

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
JULY 29, 2009 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

I. Call to Order and Roll Call

At 7:47 p.m. President Sauer called the Meeting to order following a public hearing. The Deputy Village Clerk led the pledge of Allegiance, and then called the roll:

Present in Person: President Sauer, Trustees Boland, Das Gupta, Koertner, Kolar, Pino and Weiner
Absent: None
Also Present: J.W. Braithwaite, Village Attorney
Kris Lennon, Deputy Village Clerk
Janet Agnoletti, Barrington Area Council of Governments
Ed Harris, Lake County Sherriff's Department,
1301 N. Milwaukee, Libertyville
Scott Gaschler, Wauconda Fire Dept., 109 W. Liberty Street, Wauconda
Laura Ramirez, Wynstone Property Owners Association Manager
Thomas E. Rosensteel, Thomas E. Rosensteel & Associates, Ltd.,
555 S. Randall Road, St. Charles
M/M Carl Herzog, 26284 Edgemon, Barrington
Jackie Andrew, 610 Signal Hill Road
Ted Duke, 26348 Edgemon Lane, Barrington
Bruce Kramper, 178 Pheasant Run Trail
Susan Allman, 425 Mockingbird Lane
Steven M. Verseman, Baxter & Woodman, Inc. (via phone conference)

II. Public Comment

Jackie Andrew, 610 Signal Hill Road, addressed the Board and stated that a proposal submitted by Tallgrass Restoration, LLC was on the agenda for consideration pertaining to debris clearing along Flint Creek. Ms. Andrew suggested that the project be open to the bidding process and recommended that the matter be returned to the Environmental & Health (E&H) Commission in order for the E&H Commission to solicit bids for the project.

Ms. Andrew also stated that two coyotes attacked her 80 lb. dog in her yard. She suggested that information regarding the coyotes be communicated in the Village newsletter.

III. Consent Agenda

Item:

- A. Approve Minutes of Board Meeting, Public Hearing(s) – 6/24/09**
- B. Approve Minutes of Special Board Meeting, Public Hearing – 7/15/09**

were removed from the consent agenda for approval an alternate Board meeting.

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

- C. Approve 7/29/09 Vouchers for payment of bills**
- D. Approve the Treasurer’s Report for the 2nd month of Fiscal Year 2010**
- E. Approve execution by the Highway Commissioner of the Cuba Township Road District for the Road Maintenance Contract with Chicagoland Paving pertaining to the work in North Barrington in the amount of \$232,148.75**

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Boland, Das Gupta, Koertner, Kolar, Pino and Weiner.
Nays: None
Absent: None
Abstain: None

President Sauer declared the motion approved.

IV. ANNEXATION AND REZONING

- A. Ordinance #_____, Ordinance Approving Zoning Ordinance Text Amendment, Premier Equestrian Estate District
- B. Ordinance #_____, Ordinance Approving Proposed Annexation Agreement – Old Barrington Road LLC, Equestrian Center
- C. Ordinance #_____, Ordinance Annexing Old Barrington Road LLC and Equestrian Center Property
- D. Ordinance #_____, Ordinance Rezoning Old Barrington Road LLC and Equestrian Center Property as Premier Equestrian Estate District

President Sauer explained that the proposed Ordinances regarding the Old Barrington Farm Subdivision were removed from the Agenda. Documents critical to both the annexation agreement and the zoning matters were still being completed. It was recommended that a special Board meeting be held within the next ten (10) to fifteen (15) days. It was determined among the Board that a special meeting would be coordinated for 8/11/09.

V. PRESENTATION

- A. Janet Agnoletti – Barrington Area Council of Governments recently created a “Water

Resources Initiative and Committee” (WRI) to the study ground water of the Barrington region. The goal of WRI is to develop the technical data and community resources needed to support the linkage between land use and natural resources.

President Sauer invited Janet Agnoletti, Director of the Barrington Area Council of Governments (BACOG) to address the Board. Ms. Agnoletti addressed the Board and explained that the BACOG Groundwater presentations would be presented in two Modules; Module I and a portion of Module II of the Groundwater Resources Initiative would be presented during the present meeting and the completion of Module II would be presented at the August Village Board meeting. Module I included:

- BACOG Overview
- Groundwater Research in Illinois
- BACOG Water Resources Initiative
- Acknowledgements

Ms. Agnoletti explained that the BACOG area is about 40 miles northwest of Chicago and covers approximately 90 square miles. Residents within the 6-county northeastern region use Lake Michigan water, municipal and private well water or “groundwater” and river water. BACOG’s 35,000 residents rely on “groundwater”. The majority of groundwater users are taking groundwater from the shallow aquifer system. Module I was designed to study the region and better understand groundwater resources and plan for the future to aid in planning and development. Areas of concern include:

- Potential water shortages/contamination
- Population growth and development
- Competition for shallow aquifer systems by the installation of wells
- Identifying recharge areas

Ms. Agnoletti stated that BACOG’S goal was to build a body of groundwater science and information that can be used in local government decisions. Program components include:

- Science & Methodology – classify well logs and determine recharge areas
- GIS: Mapping & Visualization – translate data into 3-D model of aquifer system
- Planning and Interpretation – assist governments by translating science into local policies and ordinances for groundwater protection
- Education and Outreach - partner with local organizations and establish volunteers

Ms. Agnoletti explained Module II which addresses BACOG’s approach to research and the resulting mapping product. The study area for the groundwater project covered approximately 600 sq. miles. The Illinois State Geological Survey well log database was used as the basis for building the project. BACOG’S staff processed the database using GIS and; the GIS staff used the resulting data to create maps and visualizations of the shallow aquifer system.

Ms. Agnoletti explained hydro-geologic materials including: Aquifers, Aquitards, and Aquicludes as they relate to recharge. The project mapped the distribution of hydro-geologic materials at 5 foot intervals, and stacked the layers into a 3-D interactive model.

There were a few questions from the Board. Ms. Agnoletti stated that she'd return next month to complete the presentation of Module II.

President Sauer thanked Ms. Agnoletti for her presentation.

VI. CODE AMENDMENTS

A. Ordinance # _____, Heritage Tree Ordinance

President Sauer explained that the proposed Heritage Tree Ordinance was not completed due to time constraints however; the ordinance is necessary in order to protect the Village's heritage trees. Village Attorney J.W. Braithwaite recommended that a moratorium be passed on cutting down or removing any tree with a trunk diameter of 20" (twenty inches) or greater thru 8/12/09 in order to allow time for the completion of the Ordinance.

There were a few questions from the Board which were addressed by Village Forester Susan Allman.

Motion: Trustee Pino moved to approve a moratorium until August 12, 2009 on cutting down or otherwise removing any tree with a trunk diameter of twenty inches or greater to allow the Village to consider an ordinance regulating removal of such trees; seconded by Trustee Koertner.

Discussion: There was some discussion.

Vote on Motion

<u>By Roll Call:</u> Ayes:	Trustees Boland, Das Gupta, Koertner, Kolar, Pino and Weiner.
Nays:	None
Absent:	None
Abstain:	None

President Sauer declared the motion approved.

VII. 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 (Baxter & Woodman)**
- D. Health & Sanitation Report (Natalie Karney – Land Technology)**

- E. Parks & Recreation Commission Meeting Minutes (7/6/09)**
- F. Environmental & Health Commission Meeting Minutes (7/7/09)**
- G. Plan Commission Meeting (7/15/09)**

VIII. ADMINISTRATION – President Bruce Sauer

- A. Motion to Waive the Requirement of Competitive Bids for the Work Related to the Wynstone Pumping Station, Force Main and Sanitary Sewer Project

President Sauer invited Laura Ramirez, Wynstone Property Owners Association Manager, to address the Board.

Laura Ramirez, Wynstone Property Owners Association Manager, addressed the Board and explained that the Wynstone Property Owners Association (POA) solicited proposals from five (5) reputable contractors. Subsequent to the opening of the proposals, Wynstone POA and Baxter & Woodman, Inc. met with SJN Subsurface, Inc. and Glenbrook Excavating to discuss the value of engineering and potential cost reductions. After completion of the meetings, SJN Subsurface, Inc. was found to be the lowest, responsible, and responsive proposer. Approved revisions to the project based on changes proposed by SJN Subsurface, Inc. resulted in deductions of \$80,000. The deductions reduce the proposal value of the project to \$867,167.00. It was noted that the bonds will be priced on 8/3/09 and that engineering costs were not included in the proposal amount.

Trustee Das Gupta asked why it was necessary to waive the requirement for competitive bids.

Village Attorney J.W. Braithwaite explained that it was necessary to waive the requirement for competitive bids due to the Village not going through a formal bidding process. It was noted that it can be financially beneficial to waive the requirement of competitive bids in order reduce costs in particular areas.

Trustee Boland questioned the performance of SJN Subsurface, Inc. and explained that the principal of that firm performed snow plowing for the Village years ago and the quality of performance was poor. Trustee Boland additionally asked about the percentage amount of the bond required by the Village to post if the contract is awarded. Village Attorney J.W. Braithwaite stated that the statutory maximum bond amount is 110%.

There were a few further questions from the Board addressed by Attorney Braithwaite and Ms. Ramirez.

Motion: Trustee Boland moved to waive the Requirement of Competitive Bids for the Work Related to the Wynstone Pumping Station, Force Main and Sanitary Sewer Project; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Boland, Das Gupta, Koertner, Kolar, Pino and Weiner.
Nays: None
Absent: None
Abstain: None

President Sauer declared the motion approved.

B. Motion to award Contract for the Wynstone Pumping Station, Force Main and Sanitary Sewer Project

President Sauer explained that Baxter & Woodman, Inc. (B&W) recommended the award of the contract to SJN Subsurface, Inc. Discussion followed among the Board regarding the recommendation of SJN Subsurface, Inc.

Steven M. Verseman, P.E., Baxter & Woodman, Inc., was contacted via phone conference to address questions regarding the performance of SJN Subsurface, Inc. for the Board.

President Sauer asked Mr. Verseman to explain to the Board B&W's recommendation of SJN Subsurface, Inc.

Mr. Verseman stated that SJN Subsurface, Inc. just completed a two million dollar water main project in Island Lake along Roberts Road and that their performance was satisfactory; there was no reason to doubt future performance. Mr. Verseman additionally explained that SJN Subsurface, Inc. was part of the selection process by Wynstone POA.

There were a few additional questions from the Board addressed by Mr. Verseman.

President Sauer thanked Mr. Verseman for his time.

Motion: Trustee Pino moved to award the Contract for the Wynstone Pumping Station, Force Main and Sanitary Sewer Project to SJN Subsurface, Inc. in the amount of \$867,167.00 based upon the recommendation of Baxter & Woodman, Inc; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Boland, Das Gupta, Koertner, Kolar, Pino and Weiner.
Nays: None
Absent: None
Abstain: None

President Sauer declared the motion approved.

C. Motion to Accept Scope and Fee – Honey Lake Drain Culvert and Headwall on the north side of Signal Hill Road

President Sauer explained that “C”, Motion to Accept Scope and Fee regarding the Honey Lake Drain Culvert and Headwall on the north side of Signal Hill Road, was removed from the Agenda in order to re-evaluate the costs associated with the project.

D. Consideration of Tallgrass proposal for Debris Clearing along Flint Creek

President Sauer explained that a proposal for debris removal within Flint Creek was submitted by Tallgrass Restoration LLC (Tallgrass) in the amount of \$9,000.00.

There was brief discussion among the Board about soliciting additional bids for the project.

Village Forester Susan Allman addressed the Board to explain a separate quote previously obtained regarding the removal of an additional tree from the creek. It was noted that the additional tree was not included in the proposal submitted by Tallgrass.

Trustee Das Gupta noted that she would like to see the debris cleared from the creek and appreciates the Village’s relationship with Tallgrass however; cautioned the Board to honor the input of the Environmental & Health Commission’s as the project moves forward.

Motion: Trustee Kolar moved to approve the 2009 Debris Jam Removal Proposal #2065 submitted by Tallgrass Restoration, Inc. in the amount of \$9,000.00; seconded by Trustee Koertner.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Boland, Das Gupta, Koertner, and Kolar.
Nays: Pino
Absent: None
Abstain: Weiner

President Sauer declared the motion approved.

E. Approve Adoption Agreement for Basic Plan Document for Village of North Barrington Eligible 457 (b) Deferred Compensation Plan (Employee funded contribution to personal Retirement Account)

President Sauer stated the AXA Advisors, LLC approached the Village to propose a 457 (b) Deferred Compensation Plan offered via governmental employers. The 457 (b) Deferred Compensation Plan allows employees to contribute to a personal retirement account at no cost to the Village. Fees are deducted from the employee’s plan.

Motion: Trustee Weiner moved to approve the AXA Advisors, LLC 457 (b) Deferred Compensation Plan for Village employees; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Das Gupta, Koertner, Kolar, Pino and Weiner.
Nays: None
Absent: None
Abstain: None

President Sauer declared the motion approved.

IX. REPORTS BY BOARD OF TRUSTEES

A. Trustee Edmund “Pete” Boland

Trustee Boland had nothing to report.

B. Trustee Ginger Das Gupta

Trustee Das Gupta reported on the activities of the Parks and Recreation Commission and thanked the members of the Commission for the Talent Show and Ice Cream Social held 7/18/09. Trustee Das Gupta noted that the event was a success.

C. Trustee Camille Koertner

Trustee Koertner reported that she attended the SWALCO Board of Directors on 6/25/09; it was noted that state funding is down for the Household Chemical Waste Mobile Collections Events and that 7/18/09 may have been the last collection date.

Trustee Koertner reported that as a result of ongoing contract negotiations with SWALCO consortium members and its hauler Waste Management (WMI), WMI offered the Village a Consumer Price Index (CPI) cap of 3% and a 5% rate increase effective September 1, 2010. The contract was previously opened due to the Village of Island Lake requesting recycling carts for its residents. Trustee Koertner explained that the percentage is low as compared with other consortium members. Trustee Koertner recommended that the Village approve the CPI cap of 3% for the contract extension in 2010.

President Sauer concurred with Trustee Koertner and recommended approval of the CPI cap amount of 3% for the 2010 contract. It was noted that the contracts with WMI are typically five year terms.

Village Attorney J.W. Braithwaite recommended that the Board authorize Trustee Koertner to represent the Village and negotiate the contract in general conformance with the amounts as presented.

There were a few questions from the Board which were addressed by Trustee Koertner.

Motion: Trustee Weiner moved to approve authorization for Trustee Koertner to negotiate the existing contract as well as the 2010 contract with Waste Management in general conformance with the amounts as presented; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Trustee Koertner reported that she attended the Flint Creek Watershed Partnership (FCWP) meeting on 7/28/09. She noted that Lake Barrington acquired a 29-acre parcel that is now zoned commercial on the northwest corner of Rte. 14 and Cuba Road as part of its Open Space Initiative in cooperation with Citizens for Conservation. FCWP was featured in the summer issue of *Chicago Wilderness* and North Barrington was mentioned. There will be a demonstration rain garden at the Barrington Area Library. FCWP is planning a Fall Festival on 9/19/09 from 9:00 a.m. – 12:00 p.m. The Education/Rain Garden Committee confirmed its support of rain gardens as an educational strategy. The Phosphorus Committee discussed the negative impact of phosphorus and examined resolutions vs. ordinances. Flint Creek was found to be impaired for aquatic life for unknown reasons, mainly due to lack of data. Echo, Grassy, Honey and Louise Lakes are monitored and found impaired due to phosphorus. There will be Chicago Metropolitan Agency planning meeting titled “What’s In Your Water” to be held 8/13/09 at the Barrington Area Library; posters were distributed.

Trustee Koertner reported that the Village will resubmit its 319 Grant for the Flint Creek Project by 8/1/09. President Sauer noted that he met with Nancy Schumm-Burgess, Barrington Area Conservation Trust (BACTrust) in order to sign the necessary paperwork.

Trustee Koertner stated that the Environmental & Health (E&H) Commission met on 7/7/09 to discuss the proposed Septic Tank Ordinance. It was noted that input was provided by residents and as a result, the Commission amended the ordinance. The ordinance has not been finalized. Nancy Schumm-Burgess, BACTrust, presented a draft summary of “We Are Doing Our Part For The Watershed”. E&H Commission member Patty Kalinowski submitted a draft report addressing administrative issues. The E&H Commission would like the Board to review both reports. E&H Commission Chairman Gery Herrmann gave notice of his resignation and E&H Commission member Pete Wesley resigned from his position.

D. Trustee Mark Kolar

Trustee Kolar reported that a Public Hearing of the Plan Commission (PC) was held on 7/13/09 to discuss the annexation Old Barrington Farm subdivision; a favorable recommendation was approved at the regularly scheduled PC meeting. There was some discussion among the Board about the upcoming special Board meeting and the annexation agreement.

Trustee Kolar inquired about the demolition of the property located at 475 East Oxford Road due to nuisance violations. President Sauer explained that the owner requested an extension in order to delay the demolition in coordination with new construction however; the request was denied. It was noted that an August 21st deadline was given to secure the permit.

E. Trustee Al Pino

Trustee Pino reported that on 7/2/09 there was an opening of bids for the 2009 Village Roads Program held at Cuba Township. It was noted that the Bickerstaff subdivision would not be included in the road program; the Village is attempting to recapture monies through the Letter of Credit.

Trustee Pino reported that a pre-construction meeting was held on 7/28/09 to discuss the 2009 Road Program. Signal Hill and Biltmore Drive will be placed as a priority in order to avoid school bus issues. It was noted that there will be culvert replacements on Signal Hill in order to address drainage issues.

F. Trustee Lawrence “Lawre” Weiner

Trustee Weiner had nothing to report.

X. CLOSED SESSION

There was no closed session.

XI. NEW BUSINESS

There was no new business to discuss.

XII. OLD BUSINESS

There was no new business to discuss.

XIV. ADJOURNMENT

There being no further business to come before the Board, Trustee Koertner moved to adjourn the meeting; seconded by Trustee Weiner. The voice vote was unanimous in favor. At 9:45 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held August 26, 2009.

Attest: _____
Kris Lennon, Deputy Village Clerk