

**MINUTES OF A REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 27<sup>th</sup> DAY OF DECEMBER 2007**

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**CALL TO ORDER** Mayor Thomas P. Hyde called the meeting to order at 7:32 pm. Those present stood and pledged allegiance to the flag.

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

Also in attendance was: Captain Joe Arizzi and Connie Mascillino, EMA Director.

**Agenda Items:**

1. Approval of Smoke Free Illinois ordinance 1322-07

Trustee Verciglio referenced page 2 and asked for several minor corrections so the document references Island Lake. Attorney Tappendorf explained that if the Village were to go with the state law or statute, the Village would have to share the penalties collected. If a Village creates and passes a local ordinance, the Village can keep all the fines collected. Trustee Herrmann questioned if this ordinance could be amended in the future and Attorney Tappendorf stated that it can. Trustee Herrmann questioned the 15 feet away from a building stating that 15 feet isn't very far and that the smoke can still possibly cause harm. She is concerned with entrances. Mayor Hyde stated that he has received firm comments from businesses. All are uncertain as to how patrons of businesses will feel about this ordinance. Trustee Sadoski stated that she has seen where businesses have actually put up outdoor smoking tents for their patrons.

Motion by Trustee Herrmann, properly seconded to approve the Smoke Free Illinois ordinance 1322-07

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

2. Approval of amendment to 1-6-4-3 Village ordinance placing Committee Reports into the Consent Agenda

Trustee Herrmann stated that this was recommended in order to more efficiently expedite Village Board meetings. Trustee Saville questioned though, if he would like to read or highlight items from his departments report that he is able to do so. Mayor Hyde replied that yes, he can, under Items from the Trustees. He stated that this is being done to streamline meetings and move them along more efficiently.

Motion by Trustee Herrmann, properly seconded to approve the amendment to 1-6-4-3 Village ordinance placing Committee Reports into the Consent Agenda.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

3. Discussion of Hillside Estates Annexation Agreement

Mayor Hyde stated that he brought this forward to continue discussion. Attorney Tappendorf reported that Mr. Janeck though has been out of town and non reachable. There is no final agreement for the Boards review. She said that they have come to terms on all issues except for one. Trustee Verciglio stated that there are 2 Trustees not here this evening and he would like to see this discussed as a whole. He would like to see this discuss postponed and Trustee Sadoski agreed. There was discussion of tabling this item. Trustee Saville reported the Board is not properly using the tabling motion. If an item is tabled, it is tabled to the end of the meeting, not to another meeting. He suggested using the proper term continue. Trustee Herrmann replied though that she does not agree with the word indefinitely. Trustee Saville said that all it means is that the Board is not giving a specific time to the matter. Attorney Tappendorf replied that the Board could use the word continue vs. postpone.

Motion by Trustee Saville, properly seconded to continue the discussion of Hillside Estates Annexation Agreement.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

4. Discussion of mail distribution and security

Mayor Hyde stated that these are two items brought forward by Trustee Ponio; however, he is not here this evening.

Motion by Trustee Herrmann, properly seconded to continue the discussion of mail distribution and security.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

5. Review and approval of security system for Village Hall

Trustee Sadoski reported that she is bringing forward 3 companies for consideration – ADT, MGN and Keyth Technical. All three have met with Willie Kootstra. Trustee Herrmann asked if any other input has been obtained from other Department Heads yet and Trustee Sadoski replied no. Trustee Sadoski stated that she prefers Keyth Technical thus far as they have a full, comprehensive plan. Mayor Hyde stated that Keyth Technical has also included camera surveillance to their proposal. He said that camera surveillance has very much so assist with Veterans Park. His concern though is covering this within the budget. Trustee Sadoski replied that this may have to wait until the next budget year. The quote is broken into a 3 part series so possibly one portion could be implemented this year, one next year and the final phase the third year. Trustee Herrmann inquired if this system is moveable. Trustee Sadoski said that the cameras are moveable; however, not the key card pass system as they are fit to the doors that exist. Mayor Hyde reported that he would like to see office doors handled appropriately. He would also like to see discussion with John Little to get his thoughts. It was suggested that possibly a “buzz in” system could also be part of this so everyone does not have to get up all the time in order to let approved people into the office area. Trustee Herrmann asked if the key card reader system would be for the front door and Trustee Sadoski replied that yes it is. Trustee Sadoski explained that with the key card reader, the Village can control who gets cards/numbers. And, if an employee leaves, the Village does not have to

call a locksmith but rather the code on the key card would just have to be changed internally so monies would be saved there. Plus, there would be no extra keys being made. Mayor Hyde suggested tabling this item until John Little has an opportunity to look these over. Trustee Herrmann would like more detailed specs as well. It was suggested that Keyth Technical be invited to a meeting to talk to the Board.

Motion by Trustee Sadoski, properly seconded to continue this matter of a security system for Village Hall.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Sadoski, Saville and Verciglio

NAYS: None

ABSENT: Trustee Garling and Ponio

ABSTAIN: None

Motion was declared carried

#### 6. Discussion and approval of Timber Trail

Mayor Hyde stated that the Village has been taking care of Timber Trail for 15 to 20 years plus and that the Board heard discussions on this from Mr. Jack Schall regarding the past intent. He stated that the intent was there. Mayor Hyde reported that the Sanitary District wants to re-do their road and it will be done in about 2 years. The Sanitary District is also looking for a home on Roberts Road possibly. They may be moving their corporate offices. Mayor Hyde stated that he believes the Villages predecessors has positive ideas of moving forward with the Sanitary District. He added that they are also looking at dedicating the road to the Village in the future. Trustee Saville reported that everyone received a packet from him regarding the activities and communications around Timber Trail. This has been discussed between April 2007 and December 14<sup>th</sup> there have been many emails. All correspondence has stated that Timber Trail is private property and only with an easement to the Sanitation District. Trustee Saville stated that Mayor Hyde passed out an email to many people which originated from Mr. Ken Michaels. He reported that the Board was presented with a letter from the Village attorney in July of 2007 regarding liable and slander. Trustee Saville stated that Mr. Michaels email meets the criteria of this liable and slander memo from Attorney Puma. He said that his statements regarding Timber Trail are backed with facts and figures along with permission from the Board and attorney to move forward. Trustee Saville stated that he agreed to and will continue to correct any wrong doing. Trustee Saville stated that the Board suddenly at the 11<sup>th</sup> hour today received an intergovernmental agreement which came over from Attorney Puma. Attorney Tappendorf reported that this agreement was drafted by Diamond & LeSueur. She stated that Timber Trail is privately owned and is not dedicated to the Village. She said it is annexed; however, the Village has no responsibility over the drive as it is privately owned. The Agreement is asking Nunda Township to take over maintenance of this drive for the Sanitary District. Attorney Tappendorf said that she is under the understanding that the Township is okay with this agreement as well as the Sanitary District. Mayor Hyde stated that this is the worst kind of public relations he has ever seen and that this is completely uncalled for. He feels it is positive when Island Lake has the ability to grow and that in two years, the Village will be receiving a totally newly built road, by the Sanitary District. He feels it is in the Village's best interests to continue to maintain that road. He said that the Board would not be serving the community well if the Board just cuts off maintaining this road. Mayor Hyde said that Trustee Saville has an axe to grind. Trustee Saville replied that he has no axe to grind. Mayor Hyde replied that Trustee Saville does and that in fact, when he was a resident, he demanded to represent the Village at the Sanitary District. Trustee Saville said that he will defend his actions from when he was a resident in the audience. He reported that the Sanitary District inappropriately raised the residents' rates \$4.55 as they incorrectly prorated their bills to the residents. He stated that this is not right and was not done properly. Trustee Saville stated that it is the Boards responsibility to take care of the Village and the residents first. He said that Mayor Hyde is the PR guy for the Village and that the Village has no right maintaining private property. Mayor Hyde replied that the Village has maintained that road for 25 years. He said that the Village will continue to plow the road. Trustee Saville said then that he has a whole list to go over then with the Board and Mayor regarding private property and drives within the Village and would like to know if the Village will be maintaining all of those as well. Mayor Hyde said that it is not the best time this evening to review this. Trustee Saville reported that it is dangerous for the Village to be on and maintaining any kind of private property. He said if the Village is doing one, then what other private property should the Village also be taking care of.

Added per Mayor Hyde, voted on January 10, 2008, "Mayor Hyde questioned Trustee Saville about himself not receiving a packet on Timber Trail that Trustee Saville had passed out to the Board Members and that he was not given nor offered a packet from Trustee Saville".

Motion by Trustee Saville, properly seconded to continue the discussion and approval of Timber Trail.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Sadoski and Verciglio

NAYS: Trustee Saville

ABSENT: Trustee Garling and Ponio

ABSTAIN: None

Motion was declared carried

7. Discussion on Phase II Permit Assistance with Baxter & Woodman

Kevin Sutherland of Baxter & Woodman reported on Phase II. He said that the proposal is based on best management practices and that certain activities have to take place in order to satisfy participation in this program. He reported that technically this is easy to implement; however, it does take a time commitment. Trustee Sadoski asked for a time frame. Mr. Sutherland replied that the goal would be to complete this by March of 2008. He would need the Board though to adopt certain areas and that this would need to get started right away in January. Mr. Sutherland explained that he would like to see one person from the Village to attend all the training and then bring it back to the Village and train fellow employees. Mayor Hyde replied that the budget has to be looked at as well.

8. Discussion of security at Board and Committee meetings

Motion by Trustee Herrmann, properly seconded to continue this discussion as Trustee Ponio, the originator of this discussion, is not present this evening.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Sadoski, Saville and Verciglio

NAYS: None

ABSENT: Trustee Garling and Ponio

ABSTAIN: None

Motion was declared carried

Items from the Clerk, Trustees and Department Heads

- Trustee Herrmann reported that she is looking closely into the budget process. She reported that the current numbers are good and that the Village is on track. She stated that there are some major items that need to be looked at the Board for consideration. One, is Village Hall and the building. She feels that a professional is needed to really analyze the building and then a quote is needed regarding the cost to repair. Trustee Herrmann said another item is the Village security. She stated that this needs to be implemented and built into the budget. The third major item is Public Works and the Village roads. She said that this year in the budget was \$175,000. Twice will be needed to maintain the roads in 2007-2008. The fourth item is a vehicle replacement program. She would like the Village Board to consider such a program where they would be saving for vehicles. They could put away a certain dollar amount each month. Trustee Herrmann said that a lot of money was spent in 2007 on cars – 3 police vehicles and 2 public works vehicles. She suggested instead, get on a plan and put certain monies away each year and save for vehicles.

Mayor Hyde replied that he turned over to Trustee Ponio the information on the past presenters who came in and analyzed Village Hall.

- Trustee Saville reported that he met with Willie Kootstra, Frank DeSort and Neal DeYoung regarding private wells in the Village. He reported that about 5 wells still exist that have not been properly capped. They should have been sealed but were not. He is attempting to get understanding and organized on this matter and then will put a plan together on how to handle this. Trustee Saville stated that one gentleman, last year, came before the Board and he has given a deadline; however, no one has followed up and that particular well is not capped/abandoned. He is having Frank DeSort send a letter. Trustee Saville is looking for a consensus to continue and have these wells properly taken care of. Trustee Sadoski questioned when, what occurred, etc., when this person came before the Board. Trustee Saville replied that this person was given an extension, of 6 months, to have this matter taken care of ; however, to date, it has not been done and no one has followed up. He stated that what was done in the past is not necessarily right and that these wells need to be capped. Trustee Herrmann replied that she agrees that Frank DeSort should go out and do what he has to do with regard to this situation. She did recall this person having 6 months to complete this. Trustee Saville reported that it has actually been a year already. Trustee Sadoski replied that this person should cap his/her well especially after being given a whole year. Trustee Saville also reported that there are about 30 other wells in the Village and opted out to be on the Village water system. He would like to work on changing this; however, an ordinance would need to be created. Trustee Saville said that something could be made up where if an individual that has a well still comes in to make a capitol improvement or sell his/her home, that they are required to abandon their well and hook up to the Village water system. He added that the Village already has an ordinance in place that if one is within 450 feet of a water main, they must hook up to the Village water system. Trustee Saville reported though that he would first work on the 5 or 6 wells that need to be capped appropriately and then go from there. Trustee Sadoski questioned the 30 not on the Village water system and Trustee Saville reported that yes, they were given a choice in the past; however, there is an ordinance that states if they are within 450 feet of a main, they need to hook up.
- Trustee Saville reported that well #10 and the property has not been properly turned over to the Village and questioned where the Village is at with this situation. Attorney Tappendorf replied that she is not aware of this but will check into it with Attorney Puma and get back to the Board.
- Trustee Saville reported that a couple weeks ago the Board approved to pay the bills; however, he did not fully understand nor see a particular payment. He reported that the Mayor is the Village Liquor Commissioner. He would like to have this ordinance looked at as the Mayor received \$1200 for 2007 and there was not a single meeting. He stated that maybe the ordinance should be amended to include that there be at least one or two meetings a year, etc. The Board members will look at the ordinance.

#### Items from the Mayor

- Mayor Hyde passed out a monitoring schedule to the Board regarding highway improvements for 2008-2013. It stated that it goes over priorities.
- Mayor Hyde reported that CTY now has a full Spanish capacity that can be enrolled into.

- *Mayor Hyde reported that the Soil and Water Conservation District of Lake County now has on sale for 2008 rain barrels.*
- *January 7, 2008 is a legislative dinner at the IML. It will be at Dunhill's in McHenry.*
- *Lake County Partners is having an investors meeting. He forwarded the information on to Trustee Garling.*
- *Mayor Hyde reported that the PrimeCo settlement has come through. An application had to be filled in order to apply to be part of the grant. He reported that \$47,043 came back to Island Lake and Kildeer. It will be spent to update the Police Departments system. He clarified that the \$47,043 was split between Island Lake and Kildeer and that Island Lake received \$23,521.05.*

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

*Laura Rabattini 4702 S. Hampton: Ms. Rabattini questioned the amount that the Village received from the PrimeCo settlement. Mayor Hyde said that the Village received just over \$23,000, not \$47, 043 as it was split between Island Lake and Kildeer. Ms. Rabattini stated that she just wanted to clarify the amount that the Village actually received.*

*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 Herrmann, properly seconded to adjourn to Executive Session for personnel, land sale /acquisition and litigation. Upon voice vote, motion was unanimously declared carried.*

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

*Being that no further business was discussed, Motion by Trustee Herrmann, properly seconded to adjourn the Board meeting. All in favor. The meeting adjourned at 9:40 pm.*

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*Christy Kaczmarek, Village Clerk*