

MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD MONDAY,
DECEMBER 20, 2004 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD

I. Call to Order and Roll Call

At 7:30 p.m. Acting President Parker called the Meeting to order. The Village Clerk led the Pledge of Allegiance, and then called the roll:

Present: Acting President Parker, Trustees Mazeski, Peterson and Sauer in person,

Trustee Bartlett (via teleconferencing per Res. #1073A)

Absent: Trustee Forman

Also Present: Judy Janus, Village Administrator

J. William Braithwaite, Village Attorney

Bobbie Svacha, Village Treasurer

Joe Arizzi, Wauconda Fire Department

Andrea Pracht, Village Engineer

Mr. & Mrs. Sheldon VanBuren, 490 Eton Drive

Thomas Hayward, Jr., Barrington Hills

Hollis Angus, Wayne Leonardi, 471 Miller Road

II. Public Comment

There was no one who wished to speak.

Acting President Parker explained that Trustee Sidney Bartlett was in attendance via phone. Acting President Parker explained that there was one matter on the Agenda, Item VI.B, that required four voting members of the Board, and Trustee Peterson would be abstaining from this vote. He said that the Biltmore Country Club Septic Trust & Agency Account would be discussed first in order for Trustee Bartlett to resume her vacation after the vote.

VI. Administration

B. Biltmore Country Club Septic Trust & Agency Account

Acting President Parker reminded the Board about Biltmore Country Club's septic variance request regarding pumping effluent from the pool house along Beachview Drive and under Biltmore Drive to the Club's golf course grounds. He said that the Board had agreed to a license agreement for this septic pipe and the Club later preferred to have a lease agreement which required five concurring Votes but only four Trustees favored the Lease. Accordingly, the project was never undertaken by the Club. Extensive work was done with regard to legal and

engineering fees, with the final amount of the Trust and Agency account reaching approximately \$19,000. Acting President Parker explained that the Club felt that there were some issues that prolonged the request which caused additional billing by both the Village attorneys as well as the Village engineers, and that possibly the total cost shouldn't be the sole responsibility of the Club. Acting President Parker explained that he had met with representatives of the Club several times, and an agreement was reached to reduce the Club's bill by \$2000. He explained that a check had previously been received in the amount of \$10,000, that \$2500 already existed in the Trust and Agency Account, and the submittal of the final amount of \$4500 would bring the total amount submitted to \$17,000.

Motion: Trustee Sauer moved to accept the amount of \$17,000 from Biltmore Country Club as final payment for the Trust and Agency account with regard to the previous septic matter; seconded by Trustee Mazeski.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Acting President Parker, Trustees Bartlett, Mazeski, and Sauer
Nays: None
Absent: Trustee Forman
Abstain: Trustee Peterson, who is an equity member of the Club.

Acting President Parker declared the motion approved. Acting President Parker thanked Trustee Bartlett for attending the meeting via phone. The phone line was disconnected and Trustee Bartlett was no longer in attendance at the meeting at 7:45 p.m.

III: Consent Agenda

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

- A. Minutes of Board Meeting 11/22/04
- B. Approve the December 20, 2004 Vouchers for payment of bills
- C. Approve the Treasurer's Report for the 7th month of Fiscal Year 2005

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: Acting President Parker, Trustees Mazeski, Peterson and Sauer
Nays: None
Absent: Trustees Bartlett and Forman
Abstain: None

Acting President Parker declared the motion approved.

IV. VARIATIONS/SUBDIVISIONS/CODE AMENDMENTS

A. Motion to extend Zoning Variation RE: 283 Kimberly Road

Acting President Parker explained that Messrs. Carlson and Rotolante had received a Zoning Variation for the property at 283 Kimberly Road on July 26, 2004. Acting President Parker explained that the applicants had asked for a six month extension as construction did not start as planned.

Motion: Trustee Peterson moved to extend Ordinance 1042, a Zoning Variance Ordinance for Messrs. David Carlson and Tony Rotolante, 283 Kimberly Road, for an additional six months; seconded by Trustee Mazeski.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Acting President Parker, Trustees Mazeski, Peterson and Sauer
	Nays:	None
	Absent:	Trustees Bartlett and Forman
	Abstain:	None

Acting President Parker declared the motion approved.

B. Motion to adopt Ordinance #____RE: Zoning Variation 471 Miller Road

The Ordinance had been made available to the Board in the Friday packet. Trustee Mazeski noted that the detached hot tub enclosure structure was constructed on the property without the benefit of a building permit, and an after-the-fact building permit was needed from the Village in order to legally maintain and occupy the accessory structure in its present form and location. Trustee Mazeski explained that in addition to being constructed without the benefit of a building permit, the location and exterior materials of the accessory structure did not meet or conform to the applicable provisions of the Village Zoning Ordinance as the accessory structure has corrugated plastic roof panels and tarpaulin fabric exterior wall panels. Also, the accessory structure is located approximately forty feet (40') from the front of the lot and road right of way.

Trustee Mazeski said that she had visited the location, and after some discussions with Ms. Angus, Acting President Parker as well as Zoning Board of Appeals Chairman Warren Nass, it was suggested that the matter be sent back to the ZBA for further consideration. There was also some discussion about how to shield the structure from view.

Motion: Trustee Mazeski moved to send the variance request back to the Zoning Board of Appeals for further review and recommendations; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Acting President Parker, Trustees Mazeski, Peterson and Sauer
	Nays:	None

Absent: Trustees Bartlett and Forman
Abstain: None

Acting President Parker declared the motion approved.

V. COMMISSION AND STAFF REPORTS

Acting President Parker stated 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. Building Inspection Report (Ray Donini)

The Building Inspection Report was made available to the Board.

C. Building Inspection Report (B&F Technical Code Services, Inc.)

The Building Inspection Report was made available to the Board.

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

The Engineering Project Status Report was made available to the Board.

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

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

F. Environmental Commission Meeting Minutes (November 2004)

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

G. Plan Commission Meeting Minutes (December 2004)

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

H. ZBA Meeting Minutes (December 2004)

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

I. Staff Meeting Minutes (November 2004)

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

VI. ADMINISTRATION

A. Van Buren Subdivision – Impact Fees

Acting President Parker explained that Mr. & Mrs. Sheldon Van Buren had asked the Board to waive the Impact Fees as they apply to Lot 2 of their two lot subdivision. Thomas Hayward Jr., attorney for the Van Burens, addressed the Board. He noted the memo as prepared by Village Attorney Nancy Harbottle dated December 17, 2004 explaining the request to waive Ordinance #915. Mr. Hayward explained that the Van Burens felt that Ordinance #915 would not have applied to them had the subdivision request not been delayed by the Village denial of a subdivision request until after a court determination by the Lake County Court that the Village must allow the subdivision. Mr. Hayward explained that the Van Burens were aware of the outstanding amount owed to the Village in the amount of \$1622.50

Motion: Trustee Sauer moved waive the applicability of Ordinance #915 to Lot 2 of the Van Buren Subdivision contingent upon the receipt of a check to pay the full balance of the Trust and Agency Account in the amount of \$1622.50; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Acting President Parker, Trustees Peterson, Mazeski and Sauer
	Nays:	None
	Absent:	Trustees Bartlett and Forman
	Abstain:	None

Acting President Parker declared the motion approved.

B. Biltmore Country Club Septic Trust & Agency Account

The matter was discussed earlier in the meeting.

C. Police Contract

Acting President Parker explained that the contract with the Lake County Sheriff's Police was due to expire on December 31, 2004. He explained that the County had requested a 9 1/2% increase from the current contract for the first year, and a 5% increase for each of the two years after that. After some negotiations, the amounts were changed to a 5% increase the first year, with a 4% increase for each of the two years after that. Also to be added to the contract was a request that a patrol deputy visit each Village Hall, North Barrington and Lake Barrington, to exchange information with Village staff on sheriff activity and to get feedback from the Village.

Acting President Parker explained that the increase in rates was due to pay raises at the police department as negotiated by the police union. Acting President Parker said that he felt it was a fair contract. Acting President Parker explained that the contract is jointly with the Village of Lake Barrington, and that Lake Barrington's portion of the cost is 55.7%, and that North Barrington's portion is 42.5%. This differential is determined by number of incidents in each Village and the fact that Lake Barrington has an industrial park. There were some questions from the Board and further discussion.

Motion: Trustee Peterson moved to approve the three-year contract with the County and the Sheriff's Police, and the Village of Lake Barrington, with the adjustment in charges to 5% increase the first year, and 4% increase for each of the two years after that, subject to Acting Village President Parker and Trustee Forman being authorized to add a provision for sharing of information between the Sheriff's Department and the Village of North Barrington on a regular basis; seconded by Trustee Mazeski.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Acting President Parker, Trustees Peterson, Mazeski and Sauer
	Nays:	None
	Absent:	Trustees Bartlett and Forman
	Abstain:	None

Acting President Parker declared the motion.

VIII. Reports by Board of Trustees

A. Trustee Sidney Bartlett

Trustee Bartlett was absent.

B. Trustee Kimberly Forman

Trustee Forman was absent.

C. Trustee Kelly Mazeski

Trustee Mazeski reminded the Board about the Parks and Recreation Commission's previously commissioned veterans' memorial statue and the fact that statue would not be completed. Trustee Mazeski said that the Commission wanted to know if the Board still wanted to pursue the veterans' memorial. It was mentioned that the veterans' memorial park in the Village of Barrington more than served the needs of North Barrington and the area communities and it was reasonable for the Commission to drop the idea of the memorial.

Trustee Mazeski reported that all of the bills with regard to the Fall Festival had been received.

It was noted that the Parks & Recreation Commission sets up a Trust & Agency account in order to deposit monies collected for running the Fall Festival. Bills for the events are then paid out of this account, but the bills exceeded the deposits and there was a deficit in the account. Due to these deficits, certain bills needed to be transferred to the Parks Budget for payment. There was further discussion.

Motion: Trustee Mazeski moved to transfer the bills, in an amount of \$4822.36 from Trust and Agency account of the 2004 Fall Festival to the Parks Budget and that these bills be paid; seconded by Trustee Sauer.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Acting President Parker, Trustees Peterson, Mazeski and Sauer
	Nays:	None
	Absent:	Trustees Bartlett and Forman
	Abstain:	None

Acting President Parker declared the motion approved.

D. Trustee Dave Peterson

Trustee Peterson said that he had nothing to report.

E. Trustee Bruce Sauer

Trustee Sauer said that Cuba Township was doing a good job taking care of the roads in terms of plowing, salting and icing, and thus far there had been no complaints.

VIII. CLOSED SESSION.

There was no closed session.

IX. OLD BUSINESS

There was no old business to discuss.

X. NEW BUSINESS

There was no new business to discuss.

XI. ADJOURNMENT

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

The voice vote was unanimous in favor.

At 8:30 p.m. Acting President Parker declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held January 24, 2005.

Attest: _____

Kathy Nelander, Village Clerk

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