

**VILLAGE OF JOHNSBURG  
FEBRUARY 5, 2009 REGULAR MEETING  
OF THE PRESIDENT AND BOARD OF TRUSTEES**

Acting Chairman John Huemann called the meeting to order at 7:02 p.m. in the Village Hall.

Attendees

President Dominguez (via telephone)  
Trustee Ed Hettermann  
Trustee Harold May (absent)  
Trustee Mary Lou Hutchinson  
Trustee William Sandell (absent)  
Trustee Bruce Bennett  
Village Attorney Michael Smoron  
Village Engineer Tim Hartnett  
Special Assistant to President Rick Quinn

**TELECONFERENCE PARTICIPATION** - Trustee Bennett moved to permit President Dominguez to attend the meeting via teleconference. Trustee Hettermann seconded the motion. All Trustees present voted aye. Motion carried.

**FROM THE FLOOR** – Len Keil was in attendance to express his concern with recent sales tax incentives offered by the City of McHenry to Gary Lang Chevrolet. He expressed that he hopes the Village would not ever enter into such an agreement. He expressed particular concern with the length of the agreement entered into by the City of McHenry. Acting Chairman John Huemann explained that he is not aware of the specific terms of the agreement and added that the Village has not entered into any sales tax incentive agreements to date.

Karl Nitz was in attendance to question when the central lift station will undergo another test run. Mr. Hartnett explained that the lift station is exercised quarterly and he would have to check with the operators to find out when it is next scheduled for a test.

**OMNIBUS AGENDA** – Trustee Bennett moved to approve the Omnibus Agenda. Trustee Hettermann seconded the motion. All Trustees present voted aye on the roll. Motion carried.

- Move to approve the minutes of the January 20, 2009 regular meeting of the President and Board of Trustees.
- Move to approve Ordinance 08-09-30 Granting a Conditional Use Permit to Allow for a Church, Place of Worship, for Property Commonly Known as 3605 Chapel Hill Road, Johnsburg, IL 60051

• **DISBURSEMENTS-**

• General Fund	\$ 57,498.67
• Waterworks/Sewerage Fund	\$ 200.00
• Land & Building	\$ 6,177.67
• MFT	\$ 58,694.08
• Police Pension	\$
• Debt Service Fund	\$ 844.80
• TOTAL OF ALL FUNDS	\$153,415.22

**NEW BUSINESS**

**PRESS RELEASE** - Acting Chairman John Huemann read a press release he asked the Board to consider. Trustee Hettermann moved that the press release become a part of the meeting record and directed that it be disbursed to media outlets. He also thanked Trustees Hutchinson and Bennett along with Mr. Nitz for their efforts in reinforcing the importance of the project with our representatives and other governmental entities. Trustee Bennett seconded the motion. All Trustees present voted aye on the roll. Motion carried.

**DEVELOPER'S DIVERSIFIED** - Bob Elias from Developer's Diversified was in attendance to request a release of bond, the acceptance of Running Brook Farms Blvd., and the approval of a Recapture Agreement for Running Brook Farms Blvd improvements. Mr. Elias also discussed a recapture agreement for the Route 31 improvements that have been completed. Ms. Peters explained that the language in the amendment to annexation agreement does not adequately address the current situation. Mr. Elias explained that he would like to institute a Recapture Agreement for the improvements that they have done and understands that Developer's Diversified would then be responsible of their fair share of additional road widening and other improvements done along Route 31 in the future. The Board directed that Mr. Elias discuss some options with Mr. Hartnett and Ms. Peters and come back before the Board with a recommendation.

Trustee Hettermann moved that we approve the release of bond for Running Brook Farms Blvd contingent upon a bond in the amount of \$58,348.95 being posted for two years as a maintenance security and a bond in the amount of \$50,000 being posted for completion of utility improvements, restoration of landscaping and sidewalks and any damage to roadway, curbing, sidewalks, lighting and landscaping. Trustee Hutchinson seconded the motion. All Trustees present voted aye on the roll. Motion carried.

Trustee Hettermann moved to accept Running Brook Farms Blvd from Route 31 to the limits of the Shops at Fox River development contingent upon a bond in the amount of \$58,348.95 being posted for two years as a maintenance security and a bond in the amount of \$50,000 being posted for completion of utility improvements, restoration of landscaping and sidewalks and any damage to roadway, curbing, sidewalks, lighting and landscaping. Trustee Hutchinson seconded the motion. All Trustees present voted aye on the roll. Motion carried.

Trustee Hettermann move to approve a Recapture Agreement between the Village of Johnsburg and Developers Diversified, Inc. for improvements to Running Brook Farms Boulevard. Trustee Huemann seconded the motion. All Trustees present voted aye on the roll. Motion carried.

**UNFINISHED BUSINESS** – Trustee Hutchinson asked that the newsletter include an article regarding the status of Church Street. She explained that we are frequently being asked why we will not maintain the road and she believes we need to make sure everyone is aware that the area which is currently in poor condition is on private property and it is not a Village road therefore we cannot repair it. Trustee Hettermann agreed and added that the Village has been working with the Community Club and St. John's the Baptist Church to dedicate the area to the Village so that we can take steps to improvement it, however, he does not believe this will be accomplished until the Church has some assurance regarding the extension of sewer lines to the area. He explained that many people have been volunteering their own time and dollars to help patch the area from time to time because the Village cannot spend public funds on private property. President Dominguez stated that he has spoken with Father Jerry as recently as this past week regarding the matter and hopes to reach a resolution as soon as possible.

**MOTION FOR CLOSED SESSION** – Trustee Hettermann moved to conduct a closed meeting to consider the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the Village. Trustee Hutchinson seconded the motion. All Trustees voted aye on the roll. Motion carried.

**RECESS FOR CLOSED SESSION**- Trustee Bennett moved that the meeting recess to go into Closed Session to consider the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the Village. Trustee Hettermann seconded the motion. All Trustees voted aye on the roll. Motion carried at 7:38 p.m.

**RETURN TO REGULAR SESSION** – Trustee Bennett moved to return to regular session. Trustee Hettermann seconded the motion. All Trustees voted aye on the roll. Motion carried at 9:21 p.m.

**RECESS** – Trustee Bennett moved to recess the meeting and reconvene on Tuesday, February 10, 2009 at 7:00 p.m. in the Village Hall. Trustee Hettermann seconded the motion. All Trustees present voted aye. Motion carried at 9:22 p.m.

Respectfully Submitted,

*Claudett E. Peters*  
*Director of Village Operations*

## **PRESS RELEASE**

From: Village of Johnsburg  
Date: February 6, 2009

The Village of Johnsburg announced today that it has submitted a request for more than \$20 million dollars to be considered under the Federal economic stimulus package. The request was initially submitted through the Metropolitan Mayors Caucus in November of 2008 and supported, along with other McHenry County projects, by the McHenry County Council of Governments. If granted, funds would go towards the construction of: a wastewater treatment collection system for properties within SSA#23 and the remaining sewer service area; water system improvements; and wastewater treatment plant improvements. Village officials feel that these projects meet the criteria established for economic stimulus funding as they are all “shovel ready” and will provide immediate jobs.

The Village, which identified waste water treatment as a priority for its residents, had initiated an SSA to fund a sewer collection system within certain areas of the Village. Village President David Dominguez said it is the Village Board’s desire to reevaluate the project’s costs, looking closely at financing costs, inflationary increases of labor and materials and the potential of new funding through the Federal economic stimulus package before moving forward with the project. "Since we announced this project two years ago, we have seen dramatic changes in our economy. Today we are all being financially squeezed and we are concerned about our resident’s financial viability”, said President Dominguez. Village officials agree that economic conditions have driven the need to review the cost impact of the existing project as well as the possibility of delaying the project or reducing the project’s scope. If, however, full funding were made available, the village would study the extension of services to other areas identified in its sewer plan.