

APPROVED
**LAKE ZURICH BOARD OF TRUSTEES
SPECIAL BOARD MEETING
70 East Main Street**

Monday, February 2, 2009

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 10:55 pm.

Present were Village President Tolomei, Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor. Also present were Village Administrator Vitas, Village Attorney Burkland, Police Chief Finlon, Public Works Director/Engineer Heyden, Fire Chief Mastandrea, Park Director Perkins, Building/Zoning Director Peterson, and Finance Director Zochowski.

**2. APPROVAL OF SEMI-MONTHLY WARRANT REGISTER DATED
FEBRUARY 2, 2009 TOTALING \$768,275.**

MOTION was made by Trustee McAvoy, seconded by Trustee Taylor, to approve the semi-monthly warrant dated February 2, 2009, totaling \$768,275.

AYES: 5 Trustees Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSTAIN: 1 Trustee Branding

ABSENT: 0

MOTION CARRIED

**3. CONSIDERATION OF DEVELOPMENT AGREEMENT BETWEEN THE VILLAGE
OF LAKE ZURICH AND EQUITY SERVICES GROUP, LLC.**

A new agreement dated February 2, 2009 and exhibits were distributed this evening. President Tolomei questioned whether the amount of money to be paid for services to Torti Gallus was inserted and requested this be done.

Property acquisition will be discussed in Executive Session. Administrator Vitas listed the page numbers in the latest agreement that incurred minor changes. This agreement is scheduled to be on the agenda for a Board vote on February 17, 2009.

Trustee Johnson suggested the Board take time to review these exhibits and updated agreement and hold further discussion until the next Board meeting.

Trustee Callahan reiterated his concerns about the transfer of property and suggested the property be placed in escrow. Attorney Burkland suggested drafting an alternate proposal but did not believe ESG would approve. Trustee Callahan requested further discussion take place again between the Village and principals of ESG.

4. EXECUTIVE SESSION CALLED TO DISCUSS PENDING, PROBABLE, OR IMMINENT LITIGATION, THE PURCHASE OR LEASE OF REAL PROPERTY AND/OR THE SALE OR LEASE OF VILLAGE-OWNED PROPERTY

MOTION was made by Trustee McAvoy, seconded by Trustee Taylor, to adjourn to Executive Session for the purpose of discussing pending, probable, or imminent litigation, the purchase or lease of real property and/or the sale or lease of Village owned property, and not reconvene to open session.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

5. ADJOURNMENT

The meeting adjourned at 11:03 pm.

Respectfully submitted: *Gloria M. Palmblad, Village Clerk*

Approved by: _____
President John G. Tolomei