

**VILLAGE OF VOLO
MINUTES OF THE SPECIAL
BOARD OF TRUSTEE MEETING
APRIL 8, 2008**

7:30 P.M.: Meeting was Called to Order
Pledge to the Flag
Roll Call

Present: President Burnell Russell
Trustee Buschick
Trustee Crow
Trustee Evans
Trustee Porter
Trustee Wegener

Absent: Trustee Wagner

President Russell declared a quorum present.

Other Staff in attendance were Village Administrator Ken Buchardt, Village Attorney Nancy Harbottle, Village Engineers Bud Reed and Peter Stoehr, Village Treasurer Cheryl Grolle and Village Clerk Judith Rutishauser. Former Board members Bill Grams and Eric Nielsen, former Village Clerk La Verne Drake and Plan Commission members Naomi Wick and Mike DeLillo were also present. Other members of the public were also in attendance. (See attached sign in sheet.)

COMMENTS FROM RESIDENTS

Former Board member Bill Grams and his family congratulated President Russell and staff on the completion of the new Village Hall.

COMMENTS FROM GUESTS OUTSIDE VILLAGE

Former Board member Eric Nielsen congratulated President Russell and staff on the completion of the new Village Hall.

PRESIDENT'S REPORT

President Russell deferred his report until the end of the meeting.

ATTORNEY'S REPORT

1. Continuation of Public Hearing from March 25, 2008 Board of Trustees Meeting
 - a. Public Hearing – First Amendment to Annexation Agreement between the Village of Volo and L. B. Anderson & Co., Inc. and Ryland Group, Inc. – (47.9 Acre Parcel), (27.3 Acre Parcel), (.25 Acre Parcel) and (86.3 Acre Parcel)

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE BUSCHICK TO CONTINUE THE PUBLIC HEARING FROM THE MARCH 25, 2008 BOARD OF TRUSTEE MEETING. ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 5, NAYS – 0, ABSENT – 1

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

At this time, anyone wishing to testify at tonight's Public Hearing was sworn in by Village Attorney Nancy Harbottle.

Mr. Omar Rodriguez of Ryland Homes began a short presentation explaining the agreements before the Board tonight.

In March, 2006, Ryland Homes, L. B. Anderson, the Light Family Trusts and the Village entered into an Annexation Agreement with Ryland as the contract purchaser of approximately 77 acres approved for 335 townhomes. This Annexation Agreement also covered the triangle property located between Routes 60, 120 and Fish Lake Road that was purchased and developed by HSBC.

Recently, Ryland has advised the Village that Ryland will not pursue its option to purchase the 77 acres. Ryland requested that the Village amend the Annexation Agreement to reflect that Ryland was no longer a party to the Annexation Agreement and no longer the Residential Developer.

Village Attorney Nancy Harbottle proceeded to review the First Amendment to the Annexation Agreement with the Board of Trustees.

MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE PORTER TO CLOSE THE PUBLIC HEARING. ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 5, NAYS – 0, ABSENT – 1

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

7:50 P.M.: Public Hearing was closed.

Discussion followed.

ORDINANCES, RESOLUTIONS AND MOTIONS TO BE CONSIDERED

1. **RESOLUTION #R-08-136 - APPROVING THE FIRST AMENDMENT TO THE AGREEMENT FOR ROADWAY AND INTERSECTION IMPROVEMENTS BETWEEN THE VILLAGE OF VOLO AND THE RYLAND GROUP, INC. AND AUTHORIZING EXECUTION THEREOF BY THE PRESIDENT AND CLERK OF THE VILLAGE OF VOLO (FISH LAKE ROAD, ILLINOIS ROUTE 60 AND ILLINOIS ROUTE 120**

MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE PORTER TO APPROVE THE RESOLUTION APPROVING THE FIRST AMENDMENT TO THE AGREEMENT FOR ROADWAY IMPROVEMENTS BETWEEN THE VILLAGE OF VOLO AND THE RYLAND GROUP, INC. AND AUTHORIZING EXECUTION THEREOF BY THE PRESIDENT AND CLERK OF THE VILLAGE OF VOLO (FISH LAKE ROAD, ILLINOIS ROUTE 60 AND ILLINOIS ROUTE 120) ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE CROW	AYE

TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

2. ORDINANCE #0-08-368 – APPROVING THE FIRST AMENDMENT TO THE ANNEXATION AGREEMENT BETWEEN THE VILLAGE OF VOLO AND L. B. ANDERSON & CO., INC. AND THE RYLAND GROUP, INC. AND AUTHORIZING EXECUTION THEREOF BY THE PRESIDENT AND CLERK OF THE VILLAGE OF VOLO (137.5 ACRES)

MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE PORTER TO APPROVE ORDINANCE #0-08-368 APPROVING THE FIRST AMENDMENT TO THE ANNEXATION AGREEMENT BETWEEN THE VILLAGE OF VOLO AND L. B. ANDERSON & CO., INC. AND THE RYLAND GROUP, INC. AND AUTHORIZING EXECUTION THEREOF BY THE PRESIDENT AND CLERK OF THE VILLAGE OF VOLO (137.5 ACRES)

TRUSTEE BUSCHICK	AYE
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 5, NAYS – 0, ABSENT – 1

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

3. RESOLUTION R-08-137 - RATIFYING THE DIRECTON OF BOARD TO RYLAND GROUP, INC. TO PROCEED WITH THE INTERSECTION OF FISH LAKE ROAD AND ILLINOIS ROUTE 60.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE EVANS TO APPROVE RESOLUTION #R-08-137 RATIFYING THE DIRECTION OF BOARD TO RYLAND GROUP, INC. TO PROCEED WITH THE INTERSECTION OF FISH LAKE ROAD AND ILLINOIS ROUTE 60. ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 5, NAYS – 0, ABSENT – 1

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

SPECIAL PRESENTATION

President Russell presented Mr. Dan Mortenson with a plaque expressing the gratitude of the Village for the excellent job done on the new Village Hall.

MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE BUSCHICK TO ADJOURN THE MEETING. VOICE VOTE: ALL AYES.

8:20 P.M.: Meeting was adjourned.

Next Board of Trustees meeting is scheduled for April 15, 2008.

MINUTES SUBMITTED BY _____
Judith T. Rutishauser, Village Clerk

MINUTES APPROVED ON _____

