

MINUTES OF THE SPECIAL MEETING
OF THE CORPORATE AUTHORITIES
OF THE VILLAGE OF CAMPTON HILLS
FEBRUARY 2, 2008 11:00 A.M.
VILLAGE OF CAMPTON HILLS, VILLAGE HALL
40W115 CAMPTON CROSSINGS DRIVE, UNIT B
CAMPTON HILLS, ILLINOIS

The special meeting of the President and Board of Trustees of the Village of Campton Hills was called to order by President Smith on Saturday, February 2, 2008 at 11:04am at the Village of Campton Hills Village Hall, 40W115 Campton Crossing Drive, Unit B, Village of Campton Hills, Kane County, Illinois pursuant to notice given and presented as provided by law.

Clerk Lambe called the roll.

Present in person at the roll call:

Trustee Charles Cappell

Trustee Jim Kopec

Trustee Albert Lenkaitis, Jr.

Trustee Mike Millette

Absent at roll call:

Trustee Bernard Bertsche

Trustee Roy Pollack

Also Present: Village Attorney William Braithwaite, fifty-five residents and three members of the press.

A motion was made by Trustee Kopec and seconded by Trustee Cappell to recess the meeting to reconvene at 11:15am at the Campton Township Community Center located at 5N082 Old LaFox Road, Campton Hills, Illinois which is less than five minutes away from Village Hall. The voice vote was unanimous and the President declared the meeting recessed.

At 11:21am the meeting was returned to order by President Smith at the Campton Township Community Center located at 5N082 Old LaFox Road, Campton Hills, Illinois.

Clerk Lambe called the roll.

Present in person at the roll call:

Trustee Charles Cappell

Trustee Jim Kopec

Trustee Albert Lenkaitis, Jr.

Trustee Mike Millette

Absent at roll call:

Trustee Bernard Bertsche

Trustee Roy Pollack

Also Present: Village Attorney William Braithwaite, fifty-five residents and three members of the press.

Public Comments (limited to three minutes per person):

Warren Strom addressed the Board regarding the Strom Farm and the proposed annexation of the Gustafson Farm which, if annexed, would block their family farm from de-annexing. They have an Agricultural Easement on the property that was granted to Kane County to keep the area a rural area and protect it from the encroachment of neighboring cities, villages and development. He requested a copy of the Gustafson annexation petition the previous day and was provided one night before the meeting. Village Attorney, Bill Braithwaite stated that his attorney received a copy of the annexation petition on Friday afternoon.

Leland Strom addressed the Board and stated that he is a lifetime resident of the area. He just flew in from Washington and believes in the rural lifestyle in the Village of Campton Hills and has a desire to protect his family farm.

Derek Strom waived his speaking time to Leland Strom. Leland Strom continued that he is seeking transparency and open communication in our government and has the right to not want the burden of the Village.

Irene Hill waived her speaking time to Leland Strom. Leland Strom continued to state that they have committed a portion of their land to permanent open space by having an agreement with the county. He fears the Village will change the restrictions on his property and wants the freedom to not be part of the Village.

Robert Young waived his speaking time to the Strom family. Warren Strom spoke about their family farm. There is a black walnut forest located there with trees that are very old. Their family has been on the farm for 93 years. Leland Strom added that they are looking to develop eight acres as home sites for each of his three children.

David Drummond stated he is a Fox Mill subdivision resident and wanted to ask three questions of the Village leaders. He asked for further explanation about the franchise fee. He stated that the Village needs more police protection. He wanted to know what the impact fees for commercial development were.

Attorney Kenneth Shepro clarified that the prior proposed annexation public hearing was dismissed on December 1st and he gave the Village a letter withdrawing their petition for an annexation agreement so there will be no continuance of that public hearing.

John Thornhill stated he was there on behalf of Art Gustafson. Mr. Gustafson's only condition on the request for annexation is that he has the right to withdraw if the property is not annexed within 90 days. Mr. Thornhill had heard the Strom property was for sale. The Strom family replied that it is not for sale. Mr. Thornhill continued and stated that the \$1.3 million the Strom family received for the agricultural easement may be part of the reason they made that choice. He also stated that several years ago when Leland Strom had a real estate office he tried to get Art Gustafson to annex into the Village of Lily Lake during a window of opportunity.

Bruce Aderman waived his speaking time to the Strom family. Leland Strom responded to Mr. Thornhill's statements. He said the funds the family received from the County were small in comparison to what the land is worth today. Money was not a motivator in that transaction. He stated that Gustafson has been there since 1990 and the Strom family has owned his farm since 1915 and they are there to stay. He added that when he owned the small real estate office he always worked with the land owners as their advocate to make sure the developers didn't take advantage of them.

Lucas Strom waived his speaking time to the Strom family.

Patricia Hinkle waived her speaking time to the Strom family.

There being no further comments, President Smith closed the public comment portion of the meeting 11:47am.

Consideration of proposed annexation of approximately 122 acres pursuant to a Petition for Annexation filed by Alqus Real Estate L.L.C. relative to property located in part of the South half of the Southwest quarter of Section 32, Township 41 North, Range 7 East of the Third Principal Meridian and in part of the West half of the Northwest Quarter of Section 5, Township 40 North, Range 7 East of the Third Principal Meridian, all in Kane County, Illinois:

President Smith commented to the Board that they have received a packet of information including the annexation request. She highlighted that at this time there have not been any zoning requests on this property. She also restated that Mr. Gustafson has 90 days to withdraw his request if not acted upon within that time.

President Smith continued that the people of Campton Township appreciate open land and farmland preservation as exhibited by their support of the last two open space referendums. Further the Village was founded on the principles to give people a voice and a vote on the impact of development. She mentioned the Village's concern about the water problem we will all be facing in the next 20-30 years. This has been exhibited by the USGS commissioned study by Campton Township. On that map it shows one of two primary ground recharge areas for a majority of the Village is located near the Strom and Gustafson farms, around Route 47, McDonald and Burlington Roads.

President Smith read aloud the proposed ordinance.

Trustee Millette stated how difficult this is having two property owners at odds with their desires and both having valid concerns. He understands the Strom's concerns over future restrictions over the land however pointed out that Kane County has the right to change the zoning at any time on the portion of the property that is not part of the Agricultural Easement. He is in support of reaching a compromise with a possible easement or special farm zoning. Trustee Millette stated that there has to be a way to stay the disconnection and annexation so that we can sit down and work this out like neighbors should.

Trustee Kopec stated that they felt in a similar position with the petitioners' annexation of Campton Township land into Elgin. He and his family moved here because of the open space and recalls trying to convey that fact to Elgin and they ignored him. He also recalled in the first incorporation attempt had included both properties of the Stroms'. He is excited about having working, living farms within the Village. These two beautiful areas really keep with the spirit of Campton Hills. The Board has an opportunity to look at special zoning or some type of agreement which will allow the land to be preserved. There are few places in the entire Kane County that are as nice as the Strom family farm. If the Strom family wants to develop the property for the rest of the family they should be allowed to. Trustee Kopec stated that he would like nothing else than to have the land preserved and have them both in the Village.

Trustee Cappell stated that Trustees Kopec and Trustee Millette have framed the problem correctly. This annexation proposal is not new. Mr. Gustafson has been trying to get into the Village since last August and was originally part of 500 acres that was proposed for annexation into Campton Hills. Trustee Cappell asked Mr. Thornhill if Mr. Gustafson was aware of the 2030 plan. He did acknowledge he was aware of the long term use for the area. The common interests in our Village are to preserve our rural lifestyle, preserve our water resources and to have a voice in the Route 47 development even if it is not within our boundaries. The role of the Village is to negotiate with land owners and to create trust to work together as we are dedicated to preserving agricultural land for future use. We appreciate the Strom families' goals and we have a comprehensive plan to prove it. The Village would like an opportunity to address any burdens and perceived harms so that we can preserve our integrity and our boundaries.

Trustee Lenkaitis stated he is a life long resident of the Village of Campton Hills and since he is the only person who milked cows this morning he can say he is in support of agriculture in the Village. He added that he has been friends with Gustafson's and Strom's all his life. He has seen different developments in the area when County was in control and stated that generally the County does a good job. Except he was concerned about Kane County's decisions when he heard that the Kane County Forest Preserve was going to allow a developer pay the county to run water and sewer across forest preserve property. Isn't the forest preserve profiting from development? He applauds Kane County for having the Farm Land Preservation Act and the Kane County Farm Bureau as they are one of the few counties in Illinois to have such an Act. Trustee Lenkaitis would like the opportunity to allow more discussion and to allow everyone to be involved in this issue. He also stated his appreciation for Mr. Strom and the beautiful job he is doing in Washington.

Village Attorney, Bill Braithwaite discussed putting something in place to address their concerns. Possibly create new zoning classification. It can be one that is created to meet the needs of the Strom property with a development agreement that would preserve the property's future.

A motion was made by Trustee Cappell and seconded by Trustee Millette to recess the meeting for 15 minutes. The voice vote was unanimous. The meeting was recessed at 12:23pm.

On order of President Smith the meeting was returned to order at 12:42pm. Clerk Lambe called the roll.

Present in person at the roll call:

Trustee Charles Cappell
Trustee Albert Lenkaitis, Jr.

Trustee Jim Kopec
Trustee Mike Millette

Absent at roll call:

Trustee Bernard Bertsche

Trustee Roy Pollack

Leland Strom addressed the Board. He stated that he has done things with this property with the commitment to open space and his concern is that Village Board, be it this one or another one done down the road could change things. How do they preserve rights they have with the County? He stated they are not willing to withdraw efforts to disconnect but due to the existing timeline, he will consider the 30 day window to look at the issue. He would like to have his counsel speak to specifics.

Mr. Tim Elliot, attorney for the Strom family spoke to the details. His proposal is to table consideration until the March 4, 2008 meeting and on Monday morning will ask Judge Colwell to stay all pending meetings, including the public hearing on February 6, 2008.

A motion was made by Trustee Kopec and seconded by Trustee Millette to adopt the ordinance relative to annexing the property described in the petition for annexation filed by Albus Real Estate LLC and being ordinance number O-08-04.

A motion was made by Trustee Millette and seconded by Trustee Cappell to table the motion to a date certain being March 4, 2008. Clerk Lambe called the roll: Trustee Cappell, aye; Trustee Lenkaitis, abstain; Trustee Kopec, aye; Trustee Pollack, absent; Trustee Bertsche, absent, Trustee Millette, aye; President Smith, aye. The President declared the motion tabled to March 4, 2008.

Other Business: None.

Closed Session: None

Adjournment: A motion was made by Trustee Lenkaitis and seconded by Trustee Cappell to adjourn the meeting at 1:03pm. A voice vote was unanimous. The President declared the motion passed and the meeting adjourned.



Rebecca R. Lambe, Village Clerk

Approved by the Corporate Authorities on February 19, 2008.