

EXECUTIVE SESSION MINUTES

MARCH 16, 2016

LITIGATION - LAKEMOOR TIF

Supervisor Swanson stated that this executive session was called to discuss pending litigation with the Village of Lakemoor and the TIF district issue. He called the meeting to order at 6:38 p.m.

People present in the room were asked to identify themselves and their title. Answering present were: Glenn Swanson, Supervisor; John Ridgway, Attorney; Dean Krone, Attorney; Pat Oaks, Assessor; Kevin McKernan, Trustee; Stephanie Maioriello, Administrator; Mary Schorr, Trustee; Sheryl Ringel, Trustee; Gary Thompson, Trustee; and Christine Rowe, Clerk.

Supervisor Swanson stated that only the pending litigation of the lawsuit with Lakemoor and the TIF will be discussed. The floor was turned over to Attorney Dean Krone.

Mr. Krone began by explaining the definition of a TIF, the purpose of a TIF, and guide lines of declaring a piece of property eligible for TIF.

Trustee Schorr stated that it is not uncommon for a village to help a developer with the cost. She stated that the infrastructure cost is too expensive to develop the property without a TIF. Trustee Thompson replied that their red light camera fines generate enough money to finance the infrastructure. Trustee Schorr feels the Township does not need the money. She stated that Lakemoor offered a settlement. Trustee Thompson does not feel that \$3400 a year is a fair settlement.

Supervisor Swanson stated that the Board has to decide if the property meets the qualifications of a TIF district. It is not about the money, about Woodman's, or the agreement. Lakemoor wants the Board to vote on whether it qualifies as a TIF district when the issue is still in the court system. Trustee Schorr feels it does not matter to us if it qualifies or not. That it is all about the money.

Trustee Thompson addressed Trustee Schorr about the money for the Township. He said the Township might not need the money right now, but what about in 10 years from now. The TIF would extend for 23 years with a possible extension of another 12 years.

Trustee McKernan stated that the development would create more jobs and bring in more people. He feels it won't be developed without the TIF. If a TIF district is run well, it is a positive thing for the community. Supervisor Swanson asked again on how can the board vote when we don't know if it qualifies for a TIF district. It should be left up to the courts to decide.

Assessor Oaks stated that there is no way a farmer would farm the property if there was chronic flooding. Since the property has been farmed, it would seem the property does not meet the criteria.

Clerk Rowe stated that the elected officials in the room were elected by the residents of Wauconda Township to represent their best interests. If the property has not been qualified yet as a TIF district, it would be not right to vote in favor of it. The Board should look out for the welfare of the Wauconda residents.

Trustee Ringel feels that down the road the Township could use the money to operate on and grow and offer more programs.

Administrator Maioriello stated that the highway department could use more money to get the roads done. She stated that right now the Township does not need the money, but down the road it would.

Trustee Ringel asked about the status of the lawsuit. Attorney Krone stated that the judge denied the motion to dismiss. Attorney Krone stated that subpoenas have been sent to get information from the engineers and discovery requests from the Village of Lakemoor. There is a protective order in place. They sent subpoenas to Inland Realty and other entities to get more information. It could take 3 to 4 months to get all the information. On March 31, 2016, there is a court date for a status filing.

Supervisor Swanson motioned to adjourn and Trustee Ringel seconded. Time was 7:30pm.

Submitted this 20th day of April, 2016.