

MINUTES OF THE WAUKEGAN-WARREN FIRE PROTECTION DISTRICT
GURNEE FIRE STATION #2
Wednesday, April 20, 2005

President John Badtke called the meeting of the Board of Trustees of the Warren-Waukegan Fire Protection District to order at 7:30 p.m.

Trustees Present: John Badtke, Phillip DeRuntz, Marty Klauber

Other Officials Present: Linda E. Spring, Attorney

Others Present: Angela Moreno, Recording Secretary
Heath Graham, Homeowner
Jim Gramer, Firefighter, Gurnee Fire Department
Joe Hubbard, Captain, Gurnee Fire Department
Tom Chamberlain, Resident
Alain H. Oller, Grandwood Park Resident
Steve Carlson, County Board Member

***THESE MINUTES ARE NOT A VERBATIM ACCOUNT, EXCEPT WHERE OTHERWISE NOTED.**

Approval of minutes:

President Badtke made two corrections to the March 16, 2005 minutes, which included the correct spelling of Village Administrator Jim Hayner, and the insertion of the word “commitment” in paragraph four on page six. Trustee Klauber made a motion to approve the minutes as corrected. Trustee DeRuntz seconded the motion.

AYES: Badtke, DeRuntz, Klauber NAYS: None Motion carried.

Trustee Klauber made a motion to approve the minutes from the March 2, 2005 special call meeting as reviewed. Trustee DeRuntz seconded the motion.

AYES: Badtke, DeRuntz, Klauber NAYS: None Motion carried.

REPORTS

President’s Report: President Badtke read a report into the record that stated, in summary, that he is very pleased to report that the Warren Waukegan Fire District has been very productive and successful for its residents. In the past few months, the District has changed banks in order to earn more interest, started to receive impact fees from developers, has begun discussions with the Village in order to adopt a new contract, and has created a newsletter and a website in order to provide information to the residents.

On Monday, March 18th, 2005, President Badtke attended the Village Board Meeting and was pleased to hear that the Village is very interested in continuing its relationship with the District in the future. President Badtke stated that the District is very pleased with the relationship with the

Village. Mayor-Elect Kristina Kovarik commented during the meeting that the District had terminated its contract with the Village, and President Badtke explained that it was done because the current contract has a one year notice for termination and the District had already received confirmation from Village Administrator Jim Hayner and Mayor Don Rudny that the Village would work with the District to finalize a new version of the contract. Mayor Rudy correctly commented that the District has no desire to interfere with the managing of the Fire Department operations and that the District supports any decisions made by Chief Friedl and the Village Board in that regard.

President Badtke highlighted two major points, the contract discussions with the Village and the recent acquisition of a legal consultant. He stated that he and Ms. Spring met with Ms. Kovarik and Mr. Hayner on April 18, 2005 in order to update Ms. Kovarik on the current contract discussions. He will be sending supporting documents to Ms. Kovarik for her review. President Badtke and Ms. Spring were invited to attend a Meeting of the Whole on May 23, 2005.

Regarding the legal consultant, President Badtke stated that two years ago when he joined the District Board the contract that was in place that the District could not afford. As a result, the District is in debt with the Village. During this time, it also appeared that the application of the contract may have left some money on the table that the District was entitled to. As a result of his investigations, he has identified a list of money that the District may be owed by the Village. He stated that nobody refutes that some of this money is owed to the District, but it has been argued that the final numbers could be between \$500,000 and \$1,000,000.

In order to ensure that the District is paying its fair share and doesn't commit to paying the Village more than it can afford the District has proposed the new contract discussions. The new contract will eliminate a great deal of monitoring and reporting about cost and revenue sharing. Based on the importance of these contract discussions, President Badtke felt that having a second legal opinion on the District's legal position was valuable, and he recommended a firm that he had spoken with previously. The District received a report from this firm, which confirms some of the District's current actions and gives good insight into others that will help the District to move forward. He confirmed that Linda Spring is the District's attorney and she will be working with him during the contract discussions with the Village of Gurnee.

He closed by stating that the District hopes to have a resolution on the new contract by the July meeting. He and Ms. Spring are pursuing alternatives in case the contract discussions are unsuccessful.

Treasurer's Report: Treasurer DeRuntz supplied the Board with the Treasurer's Report dated April 20, 2005. Her reported that he had established the new account at Northside Community Bank during the past month. He set up two accounts, one is an operating account (checking) and the other is a money market account that pays about 2.5% interest. The account is set up so that all but \$10,000 is swept into the money market account in order to earn the most interest.

Treasurer DeRuntz reported that he is working with the Lake County Tax Extension Office, and was able to receive a report of the District's projected extension and allotments in order to anticipate tax revenue so that the District can work on developing a budget for next year.

Treasurer DeRuntz's written report reflected deposits in the amount of \$731.73 for Illinois Funds interest income; \$0.00 in property tax income; \$19,830.82 from Superior Collection and \$2,020.69 from PPRT. The account at Fifth Third Bank holds a balance of \$0.00 after the balance of \$14,472 was transferred to the newly established account at Northside Community Bank. The account at Northside Community Bank reflected deposits in the amount of \$5.52 in interest income; \$11,400.00 in Developer's Fees; and a transfer of \$14,472.24 from the Fifth Third Bank Account. Total expenditures were \$7,364.06 in approved payments, giving an ending balance of \$383,753.53.

Trustee DeRuntz listed proposed expenditures in the amount of \$519,891.91, which included the following: an invoice from the Village of Gurnee in the amount of \$512,339.98; an invoice from Swanson, Martin & Bell in the amount of \$7,401.93; and payment to Angela Moreno for the regular March Meeting in the amount of \$150.00.

Trustee DeRuntz stated that the proposed payment to Angela Moreno should be \$300.00 to reflect payment for the Special Call meeting on March 2, 2005 in addition to the regular March meeting. This would bring the total of proposed expenditures \$520,041.91. He recommended withholding payment to the Village of Gurnee until the District has sufficient funds available.

Discussion was held regarding transferring all but \$10,000 from the Illinois Funds account to the money market account at Northside Community Bank. The Board agreed it would serve their interests to keep the Illinois Funds account open, but the potential to earn more interest existed at Northside.

Trustee DeRuntz made a motion to transfer all but \$10,000 of the funds in the Illinois Funds account to Northside Community Bank. Trustee Klauber seconded the motion.

AYES: Badtke, DeRuntz, Klauber NAYS: None. Motion carried.

Trustee Klauber made a motion to pay the proposed expenditures with the exception of the Village of Gurnee. Trustee DeRuntz seconded the motion.

AYES: Badtke, DeRuntz, Klauber NAYS: None. Motion carried.

Secretary's Report: None.

Fire Chief's Report: In Chief Friedl's absence, Trustee DeRuntz provided the Board with a copy of a memo sent from Captain Joe Hubbard to Chief Friedl regarding properties located within Warren Township whose taxes go to the Grayslake Fire Protection District. The properties cited include a Lake County Housing Authority property, a realtor's office, and a portion of Mariner's Cove Subdivision (approximately 88 lots). Captain Hubbard explained that properties could not be transferred from one Fire Protection District to another, only to a municipality that provides its own fire protection. It's possible that the District signed off on an agreement many years ago, but suggested that the District look into this. Ms. Spring stated that she would look into this.

Attorney's Report: Ms. Spring stated that as requested by the Board she spoke with a representative of the Lake County State's Attorney's Office regarding working with the District on enforcing the proposed DUI Ordinance. While they are able to work with the district, they are reluctant because of problems that they have had with the Village in the past (they identify the District with the Village). They cited difficulties in receiving reports to be added to individual's dockets prior to court. The Board discussed this and decided to wait and hear Chief Friedl's report on this topic before making a decision to move forward or not.

Ms. Spring stated that she spoke with the City of Waukegan and requested information regarding all annexations that have occurred in the past between the City and the District. They are compiling the information and will get back to her.

Ms. Spring reminded the Board that the Budget and Appropriation Ordinance needs to be passed by July, and since it has to be posted for 30 days prior to approval, it must be tentatively passed at the May meeting (there is not 30 days between the June and July meeting).

Ms. Spring informed the Board that the Wauconda Fire Protection District won their case in the Illinois Supreme Court, which will allow them to pass a fire prevention code even if Lake County has one. This means that the District's code is enforceable, but the County doesn't have to enforce it. This issue is still being worked out in the courts.

The Board requested that Ms. Spring send a letter to Chief Friedl showing a desire by the Board to work with the Village to enact and enforce a Sprinkler Ordinance. Captain Hubbard and Mr. Chamberlain informed the Board that the Building Code that was passed last Monday by the Village Board included a provision that states that all commercial properties over 0 square feet must have sprinklers, in other words any building other than a single family dwelling. Captain Hubbard cited the fact that there has never been a fatality in a properly sprinkled building as part of the reason for this inclusion. Ms. Spring stated that Lake County approves all building plans in the District, and they do not have a sprinkler ordinance. She requested a copy of the Village's building code, and stated she will research this and report on it at next month's meeting.

Old Business

Long Range Financial Planning: Tabled.

Village of Gurnee Contract: Tabled.

DUI Ordinance: Tabled.

Resident Newsletter: Tabled.

Website: Mr. Spyridon needs a map of the District to put on the website. Trustee Klauber will contact Eric Vendon at the Village of Gurnee in order to locate an electronic copy of the District's map. The Board discussed how to handle receiving emails from residents. It is the

Board's desire not to use personal email addresses, they will work with Mr. Spyridon on resolving how to handle this.

Ambulance Billing: Tabled.

Toll Highway Response: This item was resolved at last month's meeting and should not have been on the agenda. It will be removed for next month.

New Business

Ambulance Billing Complaints: None.

Revised Billing Complaint Policy: President Badtke volunteered to update the policy and present it at next month's meeting for approval.

Annexations: None.

Public Comment: Mr. Chamberlain asked Trustee DeRuntz what the amount of the tax extension is, and Trustee DeRuntz stated it is \$2,533,868.90. Mr. Chamberlain thanked Trustee DeRuntz for that information, and went on to comment that he attends the District's meeting as a citizen, not as a representative of the Village of Gurnee, and that all of his opinions are his own. President Badtke thanked Mr. Chamberlain for attending the meetings, and added that he has been an active supporter of the District and has worked with the District on improving.

Captain Hubbard commented that several firefighters with the Gurnee Fire Department would soon begin to go house to house to pass out smoke detectors and fire safety information in the District as a part of the SAFER Grant that was recently received. He invited the Trustees to participate in any way that they would like.

Closed Session: None.

Next Meeting: The next meeting of the Warren-Waukegan Fire Protection District will be May 18, 2005 at 7:30 p.m. Ms. Spring reviewed the agenda items with the Trustees.

Adjournment:

Having no further business to come before the Board, Trustee Klauber made a motion to adjourn at 9:56 p.m. Trustee DeRuntz seconded the motion.

AYES: Badtke, DeRuntz, Klauber

NAYS: None.

Motion carried.

Secretary of WWFPD

Date Minutes approved.

