

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD MONDAY,
SEPTEMBER 22, 2003 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD

I. Call to Order and Roll Call

At 7:35 P.M. President Starkey called the Meeting to order. The Clerk led the Pledge of Allegiance, and then called the roll:

Present: Trustees McEnroe, Parker, Peterson and President Starkey

Absent: Trustees Forman and Hjertstedt

Also Present: Kathy Nelander, Village Clerk

Bobbi Svacha, Village Treasurer

Al Stefan, Baxter & Woodman

J.W. Braithwaite, Arnstein & Lehr

Barb Potter, 285 Biltmore Drive

Mindy Nelson, 257 Drury Lane

Carol McGregor, 440 W. Hillside Ave, Barrington

Peder A. Finnberg, PAF & Assoc., Algonquin

Bill Bishop, 489 Pinewoods Drive

Joe Arizzi, Wauconda Fire Department

Julie Swano, 405 Concord Lane

Pat Ryan, 404 Concord Lane

Natalie Karney, Village Health Officer

Ted Gray, Ted Gray & Assoc., Western Springs

Ken Shepro, 333 W. Wacker Drive, Chicago

II. Public Comment

There was no one present who wished to speak.

III: Consent Agenda

Motion: On motion of Trustee Peterson, seconded by Trustee McEnroe, the following agenda items were unanimously approved by a single omnibus vote:

- A. Approve the Minutes of Regular Board Meeting, August 25, 2003
- B. Approve the Treasurer's Report for the 4th month of F/Y 2004 for file and audit
- C. Approve the September 22, 2003 Vouchers for payment of bills
- D. Release of easement for Lot A-13 in Wynstone
- E. IML Risk Management Intergovernmental Contract
- F. Domestic Violence Proclamation

Discussion: Trustee Parker said that he had questions about the Invoice from VSI Industries in the amount of \$13,129.00 as contained in the Vouchers. He asked that the check be held pending further review.

Vote on Motion

By Roll Call:	Ayes:	Trustees McEnroe, Parker and Peterson, President Starkey
	Nays:	None
	Absent:	Trustees Forman and Hjertstedt
	Abstain:	None

President Starkey declared the motion approved.

IV. Appointments/Resignations

A. Resolution #2284 appointing Bill Bishop to Plan Commission

The Resolution had been made available to the Board in the Agenda packet. President Starkey introduced Mr. Bishop to the Board and said that he was recommended for the position by Plan Commission Chairman Sidney Bartlett.

Motion: Trustee McEnroe moved to approve Resolution #2284; seconded by Trustee Parker.

Discussion: There was some discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Starkey declared Resolution #2284 approved and put on file. President Starkey welcomed Mr. Bishop to the Plan Commission.

V. Variations/Subdivisions/Code Amendments

B. Ordinance #1013, Revised Code Amendment pertaining to Title 3, Chapters 1 and 6

The Ordinance had been made available to the Board in the Agenda packet. President Starkey reminded the Board that Ordinance #1011 was adopted at the August board meeting, which combined the Environmental and Conservancy Commission with the Health & Sanitation Commission. President Starkey explained that Chapter 6 from Title III of the Village Code "Environmental and Conservancy Commission" was no longer needed, and that this Ordinance deleted the chapter from the Village Code.

Motion: Trustee Parker moved to adopt Ordinance #1013; seconded by Trustee McEnroe.

Discussion: There was some discussion.

By Roll Call:	Ayes:	Trustees McEnroe, Parker and Peterson, President Starkey
	Nays:	None

Absent: Trustees Forman and Hjertstedt
Abstain: None

President Starkey declared the motion approved.

C. Ordinance #1014 Village Code Amendment pertaining to Hunting, Chapter 4 of Title VIII

The Ordinance had been made available to the Board in the Agenda packet. President Starkey reminded the Board that during the discussion about deer hunting and the Village's hunting regulations at the August Board meeting, it was noted that there were some portions of the Ordinance that were vague. President Starkey said that she instructed the Village Attorney to revise the Ordinance so that there would be no ambiguities in the Ordinance. Village Attorney J.W. Braithwaite explained the changes to the Board. There was further discussion and some questions from the Board.

Motion: Trustee Peterson moved to adopt Ordinance #1014; seconded by Trustee McEnroe.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees McEnroe, Parker and Peterson, President Starkey
Nays: None
Absent: Trustees Forman and Hjertstedt
Abstain: None

President Starkey declared the motion approved.

D. Ordinance #1015, Environmental and Health Variation Ordinance for proposed septic system at 212 Biltmore Drive, Victoria Johnson

President Starkey invited Peder Finnberg of PAF & Associates to address the Board. Peder Finnberg explained that his firm was hired to design a repair for the septic system at 212 Biltmore Drive. Mr. Finnberg explained that variances were required because the system was smaller than required by Village Code due to the size of the property. Mr. Finnberg explained that during the meeting with the Environmental and Health Commission, the system did get a favorable recommendation, but there had been some concerns about stormwater drainage from the property to the north. Mr. Finnberg explained that this property to the north was a public walkway, and it contained a concrete flume which directed stormwater from Biltmore Drive on to the golf course and away from the property at 212 Biltmore Drive. Mr. Finnberg explained that the Environmental Commission had suggested that the flume be removed from the walkway, but he felt the concrete flume should remain in place to keep stormwater off the property, although the flume was in disrepair. Mr. Finnberg said that he did not feel that the homeowner should have to repair or replace something that was not on his property.

Village Health Officer Natalie Karney said that she felt that the plan adequately represented a

septic field replacement and that all parties felt this system was the best option to serve the house with the limitations on lot size and soil conditions. Ms. Karney said that there were soil problems, as well as a water table problem, on the lot.

Trustee Parker asked Village Engineer Al Stefan about the stormwater drainage from Biltmore Drive. Mr. Stefan explained that the concrete gutter channeled water onto to golf course and served to keep water from spilling onto the property at 212 Biltmore Drive. Mr. Stefan said the Village was in the process of finding out who had ownership and/or jurisdiction of the public walkway. Mr. Stefan said that he felt that the concrete gutter did keep stormwater from going onto the property, that the gutter should be repaired, and that the cost to repair the gutter would be about \$1000. There was lengthy discussion about the repair of the gutter and whose responsibility it was to repair the gutter. The Board felt that the homeowner should repair the flume in order to protect the new septic system.

Peder Finnberg asked that some limitations be put into the Ordinance's language so that if the homeowner were required to fix the swale, it would only be the concrete flume portion that was in disrepair. He also asked that there be a time limitation on finding the owner of the property so that the homeowner could proceed with the required septic work.

After lengthy discussion, Village Attorney J.W. Braithwaite said that his office would research the ownership of the property. The Ordinance was changed to include the following:

"b. the owner, in conjunction with the Village Staff and subject to the Village Attorney providing within fourteen (14) days information as to the ownership of the adjacent walkway property on which an existing concrete swale is located, (near the northwest corner of the subject property), shall make a good faith attempt to secure from the owner of such adjacent property, permission to repair such concrete swale and upon receiving such approval, shall conduct such repair; provided that the condition of this paragraph b) may be waived by the Village President if the President is satisfied that permission cannot be secured within a reasonable period of time."

Motion: Trustee Peterson moved to adopt Ordinance #1015 as amended; seconded by Trustee Parker.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees McEnroe, Parker and Peterson, President Starkey
	Nays:	None
	Absent:	Trustees Forman and Hjertstedt
	Abstain:	None

President Starkey declared the motion approved.

VI. COMMISSION AND STAFF REPORTS

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

A. Building Department Report (Kelly Rafferty - Rafferty Architects)

The Building and Zoning Department Activity Report was made available to the Board.

B. Engineering Project Status Report (Al Stefan - Baxter & Woodman)

The Engineering Project Status Report was made available to the Board. President Starkey referred to the memo from Al Stefan regarding the school speed limit signs on Illinois Route 59. President Starkey reminded the Board that at last month's meeting; there were questions about establishing a speed limit zone at North Barrington School. According to the memo from the Village Engineer, Bob Hamilton of Gewalt Hamilton, spoke with an IDOT engineer in charge of signage who reported that there was a school speed zone when the old school had direct access to Route 59, and IDOT removed that limit once the new school was constructed. The IDOT contact also reported that a school speed limit would likely not be approved as there is no foot or bike traffic in the right of way on school days. President Starkey referred to the Village Engineer's recommendations to contact the Lake County Sheriff's Department to see if there is an accident history at the intersection which would warrant more signage or a decreased speed limit; and to also contact the School District to see if there have been any "close calls" or other safety concerns. After a brief discussion, the Board decided to take the Village Engineer's suggestions and contact the Sheriff's Department as well as the School District. Joe Arizzi, Wauconda Fire Department, said that he would research any accident history in his department.

C. Health & Sanitation Report (Natalie Karney - Land Technology)

The Health & Sanitation Monthly Report was made available to the Board.

D. Plan Commission Meeting Minutes from 9/8/03.

The Minutes of the Meeting were made available to the Board.

E. Zoning Board of Appeals Meeting Minutes from 9/9/03.

The Minutes of the Meeting were made available to the Board.

F. Parks Commission Meeting Minutes from 9/8/03.

The Minutes of the Meeting were made available to the Board.

G. Environmental Commission Meeting Minutes from 8/28/03.

The Minutes of the Meeting were made available to the Board.

H. Staff Meeting Minutes from 9/16/03.

The Minutes of the Meeting were made available to the Board.

VI. ADMINISTRATION

A. President's report

President Starkey provided a verbal report.

B. Item B was previously removed from the Agenda

C. Concord Lane Drainage (tabled)

President Starkey reminded the Board that the Concord Lane Drainage issue had been tabled at the August Board Meeting.

Motion: Trustee McEnroe moved to take from the table the Concord Lane Drainage topic; seconded by Trustee Peterson.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Starkey declared the motion approved and the topic removed from the table.

President Starkey asked Trustee Peterson to explain what steps the Environmental Commission had taken with regard to this topic. Trustee Peterson explained that the topic of drainage on Concord Lane had come before the Commission as a stormwater management issue. Trustee Peterson explained that Commission members Pat Ryan and Barb Potter had spent a substantial amount of time learning the history of the problem and researching costs for a solution for the complex problem. This information gathering also involved talking with Village Engineers Baxter & Woodman, as well as other experts. The Environmental Commission asked various contacts for bids for a proposal on what could be done to resolve the issue. Baxter & Woodman, as well as Ted Gray & Associates were the only two firms who submitted a proposal at no charge. After studying the proposals, the Commission recommended hiring Ted Gray & Associates to perform a feasibility study on the drainage issue; with the cost for that study to be \$10,750.

Trustee McEnroe asked about the history of the drainage issue. President Starkey said that Village Staff had looked into background information about the properties involved, including

reviewing maps, drawings from building permit applications, neighboring property development, soil tests, and hydrology of the area. President Starkey referred to a Concord Lane timeline which she had prepared and had included in the Trustee's meeting packets. President Starkey said that she had asked Village Engineer Al Stefan to and Village Health Officer Natalie Karney to the meeting in order to provide background information for the Board.

Village Health Officer Natalie Karney explained that the home at 405 Concord Lane was built in 1968 and that she did find any detailed information in the Health & Sanitation files regarding the property's septic system. Ms. Karney then gave background information on the septic systems at 178 Pheasant Hill Trail and 421 Concord Lane. She explained that in 1983 there were meetings with the Health & Sanitation Commission and the property owners of 178 Pheasant Run Trail requesting the importation of fill due to failed percolation tests. The property owners wanted the fill to be put in place and that the soils to be retested. There was much opposition from neighbors regarding this importation of soils. Ms. Karney explained that a large portion of the discussions at the Health & Sanitation Commission level were about drainage issues. Ms. Karney said that the requests were denied by the Health & Sanitation Commission as well as by the Village Board. Subsequently, a revised plan was submitted to the Health & Sanitation Commission, it was again denied, but the Village Board approved the importation of soil but that various conditions had to be met for the installation of the septic system. In 1985 a building permit was submitted for the property at 178 Pheasant Run Trail and the plans show that the Village had allowed 12 inches of soil to be added for the septic system; the soils then passed the percolation tests, and a building permit was issued.

Ms. Karney explained that the owners of the property at 421 Concord Lane were denied a permit to import soil and subsequently filed suit against the Village in 1987. A settlement was reached whereby the property owners would agree to abide by all Village septic ordinances in exchange for being permitted to import soil. Ultimately a plan was approved for a septic and the importation of fill. This system also had a number of conditions that had to be met, including the installation of an aeration unit and chlorinator. Ms. Karney explained that this property also included a number of drainage issues, which required the installation of swales and a detention area to help with these drainage issues.

Ms. Karney explained that in 1970's until the early 90's, it was a common practice in Lake County for fill to be brought in if percolation tests did not yield passing results, but in the Village of North Barrington there was an ordinance in place that did not allow for the importation of soils unless presented to the Health & Sanitation Commission for review, and the final approval from the Village Board. Ms. Karney noted that there were a couple of subdivisions in the Village where the subdivision ordinance indicated that they did not have to go before the Health & Sanitation Commission in order to import soils.

President Starkey had questions for Ms. Karney about the soil conditions at the properties 405 Concord Lane, 421 Concord Lane, and 178 Pheasant Run Trail. She explained that a soil map from the 1970's indicated that 405 Concord Lane, part of 421 Concord Lane and a portion of

178 Pheasant Run Trail contained Houghton Muck, Peotone Silty Clay Loam and Beecher Silt Loam. Ms. Karney explained that Houghton Muck was a wet soil found in a depressional area, with the water table at or above the ground's surface. These soils were never considered suitable for septic purposes, even if you were to import fill. Peotone Silty Clay Loam was same type of soil, although the water table might fluctuate a little, but is also considered a wet soil. She said like the Muck soils, these are not suitable for septic purposes and a system would not be designed for these areas. Beecher Silt Loam has high clay content in the area where the trench portion of a system would be installed. She said that percolation tests typically don't pass in Beecher Silt Loam soils and usually would require a mound system.

Village Engineer Al Stefan addressed the Board and gave background information about the properties on Concord Lane. He explained that the property had experienced flooding for many years, and was located at a low point relative to the surrounding properties, and development on the neighboring properties has increased runoff and changed the hydrology of the area. He explained that the changes have resulted in many different problems, including erosion, saturated ground conditions, standing water, loss of fences and loss of landscaping. He explained that Baxter & Woodman had completed a drainage study in 2000, and identified these various problems. There was lengthy discussion about engineering, site and drainage maps, and the condition of the existing swales on the properties. He also outlined different types of drainage devices including, swales, drain tiles, curtain drains, and if the existing uses on the involved properties were effective.

After lengthy discussion President Starkey said that there was a lot more research and information to secure before making a decision regarding the Concord Lane drainage issue. There were questions as to who was responsible for the drainage issues.

Trustee Peterson recapped the Environmental Commission's involvement with the drainage issue. He said the Commission discussed the whether or not the drainage issues were the Village's responsibility or the property owner's responsibility. He explained that the Commission felt that it could potentially be a Village responsibility, which then led to the Commission researching some of the history of the drainage issues as well as the different proposals submitted over the years. He said that the Commission also considered looking to a third party for a different solution, which led to their recommendation to hire Ted Gray and Associates to research the most feasible solutions to the problem.

President Starkey invited Ted Gray to address the Board. Mr. Gray said that Ted Gray and Associates was founded seven years ago, and outlined his credentials. Mr. Gray explained that there was a lot of history on the site to be incorporated into the analysis, including identifying the source of problem. He explained how his firm would study the problem and then recommend an environmentally sound solution.

President Starkey asked what Mr. Gray referred to when referring to "environmentally sound solutions". Mr. Gray explained options that are "environmentally sound" including planting

vegetation for erosion control; to manage stormwater where it falls rather than moving the water off site. He gave examples on how concrete swales can deteriorate, while vegetative swales can remain intact. He said that while working with the Environmental Commission and the property owners, they indicated a desire for this type of alternative methods.

President Starkey said that the Board had two questions to answer, first if the drainage problems on the properties at 404 and 405 were the Village's responsibility and, secondly, if the Village were to become involved, to decide which party would be awarded the bid.

Trustee McEnroe said that it would be useful to have former Trustee Kurt Kubon's background information; that he might be able to answer some of the questions posed by the Board. He also asked why the Village required another study of the drainage issue if one had already been conducted. He suggested postponing any decision until that information could be provided by Mr. Kubon. President Starkey said that she would secure that information for the next meeting.

Trustee Parker acknowledged the two issues before the Board but said that he concurred with Trustee McEnroe in the fact that a study had already been completed in 2000 with a proposal and suggested solutions for the drainage issue. He asked why there was never any further work done with regard to this previous proposal.

Village Attorney J.W. Braithwaite said that since the Board was going to postpone any decision at this time, the Board could also consider the use of a Special Service Area. He explained that a Special Service Area is a cost effective way of paying costs over a period of time, for example 10-20 years, and as a financing mechanism that the Village would control. He explained that the affected homeowners would pay a portion of those costs, but would have to agree to the Special Service Area. President Starkey directed Village Attorney Braithwaite for a memo outlining Special Service Areas for the next meeting.

Motion: Trustee McEnroe moved to table the Concord Lane Drainage issue; seconded by Trustee Parker.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Starkey declared the motion approved and the topic tabled.

Pat Ryan invited the Board members to visit his property, as well as the Swano property. Julie Swano asked that former Trustee Colin Lafferty be contacted for further information.

D. Flint Creek Review

President Starkey reminded the Board that the Flint Creek Review issue had been tabled at the

August Board Meeting.

Motion: Trustee Parker moved to take from the table the Flint Creek Review issue; seconded by Trustee McEnroe.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Starkey declared the motion approved and the topic removed from the table.

President Starkey explained that as part of the North Flint Creek Drainage Study, Baxter & Woodman had made recommendations for replacing and upgrading culverts to reduce flooding, at a cost of approximately \$840,000. President Starkey explained that given the size and scope of the project, the Environmental Commission had recommended that an outside expert, Ted Gray and Associates, review the plan as submitted by Baxter & Woodman, for a cost of \$6500. President Starkey reminded the Board that this topic was discussed briefly at last month's meeting, and that it was the consensus of the Board that a second opinion in the matter of the Flint Creek Study was feasible.

Motion: Trustee Parker moved to authorize Ted Gray and Associates to perform a review of the Flint Creek proposal in an amount not to exceed \$6500; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees McEnroe, Parker and Peterson, President Starkey

Nays: None

Absent: Trustees Forman and Hjertstedt

Abstain: None

President Starkey declared the motion approved. Trustee Peterson said that he would contact Ted Gray with the Board's decision. President Starkey asked Trustee Peterson to find out how much time was required to complete the review.

E. Website Redesign

President Starkey said that the redesign was still underway, and should be up and running within the next few weeks.

F. Snowplow Bids

The 2003/2004 Snow Removal Bids were made available to the Board.

Trustee Parker said that four Snow Removal Bid packets were returned and gave outline to the snow removal bids for the Village of North Barrington submitted by Acre, Inc., The Barn Nursery,

Snow Systems Inc. and VSI Industries. Trustee Parker explained that the Village had used Acre, Inc. for the past two years, and that the Village had no problems from a service standpoint. Trustee Parker explained that he checked references on the Barn Nursery, their recommendations were good and their very prices were competitive. Trustee Parker recommended the contract be awarded to The Barn Nursery, and outlined the reasons for his decision. There was further discussion about the use of salt and sand. Trustee Parker said that neither Acre nor the Barn mixed sand and salt for any of their customers, although they would. It was also noted that the decision on what to use on the roads did not need to be made at this time. There was lengthy discussion on the use of sand, salt combined with sand, and salt, and the pros and cons of each. Trustee Parker said that he was waiting for a recommendation from the Environmental & Health Commission regarding what to use on the roads. Village Engineer Al Stefan said that he could secure some articles from some trade magazines regarding the use of salt, sand, calcium chloride, or any combination thereof, for the Commission's review.

Motion: Trustee Parker moved that the Village of North Barrington accept the bid and award the contract to The Barn Nursery with the prices stated in the submitted contract for Snow Removal for the Village of North Barrington for one (1) year 2003/2004 subject to review of contract by legal counsel; seconded by Trustee Peterson.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees McEnroe, Parker and Peterson, President Starkey
	Nays:	None
	Absent:	Trustees Forman and Hjertstedt
	Abstain:	None

President Starkey declared the motion approved.

G. North Barrington/Barrington Intergovernmental Boundary Agreement

President Starkey said that the topic would remain tabled.

President Starkey noted that since Special Counsel Ken Shepro was in the audience to update the Board in Closed Session about litigation that had taken place earlier in the day, the Board would go directly into Closed Session and address the rest of the agenda items after the Closed Session.

CLOSED SESSION: MOTION that a portion of the meeting be closed to the public, effective immediately as permitted by 5 ILCS 120/3(C) (11), to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal or which is probable or imminent and FILCS 120/2(B)(1) to discuss personnel.

The Board went into Closed Session at 9:32 p.m.

RECONVENE OF OPEN SESSION

President Pro Tem Parker reconvened open session at 10:37 p.m.

H. Wauconda IEPA Permit re: Fiddle Creek

President Starkey gave an update on the Wauconda IEPA Permit request. President Starkey explained that when Wauconda's waste water treatment plant was first approved there were no homes in the vicinity of the waste water discharge, and the plant was given an exemption from the Illinois Environmental Protection Agency from its standard disinfection system. But since the plant was given this exemption, homes have been built in the area and residents who now live close to where the waste water is pumped into a leg of the Fiddle Creek, have raised concerns that the waste water poses a health hazard, and could impact private wells and septic tanks. President Starkey explained that by expanding the treatment site, the Village would have to renew its permit waiver exempting the plant from the standard disinfection system. President Starkey explained that Tower Lakes, Lake Barrington and Cuba Township were concerned because the expansion of the treatment plant would double the outflow of waste water. President Starkey said the Village of Wauconda scheduled a public hearing on a newly proposed ultra-violet disinfection system and she would report back to the Board with updates when available.

I. Comprehensive Plan Update

President Starkey explained that the draft Comprehensive Plan as completed by the Plan Commission, was provided to the Board for their review. She asked that the Board review the document and submit any changes, comments, or questions about the document to her by October 3, 2003, so that they could be forwarded to the Plan Commission.

J. Run Through the Woods/Fall Event Update

President Starkey reported that the Run Through the Woods and Fall events were running on schedule.

K. Crown Castle Update

President Starkey referred to a memo from Village Attorney Nancy Harbottle regarding the Cellular Monopole located at the Village Hall. President Starkey explained that the present owner of the monopole, Crown Castle, made a demand on the Village for 25% of the rental amount paid to the Village by Sprint, an additional user of the monopole (co-location). She explained that when leases were negotiated, 100% of the co-location rental payable by Sprint would be retained by the Village, and for all other leases, the Village would receive 75% with the remaining 25% going to Crown Castle. Even though the appropriate documents were sent to Crown Castle on two separate occasions, Crown Castle attorneys did not return a signed copy. Crown Castle wants to collect from the Village 25% of Sprint's rent since Crown Castle never actually signed the agreed upon document to relinquish this 25%, or \$102,400.00. President

Starkey explained that since the documents should have been secured, Arnstein & Lehr will be fully responsible for any amounts paid in settlement, for litigation expense and any judgment.

VIII. Reports by Board of Trustees

A. Trustee Craig Parker

Trustee Parker explained that there are two roads programs in the Village this year. One included using MFT funds for road resurfacing, and the other for patching, repairs, and shoulder work. Trustee Parker said that he had driven all the roads in the Village making notes on needed repairs, and then he, with Village Engineer Al Stefan, viewed these areas. He explained that Baxter and Woodman then did a pavement evaluation of the various locations, and created an "Estimated Construction Costs" schedule of each of the 17 sites designated for repair. Trustee Parker said proposals would be solicited from vendors for the proposed work. Trustee Parker also noted the portion of the pricing sheet titled "Layout and Supervision". He explained that Baxter & Woodman would be marking the street where the repairs are to be made, so that when the repairs are made, the crew would know exactly where the repair was needed and then Baxter & Woodman would inspect the area afterwards to make sure the work was done with the proper standards.

Motion: Trustee Parker moved to authorize Baxter & Woodman to solicit bids for the patching and repair work as listed on the Summary Sheet as prepared by Baxter and Woodman, in an amount not to exceed \$47,000 from the Roads and Bridge Budget; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees McEnroe, Parker and Peterson, President Starkey
	Nays:	None
	Absent:	Trustees Forman and Hjertstedt
	Abstain:	None

President Starkey declared the motion approved.

B. Trustee Fred Hjertstedt

Trustee Hjertstedt was absent.

C. Trustee Kimberly Forman

Trustee Forman was absent.

D. Trustee Dave Peterson

Trustee Peterson said he had nothing further to report.

E. Trustee Jack McEnroe

Trustee McEnroe reported that he had met with Village Treasurer Roberta Svacha and Village Assistant Judy Janus regarding the Treasurer's Report. He said that the Quick Books program did not lend itself to the set up of the current Treasurer's Report. Trustee McEnroe also noted that the Village's Investment Policy was fine, but he was concerned about the conclusiveness of the collateral agreements with the banks in terms of them segregating Federal Securities.

Trustee McEnroe also referred to the recent service interruptions by the Comcast, the cable provider. President Starkey said that she had asked the Village Attorney if the Village could impose penalties on the Village's service providers. There was further discussion about the Village's franchise agreement with the cable provider.

IX. CLOSED SESSION.

The closed session was held earlier.

X. OLD BUSINESS

There was no old business to discuss.

XI. NEW BUSINESS

President Starkey gave an update on court proceedings from earlier in the day. She explained that the Village had secured Special Counsel Ken Shepro to represent the Village regarding the Village of North Barrington v. Sheldon Van Buren. President Starkey explained the she, with Special Counsel Ken Shepro, had attended the trial court proceedings earlier in the day and that Judge McKowski of Lake County Circuit Court ruled in favor of the Village on several legal matters, but ultimately ruled in favor of the Van Burens, with regard to the subdivision, as he felt that the evidence fell short of the clear and convincing evidence that was needed to prove a mutual mistake.

XII. ADJOURNMENT

There being no further business to come before the Board, Trustee Parker moved to adjourn the meeting; seconded by Trustee Peterson.

The voice vote was unanimous in favor.

At 11:07 p.m. President Starkey declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held November 24, 2003.

Attest: _____

Kathy Nelander, Village Clerk

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