

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF TRUSTEES OF THE VILLAGE
OF LAKE BARRINGTON
HELD NOVEMBER 7, 1961

1. Type, Date and Place of Meeting.

The regular meeting of the Board of Trustees for the month of November was held on Tuesday, November 7, 1961, at the residence of the Village President as provided by ordinance.

2. Call to Order.

The Board of Trustees was called to order by President Hubschman at 8:00 P.M. On roll call, the following were:

Present: President Hubschman and Trustees Bartlett, Johnson, Nelson, Tucker and Wienecke

Absent: Trustee Schleifer

QUORUM PRESENT

Administrative staff present:

Village Attorney: Theodore Huszagh

3. Presentation and Approval of Minutes.

The minutes of the following meetings, to-wit:

- a) regular meeting held August 1, 1961
- b) regular meeting held September 5, 1961
- c) regular meeting held October 3, 1961

were presented for approval. It was moved by Trustee Wienecke, seconded by Trustee Nelson that said minutes for said meetings be approved as presented and that all action taken and all business transacted at said meetings be ratified and confirmed in all respects and that the reading of said minutes be dispensed with as all members of the Board of Trustees had heretofore received copies thereof.

The President called for a vote and on roll call, the vote was:

Yeas: Trustees Bartlett, Johnson, Nelson, Tucker and Wienecke

Nays: None

MOTION DECLARED CARRIED.

4. Bills and Accounts Payable.

It was moved by Trustee Tucker, seconded by Trustee Wienecke that the report of current bills and accounts payable be deferred until the next regular Board Meeting. The President called for a vote and on roll call, the vote was:

Yeas: Trustees Bartlett, Johnson, Nelson, Tucker and Wienecke

Nays: None

MOTION DECLARED CARRIED.

5. Treasurer's Report.

The Treasurer was absent and therefore no Treasurer's Report was given.

6. Report on Kelsey Subdivision Litigation

At the direction of the President, the Village Attorney, Theodore Huszagh, gave a report on the current status of the law suit against the Kelseys in which the Village seeks:

- a) To enforce and collect the subdivision application fee and the fines for recording the plat without first having the Plat approved by the Village.
- b) To have the Plat of Subdivision voided for lack of Village approval.

Mr. Huszagh reported:

- a) That a number of hearings by the Court on the crucial legal issues involved, primarily, the necessity of having Village approval prior to the recording of the Plat *had been held.*
- b) That this question was presented for decision to the Court on both oral argument and on briefs and that on October 27, 1961, the Court decided the issue in favor of the Village.
- c) That Kelsey now maintains as a defense that the Village did approve his Plat.
- d) That nevertheless, Kelsey's attorney had offered to settle the case, but had offered only the original application fee by way of settlement.
- e) That as of November 1, 1961, the total amount of fines and costs Kelsey could be found liable for, comes to approximately \$10,000.00
- f) That Mr. Huszagh's attorney's fees for services in prosecuting the case as of November 1 come to a little over \$3000.00

It was moved by Trustee Nelson, seconded by Trustee Tucker, that Mr. Huszagh continue to prosecute the case and that the case not be settled for an amount less than a figure sufficient to cover the original subdivision application fee, all of Village Attorney's fees for services in prosecuting the case and all Court costs. The President called for a vote and on roll call, the vote was:

Yeas: Trustees Bartlett, Johnson, Nelson, Tucker, and Wienecke
Nays: None

MOTION DECLARED CARRIED.

7. Annexation of Kazimour Marina.

Mr. Edward Kazimour, the owner of "Kazimour's Marina and Resort" presented himself to the Board and explained his willingness and desire to annex his property to the Village if he could be assured that:

- a) He could continue to operate his resort as he had in the past and also be permitted to remodel existing facilities and construct new facilities consistent with the operation of a modern marina and resort and that the proper zoning and other ordinances needed to permit this be enacted.

b) That the Village impose no liquor regulations or fees more stringent than those of the County, which now has jurisdiction over the property.

It was moved by Trustee Wienecke, seconded by Trustee Tucker that it was the sense of the Board that the annexation of the Kazimour property under the conditions specified above was desirable and that the Village Attorney be authorized to draw up the necessary legal papers and ordinances to annex the property on these conditions for consideration at the December Board Meeting. The President called for a vote, and on roll call, the vote was:

Yeas: Trustees Bartlett, Johnson, Nelson, Tucker, and Wienecke
Nays: None

MOTION DECLARED CARRIED

8. Adjournment.

It was moved by Trustee Wienecke, seconded by Trustee Tucker, that the meeting be adjourned. President called for a vote and on roll call, the vote was:

Yeas: Trustees Bartlett, Johnson, Nelson, Tucker, and Wienecke
Nays: None

MOTION DECLARED CARRIED and meeting adjourned.

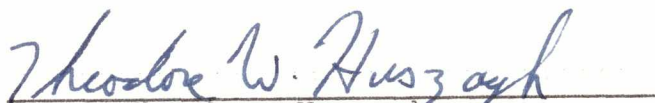
Jorgen Hubschman
President

ATTEST:



Margaret Orbesen
Village Clerk

APPROVED AS TO FORM:



Theodore Huszagh
Village Attorney