

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
FEBRUARY 25, 2009 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

I. Call to Order and Roll Call

At 7:35 p.m. President Sauer called the Meeting to order. The Deputy Village Clerk led the pledge of Allegiance, and then called the roll:

Present in Person: President Sauer, Trustees Boland, Kolar, Koertner, Pino and Weiner

Absent: Trustee Farrell

Also Present: Kathy Nelander, Village Administrator

J.W. Braithwaite, Village Attorney

Kris Lennon, Deputy Village Clerk

Steve Zehner, Baxter & Woodman, Inc.

Scott Gaschler, Wauconda Fire Dept., 109 W. Liberty Street, Wauconda

Jane Papadimitrio, 132 Old Barrington Road

Nancy Shepherdson, 24444 W. Middle Fork Road, Deer Park

Jackie Andrew, 610 Signal Hill Road

II. Public Comment

Nancy Shepherdson, 2444 W. Middle Fork Road, Deer Park, addressed the Board to speak on the Economic Stimulus Package at the request of Trustee Pino. Ms. Shepherdson stated that she is a business and political consultant from Deer Park. Ms. Shepherdson explained that the State of Illinois will receive approximately 23 billion dollars in stimulus money which was signed into law on 2/17/09. However; the bill has a provision that the Illinois Department of Transportation (IDOT) has until 3/13/09 to commit money under the plan. Seventy (70) percent of the stimulus funds have already been committed due to previous "on-the-shelf" projects leaving thirty (30) percent available. Ms. Shepherdson explained two firm requirements: 1) that Phase I and II of the engineering is completed and 2) that the project meet Federal Highway Administration Guidelines. Ms. Shepherdson explained that if IDOT denies an application, the Capital Bill and SAFETEA-LU are alternatives. Ms. Shepherdson is available for guidance if needed.

President Sauer asked Trustee Kolar look into the matter and respond back to Ms. Shepherdson.

President Sauer thanked Ms. Shepherdson for her comments.

III. Consent Agenda

Motion: Trustee Weiner moved approval of the consent agenda consisting of the following agenda items; seconded by Trustee Koertner:

- A. Approve Minutes of Regular Board Meeting, 1/28/09**
- B. Approve Minutes of Flint Creek Watershed Meetings, 2/11/09**
- C. Approve 2/25/09 Vouchers for payment of bills**
- D. Approve the Treasurer's Report for the 9th month of Fiscal Year 2009**
- E. Approve Wynstone request for Fireworks Display on Saturday, July 4, 2009**

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Boland, Kolar, Koertner, Pino and Weiner
Nays: None
Absent: Trustee Farrell
Abstain: None

President Sauer declared the motion approved.

IV. VARIATION REQUEST

- A. Resolution #2510 Approving Wynstone Golf Club Request to waive Village Code Requirement for Fire Suppression System: Spray Irrigation Pump House**

The Resolution was made available to the Board in their packet materials.

President Sauer explained that the Wynstone Golf Club requested a waiver from the application of Village Code Sections 8-2-1B3a and 8-2-5B1 requiring approved automatic fire suppression systems pertaining to the Irrigation Pump House and Chemical Storage Building. The waiver request was referred to the Wauconda Fire District for its recommendation. It was noted that the Fire District had no objection to the request.

There were a few questions from the Board that were addressed by President Sauer.

Motion: Trustee Boland moved to approve Resolution #2510; seconded by Trustee Weiner:

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Kolar, Koertner, Pino and Weiner
Nays: None
Absent: Trustee Farrell
Abstain: None

President Sauer declared the motion approved.

V. COMMISSION & STAFF REPORTS

President Sauer stated that the following items were contained in the Trustee's packets and if there were any questions, to contact the appropriate Commission Chair or Village Officer.

- A. Building Department Report (Kelly Rafferty – Rafferty Architects)**
- B. Building Inspection Report (B&F Technical Code Services, Inc.)**
- C. Engineering Project Status Report (Jennifer Sorensen – Baxter & Woodman)**
- D. Health & Sanitation Report (Natalie Karney – Land Technology)**
- E. Parks & Recreation Commission Meeting Minutes, 2/2/09**
- F. Environmental & Health Commission Meeting Minutes, 2/3/09**

VI. ADMINISTRATION – President Bruce Sauer

A. Village Update

1. Proposed Resolution Nos. 2511 & 2512

Resolution Nos. 2511 and 2512 were made available to the Board.

President Sauer explained that he attended a meeting with representatives from Baxter & Woodman, Inc. and the Wynstone Property Owner's Association (POA) on 2/25/09 to discuss potential ways to obtain stimulus funds from the Illinois Environmental and Protection Agency (IEPA) with specific reference to the Special Service Area for the Wynstone Spray Irrigation System and the potential sanitary sewer connection to the Village of Lake Zurich and the County of Lake sanitary sewer system.

President Sauer remarked on the benefits of receiving IEPA stimulus funds including a zero (0) percent interest rate over a twenty year period and principal forgiveness ranging between fifteen (15) and eighty-five (85) percent. Additionally, there are specific design plans for the irrigation system and the sanitary sewage problem which include high environmental standards specifically designed by the engineers of Baxter & Woodman Inc.

President Sauer stated that he is going to Springfield, Illinois March 3rd through March 5th to meet with legislators to discuss the stimulus package and ways to apply for stimulus funds via the Illinois Environmental Protection Agency (IEPA).

President Sauer explained that passing the proposed Resolutions was essential for the purpose of applying for the stimulus funds through the IEPA. Proposed Resolution No. 2511 authorizes the Village President to sign loan applications upon the loan being approved and proposed Resolution No. 2512 states that Village will maintain flood insurance for approved projects.

Trustee Koertner asked if the Resolutions would delay the Wynstone irrigation project. President Sauer stated that it would not delay the project.

There were a few questions from the Board that President Sauer and Village Attorney J.W. Braithwaite addressed.

Motion: Trustee Pino moved to approve Resolution #2511; seconded by Trustee Boland:

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Kolar, Koertner, Pino and Weiner
Nays: None
Absent: Trustee Farrell
Abstain: None

President Sauer declared the motion approved.

Motion: Trustee Pino moved to approve Resolution #2512; seconded by Trustee Kolar:

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Kolar, Koertner, Pino and Weiner
Nays: None
Absent: Trustee Farrell
Abstain: None

President Sauer declared the motion approved.

2. Flint Creek Project/Wynstone Property Owners Association

President Sauer explained that Bob Ritter from the Wynstone Property Owner's Association is interested in the Flint Creek Project and what type of actions or analysis would be needed to clean up the Wynstone community including Dog Bone Lake.

Trustee Koertner volunteered to contact Patsy Mortimer, Flint Creek Watershed Partnership, since she is a Flint Creek Project liaison.

B. Ratification of Authorization to Institute Litigation, 242 Shady Lane

President Sauer stated that Village Attorneys Arnstein & Lehr, LLC filed a court action, seeking an emergency order for an inspection of the premises located at 242 Shady Lane. Prior to the court action, the Village had reasonable cause to believe that the homeowners continued with construction after a "stop work" order was issued in addition to, receiving an "unusual" letter from the homeowner. An inspection was granted by the court to insure the safety of the residents. The inspection was held on 2/23/09.

Trustee Boland asked President Sauer to detail the inspection.

President Sauer explained that the inspection revealed substantial construction in progress. Building and Zoning Officer Kelly Rafferty prepared a letter to the homeowner's regarding the unsafe conditions as well as, measures required to correct the problems in order to render the home temporarily safe for occupancy. A second inspection has been scheduled for 2/27/09 at 4:00 p.m.

Motion: Trustee Boland moved to ratify the Village President's direction in initiating court action seeking an emergency order for an inspection of the premises located at 242 Shady Lane; seconded by Trustee Weiner:

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Boland, Kolar, Koertner, Pino and Weiner
	Nays:	None
	Absent:	Trustee Farrell
	Abstain:	None

President Sauer declared the motion approved.

President Sauer subsequently explained that the Board needed to pass an additional motion that would authorize Village consultants to take necessary steps if necessary, to ensure the safety of the occupants of the property at 242 Shady Lane.

Village Attorney J.W. Braithwaite provided a Memorandum to the Board and referenced page 2 of the Memorandum which suggested the language to be used for the motion.

Trustee Weiner requested that additional language be added to the motion to include: "for compliance with the Building and Zoning Codes of the Village". Attorney Braithwaite had no objection to the request.

Motion: Trustee Boland moved that the staff of the Village of North Barrington and its consultants are authorized to take such steps as are necessary to assure the safety of the occupants of the property at 242 Shady Lane, North Barrington, Illinois, including requiring vacating the property, if necessary to assure safety of the residents; this action is being taken as an emergency and, therefore, is exempt from the agenda requirements of the Open Meetings Act as amended; seconded by Trustee Weiner:

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Boland, Kolar, Koertner, Pino and Weiner
	Nays:	None
	Absent:	Trustee Farrell
	Abstain:	None

President Sauer declared the motion approved.

VII. REPORTS BY BOARD OF TRUSTEES

A. Trustee Edmund P. Boland

Trustee Boland had nothing to report.

B. Trustee Jane Farrell

Trustee Farrell was absent.

C. Trustee Mark Kolar

Trustee Kolar had nothing to report.

D. Trustee Camille Koertner

Trustee Koertner reported that contract negotiations continue with SWALCO regarding the proposed contract with its hauler Waster Management. Trustee Koertner stated that she will inform the Board of new developments as they occur.

E. Trustee Al Pino

Trustee Pino reported on the Activity Report submitted by Village Building and Zoning Officer Kelly Rafferty. Trustee Pino additionally researched the economic stimulus package and had informational articles for review if the Board was interested.

F. Trustee Lawrence Weiner

Trustee Weiner reported on the activities of the Environmental & Health (E&H) Commission which included a Special meeting held 2/11/09 with the Village Board. Nancy Schumm-Burgess, Barrington Area Conservation Trust gave a presentation titled "We're Doing Our Part for the Flint Creek Watershed".

Trustee Weiner reported that an E&H Commission meeting was held on 2/3/09. The Commission has been working on a septic tank maintenance ordinance for the Village to ensure that residents maintain their septic tanks at appropriate intervals.

VIII. CLOSED SESSION:

There was no closed session.

IX. NEW BUSINESS

Trustee Pino stated that he and President Sauer attended an Emergency Preparedness Seminar on 2/11/09 at the Lake Zurich Police Station for emergency operations training. Trustee Pino stated that an emergency plan for the Village is currently being developed although has not been finalized.

X. OLD BUSINESS

There was no old business to discuss.

XI. ADJOURNMENT

There being no further business to come before the Board, Trustee Weiner moved to adjourn the meeting; seconded by Trustee Pino. The voice vote was unanimous in favor.

At 8:21 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held March 18, 2009.

Attest: _____

Kris Lennon, Deputy Village Clerk