

Village of Hinckley Board Meeting for March 31, 2008

Special Meeting

President Diedrich called the meeting to order at 7:30 p.m.

Roll call showed President Joe Diedrich and Trustees: Todd Prellberg, Dan Godhardt, John Marsh, Lee Luker, George Hubert, Jr. and Rob Fischer all present. This established a quorum.

Other persons in attendance included the following members of the Hinckley Planning Commission: Rob Judd, Chairman and Commissioners: Steve Warner, Russell Kula and Robert Mason.

The Pledge of Allegiance was recited.

DEVELOPER ESCROW ACCOUNTS:

Trustee Prellberg announced that as per a letter dated March 25, 2008, Robert Arthur Land Company (RALC) has been forced to withdraw the mixed residential development known as Sky Country planned for the south end of Hinckley. The Village has not received a response from Land Partners, LLC, (LP) the developers of Hinckley Meadows mixed residential development planned for the north end of town. The joint relationship of these two companies was discussed.

Dawn Grivetti, Community Development Administrative Assistant, distributed to the Trustees a list of outstanding invoices the developers have yet to pay. RALC has an outstanding balance in excess of \$52,000. Attorney Lewis stated that, according to the escrow agreement signed by RALC, the developer is liable for their share of work done until the date they formally remove their development. RALC and LP are also claiming they were billed for work they are not satisfied with. Since the Village hired the consultants to work on these projects, the Village is responsible for securing payment for the work done.

Because of the withdrawal of RALC, all work performed and yet-to-be performed by consultants on behalf of these two developments has been stopped. Contracted work with Engineering Enterprises, Inc. for a new water-billing system and well work will continue.

Attorney Lewis stated it is important to find out the status of Land Partner's development because they will now become financially responsible for all work that continues on behalf of their development.

Discussion continued regarding the billing process. Mrs. Grivetti was instructed to send letters to all developers who have outstanding bills and/or low balances in their escrow accounts. Trustee Luker made a motion stating all future bills and information pertaining to developer's escrow accounts shall be directed to the Community Development Administrative Assistant for the approval of the Chairman of the Economic Development Committee; seconded by Trustee Godhardt.

Motion carried 6-0.

ORDINANCES – STATUS/DIRECTION:

Trustee Luker asked the Board how they wished to proceed with the unfinished ordinances. Trustee Godhardt stated the work could continue in-house. Trustee Luker reminded the Board that the finished ordinances will still have to be codified and that could cost a substantial amount of money. Trustee

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Godhardt feels the work must continue if Land Partners, LLC is still willing to continue their development. President Diedrich agreed the ordinances need to be finished. He asked the Board their feelings on the next scheduled Committee of the Whole meeting. Trustee Godhardt stated it should be tabled pending further information. He also suggested requesting digital copies of work completed from Local Government Strategies. After further discussions with Paul Miller, DeKalb County Executive Planning Director, Trustee Godhardt stated the Zoning Map can wait to be updated until after any changes are made to the Village's Comprehensive Map.

FISCAL IMPACT STUDY:

Trustee Prellberg talked to the representatives from Ehlers & Associates, Inc. He told them to stop working on the Fiscal Impact Study since it would have ultimately been funded by the developers. He also asked them how much of the work has been completed and if they could provide the Village with a partial summary. Ehlers indicated they could provide the Village with options. The study, when completed would have shown capital improvements needed for a developed community of roughly 12,000 residents. It is unknown the cost of the work completed.

OTHER DISCUSSION:

President Diedrich informed H-BR School Board member Deb Winkle of the situation. She reminded him that RALC had agreed to fund the Village of Hinckley's portion of the Demographic Analysis study done by a company hired by the H-BR School District, however, no study or bill has ever been received. Mrs. Grivetti was instructed to find the bill.

Trustee Godhardt is concerned with the limited capacity of the current waste water treatment plant and how it will effect the Hinckley Meadows development and any other future developments.

COMMENTS FROM PERSONS PRESENT:

Shirley Wilhelmsen, Hinckley Community Library District, stated the Library District has hired a consultant to help them with their building needs. She asked the Board how many residents there will be in the Village of Hinckley twenty years from now because they want to build their new building to suit that population. No formal estimate could be given.

ADJOURNMENT

Trustee Marsh made a motion to adjourn the meeting at 8:30 p.m., seconded by Trustee Godhardt.
The motion carried 6-0.

The next Committee of the Whole meeting scheduled as a joint meeting with the Planning Commission for April 9, 2008 at 7:30 p.m. at the Village Hall HAS BEEN CANCELED. The Planning Commission will proceed with their originally scheduled regular meeting on April 9, 2008 at 7:00 p.m. at the Village Hall.

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The next regular meeting of the Hinckley Village Board will be April 7, 2008 at 7:30 p.m. at the Village Hall.

Joseph J. Diedrich, President

Dawn R. Grivetti, Clerk Pro-Tem