

**1) PLEDGE OF ALLEGIANCE AND CALL TO ORDER**

The regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, March 16, 2009 at Vehe Barn, 23570 W. Cuba Road, in the Village of Deer Park, in the counties of Lake and Cook, Illinois. President Gifford called the meeting to order at 7:00pm. Village officials and guests recited the Pledge of Allegiance.

**2) ROLL CALL AND DETERMINATION OF A QUORUM**

Upon roll call, the following were present: President Gifford, Trustees Pratscher, Kizior, Kellermann, Plautz and Thrun. The following Village officials were absent: Trustee Rotter. Other Village officials present were Administrator Connors, Clerk Meyle, Attorney Keller, Permit Coordinator Doniec, Treasurer Stade, Kildeer Police Commander Zujewski, and Engineer Gordon. President Gifford stated there is a quorum.

Pat Winkelman of the Vehe Farm Foundation; and representatives of Smart Farm were also present.

**3) APPROVAL OF AGENDA**

**MOTION:** by Trustee Thrun to approve the agenda as amended moving item 13 – *Kildeer Police Report* to follow Public Comments and item 10Hi – *Proposal for Smart Farms Project* to follow the Village Engineer's Report. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (1). Motion carried 5/0

**4) APPROVAL AND RELEASE OF MINUTES**

**MOTION:** by Trustee Pratscher to approve and release the minutes from the Board of Trustees Regular Meeting held February 16, 2009. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (1). Motion carried 5/0

**5) PUBLIC COMMENTS**

Betsy Glorch of 21947 Farthingdale Court addressed the Board regarding drainage issues in Hamilton Park. Mrs. Glorch requested that the Board allocate funds in the 2009-2010 budget for determining why the park is not draining properly and for remediation.

Marlene Smetana of 21922 Inglenook Court addressed the Board by presenting a Power Point slideshow regarding Hamilton Park drainage issues and the subdivision residents' desire for a pond and park amenities. Ms. Smetana also requested that the Board consider installing grassy islands in the Hamilton Estates cul-de-sacs.

Jeff Lange of 21970 Farthingdale Court addressed the Board regarding his support Ms. Glorch's and Ms. Smetana's efforts to work with the Board to get the Hamilton Park drainage issue addressed and the park improved.

Deborah Barry of 412 Bramble Lane addressed the Board regarding the use of the Vehe Barn for a Deer Park Neighbors candidate forum.

Trustee Rotter arrived at 7:30pm.

**ITEM 13 WAS ADDRESSED AT THIS TIME – Kildeer Police Report:**

Kildeer Police Commander Zujewski addressed the Board and answered questions pertaining to the following:

- With winter passing the speed trailer will be brought out; additionally, there will be fewer traffic accidents to address so the STEP program will be increased.
- There has been an increase in coverage of the retail sector as there has been an increase in theft from vehicles due to the challenging economy.
- Residents are encouraged to notify our Kildeer Police if they have concerns about traffic in their neighborhood.

**6) VILLAGE ENGINEER – REPORT AND RECOMMENDATIONS**

Approval of 2009 Road Program Contract for Arrow Construction for \$518,581.10

**MOTION:** by Trustee Kellermann to approve and award the 2009 Road Program bid to Arrow Road Construction Co. in the amount of \$518,581.10. Upon roll call: YES: (6) Pratscher, Rotter, Plautz, Kizior, Kellermann, and Thrun / NO: (0) / ABSENT: (0). Motion carried 6/0

The Village Engineer reported that it would cost approximately \$3,500.00 to install a drinking fountain at the Deer Park Town Center Baseball Field in conjunction with the grounds watering spigot; a discussion ensued, since the item was not on the agenda it was deferred to the March 23, 2009 special Board meeting.

**ITEM 10Hi WAS ADDRESSED AT THIS TIME – Proposal for Smart Farms Project:**

**MOTION:** by Trustee Plautz to authorize the Village Attorney to draft an agreement with Smart Farm which should include the following:

- **Location:** Approximately one acre of the northwest section of the Vehe Farm which provides adequate spacing from the designated septic field expansion area.
- **Term:** A minimum of five years with renewal and termination details to include restoration of the disturbed property to an agreed upon state.
- **Event Scheduling:** Any event with an attendance expected to exceed 25 participants must be coordinated with the Barn Event Coordinator to avoid conflicts with other events.
- **Water:** Access to potable water will be made available through the outdoor spigot of the Village Office. Calculation of the fee for the water will be determined by the increased usage during the months of April through October as compared to the actual water usage during those same months in 2008.
- **Bathrooms:** A system for the use of the Barn bathrooms will be worked out.
- **Fencing:** A fence plan will be established which will include unobtrusive, deer-proof, plastic mesh fencing and 7-8 foot metal poles similar to that of the butterfly garden, but without the pickets.
- **Indemnification:** Language will be determined and included.

Upon roll call: YES: (4) Pratscher, Plautz, Kizior, and Thrun / NO: (2) Rotter and Kellermann / ABSENT: (0).

Motion carried 4/2

**7) VEHE FARM – REPORT AND RECOMMENDATIONS**

A. Pat Winkelman addressed the Board regarding Vehe Foundation's monthly activities; a written report was also submitted regarding additional information and accounting.

B. Approval requested to move forward with grant nominations

**MOTION:** by Trustee Pratscher to approve the Vehe Foundation to pursue a grant from REI and to accept the grant on behalf of the Village if it is awarded; the funds are to be used toward the completion of the handicap accessible paths. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (0) / ABSTAIN: (1). Motion carried 5/0

C. Approval requested to apply for a fall burn license

**MOTION:** by Trustee Pratscher to approve the Vehe Foundation to apply for a burn license and arrange for a burn of the north side of the prairie buffer with spot burns in the wetland area and northwest area; to coordinate the date of the burn with the Village Administrator and the Event Coordinator; to provide Administrator Connors with proof of insurance for the business performing the burn; and to review liability scenarios with the business doing the burn. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

**8) VILLAGE ATTORNEY – REPORT AND RECOMMENDATIONS**

The Village Attorney reported that the Municipal Code has been updated to include all ordinances amending it through and including those approved in January 2009; the Village Clerk has a copy of the updated Code.

The Village Attorney updated the Board with regard to the R. W. Clark claim as follows:

- Service of the summons and complaint against R. W. Clark and his surety company has been obtained.
- Neither R. W. Clark nor his surety company has responded to the complaint by filing the required appearance; the deadline for responding is this week; if they fail to appear they will be in default.
- If they go into default, the Village Attorney will move for a default judgment against them.
- Once a default judgment is obtained the Village Attorney will attempt to collect the damages the Village is owed.

**MOTION:** by Trustee Plautz to approve the Ordinance Granting a Variance for a Septic System at 20844 Country Lane. Upon roll call: YES: (6) Pratscher, Plautz, Kizior, Rotter, Kellermann, and Thrun / NO: (0) / ABSENT: (0). Motion carried 6/0

**9) RESOLUTION OF SUPPORT FOR THE EXTENSION OF ILLINOIS ROUTE 53 IN LAKE COUNTY**

**MOTION:** by Trustee Thrun to approve the Resolution of Support for the Extension of Illinois Route 53 in Lake County. Upon roll call: YES: (6) Pratscher, Plautz, Kizior, Rotter, Kellermann, and Thrun / NO: (0) / ABSENT: (0). Motion carried 6/0

**10) REPORTS FROM PRESIDENT, TRUSTEES, ADMINISTRATOR, AND CLERK**

**A. President Gifford:**

- i) General Information
- ii) Report on funding efforts for the Road and Drainage Program

President Gifford reported that he and Trustee Thrun had traveled to Springfield and Washington DC with Attorney Boykin to meet State and Federal officials with regard to obtaining Federal economic stimulus monies and State appropriations to fund Village road and drainage projects.

**B. Trustee Kellermann - Roads and Public Utilities: - NO REPORT**

**C. Trustee Kizior - Finance:**

- i) Proposal from Sikich LLP for quarterly sanitary sewer billing

MOTION: by Trustee Kizior to approve the terms of the engagement of Sikich as presented to provide processing of sewer billing invoices to property owners in the Triangle area at a quarterly rate of \$1,850.00. Upon roll call: YES: (6) Pratscher, Plautz, Kizior, Rotter, Kellermann, and Thrun / NO: (0) / ABSENT: (0).

Motion carried 6/0

- ii) Proposal from Sikich LLP for audit for fiscal year ending April 30, 2009  
Trustee Kizior reported that he had received an engagement letter from Sikich proposing terms to perform the Village's annual financial audit. A discussion ensued with regard to going out for bid for this work. The general consensus was that it would be best to stay with Sikich for this year as they are assisting with making the transition to the new financial software and to modified accrual basis accounting; the Village will go out for bid for this work next year when the transition is complete.

MOTION: by Trustee Kizior to approve the terms of the engagement of Sikich as presented to perform the Village's annual financial audit for the fiscal year ending April 30, 2009 at a rate not to exceed \$14,500.00 and to approve a one-time fee of \$3,000.00 to audit the opening balances on the modified accrual basis of accounting at April 30, 2008. Upon roll call: YES: (4) Pratscher, Plautz, Kizior, and Thrun / NO: (2) Rotter and Kellermann / ABSENT: (0).

Motion carried 4/2

- iii) Draft FY 2010 Budget  
Trustee Kizior confirmed that the Board will be meeting on Monday, March 23, 2009 to work on the budget for the fiscal year 2009-2010; a copy of the draft budget was provided to be reviewed prior to the meeting.

**D. Trustee Plautz – Health & Sanitation: – NO REPORT**

**E. Trustee Pratscher – Planning and Zoning: – NO REPORT**

**F. Trustee Rotter –Parks and Recreation:**

- i) Update on Park Maintenance: Bids for budget purposes and potential plans for Hamilton Park flooding.  
Trustee Rotter reported that he had discussions with the businesses that did the Village's park maintenance last year about continuing the maintenance this year at the same rate as last year.
- ii) Update on Deer Park Town Center Baseball Field Maintenance and Usage  
Trustee Rotter reported that he found someone to maintain the Deer Park Town Center Baseball Field and will be including the expense in his budget items.
- iii) Update on bonding agent from Village Attorney – addressed in the Village Attorney's report
- iv) Status of Vehe records being returned to the Village Office  
Trustee Rotter asked for the status of the records pertaining to the Vehe reconstruction with regard to those records being turned over to the Village from the project architect. A discussion ensued with the following points being made:
  - The Village Attorney advised that, since the Village has on-going litigation with R. W. Clark and his surety company, he recommends that the records remain with the project architect because it will facilitate matters in the event that the Village needs the architect to compile records for the purpose of the litigation.
  - The Village requested that the project architect provide the Village with the financial documents for the Vehe project at the time Clerk Meyle was gathering documents to fulfill Trustee Kellermann's June 10,

2008 request. Clerk Meyle confirmed that the project architect submitted two stationary boxes of financial documents to her which included logs detailing the inventory of each box.

- Clerk Meyle confirmed that she fulfilled Trustee Kellermann's June 10, 2008 request except for three waivers of lien; one application of payment was provided, but was missing the architect's signature. President Gifford confirmed that all other back-up material pertaining to these payments is in the Village's possession.
- Clerk Meyle confirmed that she will show the Village staff where the two stationary boxes of documents are filed in the Vehe project drawer so that any trustee wanting to inspect these documents may do so.
- Trustees Pratscher and Thrun asked Trustee Kellermann if he would be more specific about the type of documents he wants returned to the Village such as financial documents, shop drawings, and engineering drawings.
- At Trustee Rotter's suggestion Trustee Kellermann amended his motion to specify only financial documents.
- Attorney Keller and President Gifford confirmed that all the financial documents have already been provided to the Village by the project architect.

MOTION: by Trustee Kellermann that the financial records of Vehe Farm being held by the architect be returned to the Village immediately. Upon roll call: YES: (2) Rotter and Kellermann / NO: (4) Pratscher, Plautz, Kizior, and Thrun / ABSENT: (0). Motion failed 2/4

**G. Trustee Thrun – Public Safety: – NO REPORT**

**H. Administrator Connors:**

i) Proposal for Smart Farms Project – addressed earlier in the agenda

ii) Groot notification regarding annual increases for waste and yard waste collection

Administrator Connors provided a copy of the annual notification from Groot Industries of the price adjustments they are making for their curbside, recycling, and yard waste services effective April 1, 2009.

**11) APPROVAL OF INVESTMENT HELD REPORT – FEBRUARY 2009**

MOTION: by Trustee Kizior to approve the Investments Held Report dated February 28, 2009 in the amount of \$1,709,219.37. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

**12) CASH DISBURSEMENTS**

MOTION: by Trustee Kizior to approve accounts payable dated March 16, 2009 as amended for the correction of the OMNI Youth payment in the amount of \$750.00 rather than \$1,000.00 as indicated in the report totaling \$213,968.33 (expenditures in the amount of \$195,209.82 plus payroll in the amount of \$18,758.51). Upon roll call: YES: (6) Pratscher, Kellermann, Thrun, Rotter, Plautz, and Kizior / NO: (0) / ABSENT: (0). Motion carried 6/0

**13) KILDEER POLICE REPORTS – FEBRUARY 2009**

This item was addressed earlier in the agenda. Materials were provided in the agenda packet regarding STEP locations, citations by location, comparison of arrests, comparison of activity, and summary of criminal offenses.

**14) ADJOURNMENT**

MOTION: by Trustee Rotter to adjourn. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

The Regular Board of Trustees Meeting was adjourned at 10:05pm.

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H. Scott Gifford, Village President

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Susan Meyle, Village Clerk