

MINUTES OF A REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 9th DAY OF AUGUST 2007

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:30 pm. Those present stood and pledged allegiance to the flag.

ROLL CALL Roll call indicated the following present: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio.

Also in attendance was: Village Attorney Scott Puma; Willie Kootstra, Public Works; Captain Joseph Arrizzi, Wauconda Fire Department; Neal DeYoung, Water Department; Connie Mascillino, EMA Director; Sharon Hyde, Creative Playtime and Karen Luebbbers, Recreation Department.

1. Approval of the minutes – June 21, 2007, July 5, 2007, July 12, 2007, July 19, 2007 and July 26, 2007

Motion by Trustee Garling, properly seconded to approve the meeting minutes from June 21, 2007, July 5, 2007, July 12, 2007, July 19, 2007 and July 26, 2007.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio.
NAYS: None
ABSENT: None
ABSTAIN: Trustee Ponio

Motion was declared carried.

COMMITTEE REPORTS

1. BUILDING, ZONING AND ORDINANCE

Mayor Hyde requested clarification as to who would be reporting on Building, Zoning and Ordinances. Trustee Ponio asked the reason behind Trustee Herrmann being the liaison between the Building Department and the Board. He asked where the authority came from. Trustee Herrmann stated that it was requested that she be the liaison between Mr. DeSort and the Board due to pending litigation. She has mentioned this to the Board several times already. She explained that she was asked to be the liaison.

Trustee Herrmann read the building report for the month of July: Total building permit fees \$48,012.00, total water connection fees \$20,418.00, total permits issued 61 and total permit fees collected \$68,430.00, Electrical Compliance Inspections 9 and collected \$450.00.

Motion by Trustee Garling, properly seconded to approve the BUILDING, ZONING AND ORDINANCE report as presented by Trustee Herrmann. Upon voice vote, motion was unanimously declared carried.

2. FINANCE AND ADMINISTRATIVE

Trustee Herrmann summarized the FINANCE AND ADMINISTRATION report for the month of July: There were 10 move-outs in the month of July, 60 residents have their garbage service suspended due to non-payment, Section A water bills were due August 2nd, 48 shut off letters sent out to Section B residents on August 1st and garbage bills have been sent and are due August 28th.

Motion by Trustee Verciglio, properly seconded to approve the FINANCE AND ADMINISTRATION report as presented by Trustee Herrmann. Upon voice vote, motion was unanimously declared carried.

3. POLICE AND PUBLIC SAFETY

Trustee Sadoski summarized the POLICE AND PUBLIC SAFETY activity report for the month of July: 1390 Calls for Service, 54 criminal offenses, 8 criminal arrests, 100 ordinance violations, with 3 ordinance arrests, 164 traffic citations issued, 22 accidents reports, 3 warrants served and 145 parking tickets issued. Lake County Courts collected \$5858.49, McHenry County Courts collected \$6207.13, Parking tickets issued \$2507.30, \$149.60 for report copies, \$17,128.13 Miscellaneous, Police Vehicle Fee \$790.00 and Dispatch Fees \$3344.42. Total collected for the month of June: \$35,985.07.

Motion by Trustee Garling, properly seconded to approve the POLICE AND PUBLIC SAFETY report as presented by Trustee Sadoski. Upon voice vote, motion was unanimously declared carried.

4. PARKS, RECREATION AND EDUCATION

Trustee Verciglio presented the report for the month of July: Creative Playtime: Total enrollment for 2007-2008 is 130 with 46 openings. Revenue for May 2007-2008 \$5845.00. Park and Recreation Report for the month July: Enrollments are as follows – 22 for guitar, 8 Yoga, 18 ballroom dancers, 216 for t-ball and baseball and summer dance and cheer 16. Revenues: \$30,414.00. Expenses \$27,663. Balance \$2,751.00. Club: Revenues: \$57,792.00. Expenses: \$43,022.00. Balance: \$14,770.00. Park and Recreation Department is putting the finishing touches on the Park and Recreation Guide. Summer Camp is still in session until August 31, 2007. Club registrations are coming in daily. Touch a Truck is set for September 22nd at Converse Park from 10 am to 12 noon. Department is preparing flyers for the beginning of school and the flyer for the 5K Jack Mead Walk/Run is completed. Life Line Screening being held in the Senior Center August 27th. The Holiday Home Decorating Contest is being put together for December. The Department is also working on a sign for the Village to direct people to the Rec Department and to the school.

Motion by Trustee Herrmann, properly seconded to approve the PARKS, RECREATION AND EDUCATION reports as presented by Trustee Verciglio. Upon voice vote, motion was unanimously declared carried.

5. PUBLIC WORKS

Trustee Saville summarized the Public Works report for the month of July: Southport pond is currently being pumped as it has again reached its holding capacity. Plans are currently being drawn up for the restrictor being relocated. Paving project is completed except for the landscaping issues. Landscaping will be completed during early September. Matthews Middle School – contractor has requested removal of silt fence surrounding the project and the request was forwarded to the Village Engineer. Mowing and maintaining of Village properties continues to the best of the department's ability. Public Works participated in the weekend electronics waste collection program along with Wauconda and Wauconda Township. Public Works staffed the Hazardous Waste Collection event at Cotton Creek School and research on an additional salt storage facility has begun.

Water Department: Completed 95 JULIE locates. Rick Beaudoin worked at the LakeFest event. Trustee Saville stated that everyone who helped did a very good job as well as looked professional throughout the day. James Anderson worked the SWALCO event. Replaced check valves at the fluoride and phosphate injection points at the softening plant. Performed spot inspections on the new Walgreens water main installation. Provided comments on changes to the water main drawings and specs. Diagnosed and repaired a problem with the chlorine auto pacer at the softening plant. Replaced/upgraded 11 broken residential water meters. CDBG '05 – 36 new b boxes were installed with a hook up deadline of September 15th, 8 residences have completed new water main installations from the b box into the homes and 20 residences have completed the new water services entirely. Total gallons pumped: 22.8 million with average gallons per day 736 thousand and peak day gallons 1.044 million and total number of services 2,868.

Motion by Trustee Verciglio, properly seconded to approve the PUBLIC WORKS report as presented by Trustee Saville. Upon voice vote, motion was unanimously declared carried.

6. *ECONOMIC DEVELOPMENT*

Trustee Garling requested to go into Executive Session for discussion of sale of property.

Motion by Trustee Herrmann, properly seconded to table the ECONOMIC DEVELOPMENT report as presented by Trustee Garling. Upon voice vote, motion was unanimously declared carried.

Consent Agenda Items:

Items under the Consent Agenda are considered routine and/or non-controversial and will be approved by one motion. If anyone (board member, staff, or citizen) wishes to have a separate vote on any item, it will be pulled from the Consent Agenda and voted on separately.

1. *Approval to pay the bills*

Motion by Trustee Herrmann, properly seconded to approve the items in the Consent Agenda.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: Trustee Ponio*

Motion was declared carried.

Agenda Items:

1. *Approval to appoint Michelle Frederick to the Plan Commission*

Motion by Trustee Herrmann, properly seconded to approve to appoint Michelle Frederick to the Plan Commission.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: Trustee Ponio*

Motion was declared carried.

2. *Approval of pay request Number 3 in the amount of \$25,144.20 to Elmwood Enterprises for the Burnett Watermain project*

Motion by Trustee Saville, properly seconded to approve pay request Number 3 in the amount of \$25,144.20 to Elmwood Enterprises for the Burnett Watermain project

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: Trustee Ponio*

Motion was declared carried.

3. *Approval of change of order Number 2 for \$11,438.00 to Elmwood Enterprises for the gravel edge for the Burnett Watermain project*

Motion by Trustee Saville, properly seconded to approve change of order Number 2 for \$11,438.00 to Elmwood Enterprises for the gravel edge for the Burnett Watermain project

Trustee Ponio stated that instead of remove and dispose, he would like to see in the contract remove and legally dispose of.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: Trustee Ponio*

Motion was declared carried.

4. *Approval of term loan in the maximum amount of \$18,328.54 for three years on a fixed rate basis of 4.25% for acquisition of 2007 Chevrolet Impala police vehicle*

Trustee Saville reported that there was never any mention of a Police vehicle. It is in the budget; however, it was never mentioned prior to this meeting. Trustee Saville stated that he checked back in past meeting minutes. One July 7, 2005, the purchase of a vehicle was brought up at the prior meeting and on July 14th, the same vehicle came up again along with the waiving of the bid process. Trustee Saville stated that there appears to have been a past procedure that was followed, that Trustees were informed ahead of time and inquired as to why this Board did not know about this ahead of time. Mayor Hyde stated that Trustee Saville would have to speak to the Police Department and that they have had conversation with John Little. He added that one police vehicle is severely damaged and out of operation. John spoke to the Police Department and a decision was made. It is in the budget, Mayor Hyde said, and that if Trustee Saville wants to change it, then fine. Trustee Saville said that he is not trying to remove this item; however, he questioned again why the Board wasn't informed ahead of time. Trustee Herrmann replied that her feeling is that there are different circumstances here as one car is damaged and needs to be replaced. She said that this is not for an additional car but that it's a replacement. She added that insurance should cover the cost. Trustee Saville replied again though that it would be nice for Board Members to know ahead of time. Mayor Hyde questioned then if the Board wants Department Heads then to bring all expenses up to the Board. Trustee Garling replied that it's the Board responsibility to keep an eye on large expenditures as the Village/budget may not have the money. He too said that this is a different situation. A car is out of service and the insurance company should be taking care of this. He also thinks though, in the future, that with larger expenditures the Board should be told ahead of time.

Motion by Trustee Herrmann, properly seconded to approve the term loan in the maximum amount of \$18,328.54 for three years on a fixed rate basis of 4.25% for acquisition of 2007 Chevrolet Impala police vehicle.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: Trustee Ponio*

Motion was declared carried.

5. *Approval of Resolution 535-07 for the Algonquin Bypass*

Trustee Garling questioned why the Board is looking at this Resolution and try to assist another Village get money for their roads when our Village is fighting for our own roads. He stated that this is a political matter and it's even been in the news. He explained that this is nothing new and has been talked about since the 1990s. Trustee Garling stated that the Village has to fight for their own roads and that they should be letting other Villages fight for their own roads. Mayor Hyde replied that Route 31 and 62 are a serious problem. A request has been made by our neighbors and they are asking for help. This resolution has been endorsed by just about everyone else. Mayor Hyde explained that if the Village does not support its neighbors, that when we need something, the Village risks not obtaining support. Mayor Hyde stated that there is no funding for roads in Illinois. He feels that this is coming forward in order to bring attention to this matter and get attention to the lack of funding in Illinois for roads. He added that the Village does not do a lot on the McHenry County side and he would like to see our Village supporting McHenry County. Trustee Herrmann replied that that intersection is an artery in which many of the Island Lake residents use. She said it services our community as well as many others. She explained that the Village does have roads that lead residents out of Island Lake and into neighboring suburbs. She feels there is no reason not to stand behind this resolution. Trustee Garling agreed that traffic is a mess and the roads are a mess and need attention. He does not deny this at all. However, all Trustee Garling sees in help with neighboring communities is that they keep building more and more houses. And if all the traffic comes through Island Lake, there is no help for our roads. Trustee Garling stated that he is an advocate to working as a group and to considering our neighbors but that the politics needs to be kept out.

Motion by Trustee Herrmann, properly seconded to approve Resolution 535-07 for the Algonquin Bypass.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Sadoski, Verciglio and Mayor Hyde

NAYS: Trustees Saville and Garling

ABSENT: None

ABSTAIN: Trustee Ponio

Motion was declared carried.

6. Approval of Ordinance 1313-07 audio taping of Executive Session meetings

Mayor Hyde stated that he had previously requested Trustee Ponio to work on this. No one has a copy this evening of an ordinance. Attorney Puma had not prepared an ordinance for this evening.

Motion by Trustee Saville, properly seconded to table ordinance 1313-07.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio

NAYS: None

ABSENT: None

ABSTAIN: Trustee Ponio

Motion was declared carried.

7. Discussion of Ordinance 1-6-6 and approval of amendment to Ordinance 1-6-6

Trustee Herrmann explained that this ordinance was brought forward due to the questions regarding the number of Board Members on the various committees. Attorney Puma offered an explanation and stated that there is a bill in house right now for 2 to be able to talk. He suggested having 7 member committees and then have a liaison from the Village Board to that particular Village employee. Trustee Herrmann stated that as far as the States Attorney is concerned, they are in violation the way the Board is currently functioning with committees. She added though that they have been running it this way for years. Attorney Puma did not fully agree with the States Attorneys opinions. Trustee Garling stated that he would like the opportunity to review the ordinance, digest and review it again with the Board before voting on it. Trustee Verciglio questioned if there would then be two voting meetings a month instead of one and Trustee Herrmann replied that yes, that is what is being suggested. Possibly two voting meetings per month and 2 committee meetings per month. It was mentioned though that in the budget there is only

monies set aside for three meetings a month. Attorney Puma suggested maybe having two voting meetings per month and one committee meeting and/or add on a fourth meeting for each month. Trustee Garling asked, that if this ordinance passes, will committees be reassigned to the Trustees. Mayor Hyde replied that no, not necessarily, there would just be a liaison between the Board and the various departments. He would like to see this open meeting violation situation cleared up and the opportunity for Trustees to talk among themselves. Attorney Puma suggested possibly the first Thursday be a committee meeting and then the 2nd and 4th be voting meetings. Mayor Hyde stated that if the Board only votes once a month, items can get backed up and not everything can necessarily get done that needs to be.

Motion by Trustee Garling, properly seconded to table Ordinance 1-6-6 and approval of amendment to Ordinance 1-6-6.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: Trustee Ponio

Motion was declared carried.

8. Approval of amendment to Ordinance 1311-07

Trustee Herrmann explained that this was put together in order to assist the Board in moving along in order to find a full time Police Chief. She stated that this does not necessarily need to be approved tonight; however, she would like to discuss it. She reviewed the ordinance with the Board Members. Trustee Herrmann stated that this would allow for a temporary person and temporary situation vs. being here for a long duration of time. The compensation section of the ordinance would assist in moving the process along and try to find a full time employee instead. She explained that with the compensation structure, the salary would decrease over time a certain amount. It is an ordinance to represent a temporary employee. Trustee Sadoski would like to see a duration of time vs. exact dates. Mayor Hyde stated that something has to be worked on. He said that the Chief is not here for shift changes and it is a serious problem. Communication is also not good and not being handled. He said that there is a vehicle that is no longer in use also for transportation to and from the Village by the Chief. Mayor Hyde said that this is a liability for the Village especially in the case of an emergency. Trustee Ponio replied that in some Villages, the Village requires the Chief to live in the Village. If someone is in the position of authority, he stated that it might be good for a Chief to live within the Village. Trustee Sadoski added that some Villages offer a mile radius that one would need to live within.

Motion by Trustee Herrmann, properly seconded to table amendment to Ordinance 1311-07.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: Trustee Ponio

Motion was declared carried.

Items from the Clerk, Department Heads and Trustees

- Clerk Kaczmarek stated that last week, the Board agreed to have herself and Trustee Saville work on the response letter to the Attorney General as the deadline is Friday. She stated that the letter was given to the Mayor, per his request at last weeks meeting, and the letter has now been met with resistance from the Mayor. Clerk Kaczmarek read an email from August 8th from Mayor Hyde to the Clerk. In the email, Mayor Hyde stated that "your reference that I approved this complaint or even had knowledge of it before it was mailed, is 100% wrong. Proper adjustments must be made on this

letter it is sent". Last week, Clerk Kaczmarek reported that she handed out a packet to the Mayor and all the Board Members regarding this matter. Back in January, the Village Attorney and all the Board Members, all had knowledge. She provided a copy of the emails to the Board Members in this packet. Clerk Kaczmarek said the Mayor asked her to create a letter and send it. She said that the Mayor and Board Members were given a copy of that original letter sent to the Attorney General. Today, the Clerk received an email from the Mayor stating that "I will be forced then to send a letter to the States Attorney stating our differences". Mayor Hyde said, moving back, let's take a look at exactly what happened. He said that the Board had information placed in front of it relating to the Sanitary District and some raises that had occurred. Some residents were very vocal as well as Trustee Saville was requesting at that time to represent Island Lake at the Sanitary District. Mayor Hyde said that he came in with the idea then of bringing in Ken Michaels, of the Sanitary District, to answer questions and hopefully layout a platform of what he did, why, when, etc. Mayor Hyde stated that Ken Michaels left that evening feeling that most of the questions were answered and he was going to furnish the Board with specific information that they had requested in which are the guidelines that the Sanitary District runs under. From that point on, moving forward, Mayor Hyde said that there was an understanding that there would be more research done regarding the billing increases that came through, when they were done, when they should start based on the table of adjustments, etc. Mayor Hyde said that that is far from an Attorney General complaint on behalf of the Village sent in relationship to their structure. Clerk Kaczmarek said that Mayor Hyde gave her approval to send a letter. Mayor Hyde replied that he never heard of an Attorney General complaint until he received the actual copy that a complaint was received on behalf of the Attorney General sent in on behalf of Island Lake. Clerk Kaczmarek replied to Mayor Hyde that she had given him a copy of the letter and that he was in her office, on Friday, January 19th, and she explained that she had notes on this discussion that took place, what time he was in her office, the date he was in her office, etc. Mayor Hyde replied that he does not remember anything of the sort until such time as he received a letter back from the Attorney General indicating that there was a complaint. He does not remember those things and in fact, he said that Clerk Kaczmarek sent him a letter three months later indicating that a complaint had been sent. Clerk Kaczmarek replied that that was already the second copy she was providing the Mayor with and that she had already given all the Board Members a copy of the letter back in January. She explained that she yes, gave a second copy to the Mayor, along with a memo in March. Mayor Hyde replied that he did not recall ever seeing the letter in January and that he feels that he would recognize the complaint on behalf of the Village being sent out. Mayor Hyde said that there is a difference of opinion and that he never gave his approval for that. Mayor Hyde said also that he can not answer for the other Board Members at that time that they received a copy of the original complaint. He said that he only answers for himself and that in the most recently letter, it states that he gave permission to send that letter out in January, and he said that he had no knowledge of it and he's not sure that would have been the direction he would have gone based on trying to find answers. Clerk Kaczmarek questioned then why Mayor Hyde told her on January 19th to go ahead and take action. Mayor Hyde said that he did not and that it's a difference of opinion and that it won't get settled tonight. He said that if the letter gets sent out tomorrow, with the wording which is in it, he will send an acknowledgement to it with his own understanding. Clerk Kaczmarek questioned if the Mayor was sending a letter to the State's Attorney or to the Attorney General as Mayor Hyde kept saying State's Attorney. Mayor Hyde said to the Attorney General. Clerk Kaczmarek said that in the email today, Mayor Hyde said that he is going to the State's Attorney. Mayor Hyde said that he will be going to the Attorney General because that's where Clerk Kaczmarek's letter is going to. Clerk Kaczmarek said that the letter deadline is tomorrow. She said that last week, at the meeting, the Board did not have an issue with Trustee Saville and herself putting together the response letter. She explained that the letter has all facts built within it and reiterated that all they were doing, even back in January, was making an inquiry on behalf of the residents who came in and repeatedly complained. Clerk Kaczmarek stated that she immediately began emailing the Board to let them know what was going on, who was complaining and what they were complaining about. The letter then issued to the Attorney General in January, was just an inquiry of the interpretation of the law from 1917 as it pertains to this matter. Trustee Saville explained what had occurred back in January. That the residents received an increase. Trustee Saville said that the real complaints coming in back in January was whether the increase was from January 1st going forward or if they were allowed to pro-rate the increase back to the last quarter of 2006 which is what they did on the bill that everyone received. The problem is that the state statute says that it should not be pro-rated so, Clerk Kaczmarek fielded the complaints coming into Island Lake. Trustee Saville, a resident at the time, was angry enough himself and he also wrote a letter to the Attorney General with a complaint. He pointed out that his letter was a complaint vs. Clerk Kaczmarek's letter which was an inquiry. Clerk Kaczmarek did not make this personal; she used her letterhead from the Village of Island Lake, and did so on behalf of the residents. Trustee Saville stated that Clerk Kaczmarek did not do this on her own.

He told the Board that if they do not have any problems with this letter, the letter is going out tomorrow morning because there's a deadline on it of the 10th. Trustee Saville said they worked on the letter quickly and Mayor Hyde asked to see a copy of it which Clerk Kaczmarek provided him with. Mayor Hyde replied that he had asked the Board to see a copy of it. Trustee Saville said that he had not and that he had only asked for himself to get a copy. Trustee Saville stated that there is nothing derogatory in the letter, it's inquisitive and it's all facts. He said that the letter means that they are standing united for the residents of the Village and that it is not an individual thing and all they are doing is looking for this situation to be resolved which is becoming more and more out of hand. Trustee Saville asked if Mayor Hyde does not want to part of it then so be it. Mayor Hyde said that the wording in the letter is incorrect with myself giving approval as I did not. Clerk Kaczmarek replied that if she changes any verbiage in that letter, it would be a lie and that what is in there is the truth and it's all the facts. No objection was received from the Board so Trustee Saville instructed Clerk Kaczmarek to send out the letter tomorrow morning.

- Trustee Ponio reported that he is receiving calls that the lake is dirty. That there is duckweed present in the lake. Trustee Saville said that the lake was sprayed in a particular area and that yes, there is money in the budget for spraying. Trustee Herrmann said that what looks unsightly is the duckweed and that is completely different from the weeds that are on the bottom. She said that only so many chemicals can be put into the lake before you alter the composition to where it's healthy anymore. Other plants that are advantageous could start dieing as well as the fish. Trustee Herrmann stated that plants would be not thriving if the lake was dirty.
- Trustee Ponio requested executive session this evening for personnel.
- Trustee Ponio stated that he would like to discuss at the next meeting 9-1-10-7.
- Trustee Ponio would also like to see the Village go out for bids for towing services. Trustee Herrmann said that some residents in the past, did not want their cars going out of town. A rotation system was set up awhile back so that various towing services are used. Trustee Garling asked who keeps track and Trustee Herrmann replied that she wasn't sure, that she thought the dispatchers possibly do, and that she feels it's important to keep tax dollars within the Village as much as possible. It was stated that Mike's in Wauconda is used, Crystal Lake Towing and Sharp's in Island Lake.
- Trustee Ponio stated that there was an article in the paper last week saying that he was arguing against a sale storage facility. He said that many comments were left out and not reported on. He wanted to clarify that what he had said was that he would like to see the existing storage shed added on to if possible and if not, another resolution will have to be found.
- Trustee Sadoski reported that resident Susan Hale of 31116 Deborah Lane is seeking a variation for her property which is located in the townhome section. Her driveway is very short which forces her to park over the sidewalk. It is not her fault, but rather it was the way the driveway was built by the developer. She is seeking a variance so that it would be okay for her to park over the sidewalk so that she stops receiving tickets. 2 complexes have shorter driveways in that development. Attorney Puma commented that a relief from the parking ordinance for certain properties/individuals could be created and presented to the Board. Mayor Hyde questioned the tickets – to waive them, hold off, etc. Trustee Sadoski said that she has come before to the Board with this same issue in the past.
- Trustee Garling requested Executive Session for sale of land.
- Trustee Herrmann reported that she is still working on the consideration of business licenses.
- Trustee Verciglio reported that the Girls Traveling Softball Team had a banner up at Veteran's Park. They did not know that they needed Board approval.
- Trustee Herrmann said that as part of finance, she would like everyone to take a look at the first quarter of the budget year. She would like and has requested Department Heads to look at there finances, go over what has been used, how much is left for their individual departments and what else might be coming up. She would like the Department Heads to prepare these reports/statements and she would like to discuss this at one of the next upcoming meetings.
- Trustee Saville stated that he does not yet have information for the Board regarding a Village Manager. He will begin working on this.
- He would like for next weeks agenda discussion of AT & T and Acres.
- Trustee Saville stated that he would like to reiterate how important it is to copy the Clerk on all emails so that she can stay informed of what is going on. He said that there are some things that have happened and if Clerk Kaczmarek had known about it, she could have stepped in and helped or assisting with the situation. He said that the Board has to be cognoscente that the Clerk is to receive emails in order for her to efficiently do her job and that there are checks and balances going on. Situations took place and the Clerk was no informed nor copied on the emails. He asked for the Board to please continue to cc the Clerk on everything that pertains to the Village.

- Trustee Saville stated that he requested for this evening, action on Executive Session items, regarding the sale of Village vehicles. Attorney Puma said this subject is not an except for the Open Meetings Act so Trustee Saville is free to discuss this in open. Trustee Saville stated that an email went out, that not everyone received, regarding the sale of Police Department vehicles. He reported that 6 vehicles were sold this past weekend without Board approval. He found this out from John Little. Trustee Saville explained that the Board has to approve the sale of Village vehicle through an ordinance which is proper procedure. Trustee Saville stated that he did some research through meeting minutes and this was done in the past with vehicles; however, the sale of the 6 vehicles this past weekend, was not done properly. On August 12th of 2004, Ordinance 1231-04 authorized the sale of the EMA vehicle, in 1996 a Ford carry all was approved to be sold, etc. Trustee Saville explained that per state statute, when a city or Village owns property, by simple majority, they may authorize the sale of property. He said that this was not done for these 6 vehicles that were sold this past weekend. He reported that the cars went to auction. Trustee Ponio asked what the Board should do about this situation and Trustee Saville replied that that's why he called for Executive Session as this is a serious matter and should not be taken lightly.
- Kevin Sutherland of Baxter & Woodman reported that he has heard nothing further from Brian Harris regarding Pine Ridge subdivision. All communication has ceased for the moment. He will notify the Board if and when he hears from Mr. Harris.
- Connie Mascillino, EMA Director, reported that Venetian Night is set for the Saturday after Labor Day. She requested approval to place a sign on the island for the event. The theme this year is Voter's Choice. Discussion of a porta pottie at Eastway Park was mentioned.

Items from the Mayor

- Mayor Hyde reported that there is New Officials workshop for September 28th and an email has gone out to the Board Members.
- Falcon's Football Team and Cheerleaders have donated a check in the amount of \$1000 to the Village. Last year a generator was used to help light the field. The light poles were previously donated by Harper College to the Village. Possible this money could be used towards more lighting for the field.
- Mayor Hyde reported that Pam Althoff, of the Landmark Preservation Counsel, is looking for a top 10 list from all Village's regarding historical buildings, icons, etc.
- Mayor Hyde pointed out the sign in the Board Room which reads "Welcome Home Marcus Cicero from Iraq". Airman Cicero will be coming in on Saturday and met by the Freedom Riders and brought back to Island Lake by that group. Mayor Hyde presented a resolution this evening and asked for Board's consensus to go ahead and present this to Airman Cicero. Mayor Hyde said that he was contacted by one other Iraqi soldier about two year ago. A special proclamation was done in his honor and presented to the family. Trustee Saville expressed that this is a wonderful thing that is being done; however, the Board received an email on August 1st. He is upset that Mayor Hyde is looking for consensus on something on such short notice, when it's something of great important and significance, as well as resolutions and proclamations need to be properly placed on an agenda and voted on by the Board. He said that the Mayor is asking the Board to do something which needs to actually be formally placed on an agenda for a vote. Trustee Saville asked why the Mayor is late and Mayor Hyde replied that this was not done and ready for Tuesday in order to be placed on the agenda. Mayor Hyde said that there is about 30 hours of time put into already painting those signs. Trustee Saville asked Mayor Hyde if he is a Veteran and Mayor Hyde replied no. Trustee Saville replied that he is a Veteran and is the recipient of Vietnam metal along with two bronze metals and he stated that it is not acceptable to be late. He said in order to honor someone appropriately, that the Mayor needs to do it right, not be late and to do it on time. He said that the Mayor, because he is late, is now requesting the Board to do something that they can not do and now the Board looks bad. He said that people need to be honored in the right manner. Mayor Hyde asked if Trustee Saville has a problem with the process of them coming into town on Saturday and Trustee Saville said no. He asked if Trustee Saville has a problem with the signs and the resolution presented tonight. Trustee Ponio interjected and stated that he does. Trustee Saville said that the Freedom Riders is a wonderful thing and they take it very seriously; however, that is not what Trustee Saville said he is talking about tonight. Mayor Hyde said that he put the resolution together today and Trustee Saville asked Attorney Puma if it's okay for the Board to just give a consensus on this resolution. Attorney Puma replied that a matter can not be acted on unless it is on the agenda. He explained that this is a requirement of the Open Meetings Act to apprise people of what the Board is acting on. He further

stated that there is no money involved here with a resolution or proclamation as well as it is not an ordinance so it's more equivalent to a thank you so he feels that the Board can act on this this evening and then ratify it at the next meeting. Trustee Ponio said though that this event did have money spent on it. Mayor Hyde said yes, 200 flags were purchased. Trustee Ponio said that Saturday is being declared as Marcus Cicero Day and questioned if other service people also receive this. Mayor Hyde replied that there was one 2 years ago. A Proclamation was presented to this individual. Trustee Ponio questioned then, every time someone comes back, does the Village make it a special day. He said that the Country has Veteran's Day as well as the Village has Veteran's Park. He feels the Village is setting a precedence here. Trustee Herrmann replied that this is a gesture and is not something that would be celebrated every year. Trustee Garling said any and every Veteran should be honored. Trustee Ponio replied that Attorney Puma had said that the Village did not spend money but yet the Village did. Flags were purchased. Trustee Saville stated that all he wants is proper procedure. He questioned why the Village Attorney couldn't be consulted ahead of time on something as important as this. Mayor Hyde stated that he can't believe the Board is letting politics come into play with this. Trustee Saville replied that this is not politics but rather it's about proper procedure.

Trustee Ponio asked for explanation and clarification from the Village Attorney on Proclamations and Resolutions. He will be forwarding information to the Board Members. Trustee Garling stated that he does not feel that the Board has to go to the Attorney for every Proclamation or Resolution. He said that he does understand what Trustee Saville is saying about proper procedure. Attorney Puma said that there are certain things that can be done by resolution and/or proclamation but that the Board needs to act on them with a vote.

Motion by Trustee Garling, properly seconded to open the meeting to the floor. Upon voice vote, motion was unanimously declared carried.

Laurie of 4702 S. Hampton: Laurie congratulated the Board on the passing of the Proclamation. Laurie next questioned why an ordinance is passed if it's already state law. Trustee Herrmann explained that the Board had previously discussed that they only wanted the Village Clerk to record Executive Sessions so, if the Village Board wants this, an ordinance needs to be passed. Mayor Hyde said that the Board is looking for only 1 set of recordings of Executive Sessions. Laurie asked if Frank DeSort is bonded and the Board Members were not certain. Laurie replied that he has a felony conviction. Laurie said that there was an article on August 4th that mentioned Lake County reviewing candle sales in 2001. She said that this was also in the packet which the Board has rejected as meaningless. Trustee Herrmann replied that she never received a packet. She said that yes, way back in 1999 and in 2000, candle sales were presented to the States Attorney and they cleared her of any wrong doing in 2001. Trustee Herrmann stated that she had done nothing wrong and that this is in writing. She said that the States Attorney has all the documentation. She requested that Laurie come and see her and she will share with her the letter and information from the States Attorney. Laurie asked when the Village will be releasing Executive Session minutes. Attorney Puma said that the Board reviews Executive Session meeting minutes twice a year and that the Board did release several about 2 years ago. He said it is up to the Board to decide to release and/or keep minutes closed. The public has access if they are approved to be released.

Tom Kaczmarek, 703 Fox Trail: Mr. Kaczmarek stated that the Chief's vehicle seems to still be a hot topic. He asked if the vehicle was being used for transportation to and from the Village or was it being used as a full time vehicle by the Chief. Mayor Hyde replied that the Chief can use the vehicle at home if need be. Mr. Kaczmarek clarified that the Chief used the vehicle for personal uses then too and Mayor Hyde said yes, he uses the vehicle at home if he needs it for personal use. Mr. Kaczmarek asked if the Village pays for the fuel. Mayor Hyde said yes. Mayor Hyde said that when you don't give your Police Chief the opportunity to come back to the Village in a serious situation with a police vehicle, with sirens and lights, he's driving much differently than if he had been driving his own personal vehicle in an emergency. He said that lack of time could be serious in the case of an emergency. Mr. Kaczmarek said that the car looks like a regular car though, the Village is paying for the car, the Village is paying for the fuel and what are those costs as compared to the state allotted mileage. Mayor Hyde said that the Board look at this before with the previous Police Chief who was being paid mileage for use of his personal car and the costs were much higher than what it would be to allow him the use of a village car. The insurance is set on the car and the car is purchased by the Village and is needed by the department anyway. He said that the costs were much less for fuel for the Chief to take the Village vehicle home rather than pay mileage on use of his own vehicle. Mr. Kaczmarek questioned say \$10 a day in fuel vs. 48 cents a mile. He said it's more like \$15 then at 48 cents a mile plus insurance. Mayor Hyde said the insurance is pretty much a blanket cost.

Neal DeYoung, McHenry: Mr. DeYoung stated that he's been an employee of the Village for 29 years. He is in charge of the water department. In 1988, Mr. DeYoung was made the Superintendent of the Water Department. Mr. DeYoung commented that recently decisions have been made and voted on to take away various titles of his fellow employees that basically works their tails off for the Village. He said that some lost their titles as well as their pay. Mr. DeYoung said that one of them, has never received a reprimand as well as he takes extreme pride in the way the parks look, etc. Mr. DeYoung questioned if this was an economic decision or to take control of the union? He went on to say that there were probably other options that could have been considered. Mr. DeYoung said that certain things are going on that are causing the Village to go broke. He said the problem is, the mechanic works on the water department vehicles. And he stated that the street department works on the roads after the water department makes the water main break repairs. Mr. DeYoung announced that none of those things were charged back. The issue is, Mr. DeYoung said, the water department is an enterprise and the other is, the general fund which is funded by tax payer money. Mr. DeYoung said the water department is funded by user fees. He said there could have been a real savings if things were not skewed and people wouldn't have to lose their titles if an educated decision would have been made. He said that he is disgusted. Trustee Saville said that they will not discuss rank and file as that is an executive session item. Mr. DeYoung claimed that Trustee Saville did that about him though a couple months ago. Mayor Hyde stated that he believes that the issues that have come forward tonight do need to be addressed but he would rather address those in executive session as they are personnel issues and asked if the Board would mind opening up executive session tonight to discuss these issues. Trustee Saville said that they could do this; however, this is not something that is discussed out in open and it's a collective bargaining situation. Mr. DeYoung said that this has to do with taking a title away. Mayor Hyde said it's personnel issues though. He asked the Board, if they are willing, to discuss these areas at the first part of executive session. Trustee Saville stated that the Board can not discuss these items with them, with the employees, as it is collective bargaining and they are all union members. Bargaining is with the union, not directly with them. Trustee Saville stated that the Union Local 150 attorney would need to be here along with the Village Attorney and then it all could be discussed. Laurie spoke out stating that they are all just looking for answers. Trustee Saville replied that he understands; however, it is a collective bargaining matter and it can not be discussed. Mayor Hyde said that he believes, if the Village's own employee has a question of the Board and it has to do with personnel and job related things, it belongs between the Board and the employees in executive session. Trustee Saville replied that if it has to do with an employee, that one employee can ask; however, the discussion brought forward tonight is collective bargaining. Trustee Herrmann said that what Trustee Saville is trying to say is that there needs to be a representative from Local 150. Attorney Puma said that a process has to be followed. He confirmed with the employees present that they too are aware of the process and Neal DeYoung replied, "certainly" and stated that this is not about the union but that when he had put together the budget. Attorney Puma verified what he had said and replied that the union issue is a collective bargaining issue and Trustee Saville is correct. He said that there is a concern by the Board as there is not a Local 150 representative here this evening. Trustee Saville said that he would be happy to meet with them and their local 150 representative and he'd take a day off to do this as he's done in the past. Trustee Saville offered days that he is able to meet and has not heard back from the local 150 representative. Attorney Puma stated that the Board has the right and they have to carefully choose what is discussed in executive session. The Board would like to discuss their concerns. Mayor Hyde said that the Board will have to go through the process then to handle issue related to union matters. Mr. Kootstra asked the Board to clarify that he was not involved in any decisions made, nor any discussions, nor any presence at any meetings, etc., Trustee Saville said no, Mr. Kootstra was not aware.

Rob 4702 S. Hampton: Rob said he has been a Village employee for over 12 years. He said that two of his friends, co-workers were demoted and have children and mortgages and are barely making ends meet. He said that decisions that were made were, he believes, in breach of contract. Mayor Hyde said that they are getting again to an area that deals with the union and they have to follow process here. He asked Rob to go through the union process. Rob stated that these employees go above and beyond. He commented to Mayor Hyde that he himself has worked out at Veteran's Park hammering nails right with them in the past and that the Mayor knows of the dedication and the year of knowledge and experience with these employees.

Laurie asked why such major decisions, such as eliminating positions, why would Mr. Kootstra not be aware. She asked why he wouldn't have had a say so in this. Mayor Hyde stated that he can not go into that area once again.

Greg Kachka, 3221 Hyacinth Terrace: Mr. Kachka stated that he is very disappointed with this Board. He said that they are all elected officials by the people of this Village and that they are fighting among themselves and they don't even recognize Trustee Ponio as head of the Building Department and that they are taking sides with an employee. Mr. Kachka passed out to the Board the record of Frank DeSort that he obtained. He said that he does not want someone that was convicted of burglary coming into his home to inspect it. Mr. Kachka went to the Lake County Court House. He said that the Board had said several weeks ago that they would not take this matter up unless they had proof and someone put their name on it. He said that he is up here today giving them the proof and putting his name on it.

Sharon Hyde, 206 Janet Drive: Ms. Hyde stated that the Board changes every 2 years and that it is a very tuff situation for the employees of the Village. She said that the employees of the Village are dedicated people. That they love this Village, they love their town and they love their jobs and they like working together. She said that what is going on in this Village though really hurts the employees and this goes on every 2 years. She said that the employees get the brunt of it.

Karen Karris 222 Fairfield: Ms. Karris stated that she understands the Boards earlier comments about the lake; however, she feels that the lake issues need to be addressed. She would like to hear what kind of actions will take place, what the Boards thoughts are, etc. Trustee Herrmann said that Trustee Saville commented earlier, as he oversees Lake Management, that he is going to go to the Committee for discussion. Mayor Hyde said that in previous years, that Village was further ahead of some of the problems that they now have. They were addressed much earlier especially in the bay areas. He said the weed companies came in and sprayed on a regular basis. Mayor Hyde feels that the Village needs to get back to that and that this year it moved along very far before the process was even started. He suggested that this be addressed earlier in the year so that they can work with the spray companies and it can be monitored more closely. Trustee Saville said that one area this year was sprayed. He agreed that a uniform practice needs to be put into place in the future and before the damage is done. He stated that the Lake Management Committee is not a group of experts but rather a group of volunteers. Mayor Hyde said that the funds were approved in the budget for spraying.

Rob stated to Trustee Saville that the tax payer decisions that have been made have cost the Village money and he asked Trustee Saville to step down as Trustee.

Motion by Trustee Herrmann, properly seconded to bring the meeting back to the board. Upon voice vote, motion was unanimously declared carried.

Motion by Trustee Garling, properly seconded to adjourn to Executive Session for personnel, land sale and litigation. All in favor.

Motion by Trustee Herrmann, properly seconded to come out of Executive Session and return to the Board Meeting. All in favor.

9. Action on Executive Session items

Motion by Trustee Garling, properly seconded to have Shermann Appraisal Service, for \$550, to appraise Pin number 09-28-100-063.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was declared carried.

Motion by Trustee Garling, properly seconded to adjourn the Board meeting. All in favor. Being that no further business was discussed, the meeting adjourned at 11:30 pm.