

**MONTHLY MEETING**  
**OF THE BOARD OF TRUSTEES OF THE**  
**MILL CREEK WATER RECLAMATION DISTRICT**  
**AGENDA**

DATE: October 13, 2020  
TIME: 7:00 p.m.  
LOCATION: Mill Creek Water Reclamation District Treatment Facility  
39W889 Wellington Way, Geneva, Illinois

The agenda of the monthly meeting shall be as follows:

1. Call the Meeting to Order.
2. Roll Call

**Announcements and public comment. Due to the concern for COVID-19, the District wants to exercise extreme caution at any public meeting. Members of the public who wish to participate in the Open Session portion of the meeting are encouraged to participate telephonically by using the following call in telephone number and code at the start of the meeting: Call in number is: 712-432-6122 Open Session Conference Code: 500790**

**Ratification of the following temporary rules of procedure:**

**That temporary rules of conduct for the October 13, 2020 Board of Trustee’s meeting shall be as follows (It is unknown at the time of the preparation and posting of this Agenda whether the Governor will extend his Executive Orders to include the date of this meeting. Consequently, the Agenda and the temporary rules of procedure have been prepared on the assumption that the Executive Order is in effect for this meeting):**

**On March 20, 2020 the Governor of the State of Illinois issued Executive Order 2020-10 (COVID-19 Executive Order No. 8) which, among other things instituted a “Stay at Home” order through April 7, 2020 and prohibited public and private gatherings or more than 10 people. On April 1, 2020 the Governor of the State of Illinois issued Executive Order 2020-19 (COVID-19 Executive Order No. 17) which, among other things extended the “Stay at Home” order through April 30, 2020. On April 30, 2020 the Governor extended the “Stay at Home” order through May 30, 2020 (COVID-19 Executive Order No. 33). On May 29, 2020, the Governor extended the “Stay at Home” order through June 27 , 2020 (COVID-19 Executive Order No. 39); on June 27, 2020 COVID-19 Executive Order 48 extended the order through August 22, 2020; on August 21, 2020 COVID-19 Executive Order 52 extended the order through September 19, 2020; and Executive Order 2020-55 extended restriction on in person meetings through October 17, 2020. The following temporary rules are intended to comply with the Executive Orders and satisfy certain Illinois statutory requirements for actions by the Board of Trustees.**

**At least a quorum of the Board of Trustees who are attending the October 13, 2020 Board of Trustees meeting will be required to attend physically, complying with all social distancing rules, at the appointed meeting location and the other Trustee may attend by means of telephonic attendance, including but not limited to a phone connection. Members of the Public may participate in the meeting, telephonically, as provided below. In the event**

**member(s) of the Public appear at the meeting site, they will be requested to participate in the meeting telephonically. Appointed staff and consultants of the District will participate telephonically.**

**The platform for electronic/telephonic attendance at the Board of Trustees meeting will be arranged in advance by the President, or designee, and will be communicated to each Trustee at least five days prior to the commencement of the meeting. The telephonic platform shall allow all Trustees to speak and listen simultaneously to the proceedings. The format of the agenda for the regular meeting shall remain the same, that is, shall be called in the same order as contained in the existing Board of Trustees rules.**

**The regular meeting proceedings will be audibly available via the phone call-in service and numbers provided in the notice of the regular meeting.**

**Public participation shall be as follows: Advance Public Comment Period: Individuals have the option of submitting public comment by email. Individuals who wish to do so must email their comments to [FOIA@MillCreekWRD.com](mailto:FOIA@MillCreekWRD.com) prior to 5:00 p.m. on October 13, 2020. Comments during Meeting: The public will be provided with telephone call-in number where they can call in during the meeting, listen to the entire open meeting portion of the meeting and be recognized to provide comment at the appropriate times in the meeting. The agenda of the meeting shall be posted on the District's website, the window of the SSA office (39W250 Herrington Boulevard, Suite R-1, Geneva) and the District's Treatment Facility (39W889 Wellington Way, Geneva) at least 48 hours in advance of the meeting.**

3. Long Range Plan Subcommittee Report.
4. Old Business
  - a. Approval of Minutes of the Meeting of September 22, 2020 Board of Trustees Meeting.
5. New Business
  - a. Financial Reports, including discussion and approval or disapproval of accounts payable list, Treasurer's Report, financial statements, past due account payment plans and outstanding invoices.
  - b. Operations Report from Sheaffer & Roland and discussion regarding the same.
  - c. Consideration of draft budget for calendar year 2021 and establishment of public hearing on the 2021 budget for 7:00 p.m., November 17, 2020.
  - d. West Irrigation Project.
    - (i) Project update by Shaeffer & Roland

6. Closed Session: Consideration of litigation which is pending [5 ILCS 120/2 (c)(11)], to-wit:

Mill Creek Water Reclamation District v. Kent W. Shodeen, as Trustee of the Kent W. Shodeen Trust Number 1; Shodeen, Inc.; Mill Creek Land Company; Tanna Farms, LLC; Mill Creek Country Club, Inc.; Evergreen Alliance Golf Limited, L.P. d/b/a Eagle Golf; and Golf Visions Management, Inc., Case No.14 MR 1234 (16<sup>th</sup> Judicial Circuit, Kane County, Illinois)

And

Kent W. Shodeen, as Trustee of the Kent W. Shodeen Trust Number 1; Tanna Farms, LLC and Mill Creek Country Club, Inc. v. Mill Creek Reclamation District, Case No. 15 L 293(16<sup>th</sup> Judicial Circuit, Kane County, Illinois)

And

Approval of prior closed session meeting minutes.

7. Return to Open Session: Consideration of any matters arising out of the Closed Session matters listed at Agenda Item 6 above (if required after the Closed Session).

8. Adjournment

All interested persons are invited to attend the open session portion of the meeting of the Board of Trustees.

NEXT MEETING DATE OF THE BOARD OF TRUSTEES: November 17, 2020