

**MINUTES OF A MEETING OF THE ENVIRONMENTAL AND HEALTH COMMISSION OF
THE VILLAGE OF NORTH BARRINGTON, WHICH WAS HELD
TUESDAY, APRIL 6, 2010 AT
THE NORTH BARRINGTON VILLAGE HALL
111 OLD BARRINGTON ROAD IN SAID VILLAGE**

1. Call to Order and Roll Call

At 7:30 P.M. Chairman Bruce Kramper called the meeting to order and the Deputy Village Clerk called the roll:

Present in Person: Chairman Bruce Kramper, Jackie Andrew, Susan Allman, Patty Kalinowski, Rob Haas
Absent: Barbara Cragan
Also Present: Nancy Schumm-Burgess, BACTrust
Natalie Karney, Village Health and Sanitation Officer
Camille Koertner, Village Trustee
Nicole Keiter, Deputy Village Clerk

**2. Approval of Past Minutes: Environmental and Health Commission Meeting
February 2, 2010**

The Minutes of the February 2, 2010 Environmental and Health Commission Meeting were made available to the Commission.

It was noted that Rob Haas' name was accidentally left off of the roll call and was in fact present at the meeting.

Motion: Patty Kalinowski moved that the Minutes of the February 2, 2010 Environmental and Health Commission Meeting be approved as amended; seconded by Jackie Andrew.

Discussion: There was some discussion.

Vote on Motion:

The voice vote was unanimous in favor.

Chairman Bruce Kramper declared the Minutes of the February 2, 2010 Environmental and Health Commission Meeting approved as amended and put on file.

3. Flint Creek Maintenance – Nancy Schumm-Burgess, BACTrust

Nancy Schumm-Burgess of Barrington Area Conservation Trust, BACTrust, attended the meeting to give the Commission an update on the Flint Creek Maintenance as well as to see how the Commission wanted to move forward with maintenance. Ms. Kalinowski stated that there were still burn piles that were left by Tallgrass to be burned. Ms. Schumm-Burgess stated that they were waiting for the snow to melt and that they also haven't been paid in full yet. Ms. Allman stated that it wasn't the best time to be burning anything. The piles could be water logged and there would be wildflowers and natural vegetation starting to sprout that could be damaged by any sort of burning. The Commission did agree that the work done earlier had helped the creek. It was stated that the creek was flowing much better

than it had in the past and with the heavy rains there was less flooding than had been seen in previous seasons.

Ms. Schumm-Burgess stated that the Village had set money aside to continue with maintenance and wanted to know where the Commission stood regarding the issue. She asked the Commission if they wanted to do the minimum of at least addressing the invasive species. Ms. Andrew asked if Tallgrass was supposed to, contractually, come back and spray for mustard, etc. the second year. Ms. Schumm-Burgess stated that they were not. Ms. Allman, as well as Ms. Andrew, stated that the issue remained that the area is on private property. They stated that it was the homeowners' responsibility to get involved at this point. Ms. Schumm-Burgess gave the Commission another option; for the Village to send the homeowners information on resources where they can buy plants, advice on how to take care of them, and perhaps coordinate a group rate if everyone wants to participate. The Village could also consider doing a match program where Village gives a certain dollar amount if the homeowners give a certain amount. Ms. Andrew stated that she is in favor of sending information to the homeowners that are along the creek, as Ms. Schumm-Burgess stated; however, the Village has already done more than it should have to "jumpstart" the project. Ms. Kalinowski asked if the Village got the "OK" from homeowners before the project was started. Ms. Schumm-Burgess stated that they were informed before the project was started. Chairman Kramper asked if there was any room for compromise, perhaps the Village keeping it clean within 20 feet of the creek banks. He also stated that the whole idea was to clean the creek and get it flowing properly; however, a homeowner can't be forced to do anything.

Ms. Schumm-Burgess stated that maintenance was a nominal cost, less than \$10,000 total over the course of the summer for all of the sites. Maintenance would address re-sprouts of buckthorn, garlic mustard, etc. She also stated that there was already a maintenance contract in place for Eton Park. Chairman Kramper asked if the company handling the maintenance of Eton Park, Integrated Lakes Management (ILM), could handle the maintenance along the creek as well instead of Tallgrass. Ms. Schumm-Burgess stated that they could. Ms. Allman voiced that she was completely opposed to any maintenance along the creek because it is private property. Ms. Andrew and Ms. Kalinowski stated that they thought \$10,000 was a lot of money for the maintenance that would be provided. Ms. Schumm-Burgess stated that a cap could be put on the dollar amount. Ms. Andrew stated that the Village should get a bid from Tallgrass as well as ILM and compare them. Ms. Schumm-Burgess said that it would look good on grant applications for the Village to show their continued commitment to the project by following through with maintenance. Ms. Andrew stated that she would like to walk the creek, find how many log jams are left, etc before spending any more money. Ms. Schumm-Burgess stated that there was a walk already scheduled, and everyone was welcome to join. The purpose of the walk was to see what Tallgrass had done, as well as getting recommendations from them regarding what they feel needs to be continued as far as maintenance goes. Chairman Kramper stated that he understood the Commission's hesitation with regards to private property, but asked if there were any comments about maintaining a strip along the creek, even though it's private property. Ms. Schumm-Burgess stated that the other problem to address is erosion; and even though it is on private property it is still the creek and it will help to address water flow. She also stated that that particular kind of maintenance would be much more money than just general maintenance of re-growth. Ms. Schumm-Burgess then asked what the Commission thought were the priorities. If there was money budgeted, where would the Commission like to see it used. Ms. Allman stated that she would like to see the money spent at Eton Park, that is public property and could be used as a model. Ms. Andrew then asked what the contract with ILM included. Ms. Schumm-Burgess stated that it only dealt with Eton Park. Tallgrass was the company that had cleared Flint Creek.

Chairman Kramper stated that the Commission should ask Tallgrass for an estimate as well as ILM and compare the numbers. Ms. Schumm-Burgess stated that she would come back with estimates for expanding the Eton Park project (adding flowers, walking trails, education aspect, etc) as well as maintenance of earlier sites along the creek and educational information for the homeowners. Chairman Kramper stated that he would check with the Parks and Recreation Commission on any possible involvement with the educational aspect and expansion of the Eton Park project. Ms. Schumm-Burgess stated that then, at the next meeting, she will have actual figures to look at and the budget for the project will have been approved. Chairman Kramper stated that nothing would have ever been done if the Village had not put the money into it. Trustee Koertner stated that the Commission should have a few different options; when money has already been spent, it would be a waste if nothing were done to continue the success of the project.

4. Septic Maintenance Ordinance

Chairman Kramper gave a brief overview to the Commission stating that the Septic Maintenance Ordinance had gone through legal and that the red-line version contained the comments of Village Attorney Braithwaite as well as Trustee Weiner. Trustee Das Gupta also sent the Commission some comments to review. Listed below are the comments for review in italics, followed by the statement of the Commission.

Reconsider the issue of permits being transferable upon sale of property.

Ms. Andrew asked if, when a piece of property is sold what typically happens in regards to the septic system. Ms. Karney, Village Health Officer, stated that if a property is being sold and a mortgage company is involved they usually need a septic review. However, if the house is being purchased using cash, or is a private sale, there are no requirements. Chairman Kramper stated that if the Village was keeping records though on a basis of every five years the other requirements wouldn't matter. The Commission sees no reason why, if Village is keeping record, the permits would not be transferrable. The Commission believes that the permits would be transferrable upon sale of property.

Provide more clarification regarding what constitutes "proof" of service. What level of detail must be on the invoice/report? Is there any standard among service providers?

Ms. Karney stated that there is no standard among service providers and that there is a large variety of what is seen. Overall, what is seen is very minimal. She stated that the Commission should create a form so that everyone is guaranteed to have similar inspections as well as everyone is treated equally. Chairman Kramper stated that the form would be given to the homeowner and/or the maintenance contractor and sent in the mailing with the notice. He also stated that somehow the contractors would need to be contacted letting them know what the requirements are of the Village. The checklist from the Village would be very short and minimal. Mr. Haas will create a checklist of necessary requirements for a usual inspection. Ms. Kalinowski will look at the TWIST software, which would be used to track the information, and see what specific items need to be included in the checklist.

Address the issue of fee payments in situation where home owners submit paperwork renewing their service intervals prior to the 5-year expiration date (if home owner always mails service reports to the Village, license will continually be operational with no fee payment. Is this the intention? Will the staff hours require to manage the database be a burden without the additional money?)

Chairman Kramper stated that at some point they will have to get the permit and pay the \$25. The Commission agreed that if the resident wants to send in information more often than every five years, they can, but regardless they will need to mail it in every five years with their \$25 permit fee.

Address the issue of consequences for operating a system without a permit and being late in submitting proof of service. Continued mailings from the Village with no response will be costly. Current ordinance provides no means for enforcement. (At a minimum, "Failure to renew or have in effect a current private septic system permit may subject the owner to fines or legal action.")

The Commission agreed to the following consequences:

An initial mailing will be sent and residents will have ninety (90) days to respond. After the time has elapsed two more mailings will be sent, each with thirty (30) days to respond, giving the resident a total of five months response time. If there has still been no response there will be a fine of \$150 and the Environmental and Health Commission will turn the system over to Natalie Karney, Village Health and Sanitation Officer. At this point the system will be considered non-conforming and handled as if it is inoperable.

What are your recommendations for situation in which inspections reveal necessary repairs that homeowners can not immediately finance? Or situations in which the home owner disagrees with the service provider's opinion that certain repairs are needed? Will there be an appeal process or opportunity for home owners to apply for a variance to extend due date for renewal? Who will hear these appeals, the Environmental and Health Commission? The Health Officer?

The Commission stated that this was not to be addressed through this particular Ordinance. The Village already has an Ordinance that addresses this situation and residents could refer to that. The Commission also stated that if a working permit for the septic system could not be obtained then the system would not be considered operating. There will be no appeal process. The resident would have to go through Ms. Karney and the appropriate steps regardless to bring their system into working condition.

In Section G (provision for Exemption or Waiver), provide an exemption for homeowners with aeration or aerobic systems. Lake County already requires owners of aerobic systems to submit proof of maintenance contracts (minimum of 2 inspections/year). It is inefficient and redundant to require a permitting process for these systems (mailings, cost to both Village and home owner, etc).

Ms. Kalinowski stated that it was still important for the Village to keep track of this information. Chairman Kramper stated that he thinks they should go through the same process and send in the \$25 like everyone else. The Commission agreed and did not feel that the requirement was inefficient or redundant.

Provide Board with more detail regarding how this program will be rolled out/implemented. Will a registration process be undertaken first (to set up database, identify aerobic system owners, etc.)? How will the homeowners be introduced to this new requirement and will there be a grace period, etc. for initial permitting? Will the Environmental and Health Commission be speaking to area service providers or sending a mailing introducing them to the program and requesting certain information on reports?

Chairman Kramper stated that initially, a mailing would be sent including an educational information packet, a list of possible contractors for use, the form that the Village requires contractors fill out, and

an explanation about the program and how it will be a progressive start. A list of possible contractors will be obtained from Lake County. The Commission will also send a letter to those contractors explaining the program in the Village of North Barrington and familiarizing them with the form. After the initial bulk mailing, the Commission stated that the program would be implemented by sections of the Village (approximately 1/5 of residents at a time). There will be no grace period for initial permitting.

Will homeowners be encouraged to submit all septic service reports to the Village? Will that create a large burden on staff?

The Commission agreed that any service reports that residents wish to submit may be submitted.

Chairman Kramper stated that the Commission should read Village Attorney Braithwaite's memo regarding the administration fee of \$25 per five years.

6. Old/New Business

Ms. Allman stated that the Village has received their 10th Tree City award and their 1st Growth Award. New signs were made for the Village and will be properly placed soon. Ms. Allman also stated that Arbor Day will be celebrated on Friday, April 30 at North Barrington School. A red bud tree will be planted and she will be working with first graders throughout the day. Due to the fact that Arbor Day is being celebrated at the school, the Village will not be giving away trees this year. Next year Ms. Allman is considering the idea of doing plantings at Eton Park, maybe in conjunction with scouting projects.

Ms. Andrew stated that the Village newsletter needs to have an article regarding coyotes. She stated that people are throwing out food, either knowingly or unknowingly, and attracting coyotes.

Ms. Cragan, due to her family moving to Lake Barrington, has resigned from the Environmental and Health Commission. The Commission would like to thank her for all of the hard work and good ideas she contributed.

7. Adjournment

Motion: Jackie Andrew moved the Meeting be adjourned; seconded by Patty Kalinowski.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

At 8:50 p.m. Chairman Bruce Kramper declared the meeting adjourned.

These Minutes were approved at the Environmental and Health Commission Meeting held May 4, 2010.

ATTEST:

_____, Nicole Keiter, Deputy Village Clerk

