

VILLAGE BOARD OF TRUSTEES MEETING
DECEMBER 6, 2005

THE VILLAGE BOARD OF TRUSTEES OF CHERRY VALLEY, ILLINOIS, WINNEBAGO AND BOONE COUNTIES, CONVENED IN REGULAR SESSION ON THE 6th DAY OF DECEMBER 2005.

PRESIDENT JIM E. CLAEYSSSEN CALLED THE MEETING TO ORDER AT 7:24 P.M. AND LED THE PLEDGE OF ALLEGIANCE. ROLL CALL WAS TAKEN BY VILLAGE CLERK, NANCY L. BELT.

Rick Anderson	Present	Linda Melton	Present
Sally Hollembeak	Present	Jill Miller	Present
Lori Laye	Present	Tad Whitchurch	Present

Also present: Village Clerk, Nancy L. Belt; Chief Gary Maitland; Attorney Jim Stevens; Public Works Director, Joe Caveny; Denny McMullen; Administrator, David Nord, Sergeant Houde; Officer David Fiduccia

President Jim E. Claeysen entertained a motion to adopt the agenda as presented. Sally Hollembeak so moved to adopt the agenda as presented. Tad Whitchurch seconded. Motion carried by voice vote.

President Jim E. Claeysen entertained a motion to approve the November 15' 2005 village board minutes. Sally Hollembeak so moved the village board approve the November 15' 2005 minutes. Linda Melton seconded. Motion carried by voice vote.

President Jim E. Claeysen entertained a motion to place the November treasurer's report on file with the village clerk. Sally Hollembeak so moved to place the November treasurer's report on file. Jill Miller seconded. Motion carried by voice vote.

PRESIDENT'S REPORT

President Jim E. Claeysen entertained a motion that the village board approve a settlement with the Illinois Environmental Protection Agency, State of Illinois, in regards to a violation regarding the 2003 Golf Hills Subdivision water project and pay a civil penalty of \$14,500.00.

Sally Hollembeak so moved that the village board approve a settlement with the Illinois Environmental Protection Agency, State of Illinois, in regards to a violation regarding the 2003 Golf Hills Subdivision water project and pay a civil penalty of \$14,500.00. Lori Laye seconded. A roll call vote was taken.

There was no discussion.

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

President Jim E. Claeysen entertained a motion that the village board accept the resignation from a recreation board member, Valerie Hughes-Reuss effective today, December 6, 2005. Lori Laye so moved to accept Valerie Hughes-Reuss resignation from the Recreation Board. Rick Anderson seconded. Motion carried by voice vote.

ATTORNEY'S REPORT

Attorney Jim Stevens reported on the C-Bro rebate agreement in regards the property south of CherryVale. Attorney Stevens said he and President Claeysen had a phone conversation with C-Bro's Attorney Dick Gorman and stated he agreed with the terms of the document as written with one exception, **"to change the agreement that the rebate agreement would start once the project is completed and when one parcel is occupied and generated sales tax by one of the new parcels on the east side of the entrance road."** Also, currently the old rebate agreement for extension of Charles Street and the Perryville/Charles intersection has expired; this was confirmed by David Nord. Attorney Stevens stated, "That's why they're asking now, because it could be one to two years before they start generating any sale tax revenue to recover." President Claeysen recommended Attorney Stevens draft the new language to be discussed at a finance meeting.

ENGINEER'S REPORT

Denny McMullen reported that President Claeysen has the contracts for the South Perryville Water Main Insulation. **Denny McMullen stated that one of the contracts has been delivered to Attorney Stevens office for review, and President Claeysen has three contracts for his signature. If everything is on schedule Stenstrom Excavation and Blacktop Group will begin construction by the end of next week. Denny said this project will be three days of construction and completed on the fourth day.**

EX-OFFICIO'S REPORTS

Rick Anderson reported that Zoning Board of Appeals approved the zoning of "OF" for property at 6875 Carman Drive this was on November 9, 2005.

Jill Miller reported that the planning commission recommended to the Zoning Board the request to rezone property at 106 N. Cherry Street from "CC" to "CG".

Lori Laye stated she had no recreation board report.

ORDINANCE REPORT BY CHAIRMAN, JILL MILLER

Jill Miller so moved that the village board waive the rules on the first reading on the following ordinances:

- 1996 General Obligation Refunding Bond**
- 2000 General Obligation Alternate Revenue Bond**
- 2004 General Obligation Alternate Revenue Bond**
- 2005A General Obligation Alternate Revenue Bond**
- 2005B General Obligation Alternate Revenue Bond**

Sally Hollembeak seconded. Motion carried by voice vote.

Jill Miller so moved that the village board consider the following Abatement Ordinances for second and final reading:

The year 2005 to Pay the Principal of and Interest on the \$1,685,000 General Obligation Refunding Bond Series 1996.

The year 2005 to Pay the Principal of and Interest on the \$3,065,000 General Obligation Alternate Revenue Bond Series 2000

The year 2005 to Pay the Principal of and Interest on the \$3,800,000 General Obligation Alternate Revenue Bond Series 2004

The year 2005 to Pay the Principal of and Interest on the \$3,300,000 General Obligation Alternate Revenue Bond (Waterworks Alternate Revenue Source) Series 2005A

The year 2005 to Pay the Principal of and Interest on the \$2,765,000 General Obligation Alternate Revenue Bond (Sales tax Alternate Revenue Source), Series 2005B

Sally Hollembeak seconded. Motion carried by voice vote.

Jill Miller so moved that the Village Board pass and approve, **ORDINANCE NUMBER 2005-33, "ABATEMENT OF THE DIRECT TAX LEVIED FOR THE YEAR 2005 TO PAY PRINCIPAL AND INTEREST ON THE \$1,685,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 1996."** Tad Whitchurch seconded.

A roll call vote was taken.

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

Jill Miller so moved that the village board pass and approve,
ORDINANCE NUMBER 2005-34, "AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE DIRECT TAX LEVIED FOR THE YEAR 2005 TO PAY PRINCIPAL AND INTEREST ON THE ON THE \$3,065,000 GENERAL OBLIGATION ALTERNATE BONDS, (SALES TAX ALTERNATE REVENUE SOURCE SERIES 2000." Lori Laye seconded. A roll call vote was taken:

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

Jill Miller so moved that the village board pass and approve,
ORDINANCE NUMBER 2005-35, "AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE DIRECT TAX LEVIED FOR THE YEAR 2005 TO PAY PRINCIPAL AND INTEREST ON THE \$3,800,00 GENERAL OBLIGATION ALTERNATE BONDS, (SALES TAX ALTERNATE REVENUE SOURCE) SERIES 2004." Linda Melton seconded. A roll call vote was taken:

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

Jill Miller so moved that the Village Board pass and approve **ORDINANCE NUMBER 2005-36, "AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE DIRECT ANNUAL TAX LEVIED FOR THE YEAR 2005 TO PAY PRINCIPAL OF AND INTEREST ON THE \$3,300,000 GENERAL OBLIGATION ALTERNATE BONDS (WATERWORKS ALTERNATE REVENUE SOURCE) SERIES 2005A OF THE VILLAGE OF CHERRY VALLEY, WINNEBAGO AND BOONE COUNTIES, ILLINOIS."** Lori Laye seconded. A roll call vote was taken.

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

Jill Miller so moved that the village board pass and approve, **ORDINANCE NUMBER 2005-37, "AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE DIRECT ANNUAL TAX LEVIED FOR THE YEAR 2005 TO PAY PRINCIPAL OF AND INTEREST ON THE \$2,765,000 GENERAL OBLIGATION REFUNDING ALTERNATE BONDS (SALES TAX ALTERNATE REVENUE SOURCE), SERIES 2005B, OF THE VILLAGE OF CHERRY VALLEY, WINNEBAGO AND BOONE COUNTIES, ILLINOIS."**

Lori Laye seconded. A roll call vote was taken.

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

Jill Miller so moved that the village board consider this ordinance for first reading, **"An Ordinance Annexing Certain Territory to the Village of Cherry Valley, Winnebago County, Illinois (6875 Carman Drive)."** Sally Hollembeak seconded. Motion carried by voice vote.

Jill Miller so moved that the village board consider this ordinance for first reading, **"An Ordinance Zoning Property Commonly Known as 6875 Carman Drive, Rockford, Illinois, as OF – Office District pursuant to section 82-261 of the Code of Ordinances."** Sally Hollembeak seconded. Motion carried by voice vote.

Jill Miller so moved the village board authorize signature to the supplement **Resolution #2005-6 "Using MFT Funds in the Amount of \$614.05 for the Purpose of 1998 Concrete Drainage Channel."** Sally Hollembeak seconded. A roll call vote was taken.

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

Jill Miller so moved that the village board authorize signature to the supplement **Resolution #2005-7, "Using MFT Funds in the Amount of \$2,216.06 2003 Maintaining Streets."** Sally Hollembeak seconded. A roll call vote was taken.

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

PERSONNEL REPORT BY CHAIRMAN, LINDA MELTON

Linda Melton so moved that the village board hire Mr. Matthew Fread at the beginning salary of \$12.00 an hour, starting December 5, 2005 in the public works department for the position of Maintenance Worker I. Rick Anderson seconded. A roll call vote was taken.

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

Linda Melton so moved that the village board accept the renewal contract with Blue Cross Blue Shield for insurance for the year 2006, as submitted by Blue Cross Blue Shield with the letter dated October 14, 2005. Lori Laye seconded. A roll call vote was taken.

Rick Anderson	Aye	Linda Melton	Aye
Sally Hollembeak	Aye	Jill Miller	Aye
Lori Laye	Aye	Tad Whitchurch	Aye

Motion was voted on and carried.

President Jim E. Claeysen entertained a motion to go into executive session. Sally Hollembeak so moved to go into executive session for the purpose of discussing pending litigation. Rick Anderson seconded. Motion carried by voice vote. Time: 7:46 P.M.

President Jim E. Claeysen called the meeting back to order at 8:26 P.M. Village Clerk, Nancy L. Belt called the roll:

Rick Anderson	Present	Linda Melton	Present
Sally Hollembeak	Present	Jill Miller	Present
Lori Laye	Present	Tad Whitchurch	Present

Sally Hollembeak so moved to adjourn at 8:26 P.M. Lori Laye seconded. Motion carried by voice vote.

Respectfully submitted, Village Clerk, Nancy L. Belt

President Jim E. Claeysen

