

**MINUTES OF A REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE,
LAKE AND MCHENRY COUNTIES, HELD ON THE 12th DAY OF JULY 2007**

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

ROLL CALL Roll call indicated the following present: Trustees Herrmann, Ponio, Sadoski, Saville and Verciglio. Absent initially: Trustee Garling. Trustee Garling joined the meeting at 9:35 pm.

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

Correspondence

Clerk Kaczmarek read an email of appreciation regarding Public Works from a resident, Ms. Husar. She thanked Public Works for their hard work and for always doing such a great job.

The Village also received a thank you from the American Cancer Society for their donation again this year towards the Relay for Life.

1. *Approval of the minutes – June 7, 2007, June 14, 2007 and June 28, 2007*

Motion by Trustee Herrmann, properly seconded to approve the meeting minutes from June 7, 2007, June 14, 2007 and June 28, 2007.

Upon roll call, Trustees voted as follows:

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

NAYS: None

ABSENT: Trustee Garling

ABSTAIN: None

Motion was declared carried.

COMMITTEE REPORTS

1. **BUILDING, ZONING AND ORDINANCE**

Trustee Ponio read the building report for the month of June: Total building permit fees \$119,189.16, total water connection fees \$41,251.00, total permits issued 84, Electrical Compliance Inspections 13 and collected \$650.00. 12 ordinance violations and total of fees collected for the month of June \$126,990.16.

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

2. **FINANCE AND ADMINISTRATIVE**

Trustee Herrmann summarized the FINANCE AND ADMINISTRATION report for the month of June: John Little spoke to Lake County Transportation regarding the Burnett/Darrell Road intersection improvement. Lake County will go out to bid in January of 2008. A judgment has been entered against our primary auditing firm Bark Associates. 23 red tags posted – 2 shut off and remainder paid and/or made arrangements. Section B water bills due and late notices went out. 13 move ins/move outs for the month of June. 41 residents have their garbage suspended for non-payment. New part time office help, Denise, has started and is being trained.

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

3. POLICE AND PUBLIC SAFETY

Trustee Sadoski summarized the POLICE AND PUBLIC SAFETY activity report for the month of June: 1334 Calls for Service, 57 criminal offenses, 19 criminal arrests, 109 ordinance violations, with 3 ordinance arrest, 151 traffic citations issued, 14 accidents reports, 3 warrants served, 79 parking tickets issued and 3 warning tickets issues. Lake County Courts collected \$1523.73, McHenry County Courts collected \$6177.13, Parking tickets issued \$2505.00, \$71.50 for report copies, \$5974.04 Miscellaneous, Police Vehicle Fee \$660.00 and Dispatch Fees \$2094.42. Total collected for the month of June: \$19,005.82.

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

4. PARKS, RECREATION AND EDUCATION

Trustee Verciglio presented the report for the month of June: Creative Playtime: is closed for the Summer; however, the phone messages are checked. Open registration continue for the 2007-2008 school year. There are 131 enrolled and 45 openings. Total revenue: \$5845.00. Park and Recreation Report for the month June: Enrollments are as follows – 22 for guitar, 50 for preschool, 8 Yoga, 18 ballroom dancers, 216 for t-ball and baseball, 6 for swim lessons and 16 for summer dance/cheer. Revenues: \$24,184.00. No expenses reported. Club has 61 Camp enrollments thus far. Revenues: \$20,020.00. Park and Recreation Department is getting ready for the Street Dance July 14th. T-ball/basement are going well and t-ball pictures will be held on the 30th.

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

5. PUBLIC WORKS

Trustee Saville summarized the Public Works report for the month of June: the paving project has commenced and is progressing smoothly. Asphalt restoration occurred with 35.67 tons of asphalt used. Areas worked on were Burnett, Midway, Janet, Forest and Judith. A sink hold was repaired at Waters Edge and 4600 Kelly. All parks are being maintained and mowed as best as possible. Decorative plantings were completed around the Village. General maintenance occurs on all Public Works vehicles and equipment. Public Service workers completed 155 hours in June. They assisted the Village with ground clean up, weeding, washing trucks, sweeping floors and weeding out Channel park and a thorough cleaning of Veterans Park building.

Water Department: Completed 104 JULIE locates. Rebuilt several water meters for stock. Installed 36 radio units on residential water meters. Delivered several red tags for delinquent water bill payments. Attended a TAC meeting with regard to the Rimas project. Witnesses the installation of Camping Worlds fire service and water service lines. Witnessed the pressure test, disinfection and bacteriological water sampling. Performed spot inspections on the new Walgreens water main installation. Completed quarterly meter readings for the Fox River Shores, Westridge, Waters Edge, Campbell Woods, Pine Ridge, Prairie Woods and Walnut Glen. CDBG 2005 water system improvement project – 36 new b boxes were installed with hookup deadline of September 15, 2007 and 14 residences have completed the new water services entirely. Total gallons pumped: 20.2 million with average gallons per day 672 thousand and peak day gallons 901 thousand and total number of services 2,866.

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

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6. ECONOMIC DEVELOPMENT

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

Consent Agenda Items:

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

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1. *Approval to pay the bills*
2. *Approval for Lions Club: use of Watertower Park and for parking, the adjacent property, for CornFest August 19th, 2 raffle permits along with waiving of the fee, use of picnic tables/water meter/electricity/dumpster/5 standard porta-potties & 1 handicapped/1 sink/12+ garbage cans , advertising on Village kiosk 10 days prior to the event, temporary tent permit, sign permit and Request for permission to solicit funds for Lions Club International Candy Day sales on Saturday, October 6th.*
3. *Approval for Lions Club to sell alcohol at the Island Lake LakeFest July 14, 2007 and waiving of the permit fee*
4. *Approval to waive temporary tent permit and fee for Lions Club/Lionesses for the Island Lake LakeFest July 14th*

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

Trustee Ponio asked if it is typical to pay items before the actual event takes place. Mayor Hyde said it does when it applies to fireworks and for the barges. He questioned the payment too ahead of time to the DJ and the band. Trustee Verciglio said that the Village still has these checks; however, the fireworks and barges have to be paid ahead of time.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

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1 Agenda Items:

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1. *Approval of Memorandum of Understanding between Lake County Partners and the Village of Island Lake*

Trustee Ponio stated that he does not believe that Lake County Partners adds value. He feels that what they offer, the Village can do on their own. He said that Island Lake is so removed for the center of Lake County and that Island Lake is limited on commercial growth.

Motion by Trustee Herrmann, properly seconded to approve the Memorandum of Understanding between Lake County Partners and the Village of Island Lake.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

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2. *Approval of Memorandum of Understanding between Sheltering Oaks and the Village of Island Lake*

Motion by Trustee Herrmann, properly seconded to approve the Memorandum of Understanding between Sheltering Oaks and the Village of Island Lake.

Upon roll call, Trustees voted as follows:

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

ABSTAIN: None

Motion was declared carried.

3. Approval of agreement between Village of Island Lake and AT& T Project Lightspeed

Willie Kootstra stated that all the Trustees and Mayor have the pertinent information already. He can not issue a permit until the Board agrees to the agreement. Attorney Puma reported that legislation has passed and that this is a good thing for the Village to do at this time.

Motion by Trustee Herrmann, properly seconded to approve the agreement between Village of Island Lake and AT& T Project Lightspeed

Upon roll call, Trustees voted as follows:

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

NAYS: None

ABSENT: Trustee Garling

ABSTAIN: None

Motion was declared carried.

4. Approval of 4 year contract with Morgan Birge for the Village phone system

Trustee Herrmann reported that this will save the Village about \$800 plus a year and that this company has received good reviews when John Little called the references.

Motion by Trustee Herrmann, properly seconded to approve a 4 year contract with Morgan Birge for the Village phone system

Upon roll call, Trustees voted as follows:

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

NAYS: None

ABSENT: Trustee Garling

ABSTAIN: None

Motion was declared carried.

5. Approval of loan with First National Bank of McHenry in the amount of \$47,925.00 for the Public Works truck

Motion by Trustee Herrmann, properly seconded to approve the loan with First National Bank of McHenry in the amount of \$47,925.00 for the Public Works truck

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Upon roll call, Trustees voted as follows:

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

NAYS: None

ABSENT: Trustee Garling

ABSTAIN: None

Motion was declared carried.

6. Approval to donate \$500 to Cotton Creek School for the Weather Station

Trustee Ponio inquired as to whom came up with the \$500. Trustee Verciglio stated that he checked with John Little on the donation of the funds to make sure there were donation dollars built into the budget and there are. He explained that the school needs \$6000 and they have received thus far a grant for \$2000.

Some local businesses have agreed to help as well.

Motion by Trustee Herrmann, properly seconded to approve to donate \$500 to Cotton Creek School for the Weather Station.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

7. Approval to accept infrastructure easements for Matthews Middle School

Mayor Hyde explained that legal has already reviewed this. Attorney Puma reported that the school made the appropriate changes already that he had requested to the water main easements. They are now asking the Village to sign off on these changes.

Motion by Trustee Herrmann, properly seconded to approve to accept the infrastructure easements for Matthews Middle School.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

8. Review and approval of Police Extra Duty Contract Agreement

Trustee Ponio inquired if there is an emergency and what if the Officers are not available. He inquired if they can be pulled off when there's a 911. Attorney Puma replied that yes, it is stated in the last line of the contract.

Motion by Trustee Herrmann, properly seconded to approve the Police Extra Duty Contract Agreement.

Upon roll call, Trustees voted as follows:

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

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Motion was declared carried.

9. Approval of Committee and Commission appointments:

Zoning Board of Appeals
Al Schmidt for 5 years

Motion by Trustee Herrmann, properly seconded to appoint Al Schmidt to the Zoning Board of Appeals for 5 years.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

*Mark Dendinger for 4 years
James Taylor for 4 years*

Motion by Trustee Verciglio, properly seconded to appoint Mark Dendinger to the Zoning Board of Appeals for 4 years and James Taylor for 4 years.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

Fire and Police Pension
Wolfgang Neumeier for 2 years

Motion by Trustee Herrmann, properly seconded to appoint Wolfgang Neumeier to the Fire and Police Pension Board for 2 years.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

Liquor Commission
Charles Cermak for 2 years

Motion by Trustee Herrmann, properly seconded to appoint Charles Cermak to the Liquor Commission for 2 years.

Upon roll call, Trustees voted as follows:

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

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Motion was declared carried.

Ethics Committee
Mary Stevens for 4 years

Motion by Trustee Herrmann, properly seconded to appoint Mary Stevens to the Ethics Committee for 4 years.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

Planning Commission
Matt Huff for 2 years

Trustee Saville stated that a Michelle Frederick is here this evening and she has expressed great interest in serving on the Plan Commission. He asked for the Mayor to meet with Ms. Frederick as a candidate for the open seat. Ms. Frederick introduced herself and Mayor Hyde stated that he would set up a time to meet with Ms. Frederick.

Motion by Trustee Saville, properly seconded to table the appointment of Matt Huff to the Plan Commission.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

Fire & Police Commission
Joan Kreiling for 3 years-Chair

Motion by Trustee Herrmann, properly seconded to appoint Joan Kreiling for 3 years as Chair of the Fire & Police Commission.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

Ray Rhode for 3 years

Trustee Saville asked for a copy of Mr. Rhode's letter. Mayor Hyde replied that he submitted one but that he does not have it with him this evening. No one appeared to have a copy of the letter.

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Motion by Trustee Saville, properly seconded to table the appointment of Ray Rhode to the Fire & Police Commission.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

Lake Management
Steve Krom for 2 years

Motion by Trustee Herrmann, properly seconded to appoint Steve Krom to the Lake Management Committee for 2 years.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

10. Discussion of letter and information packet received from Concerned Citizens of Island Lake

Trustee Ponio stated that he received the Concerned Citizens packet in the mail along with other Trustees and is surprised that no one has made comment. He is wondering about everyone's comments to these letters and packets. He stated that there is concerning information in those packets. Trustee Ponio questioned if the Board should discuss this information or just throw it away. He said that the letter was used to keep the door propped open to Village Hall so it must be important and they must want people to have the information. He said that this letter is floating around Village Hall. He's curious on everyone's thoughts. Trustee Ponio said that many of these issues have been floating around for a number of years now and he may take some time at each meeting to discuss these issues with the Board. Trustee Ponio asked Mayor Hyde why people are afraid of you and so afraid that they didn't even put their name on the letter. Mayor Hyde replied no comment. He said that he has brought up some of these exact issues in the past himself. In a month that he has been sitting on the Board, he feels he has been scolded more than once, by the Trustees, for speaking up. Trustee Ponio said that he has brought up prevailing wage issues yet an invoice was paid anyway. He said there's a problem with another project in town that's not being handled right and he believes it's because of the bike path. There was a special use granted on that property. He said over \$20,000 been spent already by that individual because the Village doesn't want to go to court as well as it's costing the Village quite a bit of money. Mayor Hyde replied that he will not comment as this is litigation that's being discussed. Trustee Ponio said the public has a right to know what's going on. He said the code enforcement officer visited this person who has lived in the Village for over 20 years and has never had a problem before. This person was issued a ticket for propane gas and he doesn't even have propane gas on the property. He has diesel fuel which is not a violation. Trustee Ponio said that Village is causing this person harm. He stated there are other businesses in town that have propane and they have not been cited with a violation. Mayor Hyde replied that he does not know anything about that and again mentioned that this matter is in litigation. Trustee Ponio said that he is a concerned citizen also. He said that certain people are using their office for gain. Mayor Hyde replied that he does not know where Mr. Ponio is coming up with all this and that some of these items should probably not be discussed especially since some are in litigation. Trustee Ponio stated that Mayor Hyde had said to him that the Village Attorney and the Building Inspector were supposed to contact him and they have not. He has called three times and there have been no return calls. Mayor Hyde replied that that's Trustee Ponio's department. He added that Frank DeSort also sent out an email to everyone about wanting to inspect a Trustees seawall. Trustee Ponio said he assumed that that's himself as no one else on the Board lives on the lake as a Trustee.

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He said that Frank did not put a name on it and was looking for the Board's advice. He said that talking on emails, giving advice and consent, is against the Open Meetings Act as well. The purpose of Mr. DeSorts email about my seawall was because the seawall, being built across the street from me by a certain contractor, was supposed to be paying prevailing wage which I pointed out and the Department of Labor is looking at. Trustee Ponio said he was given a permit from the Village over 10 years ago for his seawall. He said that he came in as a resident. He was given a permit, in was inspected and the building inspector walk away with no issues. Trustee Ponio stated that it's not the building inspectors job to collect money, harass people, not to fine people, not to tell people they can or can not do something, but rather he's there to just tell people what is safe and what is not safe. Public safety is the purpose of a building inspector. Mayor Hyde said the email was an informational piece. He said we all do this all time, provide information. Mayor Hyde said he is not going after Mr. Ponio and Mr. Ponio replied that Frank DeSort is then. Trustee Ponio said that this is Mayor Hyde going after him, through Frank DeSort, because of his seawall. Trustee Ponio said that Mr. DeSort was looking to hire an outside consultant/source to come out and inspect his seawall, etc. He said the Village paid over \$4000 to Baxter & Woodman to go over and look at a paint spill at someone's property that's not even in our town. He said that the EPA said it was latex paint and the EPA had no problems with this and then did nothing about this. He added that the EPA would have done this for free. Trustee Ponio stated that he has an email from Kevin Sutherland that said he's got bad news and questioned if he has heard from the EPA that this was latex paint, there is no concern and there is no contamination, why would there be bad news then that there's no contamination. No contamination is good news in Trustee Ponios eyes. Mayor Hyde said that number 10 on the agenda was discussion about a packet and that Trustee Ponio is getting away from the subject. Trustee Ponio said there is filling in of some wetland parcels in an email. He stopped and questioned if any board members had brought in with them this evening the packet that they received. Trustee Verciglio stated that he did not bring in his packet because he did not get a copy of the letter. He was given a copy. Trustee Verciglio said that there is no name on the packet and he's from the old school where you stand up, present yourself and be heard. He said he's not an authority on this to say that this information is accurate. Trustee Ponio questioned Trustee Verciglio stating that the information then in the packet doesn't matter to Trustee Verciglio. Trustee Verciglio stated that he can not validate this information. He said though that Trustee Verciglio agreed to hire an outside source to validate inspecting Trustee Ponio's seawall. Trustee Verciglio reported that he did not say that but rather recommended that it should be handled by a third party. Trustee Ponio inquired then, if this information in the letters and packets can't be validated, that they also hire a third party to go through and check this information and validate it. Trustee Verciglio said again one, he did not get a copy and it went to selected people and two, there is no name on the document so it not worth being accounted for because that person it not coming forward and standing up. Trustee Ponio questioned why they wouldn't have put their name on it and stated that maybe it's because they are afraid of retaliation. Trustee Verciglio asked if Trustee Ponio knows who these people are and he replied that he did not but that he'd like to know who they are. Trustee Ponio said again that they are probably afraid of retaliation. Trustee Saville suggested that this conversation be kept off of personal issues and that the subject at hand be stuck to. He asked if Trustee Ponio wants to address Willie, that he should come directly to Trustee Saville. He does not want any issues. Trustee

Ponio asked why something was continuing to be done when he pointed something that was wrong out. Trustee Saville stated that they are working on it and will clear up the matter moving forward. Trustee Ponio replied that it's their responsibility to say if someone is not doing their job. He wanted to know why a JULIE locate was not called then. Trustee Saville stated that they did as law says, they called the contractor. Mayor Hyde said that number 10 is not being covered once again. Trustee Ponio read some of the titles of the issues within the letter. Mayor Hyde replied that the Village, because of Mr. Ponio's many complaints on the Beach House, went through a lot of expenses and as they went through and reviewed everything with the IL Department of Conservation, because the grant was cancelled, was a result of Mr. Ponio. Mayor Hyde said the grant was cancelled and Willie Kootstra interjected and stated that the grant was never cancelled for the record. He said all the grants were stopped in the state and all were under review by the State. It was a state wide issue. Trustee Ponio said the company that was hired finally to review the Beach House, never came back with a firm confirmation that the building is safe, that the plumbing is up to code, etc. It was swept under the table Trustee Ponio said. Mayor Hyde asked if Trustee Ponio was going through the entire letter and he said yes that he is. Trustee Ponio continue to read on the information that was in the letter. He questioned the change in the water tower. He mentioned the letter that the Village received from the Attorney General that they Village had not complied and did not answer what they were supposed to. He said that if the Attorney General sends the Village a letter, he finds it hard to believe that this wasn't a major issue and that the Board should have been notified, discussed it, etc. He feels the Mayor kept this letter from the Board, that he had it, he knew about it and kept it. The information was FOIA'd and the person who submitted the FOIA was told by the

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Attorney General in the letter that they should sue the Village for the information and the Village would be required to pay the cost for the legal fees because the Village refused to provide the information. Trustee Ponio mentioned that he has FOIA'd in the past, that everyone is entitled to information, and that he does not feel that the Village does a good job with FOIA's. Trustee Ponio said that over 400 people were given tickets illegally down Dowell Road. The speed limit was changed, the Village had no authority to do so, and tickets were written anyway. Trustee Ponio said it's the same thing that happened with the Beach House when the Village addressed the Department of Commerce. He said that the letter the Mayor sent back to the Department of Commerce said that the Village thinks what they did was part of the grant and therefore the Village wants their grant money. They sent a number of items back that they felt were not part of the grant and Mayor Hyde sent a letter back to them stating the Village thinks it is and tuff luck. He feels that people are afraid to come forward because they are afraid that they will then be harassed. Trustee Ponio said that there is intimidation going around. He stated that he remembers Mayor Hyde coming over to him and threatening him several years ago right here in the Board Room, that he marched out of the room and FOIA'd everything then on Mr. Ponio and then went over to the P.D. and filed a complaint to have his child arrested. He said Mayor Hyde had his attorney write Trustee Ponio a letter. Mayor Hyde said he did not and Trustee Ponio said he has the information to prove it. Trustee Verciglio suggested that they get back to the discussion on the packet as it's stated on the agenda. Trustee Ponio said he had nothing further for this evening.

Items from the Clerk, Department Heads and Trustees

- Trustee Saville stated that at the last meeting he brought up a situation that the Village had received a letter about a mis-statement that Mr. Hyde had made in a set of minutes. The minutes were from May 24th page 7. He said there was an article in the paper today and he was asked some questions by a reporter. He was asked if there was a mis-statement or if it was a lie. Trustee Saville said he put a packet together and they are all facts. Trustee Saville said they were led to believe that there was a letter from the States Attorney and all the suddenly there's a letter in his box this evening from the Village Attorney, not the States Attorney. This was the missing link, this letter. It's addressed to Mayor Hyde from the Village Attorney and it says that Attorney Puma spoke with the States Attorney regarding an Open Meetings Act complaint that was filed by Chief John Fellmann. He's been asking where this letter is and it showed up tonight, even after all the damage had already been done. Mayor Hyde said he thought Trustee Saville wanted it and he said that he did. Trustee Saville said the Board Members received tonight, before the meeting, a libel and slander letter written from the Village Attorney. Trustee Saville said he is not a liar, he does his homework and he sticks to the facts. Trustee Saville stated that there is a pattern here that concerns him and really should concern everyone. There was a letter sent to the Village Attorney and Mayor Hyde from former Trustee Greg Guido. On June 27th, Mr. Guido said that he had not received, to date, a letter from the State's Attorneys Office regarding an Open Meetings Act violation while he was a Trustee and leads him to believe there was no letter. He FOIA'd the information then which he did not receive because the FOIA was denied. The letter first appeared this evening and should have gone to Mr. Guido. On July 3rd, the letter from Mayor Hyde to Greg Guido, in the letter, the Mayor says that he may have mis-spoke. In the minutes of May 24th, it states that Mayor Hyde said that there was a letter that came from the Attorneys, the States Attorney and that he spoke to Janelle Christensen from the States Attorneys office. Trustee Saville read the May 24th minutes. He said in the June 14th minutes also, Mayor Hyde had said again that the States Attorney had reported a serious violation by the Village of an Open Meetings Act violation by a former Trustee. He said the Lake County States Attorney made it very clear that there was a violation. Trustee Saville said Mayor Hyde has been bolstering his position, because he wants a contract for Chief Fellmann, by making Mr. Guido look bad. He finds this to be a problem. Trustee Saville explained further that he feels that Mayor Hyde has used the Village Attorney on several occasions to bolster situations that were not feasible to do so and he spoke to Attorney Puma about this. One of the situations that came up in the past also shows a pattern here that he is much concerned with. In an executive session in the past, regarding a proposed spray park, a resident stated that this subject

does not belong in executive session as there is no contract and Mayor Hyde replied to that resident if he/she did not believe him, to contact the Village's Corporate lawyer. The resident contacted the Attorney and the minutes were released. Trustee Saville read from those minutes. Trustee Becker brought up the Open Meetings Act to the Board, passed out a copy to everyone and again addressed everyone that the spray park needs to come out of executive session due to there being no physical contract. Mayor Hyde did not agree with Trustee Becker; however, the meeting minutes have been released so Mayor Hyde had to have

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bolstered his position once again to get what he wanted. Trustee Saville said there was a meeting in August of 2006 and had to do with the Sanitation District. There was an approval on the agenda for a plat of easement and former Trustee Stiller asked Mayor Hyde if legal had reviewed this and Mayor Hyde replied that they had and the verbiage in there was standard. However, on August 10th, page 8 of the minutes, it states that Trustee Stiller discovered that legal as well as engineering had not reviewed the document so the agreement is null and void. Trustee Saville said that he is very concerned and can not work like this and will not work like this as there is a pattern here. He asked Attorney Puma how this situation can be corrected. He looked up mis-spoke in the dictionary and didn't find anything but he said that everyone's knows, if someone misses something, you've missed your target or you're out of range. He did however look up liar and it means a false statement meant with intent to deceive. If he has a choice between this statement and an untruth, he has to take the untruth. Mayor Hyde said that he said, very clearly, that he had received a letter from the Village Attorney and that it's right in the meeting minutes. Trustee Saville asked where the letter has been then. He said the letter was being held by the Mayor. He asked Attorney Puma why the Clerk was not cc'd on this letter. Attorney Puma said that there are certain things in every Village he works with that may only go to the Mayor. Some items go to everyone. He said it depends on the issue. Attorney Puma said the letter was written on the date that's on it and he was not at that meeting that is being mentioned. He said it's probably on the bill sheet. Trustee Saville said he believes Attorney Puma. He suggested to Attorney Puma that he recommended cc-ing Clerk Kaczmarek on everything. He is concerned where the Board goes from here. Attorney Puma said that he gets more emails from this Village than any other Village or Board he deals with. He needs direction on where and how to handle all this communication. He questioned even who has authority to send him emails and who he is to respond to. He said the Board needs to decide how they want to do business. Attorney Puma suggested bringing in someone from the IML to assist the Board and have a facilitator work with the Board on being a Trustee, how to deal with staff, etc. Trustee Saville agreed that the Board needs help especially with situations they are being put in. Mayor Hyde wanted to address the letter again and Trustee Saville suggested moving on from the letter and that it's past history. Trustee Saville said when he was a resident sitting out there, and now sitting up here on the Board, he would still like the Mayor to step down. Mayor Hyde said he is not lying and asked Trustee Saville what he would like from him. Trustee Saville replied again, to step down, because the Mayor continues to use the Village Attorney to get what he wants and he doesn't answer what's being asked. He said it's not him saying anything tonight that are his words and that it's all directly from letters and meeting minutes.

- Trustee Verciglio announced that LakeFest is this coming Saturday, July 14th. It begins at Eastway Park at 12 noon.
- Trustee Ponio asked about the posting of meeting minutes on the Village website and if they have to be done within 7 days. Attorney Puma questioned if the Village controls its own website and Clerk Kaczmarek replied that the Village hires someone. Attorney Puma replied that this does not apply then as it only applies to those Village's that handle their own Village website. Clerk Kaczmarek replied that what she normally does is after the minutes are approved on a Thursday, the follow day which is a Friday, she sends the meeting minutes over to the IT person and they are generally up on the Village website within 2 to 5 days, 7 days at the most.
- Trustee Ponio commented that Trustee Verciglio had made comment at the last meeting about the music for LakeFest and he had asked Trustee Verciglio for a copy of the proposals and bids from these individuals. He said that Trustee Verciglio had said that the low bidder had submitted a secondary bid and that raised the costs on the second time around. Trustee Verciglio said that he had responded to Trustee Ponio in an email asking why he needed them and that Trustee Ponio had not answered him. Trustee Verciglio said there were 3 bidders, not 4. They took the bidder that was the best, the cheapest as well as he has done this before. Trustee Ponio said that at the last meeting though, that Trustee Verciglio had said that the lowest bidder had previously submitted a lower bid and this time around the bid went higher. He would like to know why, when a low bid is submitted, why he/she would come back and submit another bid that was now higher. Trustee Ponio would like to know why this occurred. Trustee Verciglio said there are only 3 bids and Trustee Ponio questioned why Trustee Verciglio said this them. Trustee Verciglio said that there are and always were 3 bids, not 4. Trustee Ponio said, as a Trustee, he had a right to see proposals submitted to the Village. If he wants to see it, he wants to see it and that's all. Trustee Verciglio will provide Trustee Ponio with a copy as well as he added that this was already budgeted and approved within the budget. Trustee Ponio replied that if there is a bill and the Village is spending money, and the Trustees are the one's approving the bills, he wants to see the bill and the contract. Trustee Verciglio questioned what Trustee Ponio though wants to do with it. Trustee Ponio said Trustee Verciglio said previously though that the low bidder had raised his price and he wants to know why this occurred. He questioned how the bidding process went on and he wants to make sure that no collusion went on. He asked Trustee

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Verciglio who received the bids, are they opened on the same day, was everyone present and opened them. He asked who looked at the bids and Trustee Verciglio replied, the committee. Trustee Verciglio said the committee met and they made the decision. Trustee Saville asked why Trustee Ponio keeps asking, as Trustee Verciglio keeps giving him the same answers, and Trustee Ponio said that Trustee Verciglio said in a past meeting that there was a lower bid and the low bidders price went up. Karen Luebbers said that the low bid was from the years before. Trustee Ponio said that he wants to see all contracts before approving bills to be paid. Mayor Hyde asked the

Board to get off of this personal stuff and get back to business. Trustee Verciglio said that he asked Trustee Ponio a question and he did not answer his question.

- Trustee Ponio said that the Board Members received an email that Village Hall was left open and someone put a letter in the door and it was said that it was Concerned Citizens letter that was put in there. He asked if the janitor checks the doors. Trustee Ponio said that Chief Fellmann had said this is a common occurrence at Village Hall and questioned who is responsible to make sure Village Hall is secure. He would like to know who's responsible for security the building. Trustee Sadoski said that Chief Fellmann is looking into this matter. She too is concerned and wants to know why and how this happened. She suggested to Chief Fellmann to put together a policy and procedure for securing Village Hall. Trustee Sadoski said that the Board needs to discuss this. Trustee Ponio is concerned that this is said to be a common occurrence. He read Chief Fellmann's email to the Board Members. He thinks that this needs to be corrected immediately and let's secure the building whatever it is that has to be done. Trustee Sadoski asked Chief Fellmann to address this right away. Trustee Ponio said some people don't like each other, some have concerns with personal safety and being assaulted, if doors are left open, someone could plant a bomb in here or do something dangerous to the building. He thinks it's a bigger issue than someone just sticking a stupid letter in the door and propping it open. He said it needs to be taken care of right away. Trustee Ponio said Chief Fellmann should get on this right away as it's a big issue.
- Trustee Ponio said he was told not to tape executive session meetings by the Mayor. He said that he spoke to the Attorney General and they had said there is no issue due to the Open Meetings Act with regarding to taping or not taping meetings. He said he received an email from Attorney Scott Puma which stated that it's his firm's opinion that Trustee Ponio should not be taping meetings. Trustee Ponio said that the Board needs to then pass an ordinance if they do not want anyone else from the Board taping the meetings other than the Clerk. Trustee Saville asked who is in charge of that and Trustee Ponio replied he does not know and Trustee Saville in return to Trustee Ponio that he is in charge of ordinances. Attorney Puma replied that what though the State's Attorney forgot to tell Trustee Ponio was that there is a specific provision, within the state statute, which allows recording of meetings. The only provision that deals with closed session taping is that it states that the Clerk is to only one to tape those meetings. There is nothing that allows someone else to do the taping of closed meetings other than the Clerk and to make it clear, an ordinance should be passed by the Board.
- Trustee Ponio said that he would like Attorney Puma to get the Board up to speed with pending litigation.
- Trustee Ponio said that there is an email also from Frank DeSort regarding seawalls. He said that he is the only other Board Member, other than the Mayor, that lives on the lake. He said that he applied for a permit with the Village, it was inspected by the Village inspector, the inspector said it was okay and that this was over 10 years ago. Trustee Ponio said the Building Inspector issued him the permit. He commented that in light of the recent situation with a seawall and dealing with prevailing wage, that Mr. DeSort is looking at him and is just plan harassing him. He doesn't appreciate not being called back. He won't even call me up and talk about this. Trustee Ponio said there's a whole packet here, regarding a \$9000 addition to the Mayor's home, and that if they are going to inspect seawalls, they should be looking at permits for additions too. He asked if Frank DeSort's seawall has been looked at to make sure it's correct. Trustee Ponio questioned if Frank DeSort is qualified and has the credentials to inspect and approve the Walgreen's site. He said that Frank DeSort has no professional training. He asked if an outside consultant is being used to make sure with such a project that everything is being done correctly. Trustee Ponio questioned who is approving Village permits, a professional or not. He questioned then who is running our Public Works Department and if there are credentials in place to run that Department. Trustee Ponio said that he gets calls from others, who have called Frank, and Frank just says back to them that he does not think so and he does not have time to talk to him/her today. Trustee Saville replied that there are no ordinances in place regarding Public Works and that he is working on that. Trustee Ponio questioned the Julie locates and what happened. Trustee Saville replied that this particular project had been voted on and had already passed but assured Trustee Ponio that this will not occur in the future. Him and Mr.

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Kootstra have talked about this. Trustee Ponio said that there are 2 different standards. That the Village can do and does do what it wants and pushes stuff through and that this has to stop. Trustee Saville said that they are talking about all these things that Trustee Ponio is bringing up and they are working on it. Trustee Ponio wants projects done right before the project even gets started. Trustee Ponio asked if Attorney Puma is Mayor Hyde's private attorney and Attorney Puma said no. Trustee Ponio said that Willie Kootstra never got back to him on how the Village is going to get access to the water tower site. Mr. Kootstra replied to Trustee Ponio that it is obvious that he will never be pleased with him so he would like to refrain from answering at this time. Trustee Ponio said that about a mile away, to the SW, there's another site/location that could be added to the next annexation agreement and he would like to see this done. Trustee Saville said that they yes, can discuss this, when the next agreement comes along. Kevin Sutherland said that the access will be off of the existing Dowell Road and Trustee Ponio replied that he thought the Village was abandoning that road. Mr. Sutherland said that portions of the road will be abandoned and certain portions of the road will be used. Trustee Ponio asked if this is a county decision/road and Mr. Sutherland said it's a Village road. Attorney Puma said it goes in and out of the Village. Mr. Sutherland said the most firm right now is coming from within Walnut Glen. An alternative being looked into, and they are discussing this with Attorney Puma, is to come off of Darrell from the north and that to have 2 accesses would be ideal. Trustee Ponio asked Mr. Kootstra if that was so hard. Trustee Saville replied that that was shot at Mr. Kootstra and asked for this to stop. Trustee Ponio replied that Mr. Sutherland answered it in less than 5 minutes and Trustee Saville said that Trustee Ponio just got a direct answer straight from the Village Engineer. Trustee Saville asked Trustee Ponio not to go to Mr. Kootstra and to instead go directly to him. Trustee Ponio asked if the Village is under contract with a towing company. Mayor Hyde replied that the Village has a contract with Sharps for towing. Trustee Ponio asked who can repair the Village vehicles. Mayor Hyde said generally they go to Sharps but that the Village does use others for this type of

work. Trustee Ponio suggested that the Village shop around and go out for bid as they do with other things to make sure they are getting a good price, good service, good rates, etc.

- Trustee Ponio said that Mayor Hyde had mentioned at a previous meeting about going out for two other properties for the Village bike path. He questioned which properties these are. Mayor Hyde said that when they went out originally, they basically got an understanding for the easements and he said that what he mentioned is that they now need to go out and procure those easements while they are available. Trustee Ponio said that Mayor Hyde received a verbal commitment from Mr. DeLaurentis for the bike trail through their property to go across Roberts Road and Trustee Ponio said that his understanding is that there was quite a revised easement setback or variation given to Mr. DeLaurentis. Trustee Ponio asked if Mayor Hyde has spoken to the County about this going across Roberts Road, which is a county road, and Mayor Hyde replied that yes, there has been conversation with the County about a crossing across Roberts Road. Trustee Ponio asked what was said from the County and Trustee Verciglio said that nothing was solidified but that that he does not exactly remember as that was some time ago. Mayor Hyde commented that the County saw this as a feasible place to bring the trail across. Trustee Ponio asked for a name and number of the person that they had spoken to at the County about this.
- Trustee Ponio stated that when zoning violations were given out by the code enforcement officer, but that they were the incorrect violations and that there was no ordinance. Mayor Hyde said that that's Trustee Ponio's Department and Trustee Ponio replied though that he is bringing this up to Mayor Hyde. Mayor Hyde said that he does not run the Village totally and that the Trustees run the Village too and their Departments. Mr. Jablonsky works with Frank DeSort. Trustee Ponio would like someone that has authority over Mr. DeSort to call him back when he asks to be called back.
- Trustee Sadoski stated that the States Attorney was in a couple weeks ago and discussed with the Board the committees. She is suggesting that they redesign the committees so that each Trustee has a department and is a committee head. She suggested that one Trustee be over a committee and then report back to the Board as a whole. The Board could then discuss matters and decide/make decisions as a whole so there are no violations occurring.
- Trustee Garling walked in at 9:35 pm. Trustee Garling reported that he is attending, on July 19th, an economic development seminar by the Counsel of Mayors. Mayor Gentes of Round Lake is conducting the presentation.
- Mr. Kootstra reported that the road project is about complete. The seeding will be done at a later date as it is not the right time of the year for grass to flourish. Mr. Kootstra said that they are preparing for LakeFest and that several employees will be present throughout the event. He reported that the water main project on Greenleaf Avenue is near completion. It will not be done by Saturday but they are working as quickly as possible. The road will be clean for the weekend.

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- Connie Mascillino mentioned the Memorandum of Understanding between the Village and Northern Moraine as a possible item for the future in case of an emergency.
- Ms. Mascillino reported that the Historical Society, in the Westridge strip mall where Quizno's used to be, has set up two tables and are displaying Island Lake historical items for everyone to view and enjoy. They are not occupying this space but rather are just using the space temporarily to display historical items.

Items from the Mayor

- Mayor Hyde reported that he held a meeting with Village staff regarding the Salvation Army Back to School program.
- Mayor Hyde attended the Mayor's Caucus which was about mortgage foreclosures. In 2006, Island Lake had 37 and this could be higher and higher each year.

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

Bob Wargaski, 30353 Dowell Road, McHenry: Mr. Wargaski stated that he received his FOIA regarding all the work done on paint washing of his buckets. He said that they did a lot of work on this matter and thanked Mr. Kootstra and Mr. Sutherland. Mr. Wargaski said that his wash sink was out of the building the next day. His shop is also no longer there at that location. He said that there are no further issues. Mr. Wargaski pointed out Mr. Sutherlands frustrations expressed in an email. Mr. Wargaski questioned the Board saying why would they put a water tower or well near there if he's supposedly contaminated the land. Mr. Wargaski referenced Trustee Saville's comment about mis-spoke and lies and stated that he would like to add bs to it. He said that he would like to extend this to Mr. Kootstra as there has been no good neighboring since Mayor Hyde has taken office. Mr. Wargaski said that he went to Glen Swanson of the Wauconda Township as well as Joe Munson. He asked Mr. Munson why they let the portion of Dowell Road that's in front of his house go to the Village. Mr. Munson reviewed the property line that Mr. Wargaski pointed out. Mr. Wargaski explained Mr. Munson called Tom Hyde regarding this matter and Tom Hyde said to Mr. Munson that he can not discuss this as it is in litigation. Mr. Wargaski said he has not filed any litigation against the Village. He would like to know how the Village jumped his property line. Mayor Hyde replied that he does not know what Mr. Wargaski is speaking about and that he needs to refer this to the Village Engineers. Mayor Hyde said what he told Glen Swanson was that Mr. Wargaski had threatened the Village with litigation so therefore he can not discuss it. Mr. Wargaski replied that that's not what Tom Hyde said to Mr. Swanson but rather that this is in litigation. He questioned if Mr. Hyde

mis-spoke again. Mr. Wargaski questioned Brenda's Starrs FOIA from back in December regarding tickets issued on Dowell Road which was denied. She appealed it and that was denied stating it was burdensome and an invasion of privacy. They then went to the Office of the Attorney General and she re-FOIA'd the same information. After 10 days, they received an extension. It was past due as of 4 days ago. In the meantime, he said that Clerk Kaczmarek did explain to us that she had not heard back from Scott Puma on this matter. The Attorney General said for the Village to provide the information to them and if not, to hire an attorney. Attorney Puma replied that the FOIA from January, the initial FOIA, should be re-read. He said the second FOIA asked for the names and address of those convicted on Dowell Road. Attorney Puma explained that the Village does not have the names and addresses of those convicted on Dowell Road. They asked for convictions and the Village does not have that information. Attorney Puma said the Village has no means to assemble this information and volunteered that they could go to the County for this information. Mr. Wargaski said that they will, tomorrow, re-FOIA the information and they expect an answer within 7 days hopefully without an extension.

Laura, 4702 S. Hampton: She stated that this is her first visit and from her first observation, she is seeing very negative tones from Board Members and the Mayor. She is seeing boredom, disinterest, unconcerned, unresponsiveness, etc., and if the Board is serious as a heart attack to make changes, she's not impressed. As elected office, she asked the Board Members to step down if this is how they feel and are going to act. Next, she questioned the packet that Trustee Ponio was referring to. She asked if the packet was public information and if she could get a copy. She stated that she is very concerned. Trustee Ponio asked Laura to see him after the meeting and he'd be happy to supply a copy. He said the information is all FOIA'd information. Laura said that she is disappointed with the Mayor. He appears to be disinterested in answering questions. She wants to know why he doesn't answer these allegations.

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Trustee Verciglio explained that yes, he received the packet, he went through it; however, he does not know who these people are. Laura asked each Board Member individually to please look into these matters and allegations. She said that they are all up there, as elected officials, and that they are being asked to not just dis-miss letters such as these that are going out and such letters that have these types of allegations in them. Laura expressed concern for the comment made about the qualifications of Mr. DeSort and that he was arrested for breaking into a home. She said this is serious.

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 the Board meeting. All in favor. Being that no further business was discussed, the meeting adjourned at 10:02 pm.

Clerk Christy Kaczmarek