budgets. On the income side, he said the Motor Fuel Tax fund has increased consistently in the past few years. It is budgeted at \$90,000 this year. Trustee Ekstrom suggested the Board should maintain or slightly decrease that budgeted amount next year based on information from Trustee Rotter that State of Illinois officials are considering abandoning the practice of sharing the motor fuel tax with local governments.

Trustee Dowell stated that the Use Tax revenue budget has been relatively steady over the past six years. He said the tax is collected for purchases made out of state, but used within the Village. He said it usually is collected from businesses for such things as equipment purchases, not from individuals.

On the expense side, Trustee Dowell said audit expenses spiked up when GASB 34 rules were implemented, but are slightly less this year. He said engineering fees have scaled down since Deer Park Town Center opened and are budgeted at \$85,000 this year. He said planning fees followed the same trend as engineering, with a current budget of \$5,000.

E) Trustee Plautz – Health & Sanitation:

i) Report on invasive species and ash trees

Trustee Plautz stated that she is concerned about the Praedium development (Town Center Promenade) and wanted to ensure the developer would remove all buckthorn trees before the Village signs off on the project. Administrator Connors replied that he had a meeting with the developer, and he is aware the invasive plants need to be cut.

Trustee Plautz also noted that the media has had a lot of coverage recently about ash trees and the destructive emerald ash borer. She recommended that the Board continue to monitor the invasion into Illinois, but take no action at this point.

ii) Update on smoking ban discussion

Trustee Plautz stated that she sought opinions from Village residents in the September newsletter regarding a potential smoking ban in public places. She said only three responses were received. She asked if the Board would be willing to direct Administrator Connors to contact the administrators of surrounding villages to ask their thoughts on a regional smoking ban.

President Gifford noted that he took a poll of the Board last month, and the consensus was to leave the issue up to individual businesses. He added, however, that if Trustee Plautz wanted to poll other villages on her own, she was free to do so.

iii) Report on solicitation of proposals for insurance coverage for 2007

Trustee Plautz stated that the Board will receive insurance quotes at next month's meeting. Administrator Connors said that IMLRMA will extend its discount deadline to Nov. 21 if the Board votes to continue coverage with that group.

F) Trustee Kizior—Parks & Recreation:

Trustee Kizior stated that an herbicide application is needed to remove non-native plant species between the pond and the road at Charlie Brown Park. A second application will be necessary in spring 2007 in order to prepare the area for planting in early 2008. In response to questions about burning vs. chemicals, Trustee Kizior said he spoke with John Wagner of Citizens for Conservation, and Mr. Wagner actually advocated more expensive means for eradicating the non-native species than he is proposing to the Board. Trustee Kizior said they also discussed the safety of using the chemicals near the water, and no harm will be done as a result of the application.

MOTION: by Trustee Kizior to approve an expenditure not to exceed \$600 for the vegetation control on the east side of Long Grove Road up to the pond area in Charlie Brown Park. Upon roll call:

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

NO: (0)

ABSENT: (1)

Motion carried 5/0

G) Trustee Rotter – Planning & Zoning:

Trustee Rotter stated that he had asked for monthly reports from Building and Zoning Inspector Bill Holmes regarding Municipal Code violations. He asked when those reports would begin. Administrator Connors stated that he had established weekly meetings with Mr. Holmes.

Trustee Rotter also stated that several months ago there were several complaints that Dick's Sporting Goods had erected a sign without obtaining a permit. He said the sign is still there, and he wondered if there was any resolution to the complaints. President Gifford said the company was told it needed permit, and he had heard that the company applied for and received a permit. He said he would doublecheck this information.

i) Report on Comcast

Trustee Rotter stated that Comcast representatives will attend the Board's January meeting. He said the company is working on a financial and business plan to offer cable, internet and phone service packages, and the representatives will present various options for the Board to evaluate.

ii) Motion for consideration by the Village Board

Trustee Rotter stated that he was told prior to the meeting that the Board could not vote on his proposed motion because the topic was not specifically stated on the agenda. He said, however, that he wanted to read a statement and his motion tonight and call for a vote on it in November.

Trustee Rotter then read his prepared statement, which pertained to former Administrator Kari Diesen-Dahl, stating that President Gifford acted in opposition to the Board's discussion and decision agreed upon in the Aug. 21 Executive Session. He called for a public apology from President Gifford to Administrator Diesen-Dahl, to the Board and to the residents of Deer Park. He said he believes action should be taken if the motion passes and an apology is not forthcoming.

President Gifford stated that he disagreed with Trustee Rotter's assessment of the events that transpired.

TREASURER'S INFORMATION

A) Investments Held Report

MOTION: by Trustee Dowell to approve the Investments Held report dated Sept. 30, 2006, in the amount of \$2,028,432.76. Upon a voice vote:

YES: (5)

NO: (0)

ABSENT: (1)

Motion carried 5/0

B) Report on settlement and closing statement from land sale to Red Seal

Administrator Connors stated that this item was on the agenda at the request of Trustee Rotter. He said the Escrow Trust Disbursement Statement was included in the agenda packet.

Trustee Ekstrom stated that she doesn't think it answers any of questions Trustee Rotter had. Trustee Rotter said he was planning to compare the figures on the statement to numbers brought up at previous Board meetings. He said he will continue to look for all Village expenses associated with the land deal to make sure they are all repaid.

CASH DISBURSEMENTS

Trustee Dowell stated that disbursements this month are slightly higher than normal because the road resurfacing program costs are included.

MOTION: by Trustee Dowell to approve cash disbursements for month Sept. 19-Oct. 16, 2006, in the amount of \$474,136.59. Upon roll call:

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

NO: (0)

ABSENT: (1)

Motion carried 5/0

ADJOURNMENT

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

YES: (5)

NO: (0)

ABSENT: (1)

Motion carried 5/0

The meeting was adjourned at 10:30 p.m.

H. Scott Gifford, Village President

Maureen Pratscher, Village Clerk