

VILLAGE OF ROCKTON
BOARD OF TRUSTEES MEETING MINUTES
October 2, 2012

Mayor Adams called the meeting to order at 7:00pm. Present were: Mayor Adams, Mr. Winters, Mr. Magnus, Mrs. Nelson, Mr. Fridly, Mr. Hoey, and Mr. Peterson. Also present: Atty. Cox.

Motion by Winters, second by Fridly to waive the reading of the September 18, 2012 Village Board Meeting minutes. All ayes. Motion approved 6-0.

Motion by Fridly second by Winters to approve the September 18, 2012 Board Meeting Minutes. All ayes. Motion approved 6-0.

AMENDMENTS TO THE AGENDA

Mr. Winters asked to table #1, the Planning Director Position.

Motion by Winters second by Fridly to approve the amendment to the agenda. All ayes. Motion approved 6-0.

PUBLIC COMMENTS

1. Marianne Eshleman, Stateline Family YMCA. Marianne presented Mayor Adams and Gordy Nygren a check for \$1,000 from their triathlon to be used for the Hut Program.
2. Tracy Lewis. Mrs. Lewis stated that a meeting was held at the attorneys office with the Mayor, attorneys and engineer. Pankaj Manajan from Rockford LLC stated that they could not show anyone where they can put the utilities and felt there was no further discussion. No other points were discussed and she felt the meeting was a waste of time. They wanted to come up with ways to make this work so they are not held hostage by these utility issues. They had Arc Design draw up a utility easement which will be put into their annexation packet which is coming out on the 16th along with a letter highlighting some of the issues still out there. This shows proper setbacks the village requires, keeping the roadway private, 20 foot water easement and sewer easement. We are not the last property for sewer since there is a property east of them and 80 acres behind their property. We would take our easement all the way to the end for the adjoining property. Mayor Adams stated that we cannot force them to tear a building down to put in a sewer line to service the Lewis property. At this point nothing has been decided. She feels with their annexation coming up, it all needs to be looked at together.
3. Brian Jones. Mr. Jones stated that he talked to a well digger and the Health Dept. who told him that a well at 300 feet is not going to be on the same aquifer as a well at 25 feet and was told there was no significant risk.
4. Don Ganrude. Mr. Ganrude is a current business owner in the area that First Rockford wants to annex and voiced his concerns about what will happen to the businesses that are currently located there, who will assist them with the costs of relocation. He has concerns from his employees and a lack of a lease with the owner. He is anticipating \$50,000 to move his business. Mayor Adams stated that the Village is sensitive to his issue. He stated further that Rob Bottensek is looking into relocating those businesses

- either to the north or west. This board is united to keep you in the Rockton area and we will work with Rob to help you find another location.
5. Gene Truman. Mr. Truman stated the he is upset with this Sands issue. Mr. Sands came to the board and guaranteed that if he did put a well in that he would cap it off the minute water was available from the Village and that his word was gold. Then we found out that unbeknownst to the Village he put a well in which he was told absolutely not to do. We all have rules for a reason and if one person is not going to abide by them and think it is OK you open a can of worms for everyone else. Now he wants an extension for a year before he has to hook up to village water. I find this very upsetting.
 6. Judith Crane Truman. She stated that she has been a business owner in Illinois and Arizona and quite successfully. In being a business owner you have to be truthful, above board and your word is your bond. She has attended several meetings at which Mr. Sands was present. Mr. Sands stood before the board and called a few board members liars. He needed water and promised if he put in a well and water became available from the Village that he would abandon that well. Mr. Sands installed a sand point well after he was told he could not do it because of risk of contamination of our well. He is now asking to use his point and obtain an extension for one year. There is an ordinance regarding the contamination of a well. If you board members chose to give him his extension for a year and he opts to not sign up or his business fails and he abandons the property, what happens if our well is contaminated what recourse do you have? Each of you were elected or appointed to fill a vacancy, you have a very serious consideration on the table if you extend this for a year you are breaking the ordinance that you placed into being. If he is trying to make a deal with Rockton regarding the electricity, how can you make a deal with him when he stood here last fall and asked about the water in good faith knowing what he was going to do regardless of what he was told, how can you make a deal and put the Village in jeopardy. Think carefully about your judgment and your vote and think about the people that elected you.
 7. Angie Streck. Ms. Streck wanted to thank the Village for placing asphalt on Collins Rd. even though she thinks that is putting a bandaid on the problem. Mayor Adams stated that Collins Rd. will be on the list for overlay next year.

MAYOR ADAMS

Correspondence

Mayor Adams stated that in a letter from the Illinois Department of Public Health, Rockton again won an award for fluoride compliance for 2011.

Approval of Hononegah High School Wrestling Team's Annual Can Day on November 17, 2012

Motion by Magnus second by Peterson to approve Hononegah High School Wrestling Team's request to hold their Annual Can Drive on November 17, 2012. All ayes. Motion approved 6-0.

Approval of Trick or Treat Hours

Mayor Adams announced that the Village of Rockton's Trick or Treat hours for Halloween will be from 5:30 to 8:00 P.M.

ZONING

Annexation: Property at the Northeast Corner of the Intersection of Rockton Road and Quail Trail, Commonly Know as 4686, 4722, 4758, and 4786 Rockton Road, First Rockford Group

Mayor Adams stated that we have reached all the agreements that we can but still cannot define the line for the sewer easement since a building will have to be demolished. They have agreed to setback, pathway, and signage requirements. Motion by Winters, second by Peterson to table the First Rockford annexation. All ayes. Motion approved 6-0.

BUILDINGS AND PARKS, Mrs. Nelson

Ratify the Consensus to Approve Engineering for Grading of the Rockton Athletic Fields

Motion by Nelson, second by Peterson to Ratify the Consensus to Approve Engineering for Grading for the Rockton Athletic Fields expansion project at a cost of \$26,200. Roll Call: All ayes. Motion approved 6-0.

Mayor Adams commented that \$500 was approved in Public Works last night for the Keep Northern Illinois Beautiful Christmas Tree Recycling Program.

SEWER, WATER, & GARBAGE, Mr. Peterson

Modification to Approve Sewer Refunds

Motion by Peterson, second by Fridly to modify the approved sewer refunds so that all persons using 1,000 cubic feet over their last years' summer billing would receive a 30% credit on their sewer bill. This is being done to help defray the extra cost to residents due to the drought this past summer. Roll Call: Ayes-5, Nays-1, Mr. Fridly. Motion approved 5-1-0.

Shed for the Hawick St. Lift Station

Motion by Peterson, second by Fridly to approve the purchase of a shed for the Hawick Street Lift Station at a cost not to exceed \$7,448.70. Roll call. All ayes. Motion approved 6-0.

Sands Nursery Water Issue

Motion by Peterson, second by Fridly to approve the Sands Nursery request to have a year's extension to hook up to village water. Mr. Fridly commented per our engineer that the well is illegal, he did not get permits, in August he was told no and in his letter in November he stated that he created a well anyway. There is a distinct possibility of contamination once we get our well on line if there is not proper backflow prevention on his well, it could draw down the aquifer and reverse the flow of his well. Because of the depth of our well, the EPA requires a 1000 feet of protection. Our well is a sand and stone well with open screens at 150 to 130 feet below surface. He needs to immediately cap that well by a well company and certify that it has

been capped properly and hook up to the water that is at his property line. Mr. Peterson stated that he could look into a revolving loan with the Village or payments to allow him to hook up. Mr. Winters stated that we are putting thousands of people at risk if this well gets contaminated. Mr. Magnus stated Mr. Sands is in a financial crisis right now and could not be here as he is working another job. Mr. Fridly stated that he has no problem with Mr. Sands getting a payment plan, but he does want him to follow the rules and when someone kicks sand in our face and decides to do what he wants and not tell us about it, I'm sure not going to make a deal with him for his power. Mrs. Nelson stated that she did research today and there are all sorts of ways that contamination could happen with a well like this with draw down. She feels that we should do what we can to help him get hooked up to the water. Roll Call: All Nays. Motion denied 6-0.

STREETS AND WALKS, MR. MAGNUS

Public Road, Right In Right Out in Front of Wal-Mart Outlots

Motion by Magnus, second by Peterson to approve the public road, right in, right out in front of Wal-Mart subject to a long term maintenance agreement with Rockton LLC. Roll call. All ayes. Motion approved 6-0.

PAYMENT OF BILLS

Motion by Winters, second by Peterson, to pay bills in the amount of \$247,182.11. Roll call. All ayes. Motion approved 6-0.

Hearing no further business, motion by Winters, second by Hoey to adjourn at 7:45 P.M. All ayes. Motion approved 6-0.

Respectfully submitted,

Judy Rossi
Recording Secretary