

**VILLAGE OF LAKE BARRINGTON  
MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF TRUSTEES HELD JUNE 4, 2014**  
*Approved*

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**1. CALL TO ORDER**

A regular meeting of the President and Board of Trustees of the Village of Lake Barrington was held at the Village Municipal Center, 23860 Old Barrington Road, on Wednesday, June 4, 2014, and was called to order by President Richardson at 7:11 p.m. Village Clerk Peterson was appointed Recording Secretary.

**2. ROLL CALL OF MEMBERS**

Upon the roll being called, the following Trustees were physically present at said location: Trustees Burke, Daulton Lange, Mitchell, Raclaw, Schaller, Schofield, and President Richardson.

The following Trustee was allowed by a majority of the members of the President and Board of Trustees in accordance with and to the extent allowed by rules adopted by the President and Board of Trustees to attend the meeting by video or audio conference: None

No Trustee was denied the opportunity to attend the meeting by video or audio conference.

The following Trustees were absent and did not participate in the meeting in any manner or to any extent whatsoever: None

**Staff Present:** Village Administrator C. Martin, Village Treasurer P. Hirsch, Village Accountant D. Vernon, Building Permit Coordinator E. Rezula, and Village Clerk L. Peterson

**Others Present:** Village Attorney J. Bateman and Zoning Board Member F. Fortman

The meeting was heard out of sequence.

**3. PLEDGE OF ALLEGIANCE**

**4. CONSIDERATION OF MINUTES**

**A.** Minutes of the Rescheduled Board of Trustees Meeting – May 14, 2014

**Board Action**

A motion was made by Trustee Schaller and seconded by Trustee Schofield to approve the minutes, item 4A above. The voice vote was all ayes. President Richardson declared the motion carried.

## **5. PRESIDENT'S REMARKS (President Richardson)**

### **A. Tallgrass Status Report – Kevin Rische, Trillium Landscape**

Kevin Rische, Trillium Native Landscape, briefed the Board on work that was done over the last year and what is planned for this year. He noted the challenges of the extreme weather conditions since the seedlings were planted several years ago. Due to the extended winter weather, work was delayed and a spring burn was not conducted, however, a fall burn is planned.

#### **Board Comment**

Board members commented on how beautiful the berms look, the decrease in negative comments and increase in positive feedback received from residents, and appreciation of Mr. Rische for his dedication to the project. Upon inquiry, he replied the native plantings were taking on well despite the harsh conditions and explained the impact of the extreme weather on the plantings.

The Tallgrass project was established to recover the landscaping, because the original plants and trees were not done according to the approved plan.

### **B. Do's and Don'ts for Managing Summer Time Sun and Skincare - Dr. Amy Derick, M.D.**

Dr. Derick, Dermatologist, and President of the Illinois Dermatological Society, informed the Board of how to choose a sunscreen, and she shared information and answered questions on how to screen for skin cancer, effects of the sun's exposure to skin, application of a sunscreen, and practicing sun safety.

### **C. BACOG Groundwater Program – Access Agreements**

Janet Agnoletti, Executive Director, BACOG, indicated the agreements allow access to the Village's monitoring wells by the USGS and KOT Environmental Consulting, Inc. (KOTECE) as part of the BACOG groundwater monitoring program. She reviewed the program and how data collection from the Village well will be conducted and used. The Board came to a consensus to have the USGS install a bucket antenna with the monitoring equipment.

Mr. Bateman raised that the USGS agreement was lacking an expiration date and noted the USGS would likely not alter the agreement.

He also indicated the Board would need to consider if it wants to require KOTECE to have an indemnification clause or a certificate of insurance requirement in the agreement to protect the Village in the case of an injury on Village property, which is typical of any contract for work on Village property. Relative to the USGS agreement, Mr. Bateman explained how claims relative to damage by the federal government would be handled.

#### **Board Discussion**

Discussion was held with Ms. Agnoletti relative to the KOTECE agreement regarding the insurance requirement, hold harmless clause, Village liability, and KOTECE's

access to the well and associated equipment. Discussion was held regarding the Village's request for inclusion of a specific expiration date on the USGS agreement.

Following discussion, Mr. Bateman advised the Board to pass the agreements with a contingency to address the deficiencies, as follows: inclusion of an expiration date in the USGS agreement, and inclusion of a hold harmless and indemnification clause in the KOTECI agreement.

**Board Action**

A motion was made by Trustee Mitchell and seconded by Trustee Daulton Lange to authorize the Village Administrator to enter into the BACOG groundwater monitoring program access agreements subject to the modifications discussed which are the inclusion of a hold harmless and indemnification clause in the KOTECI agreement and the inclusion of a specific date of expiration in the USGS agreement.

Upon roll call the vote was:

Yeas: Trustees Burke, Daulton Lange, Mitchell, Raclaw, Schaller, Schofield, and President Richardson.  
Nays: None  
Abstain: None  
Absent: None

President Richardson declared the motion carried.

Upon President Richardson's request, Ms. Agnoletti reported on state legislative activity during the spring session including information regarding the state budget, potential impacts on the LGDF, pension reform, and public safety. Trustee Schaller provided information regarding legislation related to the Condominium Association Act and collection of unpaid assessments.

**D. Other - Memorial Day Ceremony**

Jim Thompson, Director of Communications, Veterans of LBS, shared highlights of the ceremony which paid tribute to Korean war veterans. He thanked the Village and Board for their leadership and support to help continue and grow the organization. President Richardson and the Board members who attended the Memorial Day ceremony commended and highlighted the service and organization.

**6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD – NON-AGENDA ITEMS**

None

**7. CONSENT AGENDA**

**A. Approve Resolution No. 2014-R-11, a Resolution regarding Prevailing Wage Rates.**

It was noted this item is required by the State of Illinois. Trustee Daulton Lange commented on the State requirement.

**Board Action**

A motion was made by Trustee Schofield and seconded by Trustee Mitchell to approve the Consent Agenda, item 7A.

Upon roll call the vote was:

Yeas: Trustees Burke, Mitchell, Raclaw, Schaller, Schofield, and  
President Richardson.  
Nays: Trustee Daulton Lange  
Abstain: None  
Absent: None

President Richardson declared the motion carried.

**8. TREASURER'S REPORT:**

Village Treasurer Hirsch reported on the following:

**A. Approve the Unaudited Financial Statements as of 4/30/2014.**

Ms. Hirsch announced the auditors will be conducting field work at Village Hall the second week of August, and she commended Ms. Vernon for her hard work.

The unaudited financial statements were for the fiscal year ending April 30, 2014. Equity was at \$1,138,000. The General Fund Net Income for Regular Operations was \$343,000 compared to last year's net income at this time of \$159,000. The balance sheet was reviewed and noted as appropriately in balance. Ms. Hirsch reviewed expenses and accruals.

**Actual to Budget**

At the end of fiscal year 2014, Actual to Budget Revenues were 117% of budget due to increased utility and telecommunication tax revenues. Actual to Budget Expenses were 105% of budget with road maintenance being the only category that was over budget due to unexpected maintenance requirements.

President Richardson noted the main expenses are police services, road maintenance, and waste collection, which the latter provides savings to residents due to an aggregate-based service contract.

Motor Fuel Tax Fund: Cash available was \$83,000. The account is planned to build up over the next two years for future necessary road projects.

Water/Sewer Fund: There is \$859,000 available for future capital needs, as needed.

Open Space: The receivable for the OSLAD grant was booked this month. There was a short term payable to the General Fund for the April interest payment which will be paid off soon with incoming tax receipts. A new checking account for Open Space was created for better monitoring and will be presented next month.

**C. The Accounts Payable Warrants have been reviewed and should be approved.**

## **Board Discussion**

Discussion was held on the increase in equity. Upon inquiry, Mr. Martin confirmed the office equipment is up to date.

### **Board Action (A-C)**

A motion was made by Trustee Raclaw and seconded by Trustee Schaller to consider by omnibus vote and:

- A.** Approve the Unaudited Financial Statements as of 4/30/2014.
- B.** Pay Bills in the amount of \$ 152,985.24 as Listed on the Accounts Payable Warrant "A" Dated June 4, 2014.
- C.** Pay Bills in the amount of \$ 5,020.71 as Listed on the Accounts Payable Warrant "B" Dated June 4, 2014.

Upon roll call the vote was:

Yeas: Trustees Burke, Daulton Lange, Mitchell, Raclaw, Schaller, Schofield, and President Richardson.

Nays: None

Abstain: None

Absent: None

President Richardson declared the motion carried.

## **9. ADMINISTRATOR'S REPORT**

Mr. Martin reported on the following:

- A.** Mosquito Abatement services will be provided by Clarke this summer season.
- B.** Other: Upon inquiry, Mr. Martin confirmed the Village is half way through the term for the municipal electric aggregation rate.

## **10. CLERK'S REPORT**

Ms. Peterson reported on the following:

- A.** Other: Community events, the online summer season news and information regarding bats were announced.

## **11. REPORTS OF STANDING COMMITTEES**

- A. Communications and Community Relations** (C. Mitchell): Trustee Mitchell shared information on storytelling in marketing.
- B. Economic Development** (A. Burke): Trustee Burke reviewed that Speedway provided a pre-application presentation at the last Board meeting and he informed the Board they are conducting their due diligence process for the site. Mr. Martin explained the zoning and public hearing process.
- C. Environment & Open Space** (C. Schofield): Trustee Schofield indicated the Freier Farm Community Garden was experiencing some drainage challenges. Mr. Martin explained the irrigation system and watering options for the garden. Upon inquiry, Mr. Martin explained the County right-of-way impacted the Village's ability to provide screening for the yard at the Farm.

- D. Finance, Human Resources and Village Facilities** (D. Raclaw): No report.
- E. Gated Communities** (J. Schaller): Trustee Schaller reported LBS had its annual meeting yesterday and that the community is celebrating its 40<sup>th</sup> Anniversary. The Enclave is doing well.
- F. Public Safety** (J. Schaller): Trustee Schaller announced the July 17 Neighborly Awareness meeting at Freier Farm. The Barrington Countryside Fire Protection District and Lake County Sheriff will have vehicles available for viewing prior to the meeting. The BCFPD is working on long term planning. He shared information from a bulletin regarding the growing heroin problem.
- G. Intergovernmental & External Relations** (K. Richardson): President Richardson asked staff to request Fidelity Consulting to provide a legislative report at the next Board meeting. At his own expense, he will be attending the U.S. Conference of Mayors this month which will include the topic of economic development in small communities.
- H. Roads and Infrastructure** (K. Daulton Lange): No report.

## **12. OLD BUSINESS - None**

## **13. ORDINANCES**

### **A. CONSIDERATION OF AN ORDINANCE AMENDING THE BUILDING CODE**

Mr. Martin indicated the intention to adopt code, that is required by the State, at this meeting and then address the requirement of building permits.

Ken Garrett, Vice President, B & F Construction Code, reviewed the state mandate to adopt the 2013 IECC with Illinois amendments and he recommended adopting the code. He stated that the requirement for building permits will give a stronger stance for enforcement. The amendment impacts work related to furnaces, AC, windows and water heaters. Requiring a permit allows for the protection of the property owner to make sure the equipment is installed correctly. He provided a recommendation regarding permitting for emergency work outside of Village hours.

#### **Board Discussion**

Mr. Garrett answered questions regarding window permits and the permit process. Ms. Rezula answered questions regarding the Village's permitting process, and possible changes and requirements as it relates to the amendments.

Board members discussed and made comments regarding ensuring residents receive proper inspection services, the sense residents are feeling "over permitted", and how they are questioning why permits are being required for work that didn't require application for permits in the past.

Mr. Bateman shared information regarding the state mandate to recognize 2013 energy and radon mitigation code and advised the Board that home rule communities are pre-empted and cannot vary from the mandate. The Village

keeps the codes up to date by adopting them, however, the law would apply whether or not the ordinance was adopted. He further explained the state law requires permits, but does not mandate a charge for them.

Discussion was held on notifying residents of the new requirements. President Richardson directed staff to mail a notice to the residents explaining the changes and the fact they are due to a state mandate.

President Richardson thanked Mr. Garrett and Ms. Rezula.

#### **Board Action**

A motion was made by Trustee Schofield and seconded by Trustee Mitchell to adopt Ordinance 2014-O-11, an Ordinance Amending the Lake Barrington Village Code Related to Energy Conservation Code and Radon Mitigation.

Upon roll call the vote was:

Yeas: Trustees Burke, Mitchell, Raclaw, Schaller, Schofield, and  
President Richardson.  
Nays: Trustee Daulton Lange  
Abstain: None  
Absent: None

President Richardson declared the motion carried.

### **14. NEW BUSINESS**

#### **A. CONSIDERATION OF A RESOLUTION APPROVING THE INTERGOVERNMENTAL JURISDICTIONAL BOUNDARY AGREEMENT BETWEEN THE VILLAGES OF ISLAND LAKE, LAKE BARRINGTON, NORTH BARRINGTON, PORT BARRINGTON, TOWER LAKES AND WAUCONDA**

Mr. Bateman advised the Board that the new agreement is virtually the same as the previous agreement. The term was revised to ten years at the Village of Wauconda's request and will automatically renew if it is not terminated by any party. The map is much like the original. Lake Barrington and Port Barrington staff reviewed the map and made sure areas were appropriately colored. He explained the statute related to jurisdictional boundaries of unincorporated areas for subdivision approval.

#### **Board Action**

A motion was made by Trustee Daulton Lange and seconded by Trustee Schofield to adopt Resolution 2014-R-12, a Resolution Approving the Intergovernmental Jurisdictional Boundary Agreement Between the Villages of Island Lake, Lake Barrington, North Barrington, Port Barrington, Tower Lakes And Wauconda.

Upon roll call the vote was:

Yeas: Trustees Burke, Daulton Lange, Mitchell, Raclaw, Schaller, Schofield, and  
President Richardson.  
Nays: None

Abstain: None  
Absent: None

President Richardson declared the motion carried.

**15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD**

None

**16. CLOSED SESSION**

The Board did not enter Closed Session.

**18. ACTION TO BE TAKEN FROM CLOSED SESSION-None**

The Board did not enter Closed Session.

**19. OTHER**

Trustee Mitchell shared a letter from Cuba Township Road District that addressed inquiries directed to the Road District at last month's meeting. He noted his appreciation for the reply.

**20. ADJOURNMENT:** President Richardson called for the motion for adjournment. A motion was made by Trustee Schaller and seconded by Trustee Burke to adjourn the meeting. President Richardson declared the motion carried, whereupon the meeting was adjourned at 9:43 p.m.

Respectfully submitted,

Loretta Peterson  
Village Clerk  
Recording Secretary