

**MINUTES OF A REGULAR MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND
LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 13th DAY OF OCTOBER 2005**

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:34 pm. Those present stood and pledged allegiance to the flag.

ROLL CALL Roll call indicated the following present: Trustees Eberhard Becker, Douglas Hellman, Deborah Herrmann, Thomas Martin and Dan Schmidt.

Also in attendance was: Attorney Dave LeSueur; Police Chief Don Bero; Frank DeSort, Building Department; Willie Kootstra, Public Works; Connie Mascillino, EMA Director; Kevin Sutherland, Baxter & Woodman; Sharon Hyde, Creative Playtime; Scott Puma, Ancel, Glink; Karen Luebbers, Recreation Department; John Little, Finance & Administration; Plan Commission Members – Steve Stiller, Mike Herrick and Matt Huff.

CORRESPONDENCE:

None presented.

APPROVAL OF MINUTES

Motion by Trustee Herrmann, properly seconded to approve the August 11, 2005, August 25, 2005, September 1, 2005, September 8, 2005, September 22, 2005 and October 6, 2005 meeting minutes.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Hellman, Herrmann, and Schmidt

NAYS: Trustee Martin

ABSENT: None

ABSTAIN: None

Motion was declared carried.

COMMITTEE REPORTS

Mayor Hyde asked for a motion to postpone the Committee Reports to the next meeting so that the Board could proceed to the two Public Hearings this evening. Motion by Trustee Herrmann, properly seconded to postpone the Committee Reports to the next meeting.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Hellman, Herrmann, Martin and Schmidt

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was declared carried.

CONSENT AGENDA

Items for approval:

1. Approval of signage for the St. John Church Community Health Fair October 22, 2005
2. Approval of Lions Club Candy Day October 15th – 17th, 2005
3. Approval of Salvation Army Kettle Days and bell ringing November 18th – December 24th, 2005
4. Approval of Misericordia "Tag Days" April 28th – 29th, 2006
5. Approval of YMCA Camp Duncan Annual Tag Days Saturday, May 27, 2006 & Saturday, June 3, 2006, at the corner of Eastway and 176.
6. Approval of Marine Corps 130th birthday anniversary Proclamation proclaiming the week of November 6th through the 13th as Marine Week
7. Approval for payment of the bills

Motion by Trustee Martin, properly seconded to accept the consent agenda for month of October. Upon voice vote, motion was unanimously declared carried.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Hellman, Herrmann, Martin and Schmidt.
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

AGENDA ITEMS

1. Steve Furuta Public Hearing, by Attorney Jim Kaiser, for an amendment to the Zoning Ordinance
2. Approval of the Steve Furuta request for amendment to the Zoning Ordinance of the variance of the building line from 20 feet to 2 feet, variance of the lot coverage from 20% to 27% and a variation to the East and West side lot of 10 feet to 5 feet for the new garage space

Jim Kaiser introduced himself as the attorney representing Mr. Steve Furuta, owner of 110 Fairfield Drive, Island Lake, Illinois. They are seeking 3 different variations one being, variance of the lot coverage from 20% to 27%, current structure is 908 square feet which covers the 20% per the Village's ordinance, new structure proposed would cover 1210 square feet. The size of the lot is exceptionally small and is less than half the normal lot width as required in the Village ordinance. The second item they are asking for is a variation for the east and west side lot size from 10 feet to 5 feet. The reason for this is for the newly proposed garage which would be extending out from the structure which is the main issue and the fact that it would go on the backside of the house on the east side. The final request and most complicated, is a variance from the building line. Mr. Kaiser explained that the space of the lot and the location of the lot are the two major variables. The lot is back about 20 to 25 feet from the actual road that is existing. The asphalt has a large gap before it hits the lot line. In addition, they are seeking to put the garage there, a side load garage, and the elevations were presented to the Board previously so they could see how the structure would look from the road. Mr. Kaiser stated that as proposed then, the structure would be sticking out past the building line by 18 feet. They understand that this is significant; however, the situation here is very unique. Mr. Kaiser stated that next door, at 108 Fairfield, that property is 33.10 feet to the road and sticks over the lot about 8 feet so it is 33 feet from the road. A house further to the west, is 31.10 to the road whereas Mr. Kaiser is not looking for a big change or significant change from what is being looked at from an appearance sake argument. He added that this is a unique area that has this kind of square feet from the lot to the road.

Mayor Hyde pointed out Mr. Furuta and verified that he would be staying in this residence. Mr. Furuta agreed. Mayor Hyde read a statement that was presented to the Board from Mr. Dendinger from the Island Lake Zoning Board. He indicated that his favorable vote was due to the fact that it would be a favorable situation to the neighborhood and not a detriment. Mr. Dendinger emphasized that the Zoning Board had mixed feelings over this issue. Mayor Hyde stated that he is familiar with the location of this house and was curious about the distances between the houses and roads down this street. He added that on this particular road there is somewhere between 22 and 23 feet off of where it's supposed to be and is not unusual in the original part of town and the Village is often being asked to look at these situations as improvements are being sought in the original part of town. Frank DeSort found between Mrs. Andrews house, next door, to the road edge from her garage was about 21 feet and from the utility pole to the house there is about 5 feet. Mayor Hyde passed out pictures from the zoning meeting which indicated where the house would be located in relationship to some of the side lines.

Trustee Hellman stated that variances are normally requested due to a hardship and he is wondering in this case what the hardship really is. Attorney Kaiser stated that the hardship is that this is a tremendously undersized lot and is a small home, being only 900 square feet, as compared to today's types of homes being built. He added that the lot size is exceptionally small, less than ½ what the regular lot size is and to improve the community in this case, this is an unusual circumstance. Trustee Hellman questioned when the house was purchased and if Mr. Furuta was aware of the uniqueness of the size of the home and the lot when he purchased the home. Mr. Furuta was aware. Mr. Kaiser stated that Mr. Furuta had hoped to improve this location and bring this substandard to today's living conditions and standards. Trustee Hellman pointed out that Mr. Dendinger's vote was the only favorable vote from the Zoning Board out of five members. He reviewed what the Zoning Board members comments were such as no real hardship was felt here, 18 feet is too much of a request for a variance from the standards, variances requested in this case appear to be excessive, etc.

Trustee Hellman stated that he does not see a true hardship but more of a grey area. Mr. Kaiser stated that these are unique situations and that the Board is being asked to look at these grey areas and how they apply these unique situations. He added that they are stressing the uniqueness of this situation being the exceptionally small lot combined with a small 900 square foot home. Trustee Hellman stated that if the Board sets precedence, especially with variances, the Board puts itself against a wall. Trustee Hellman understands the unique situation here but does not see a real hardship especially when the purchaser understood the size lot and the small home he was purchasing. Mr. Kaiser again pointed out that in today's living condition, with the size of the garage that's there and the size of today's cars, you can't get a car in and out comfortably. They are merely asking to update and modernize a structure. They are hoping too that these positive improvements will help the rest of the Village with property values, help to improve the other structures in the area, see upgrades throughout the same area, etc. Mr. Kaiser stated that they also have the support of the surrounding neighbors. Trustee Hellman asked if a study had been done to see if the variances being requested maybe don't necessarily have to be so excessive. Mr. Kaiser said that once you go outside the existing foundation of the existing structure, costs go up considerably. There is also an issue in Island Lake that when you are on lake front property, the front of the home is actually on the lake side. He added that the house next door is even closer to the actual road than what they are proposing. Mr. Kaiser added again that this is not out of character for this particular area to be asking for this type of request. Trustee Hellman stated that from the minutes from the Zoning Board it was said that you, Mr. Kaiser, stated that, you believe that the side line was not a safety or aesthetic problem. Mr. Kaiser said there is still 24-26 feet from the structure to the street plus from the view down the road, it is not sticking out as compared to the other structures. Trustee Hellman stated that a safety issue is being raised here with this particular statement.

Trustee Martin stated that he had an opportunity to speak to Mr. Kaiser and visited the site and house. He said that the house is small and there is a lot of work to be done. Trustee Martin understands that the neighbors feel too that this would be a great improvement to the area. He added that there are some concerns with the garage and side lots. Trustee Martin said that we are setting precedence with this and he feels uncomfortable with the 2 foot variance and the way the garage is being set out. He would feel more comfortable if there was a plan B. He would like to see something be done here and feels though that this is a very tight squeeze. Mr. Kaiser stated that Mr. Furuta does not feel that a one car garage is suitable for today. Trustee Martin recommended another plan possibly with there being a one car garage instead. Mr. Kaiser asked if Mr. Furuta were to make this a one car garage if this would make a difference to the Board. Trustee Martin stated that there are still the side variances that need to be considered that are proposed here. Mr. Kaiser stated that the variances being sought would be for the new garage attachment. Mr. Kaiser asked Trustee Hellman if a one car garage would make a difference to him. Trustee Hellman replied that with nonconforming uses, typically the nonconforming use is asked to be brought up to conforming. He added that we don't want to add to it but that in his mind, with nonconforming use and for forward thinking, a nonconforming use should not be made an even more nonconforming use. Mr. Kaiser asked the Board if a one car garage would make a difference to them. Trustee Schmidt requested if there was feedback from 106, next door. He asked if 112 Fairfield was vacant and for sale and yes, it is up for sale presently. Mayor Hyde pointed out that around the corner, down the street, a house has been re-tagged and is totally inhabitable. The home is in foreclosure and eventually the home will be torn down as it is a problem. He added that there is a real need, in this particular area, for homes to be improved which will then bring the entire neighborhood up in quality and will improve the overall vision and attitude. The Mayor expects something also to happen with 112 Fairfield in the near future.

Motion by Trustee Herrmann, properly seconded to open up the meeting to the floor.

Terry Younce, 106 Fairfield: Mr. Younce stated that he supports Mr. Furuta's plans and construction at this site. He feels that it will be a nice addition to the neighborhood. He stated that the house is currently a dump and the plans put forth are feasible in his mind and turn it into a modern residence. With regards to the safety issues, he stated, there was a wall of shrubs that created a solid wall from the house all the way to the electric pole near the road. This was on both sides of the property at one time. He added, to the east, there was the same thing. By removing the shrubs on both sides, the garage would not obstruct the way the shrubs were there. Mr. Younce feels it would be a good addition to the neighborhood.

No name provided, 111 Fairfield, immediately across the street: He stated that he lives directly across the street and has to look at the house every day. He added that it looks nasty and that the property needs major improvements. Regarding setting precedence, he stated that precedence has already been set right next door. The house is already 8 feet past the build line. His understanding is that the Village may not want to add to that; however, there are countless homes that are already past the build line. He added that there is a huge buffer from the road with about 25 feet even after the added garage space. He added that around the lake there are homes that are only 10 feet away from each other or are only 8 feet off the lake. He said that he feels that the advantages here outweigh the negatives. He does not feel that what is being asked is excessive especially for something that has been done over and over already.

Mayor Hyde pointed out a few issues before turning the meeting back over to the Board. He stated that if you look at Terry Younce, with an 8 foot over as far as the building line, the property right on the other side of Terry Younce's, is 21 foot from the house to the road and if you look at this house that is being proposed tonight, that house is actually closer than this one. He added that if you look at a sight line, down the road, the house does fit. Mayor Hyde also mentioned that if you look at the driveway, it will also give additional off road parking for this area. He added that he knows that there are still some concerns and if he can find a solution that more of the Board can work with, it would be good for everyone. Mayor Hyde asked the Board, being that this is one foot back further from the neighboring house, if this were moved one extra foot back in the garage to give him a two car garage, would this be more palatable to the Board if it were 23 feet away, adding another foot to the frontage, moving the garage back one foot. Trustee Hellman verified that it would be three feet then and the Mayor agreed. Mayor Hyde stated that if there is only a one car garage, the other car will be parked outside. Trustee Hellman again stated that he does not see where the hardship is. Mayor Hyde said he is trying to give the Board something to work with if there are options to be considered as he is hearing both directions on this variance. Trustee Hellman stated that he is trying to take the blinders off and not look at this specific garage because every lot can have these extenuating circumstances and when each one comes before the Board asking for a variance, the Board will be put in a position to make a decision. He added that the prior Board was often accused of favoritism and grey areas and he does not want this Board to be accused of that and to become more and more consistent and not have all these grey areas. Trustee Hellman stated that to move forward, the Board cannot set precedence. Mayor Hyde stated that he relates to Trustee Hellman's concerns and added that this particular individual is trying to relate to the neighborhood and he is trying to improve things.

Jean Moon, 2400 S. Highwood, McHenry, IL: Ms. Moon stated that she gathered that the purpose of the Trustees and the whole Board is to improve the community and if those homes aren't improved as they get sold and if the Board is so worried about setting precedence and grey areas, than how does the community improve. Trustee Hellman stated that in this case, the variance being asked for, is excessive and it is up to the Board and that he only has one opinion here. Trustee Hellman added that every has a unique case and they will continue to come before this Board and they will plead their case and the Board has to have some standards by which they abide by. Ms. Moon asked if Zoning could get involved and start helping to make these changes throughout the Village so the Village does not fall apart. Trustee Hellman stated that architectural guidelines need to be established and followed but until these are set, every neighbor that wants to buy one of these homes in the original section of town and fix it up, will have a unique situation. Ms. Moon stated that many people buy a home and don't necessarily think that they will have to go before the Board and ask for changes and just may not know that they have to seek approval to improve their home.

Don Saville, 3608 Burr Oak: Mr. Saville stated that as these homes get sold and improvements are being sought, maybe the Board should work to set some guidelines for handling all these homes and improvements that people will want to make. Maybe guidelines can be set for the future and people purchasing these homes will know ahead of time these possible guidelines.

Motion by Trustee Herrmann, properly seconded to bring the meeting back to the Board.

Trustee Becker stated that if the garage were moved towards the lake a little bit more and more conformity with the other houses with the building line, he would be much more comfortable with this. After looking at the three houses and the photos being passed around, he feels that if the garage could be moved back a little bit from the road way, he would be in favor of this. Trustee Becker feels that a foot would help.

Mr. Furuta stated that he is trying to better this home and property so that it is more livable for two people. He said that more than a one car garage is needed these days and that it doesn't work the way that it is. His point, at 18 feet, anything short of that will protrude into a one car garage so if that is the issue, tell Mr. Furuta what is acceptable, what the footage is and make this approval subject to the planning of a one car garage. Mr. Furuta stated that he would like to get on with this so he can build with the variance and improve the property and tell him what would be workable.

Mayor Hyde stated that if the garage was moved in one foot, changing the request from 2 feet to 3 feet, if that is something Mr. Furuta could live with. Mr. Furuta stated that he thinks he can do that.

Trustee Herrmann stated that she has lived in Island Lake for 26 years and also lived in the original part of town for awhile. She commended those who are living in the original part of town that are trying to make improvements to improve residences that will improve the original part of town. She added that she understands that individual circumstances will be brought forward to this Board and she hopes that the Board can change our requirements to these unique pieces of land.

Motion by Trustee Becker, properly seconded to approve the Steve Furuta request for amendment to the Zoning Ordinance of the variance of the building line from 20 feet to 3 feet, variance of the lot coverage from 20% to 27% and a variation to the East and West side lot of 10 feet to 5 feet for the new garage space.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann and Schmidt.

NAYS: Trustees Hellman and Martin

ABSENT: None

ABSTAIN: None

Motion was declared carried.

2. BT Land Public Hearing on the Walnut Glen annexation agreement

Mr. Howard Teegan, Attorney for Fidler Property, BT Land and RHA, presented to counsel, for the Village, the necessary items for the public hearing.

Mr. Andy Teegan, of BT Land located in McHenry, Illinois, stated that the plan before the Board has been effort on their part which began about a year ago. He stated that they have been before the TAC committee several times, have met with Village staff, the Plan Commission, the Zoning Board, partook in several workshops or work sessions with various Village staff members and then went before the Plan Commission at a Public Hearing and received their approval. He added that he would like to go over the changes that have been made to the plan, talk about the traffic issues that have been raised and go over the annexation agreement changes made thus far. Mr. Teegan stated that there are two key factors with this proposed development: the realignment of Dowell Road and the bike trail connection for the Millennium Bike Trail from Lake County to McHenry County through this development. He stated that the IL Department of Natural Resources owns a parcel directly adjacent to this development and BT Land hopes that this parcel will be developed and be a connection point for this bike path from McHenry County to Lake County. Everyone is working together to try to create a bike path along the perimeter of this proposed development. Mr. Teegan stated that a third concern with this property and proposed development is the 3 wetland areas which are shown in light green. He stated that there are a lot of trees associated within these areas and that a tree survey was completed. The Arborist classified over 1400 trees of which many are perimeter trees and/or associated with the wetland areas.

Mr. Teegan stated the other changes that have been made since the Plan Commission Public Hearing. The pointed out detention area on the plat, by Mr. Teegan, was redesigned and the appropriate flow was kept. In order to preserve a large stand of trees, there are now 222 lots instead of 223. There was a 25 foot conservation easement also put into place along another large stand of trees. Mr. Teegan added that these were the changes made to the plan as recommended by the Plan Commission.

Bonnie Thompson-Carter, Chairperson for the Lake County Forest Preserve, was introduced as well as Dusty Powell, of the Lake County Illinois Department of Transportation. Ms. Carter stated that the forest preserve has been aggressively working towards the building of the Millennium Bike Trail which connects the Des Plaines River Trail through the western part of Lake County.

The trail is important as it connects us to the Grand Illinois Trail and is the connection between Lake and McHenry Counties. She stated that Mr. Teegan and Mr. Tim Grogan met with Ms. Carter and the forest preserve and the IDNR and are very supportive and very interested in helping them with Moraine Hills and the connection between the counties and to the Moraine Hills State Park. She said that the developer was agreeable to doing the engineering and construct the trail and install fencing to separate the residents from the trail as well as agreed to donate the trail over to the IDNR for future maintenance so it would not become a burden to residents to maintain. Ms. Carter expressed a common concern for the safety of Darrell and Dowell Roads and that was brought to her attention years ago. Preliminary plans and studies were done out there and when this development came forward, they were able to start addressing those issues. She said Tim Grogan was very agreeable to begin helping with this connection as well and move this aggressively forward. Ms. Carter thanked Mr. Teegan and Mr. Grogan for all their cooperative, help and support.

Trustee Martin asked/stated to Ms. Carter, when the trail goes in, that the trail has to be paved and how does that process occur. Ms. Carter said that the IDNR needs a paved trail, not Lake County, and that Lake County has a crushed limestone base. She said if the land is on forest preserve land or easement that has been granted to them, it's a crushed limestone base. Greg Kelly was next introduced as the Site Superintendent for Moraine Hills State Park. Mr. Kelly said that the IDNR remains neutral and therefore, with involved home sites, they work to help incorporate bike trails within these types of developments. He stated that the developer has graciously agreed to build the trail within this development and built it to the IDNR specifications – 10 foot width, 3 foot shoulders – the national standard. Trustee Martin asked if the future plans, as it's part of the annexation, when it can be connected once the builder builds this trail as he fears that the trail could sit out there for five years and go nowhere. Ms. Carter said on the eastern side, they know where the connection is now with this BT Land development putting in this trail. She added that Wauconda is working on a connection also and is actually donating a 45 acre site tonight to the forest preserve for this trail. She added that Volo will be constructing another portion connecting Singing Hills to the trail. Ms. Carter stated that there is 3 million dollars in the budget for the Millennium Bike Trail right now so they are very encouraged at this time and they are working diligently on getting everyone connected. Trustee Martin expressed concern over signing an intergovernmental agreement eventually that they will take over the bike trail for the maintenance of it, etc. Trustee Martin expressed concern with Mr. Reiland's property and the hunt club that is out there and near the bike trail. He is concerned with the safety and would like to see fencing. Trustee Martin questioned whose responsibility it is then for putting up the appropriate fencing. Ms. Carter stated she spoke to Mr. Reiland as well as Mr. Grogan about this and a possible split rail fence. They would like to move the fencing to the northern portion so there would be delineation between the fence and the hunt club. She is concerned with the delineation also between the residents property and the forest preserve property and the trail. Shrubbery, etc., needs to be considered and worked out as part of the annexation agreement. Mr. Tim Grogan stated that if this is still an active hunt club in about a year, they would move the fence to the outside. He can establish in the agreement that if the hunt club is still active, he will move the fence which will discourage people away. Mr. Kelly would like to see fences on both sides for ultimate safety. Trustee Martin agreed and added that he does not feel a split rail fence is enough of a deterrent. Mr. Grogan added that there is a heavy line of trees or natural buffer already there also. Trustee Martin stated that if they agree that fencing needs to go on both sides, whose responsibility is it. He expressed concern also as to when exactly the trail will come into effect with this development. Trustee Martin also would like to consider how this trail will tie into the other areas of Island Lake and how people will get to the trail. Ms. Carter added that if there is a build out of say 4 years, you tend to want the residents who back up to the trail, you want them to know there is a conservation easement there, a bike trail that they may look out at, etc. She suggested future landowners should probably sign off on these types of issues so there are no surprises. Mayor Hyde stated that many meetings have already taken place to plan out Island Lake's directional routing that will connect the Village fully to this trail system. Landowners have been spoken to as well regarding easements. In turn, these easements will help in obtaining future grants to build this trail. Trustee Hellman asked what the closest access point will be to this bike trail in terms of this plan. Ms. Carter stated that there is no plan for parking and that this is not a destination point and that the closest entryway to the trail is directly at Moraine Hills Park. Singing Hills and/or MarrowFlat will have trailheads there and they will have this completed in about two years. Ms. Carter stated that where a street dead ends or in a cul de sac, the residents will actually end up determining where entry points might end up being. Parking on the streets can become an issue and users of the trails tend to be the people who live right there or people who are coming from a destination area such as Moraine Hills. Trustee Hellman stated that some people might choose to not go to Moraine Hills and enter this trail at any given point within the Village. Mayor Hyde stated that the north and south route, as it comes further south, will connect to the next proposed development.

They will also pay for that piece so it would connect to this proposed development. Trustee Schmidt questioned where they anticipate the trail to go at the eastern end. Ms. Carter said that it will come up Darrell and go to Fisher Road. She added that crossings will be at safe areas only and at lighted intersections. She added that it is a multi use trail but not equestrian.

Ms. Carter as well as Dusty Powell spoke regarding the finishing of Dowell Road. Ms. Carter, pointing to the north section of the site, would ask the developer to make that connection and they hope to have this completed within about 5 years. Mr. Powell stated that there is 1 million dollars slated for 2007. He said if there is no activity in that area and a developer comes in near this site, such as BT Land and starts the improvements and alignment, this will move up our priority list to get completed. Mr. Powell stated the balance is slated for 2010. He added that they work constantly on rearranging their road priorities and developments such as these, help to move projects such as these up on their priority lists. Trustee Martin asked Mr. Powell if in the plans, the bike trail will tie into Dowell Road, if there will be a bike path lane. Mr. Powell said this will be a separate bike path from the road way. These types of riders are families, etc., and will ride on trails which will be kept separate such as the one proposed. Mr. Powell stated that they will begin talking to residents and begin preparing them for the realignment in the next month or two of the Fisher Road piece. He added that they will work with the forest preserve also on the connection of the roads as well as the bike trails and the safety at various intersections. Trustee Martin expressed some concern with portions of the trail being asphalt vs. other portions being crushed limestone. Ms. Carter stated that it is like that all over the state and is not uncommon at all. Trustee Martin stated that he would like to see money go into the Village to finish our parks here within the Village before money goes into asphalt trails and parks continue to go unfinished.

Trustee Hellman inquired as to what the worst case scenario could be with the road extension going in to the north. Mr. Powell stated that there is one million dollars already in the budget and the balance of the money will go in in 2010. He added that this development, if it goes in, will expedite this process and move this up on the priority list and put it at more like a 5 year program instead of a 10 year program. Trustee Hellman asked if a developer to the north does not come forward, what is the worst case scenario there. Mr. Powell said that he spoke to the Executive Director today and they spoke conceptually how Lake County could go in there and make this a reality sooner than later. He stated that they have invested 100s of thousands to get this Millennium Trail completed as well as built tunnels, etc., and they are close to finishing. As development occurs, and more and more people use Darrell Road, they will look at Darrell Road and get this situation corrected. Trustee Hellman said that if we don't question the worst case scenario, we wouldn't be able to have a plan. Mr. Powell said they are considering and talking about the worst case scenario and are concerned and are moving this project up. He stated that they have already started the engineering process and preplanning. Ms. Carter stated that this is a real priority and they know the condition today and how it could worsen quickly. She stated that she couldn't imagine this waiting for 10+ years with unfortunate things happening already on Darrell and Dowell Roads. Plus, there is money in the budget already to start the engineering process. She is encouraged that this is a real priority.

Mr. Teegan pointed out the fence line as well as the tree line.

Trustee Martin asked Mr. Reiland to point out his property to the north and questioned his feelings with regards to a fence line. Mr. Reiland stated that there should probably be some sort of delineation. He pointed out his areas of concern on the map and stated that the law says, that they have to maintain a 100 yards, 300 feet from an existing structure, so he questioned where the fence would actually go and in which direction the shooting can actually take place. Attorney LeSueur stated that you can't shoot within 300 feet and you have to shoot away. He added that in certain cases there are added buffers to keep the areas separate. Mr. Reiland seemed to feel a fence would be a good idea also. Trustee Hellman stated that he received an email message from a resident in Pine Ridge today and unfortunately the developer graded about 15 feet into his property line. He said even though we all make our best efforts, sometimes these things happen when grading is going on. Trustee Hellman stated, to avoid the encroachment, it seems appropriate to have a fence on both sides. He does not feel it's negotiable and is a priority. Mr. Teegan stated that he agrees and would like to collectively make a decision on this matter.

Attorney Dave LeSueur stated that there is a mandatory public hearing on the annexation agreement tonight and perhaps the Board could begin discussing that. Board all agreed to open the floor quickly to a resident who owns property right there that would be affected by the trail and the fencing, Tom (no last name stated)1821 Highwood. Tom expressed concern with people wandering off of the trail or from the hunt club and onto his property.

Mr. Kelly stated that their standards are that there is fencing on both sides and possibly more than just a split rail fence. Wayne Willis, of the Volo Plan Commission, added that throughout Volo, they have used fencing on both sides of the trail thus far for the Millennium Trail. Mr. Kaczmarek, 703 Fox Trail, questioned the access points to the bike trail throughout the Village. Mr. Teegan stated that the residents can ride their bikes to the bike trails or drive to Moraine Hills and pick up the trail from there.

Mr. Teegan resumed and covered the issue of the intersection of Darrell and Dowell Roads. He stated that an addendum study with MetroStudy has been completed of this intersection and a copy was supplied to each Board member this evening. He said that the intersection, from the westbound approach, has been graded as an F grade. The majority of the problems at this intersection are at the county jurisdiction level and not at the Island Lake level. Mr. Teegan stated that they would be adding about 3% additional traffic to this intersection and at an intersection that is already graded an F. He stated that there is built in already a \$1000 per unit impact fee that could potentially be used by the Village for road improvements and to assist with improving this intersection. Mr. Teegan stated that the existing intersections, as well as the proposed developments and developments currently going on, that BT Land looked at all of that with their study and everyone's flow to predict what would happen with Dowell Road. The study stated that the current road situation, as it currently exists, will work at acceptable levels.

Mr. Teegan moved on to the Annexation Agreement. He said that BT Land received various comments from the Village Attorney and the Village Engineer, and that they have made those changes to the agreement. The most recent version was submitted yesterday and BT Land received today some additional comments from the Village Attorney, letter dated October 13, 2005. Mr. Teegan felt it appropriate to deal with all recently submitted comments. Mr. Teegan, regarding 5B, BT Land would keep the main park centrally located, keep it active as well as passive usage and all the improvements would be paid for by the developer and that they are not asking for a credit on the park impact fee. It would be built by the developer. Mayor Hyde stated a concern with taking care of the parks and that the Board needs to review how to handle that situation. Mr. Grogan stated that he needs some protection regarding concern of use of the parks whether it be association owned or Village owned. 8.B., Mr. Teegan stated that he agrees and that this was an oversight. 9.A., Mr. Teegan stated that the Fire Protection District asks for additional pressure put into the system and can be easily accomplished by putting in an extra booster pump. BT Land agrees to do so and has put in \$20,000 budget for that booster pump. BT Land is asking if they could have a credit towards their tap on fees if this benefits other developments.

9.B. and C., Mr. Teegan stated that they suggested a \$50,000 budget and anything above and beyond that spent, that they could have a credit towards water tap on fees. It was their impression that, depicted in purple on the map, would be the only possible water tower site on their property as well as the only well site on their property. Mr. Teegan stated that an additional study beyond this site did not seem necessary on their property and that they have already made improvements to the water system pressure which will benefit other property owners in the area and thus the reason for asking for a credit beyond the \$50,000 if additional studies are needed on perhaps adjacent properties. Mayor Hyde stated that it is not positively sure yet that there will be a water tower on this proposed development site. The decision will be made down the road and other locations may need to be considered. Mayor Hyde stated that he is looking for two things: one, if a well is located in another location, it needs to be tested as well as it will be servicing this area and two, if another location is found, place a ceiling on this for BT Land. He added that the Village will build the water system and will incorporate this system into our current water system which will be paid for from fees from this development. Trustee Martin added that he feels too that this water tower and a site should be a priority. Mr. Teegan stated that there are other sites out there that might be more conducive for this water tower and everyone needs to look at this. The Mayor said that another location maybe feasible but he is not at liberty to talk about this tonight and will look further into this and get back to the Board. Kevin Sutherland stated that based on what is on the table now, the site on this proposed development is the best site at this time. He said that the Village is not settling and that this is an acceptable location. Trustee Martin asked where the other sites are that are to be considered. Mr. Sutherland pointed them out on the plat. Mr. Sutherland spoke with Larry Thomas within their office, who is the McHenry County study person, told him that he recommends that every developer coming in from now on should be asked to conduct some exploratory research – paper or actually tests – to find good aquifers. Attorney Dave LeSueur stated that his understanding was that the developer committed to this amount of money and the money would only be expended to possibly one other location. With Kevin stating now that they want testing in other areas, Mr. LeSueur stated that it would make more sense to designate this money for testing on this property. Trustee Martin asked for clarification on where the \$125,000 in the agreement would go then if testing occurs elsewhere and another site is decided upon.

Mr. Teegan stated that they feel that if the money is being spent off site, there should be a credit for the tap fees against the water tap fees as opposed to the monies that will be used for future improvements. Trustee Hellman stated that his opinion is that the developer before BT Land made sure and spend money to make sure there was water available up to this point or property and that the Village can only ask him as well as future developers to do the same. Mr. Teegan stated that they are donating the acre of land for the water tower site and not asking for a credit as well as the million three is supposed to be used for future improvements. Mr. Teegan next addressed 9.D. He said, on their engineering plan, they will put in the main and ask for a recapture from the developer to the South. Mr. LeSueur stated that he does not like recapture agreements and would like to get away from them. Mayor Hyde wants to clarify, at another date, the recapture agreement. Trustee Hellman stated that there are two points here to consider: one, a comfort with the recapture and two, what the terms will be and what are the particulars. Mr. Teegan stated that any expense to install the main would be recaptureable.

Mr. Teegan went on to 9.E. and stated that they are asking for a 10 day turn around on permits and the Village agreed to execute the permits in an agreeable time frame. With 10.C., Mr. Teegan agreed to change "needs to" to "shall". Regarding number 11, Mr. Teegan is okay with and clarifies the intent. Mr. Teegan stated that they will be building the new section of Dowell Road and the old Dowell Road would stay intact until such time when the north property is improved. 13.G., Mr. Teegan is agreeable to the change. Number 14, Mr. Teegan stated that they have a couple of issues. They would like to keep the opening clause and they would agree with the stipulation, as the builder needs to put signage out, he would like a building permit for those signs and will sit down with the Building Inspector for approval and actually get a permit for that particular sign. Mr. LeSueur asked Mr. Teegan for this because he was concerned with the size of the signs. Mr. Teegan clarified that it would be 20 3 X 3 signs. Trustee Hellman clarified the signs and sizes being asked for by Mr. Teegan. Mr. Grogan and Mr. Teegan clarified that the signs would be out Fridays from 5 pm through Sundays to 5 pm, picked up at 5 pm on Sundays. Mr. Teegan strongly urged that the last sentence be left in as they need to sell off all the units hopefully within 4 years. 15.C., BT Land is acceptable to. 15.D., Mr. Teegan stated that these are trade related trailers such as for the electrician, the plumber, etc., and feels that this is a reasonable request. 15.E., Mr. Teegan stated that this is a proposed new paragraph and would like to turn it back to the Board to see what they are looking for exactly. 16.B., Mr. Teegan stated that this is a typical thing and they like to keep available to them a road such as this and hopes the Board will agree. 16.C., Mr. Teegan said that adding the word "reasonable fees" they would be acceptable to. Trustee Hellman stated that the word reasonable opens up a can of worms. Mr. LeSueur said that he wouldn't have a problem with this word. 18.A. and 18.B., Mr. Teegan is acceptable to it. Number 20, Mr. Teegan stated they will spell this out as suggested. 21.B., Mr. Teegan stated they are acceptable to as well.

Trustee Becker asked for clarification of the water and how it is being brought through Prairie Woods. Mr. Teegan pointed out that there is a proposed water connection and showed everyone using the plat. Trustee Schmidt questioned the 50 foot vs. the 70 foot right of way as there has been a lot of discussion regarding this matter. Mr. Teegan stated there is not a current ordinance stipulating a right away width so they followed what has been done through the past few developments. He added that the 70 foot right of ways would make the properties a lot smaller. Mayor Hyde stated that there is about 7 feet between the sidewalk and the road which would give enough distance for proper planting of trees and should withstand time with regard to growth of these trees. Mr. Teegan stated that they will put the sidewalks wherever the Village would like them to. Mr. Sutherland stated that it's typically asked for a 6 year 66 foot right of way and the right of way is what the Village owns. He added, with an easement, the Village is limited to the use of the easement and it's not the Village's property technically. Mr. Sutherland stated that language could be added to the easement section which would allow the Village to place the sidewalks. He added that 7 feet is not very wide for trees and in Pine Ridge, there are no sidewalks and that this is typical request. Mr. Sutherland suggested that the Village get the sidewalks in the utility easements or at least have that option available. Trustee Hellman questioned if there was excavation for a utility, if he would put the sidewalks over the utilities. Mr. Sutherland stated that the utility will either be underneath the road, under the trees or under the sidewalk and you'd rather have it underneath pavement. Trustee Hellman questioned if it would be too much to ask to ask for a cross section of a 70 foot and a 50 foot with sidewalks on both sides. Mr. Sutherland stated that this is a great suggestion. Trustee Hellman stated that he would like to see it as it's difficult for people to envision this and it would be better to see it rather than try to describe it. Mr. Teegan instructed his engineer to do some sketches for the Board. Mr. Teegan stated that they have committed to putting trees somewhere in that area and are flexible.

Trustee Herrmann stated that he is curious about the future opportunity for the park sites to become Village property. He asked if there is a homeowners association, is the middle section the only group of homes that have access to that park. Mr. Teegan stated that all the homes will have access. With that being said, Trustee Herrmann inquired about parking for those who would like to drive into the area and access the park. Mr. Teegan stated that they were looking into the idea of adding parking to the interior of the site but thought that because the site is surrounded by a road, there would be ample parking available around the park already plus allows for easy traffic flow around the park and parked cars. Mr. Grogan stated that signage would designate parking on one side of the road. Trustee Schmidt questioned the eastern most portion of green space and the potential to incorporate a park-ish type setting. Mr. Teegan noted that there are elevation changes there and would be a more passive type area due to the elevations. Trustee Martin thanked BT Land and RHA for doing their homework and getting everything prepared ahead of time and answering everyone's questions as this had not been seen or done before. He questioned the stub into the next development and inquired if it is a hammerhead. Mr. Teegan stated that they spoke to Fire Protection already and they feel no one should be in there and could possibly be barricaded off. The Fire Department is fine with the proposed cul de sacs and their lengths. Trustee Martin stated that there has been discussion about the centers or islands being left in the cul de sacs and that he can appreciate both sides of the coin and does like the looks of the islands for aesthetic purposes. He prefers to see the islands there. The Fire Department does not have an issue with the islands. Trustee Becker stated that he knows that the islands are an issue for Public Works for snowplowing, etc., but he too feels that the islands are a nice feature. BT Land does agree too that islands are aesthetically pleasing. Trustee Hellman questioned the marketing and proposed signage as it has been an issue in the past and that much of the signage, directional signage, has been substandard. He feels that the number of signs proposed is excessive especially with several developments placing signage throughout Village. He suggested that the developer put more money into ads, etc., instead. Trustee Hellman commented that he would like to see architectural standards put into place with this Village for signs leading into these various neighborhoods. He would like to see different materials used as well as facades.

Trustee Hellman stated that he feels that it is apparent that the Board has a lot of questions yet especially regarding the annexation agreement and he for one would like to see the Board have a workshop session and see the Board talk as a whole regarding this proposal. He knows that Mr. Teegan and Mr. Grogan have spoke to each Board Member; however, he feels that the Board needs to sit down as a whole and come up with different solutions. He would like to see a motion to table this vote to another meeting.

Motion made by Trustee Herrmann, properly seconded to open the meeting to the floor for resident comments.

Jean Moon, 2400 S. Highwood: Ms. Moon expressed concern with the detention areas and if there will be any water table changes and flooding issues. She would like to know who to go to if this occurs. Mr. Sutherland stated that effects of the municipal well on residents and how far the code of influence would be on residents, would be directed towards the Village of Island Lake. Mayor Hyde concurred as the Village engineering will review this and approve this. Trustee Martin questioned that if all engineering has been take care of and if the open space is owned by the homeowners association, what if there is a major problem and believes Ms. Moon's point is very valid. Mr. Sutherland stated that the process has been in the past that the resident comes to the Village first, the Village goes to the homeowners association and says they are obligated to maintain it and they have x number of days to do so. He added that it's written into the annexation agreement that if the homeowners association does not comply, that the Village has the authority to go in and fix the problem and bill the homeowners association. Trustee Martin stated to make sure that this is in the annexation agreement. Ms. Moon questioned the depth of the ponds. Mr. Sutherland stated that they are shallow ponds and they will be the same as the ground water table or lower.

Wayne Willis 30751 Fisher Road: Mr. Willis questioned who is from the sanitary district. Mayor Hyde stated that they, the Sanitary District, has to approve the capacity for this development also. Mr. LeSueur stated that it has been approved by the district as well as annexed by the district and that there is capacity to this development. He added that the District is planning a major sewer project to go up Darrell Road in the future and is in the engineering stages right now. Mr. Willis stated that he has a problem with all the entrances onto Darrell Road. He stated that it is a safety issue and that single entrances are highly dangerous. Mr. Willis questioned if there is a sidewalk ordinance. Mayor Hyde stated that with this development they are looking at 4 foot wide sidewalks on both sides of the street. Regarding traffic on Darrell and Dowell, Mr. Willis stated that here are many accidents on these roads and that it is getting

very dangerous and a plan needs to be put into place. Mr. Willis asked if a storm sewer is proposed and the answer was yes. Mr. Willis suggested that maybe in regard to the signage issue, it be done on an as needed basis and not make it part of the annexation agreement. Mr. LeSueur clarified for Mr. Willis that this hearing now is on the annexation agreement, not the annexation itself but the annexation agreement does include the fact that the property will be zoned R3.

Bob Orgaski, 30353 Darrell Road: Mr. Orgaski stated that he is impressed with what Mr. Grogan has put together and feels that they are bending over backwards and appear to be one of the better developments that has come before this Board. Living on that corner for over 30 years, Mr. Orgaski has seen many accidents and is concerned with traffic. Mr. Orgaski is happy to hear that the realignment of Darrell Road may only finally be about 5 years away and that signalization will occur, etc. Trustee Martin stated that Dusty Powell said that if this proposed development goes through, this will greatly speed up the process. McHenry County is also looking at River Road and 176 and what to do with that area of road as well. Mr. Orgaski commended Chief Bero for keeping people there at 30 miles per hour. Mr. Orgaski questioned how the purple areas will be landscaped and what the final destination is for the lift station. Mr. Teegan stated that the lift station will be behind the entrance monuments and hidden as much as possible. Mr. Orgaski asked how the water tower might be screened and hidden like the lift stations. Mayor Hyde stated that this is all up for discussion and will be further discussed at another time. He added that the level of the water system has to be thoroughly looked at and make sure that it is properly done and that the Village has a balance water system. Mr. Orgaski wanted to make sure that it was real clear to the Board that he will not be very happy if the water tower goes in where it is currently proposed. Mayor Hyde added that there will be many meetings, studies done, etc., and welcomed everyone to attend.

Dennis Wilson, 30280 N. Darrell Road: Mr. Wilson stated that it has not been made real clear yet where the two large signs will exactly be going in. Mr. Grogan pointed out on the map where some of the signs would possibly be placed. He added that they are trying to market a development and that they need some ability to do so through signs, ads, etc., and that the majority of traffic flow comes in through signage. The issue of signage and where it will go will be further discussed. Mr. Wilson suggested possibly a temporary stop and go light at the corner of Darrell and Dowell Roads to assist with the traffic in the meantime. He expressed concern with the traffic. Mr. Wilson also inquired about the quality of water and the aquafirs. Mayor Hyde stated that water is a very serious issue for everyone and he respects Mr. Wilson's need and want for quality water.

Mike Herrick, 615 Longacre Lane: Mr. Herrick inquired as to who will be responsible for maintaining the parks. Mayor Hyde expressed that he understood Mr. Herrick's concern with regard to putting in a park and who will be maintaining it now and in the future for quality. Mayor Hyde expressed that he would like the Village to keep away from any expense, upkeep and liability of it that he would like to do but that if it doesn't work, he was looking for some way to fix the situation. Mayor Hyde said that they are not looking to take over any more parks and that wasn't the idea. In the annexation agreement, it was placed in there that the Village could go after the revenue stream if the homeowners association becomes unable to take care of the parks and the Village needs to do so. Mr. Herrick requested that the Village Board consider not tabling the vote this evening. He commended BT Land as well as RHA for their professionalism and preparedness and efforts towards working with the Village thus far. He stated that everyone's homework should have been done before this meeting as there has been ample time to do so before tonight. Mr. Herrick stated that this has been going on for more than a year already. He added that he feels that this is one of the best developments that has ever come forward and before this Board and he would like to see this pass. Mr. Herrick stated that if the Village does not move on this and allow the Village to grow and move forward, this development will pick up and go to another Village.

Motion to close the meeting to the floor and bring the meeting back to the Board by Trustee Herrmann, properly seconded.

Trustee Hellman inquired as to how Mr. Teegan had calculated the net density of the development. Mr. Teegan said he used the Village ordinance and the density is 1.97, gross acreage, minus the right away acreage, minus the wetlands. Trustee Hellman inquired if the detention areas were included in that. Mr. Teegan stated that they were not excluded. Trustee Hellman questioned that the net density presented is not really the net density. Trustee Hellman questioned why the detention areas were included in the net density when they can not be built on. Mr. Teegan stated that he used the Village ordinance to calculate the density and he followed the comprehensive plan.

Trustee Hellman stated that the comprehensive plan suggests ½ acre lots in this parcel. Mr. Teegan said that the comprehensive plan also indicates that any parcel over 40 acres is allowed to have a density of 2.0 or less. Trustee Hellman and Mr. Teegan did not agree on the way the density was being calculated.

Trustee Hellman again asked the Board if they have discussed this development as a whole. He suggested again that the Board work together and fulfill their promise to the residents and work together and have a work session to hear each others concerns. Trustee Hellman asked for a work session. Mayor Hyde polled the Board Members as to if they feel the same and if they are ready to vote on this evening as well as everyone's comfort level. Trustee Becker stated that he has spoke to Mr. Teegan on several occasions already and is comfortable with it. Trustee Schmidt said he is 90% comfortable. He added that if a work session is desired, that the Board move forward, knock this out and meet as early as Monday or Tuesday. Trustee Herrmann commended Mr. Teegan for coming back to the Board with answers to their questions so far. She stated that if Board members are not sure, maybe a work session is necessary but she too feels that it needs to be done in a very timely manner. Trustee Martin stated that the Board has known about this since September, that he has expressed his views and concerns and that he has also talked to Mr. Teegan several times. He has reviewed everything and that the Board has to rely on the Village engineers, attorneys, etc., to do their part too in reviewing everything. Trustee Martin stated that everyone knew that tonight was a voting meeting and that scheduling issues can really prolong this process. Mayor Hyde stated that he is hearing conflicts so he asked for a role call vote whether or not the Board will be voting on this tonight. Trustee Herrmann asked Mr. LeSueur if he is comfortable and that everything has been covered. Mr. LeSueur stated that there has not been an agreement reached on every issue yet especially in regards to the water issues. He feels that his comments brought up at the last minute tonight were answered satisfactorily. Mr. Teegan asked if the Board would consider preliminary approval based on an approval within 45 days. Mr. LeSueur stated that the ordinance approves a specific agreement and he is not familiar with this concept. Howard Teegan stated that what he meant is that the ordinance annexing indicates that it backs up and reverses itself if the agreement is not agreed to within 45 days. Mr. Teegan asked for a vote on everything with an exception of the ordinance approving the annexation agreement. Mayor Hyde questioned the clause within the ordinance as well. Trustee Hellman stated that the way the agenda reads, the Board is on number 3 and number 6 is approval of the ordinance for the preliminary plat for the Walnut Glen subdivision, so if the Board conditionally approve the annexation agreement and two agenda items, the Board will be looking to also approve the preliminary plat. Mayor Hyde stated that yes that is what is on the agenda. Trustee Hellman said that he has pages of questions to be answered yet based on the plat. He said we can be here until 4 am or until 11 pm and that it is up to the Board. Mayor Hyde asked if the Board could meet next week Thursday for a special voting meeting to review all the concerns. Trustee Hellman stated that he cannot meet next Thursday. Trustee Herrmann stated that she is out Monday through Thursday afternoon next week. Mayor Hyde asked for a meeting then to continue this meeting for October 27, 2005, to review all the concerns and issues and move agenda items 3 through 7 to the next meeting and continue this evening with the rest of the agenda. Trustee Herrmann stated that it sounds like Trustee Hellman has two pages of questions that need to be discussed and she is concerned that if they wait until October 27th, can the Board consider earlier in the week, the 24th possibly, to have an open discussion meeting before the voting meeting. Trustee Hellman stated that he would like to see the 27th not a voting meeting but rather a continuation of a meeting and have a discussion and work shop session with all the Board members. It was stated that the public hearing was open and then closed this evening so the public hearing responsibility has been handled. Trustee Hellman stated that he would like to hear everyone's concerns as well as go over his pages of questions and concerns and that it is not uncommon for Boards to postpone votes on matters such as these and with such great impact to our Village. Mayor Hyde stated that he would like to see the Board move forward, take responsibility, make a decision and move forward. Mayor Hyde asked if Trustee Hellman would like to present his questions and concerns with the Board members before the next meeting and Trustee Hellman stated that he would present them on that evening. He added that the Village Board is not working together. Mayor Hyde feels that a lot has been presented this evening as well as there have been many meetings with the TAC Committee, Plan Commission, etc., to get to this point and is going in a positive direction and provide an expedient answer based on the Board work and efforts. Mayor Hyde is hoping that everyone will work together and get their answers answered and be prepared for the next meeting.

Motion to table agenda items 4 through 7 to October 27, 2005 meeting and place October 27th as a special voting meeting to include agenda items 4 through 7 by Trustee Herrmann, properly seconded.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Hellman, Herrmann, Martin and Schmidt.
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried.

A five minute break was taken by the Board at 11:40 pm.

11:45 pm the Board reconvened.

ROLL CALL *Roll call indicated the following present: Trustees Eberhard Becker, Deborah Herrmann, Thomas Martin and Dan Schmidt. Absent: Trustee Hellman.*

8. Approval of the appointment of Matt Huff to the vacant Trustee seat.

Motion by Trustee Herrmann, properly seconded to approve the appointment of Matt Huff to the vacant Trustee seat.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann and Schmidt and Mayor Hyde
NAYS: Trustees Becker and Martin
ABSENT: Trustee Hellman
ABSTAIN: None*

Motion was declared carried.

Matt Huff was sworn in by Mayor Hyde.

9. Approval of Resolution 518-05 appointing municipal attorneys, Ancel, Glink, Diamond, Bush, DiCianni and Rolek, for the Village of Island Lake

Motion by Trustee Schmidt, properly seconded to approve Resolution 518-05 appointing Ancel, Glink as the Village of Island Lake municipal attorney.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann, Huff and Schmidt
NAYS: Trustee Becker and Martin
ABSENT: Trustee Hellman
ABSTAIN: None*

Motion was declared carried.

10. Appointment of Tom Bauer to the Island Lake Plan Commission

Motion by Trustee Schmidt, properly seconded to appoint Tom Bauer to the Island Lake Plan Commission.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt.
NAYS: None
ABSENT: Trustee Hellman
ABSTAIN: None*

Motion was declared carried.

11. *Approval of a Beach House security system from one of two presented bids: ADT for \$4216.00 or JustCom for \$4436.00.*

Motion by Trustee Huff, properly seconded to approve a Beach House security system from ADT for \$4216.00.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Huff and Schmidt.

NAYS: Trustees Becker and Martin

ABSENT: Trustee Hellman

ABSTAIN: None

Motion was declared carried.

12. *Approval of Baxter & Woodman Pavement Management report for \$8,000.00*

Motion by Trustee Huff, properly seconded to approve the Baxter & Woodman Pavement Management report in the amount of \$8,000.00

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt.

NAYS: None

ABSENT: Trustee Hellman

ABSTAIN: None

Motion was declared carried.

13. *Approval of \$8,800.00 to Baxter & Woodman to update the Village of Island Lake Master Water Plan*

Motion by Trustee Huff, properly seconded to approve the \$8,800.00 to Baxter & Woodman for the update to the Village of Island Lake's Master Water Plan.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt.

NAYS: None

ABSENT: Trustee Hellman

ABSTAIN: None

Motion was declared carried.

14. *Approval of \$12,800 for the design and \$9,900 for construction services for Rooney Construction's proposal for the CDBG 2005 on Southern Terrace between Woodlawn and Eastway, Sumac Avenue and Woodbine Avenue*

Motion by Trustee Schmidt, properly seconded to approve the \$12,800 for the design and \$9,900 for construction services for Rooney Construction's proposal for the CDBG 2005 on Southern Terrace between Woodlawn and Eastway, Sumac Avenue and Woodbine Avenue

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt.

NAYS: None

ABSENT: Trustee Hellman

ABSTAIN: None

Motion was declared carried.

15. *Approval to go out for bids for a 42 X 14 Westridge Wellhouse garage addition and re-roofing at the Dartmouth Drive pump house and Waterford Treatment Plant*

Motion by Trustee Huff, properly seconded to approve to go out for bids for a 42 X 14 Westridge Wellhouse garage addition and re-roofing at the Dartmouth Drive pump house and Waterford Treatment Plant

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt.
NAYS: None
ABSENT: Trustee Hellman
ABSTAIN: None*

Motion was declared carried.

16. *Approval of intergovernmental agreement between Island Lake and Solid Waste Management in regards to recycling*

Motion by Trustee Huff, properly seconded to approve the of intergovernmental agreement between Island Lake and Solid Waste Management in regards to recycling

Rate is \$6 per ton but the rate does change and the Village will be continuously notified.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt.
NAYS: None
ABSENT: Trustee Hellman
ABSTAIN: None*

Motion was declared carried.

17. *Approval of Resolution 519-05 to appoint Trustee Eberhard Becker as Director to SWALCO for the Village of Island Lake and John Little and Willie Kootstra as alternates*

Motion by Trustee Huff, properly seconded to approve Resolution 519-05 to appoint Trustee Eberhard Becker as Director to SWALCO for the Village of Island Lake and John Little and Willie Kootstra as alternates.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann, Huff, Martin and Schmidt.
NAYS: None
ABSENT: Trustee Hellman
ABSTAIN: Trustee Becker*

Motion was declared carried.

18. *Approval of agreement for shared costs in the defense of the litigation for Municipal Telecommunications Infrastructure Maintenance Fee to Holland Knight, LLC, for \$2038.25.*

Motion by Trustee Huff, properly seconded to approve the agreement for shared costs in the defense of the litigation for Municipal Telecommunications Infrastructure Maintenance Fee to Holland Knight, LLC, for \$2038.25.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt.
NAYS: None
ABSENT: Trustee Hellman
ABSTAIN: None*

Motion was declared carried.

19. *Approval of Resolution 520-05 for continued improvements to the Island Lake water system within the Village and water main replacement in the vicinity of Greenleaf Avenue, Fairfield Drive and Ivy Road and authorization for application to the CDBG program in Lake County for assistance to replace these water mains.*

Motion by Trustee Huff, properly seconded to approve Resolution 520-05 for continued improvements to the Island Lake water system within the Village and water main replacement in the vicinity of Greenleaf Avenue, Fairfield Drive and Ivy Road and authorization for application to the CDBG program in Lake County for assistance to replace these water mains.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt.

NAYS: None

ABSENT: Trustee Hellman

ABSTAIN: None

Motion was declared carried.

20. *Approval of audio and visual upgrades to the Village of Island Lake's Board Room for \$2500.00 to First Detection Systems ADT*

Mayor Hyde stated that \$2500 was donated to the Village from ComCast for the purpose of upgrading the Board Room sound system.

Motion by Trustee Huff, properly seconded to approve audio and visual upgrades to the Village of Island Lake's Board Room for \$2500.00 to First Detection Systems ADT

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt.

NAYS: None

ABSENT: Trustee Hellman

ABSTAIN: None

Motion was declared carried.

21. *Approval to send items to the Island Lake Ethics Committee as requested by Trustee Martin and residents to the October 6, 2005 meeting*

Mayor Hyde stated that this area probably needs some further discussion.

Motion by Trustee Huff, properly seconded to table this agenda item.

AYES: Trustees Herrmann and Huff

NAYS: Trustee Becker

ABSENT: Trustee Hellman

ABSTAIN: Trustee Martin and Schmidt

Motion was declared carried.

22. *Approval of \$10 per month for each employee of the Public Works Department for cell phone usage*

Mr. Kootstra put this document together for consideration by the Board. Mayor Hyde expressed concern if \$10 is the appropriate dollar amount. He also expressed concern that every Village employee will want this type of reimbursement. Trustee Martin and Becker also expressed concern and stated that if an expense can be justified, an employee will be reimbursed. Many were concerned with blanket reimbursement programs for the Village. Trustee Huff strongly encouraged that the Board table this item.

Motion by Trustee Huff, properly seconded to table this agenda item.

AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt

NAYS: None

ABSENT: Trustee Hellman

ABSTAIN: None

Motion was declared carried.

23. *Approval for payment to Cooperative 90s Health Plan for run-out insurance claim activity in relation to termination of our Village employee health plan in the amount of \$30,241.89*

Motion by Trustee Huff, properly seconded to approve payment to Cooperative 90s Health Plan for run out insurance claim activity in relation to termination of our Village employee health plan in the amount of \$30,241.89

AYES: Trustees Becker, Herrmann, Huff, Martin and Schmidt

NAYS: None

ABSENT: Trustee Hellman

ABSTAIN: None

Motion was declared carried.

Motion by Trustee Huff to adjourn the meeting, properly seconded. No further business was discussed. Meeting was adjourned at 12:25 am.

Christine Kaczmarek, Village Clerk