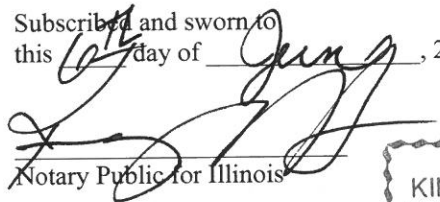


CERTIFICATION
OF MINUTES OF THE BOARD OF TRUSTEES
MEETING

I hereby certify that the attached minutes were reviewed and approved at the
May 23, 2023 Meeting of the Board of Trustees for the Mill Creek Water Reclamation District.


MARK HAMMOND
DISTRICT CLERK

Subscribed and sworn to
this 10th day of June, 2023.


Notary Public for Illinois



**MINUTES OF THE APRIL 25, 2023 MONTHLY MEETING
OF THE BOARD OF TRUSTEES OF THE
MILL CREEK WATER RECLAMATION DISTRICT**

Meeting Date: Tuesday, April 25, 2023
Place: SSA Office in the Mill Creek Village Center,
39W250 Herrington Blvd., Ste. R-1,
Blackberry Township, Kane County, IL
Time: 7:00 p.m.
Attendance: Trustees: James Dougherty, Mark Hammond and Ben
D'Andrea
Others: Charles Radovich, James Hare, Kim Hoadley
Jason Fowler, Dan Whiston, Lauterbach & Amen
representative and Ken Kerfoot

AGENDA ITEM NUMBER:

1. and 2.

CALL TO ORDER and ROLL CALL

The monthly meeting of the Mill Creek Water Reclamation District Board of Trustees ("District") was called to order at 7:00 p.m. at the Special Service Area Office in the Mill Creek Village Center, 39W250 Herrington Blvd., Ste. R-1, Geneva, IL on Tuesday, April 25, 2023 by President Dougherty. Trustees Dougherty, D'Andrea and Hammond were present.

ANNOUNCEMENTS AND PUBLIC COMMENT. Trustee Dougherty stated the Board is still operating under the temporary rules posted on the agenda. Jason Fowler advised that as of 5:00 p.m. there were no emails with public comment, and representative from Lauterbach & Amend was present on the phone line and Ken Kerfoot from Geneva Park District was present.

3. LONG RANGE PLANNING. No items to discuss.

4. OLD BUSINESS.

a. Approval of the minutes of the March 21, 2023 Monthly Meeting of the Board of Trustees.

Motion by Trustee D'Andrea to approve the minutes of minutes of the March 21, 2023 monthly meeting; seconded by trustee Hammond.

Roll Call Vote: Ayes: 3 Nays: 0 Absent: 0

Motion Approved

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.** Jim Hare presented the financial reports. Discussion regarding the reports.

Motion by Trustee Hammond to approve the financial reports, Treasurer's Report, financial statements and accounts payable, including additional accounts payable in the sum of including additional accounts payable in the sum of \$17,551.88 which includes a refund to a customer in the amount of \$706.65; seconded by Trustee D'Andrea.

Roll Call Vote: Ayes: 3 Nays: 0 Absent: 0

Motion Approved

b. **Operations Report from Sheaffer & Roland and discussion regarding the same.** Jason Fowler presented the operations report.

Motion by Trustee D'Andrea to accept the Sheaffer & Roland Operations Report as is; seconded by Trustee D'Andrea.

Roll Call Vote: Ayes: 3 Nays: 0 Absent: 0

Motion Approved

c. **Consideration and approval of request from the Geneva Park District for water service.** The District's operator, Jason Fowler, explained the request received from Geneva Park District for a water service connection for irrigation and drinking. Fowler identified issues with the stagnation of water in the lines and the potential for harm. The Board discussed the issues involved, heard from Ken Kerfoot from the Park District and took no action, but asked for further input from Geneva Park District.

d. **Consideration and approval of Sheaffer & Roland, Inc. Engineering and Operations agreement for 5 Years with Additional Year.**

Motion by Trustee D'Andrea to accept Sheaffer & Roland, Inc. Engineering and Operations Agreement; seconded by Trustee Hammond.

Roll Call Vote: Ayes: 3 Nays: 0 Absent: 0

Motion Approved

e. **Consideration and Approval of Annual Audit.** Lauterbach and Amen representative presented the audit results of the audit.

Motion by Trustee Hammond to accept the 2022 annual financial audit as presented; seconded by Trustee D'Andrea.

Roll Call Vote: Ayes: 3 Nays: 0 Absent: 0

f. **Consideration and Approval of (as amended) payment of the interest on the 2022 Judgement in the Shodeen litigation for the 2023 Budget *nunc pro tunc***

Motion by Trustee Hammond to approve modification of the 2023 budget to include payment of \$140,000 of interest on the 2022 judgment, *nunc pro tunc*; seconded by Trustee D'Andrea.

Roll Call Vote: Ayes: 3 Nays: 0 Absent: 0

Motion Approved

Attorney Whiston advised the Board that he received a letter from Shodeen counsel requesting that the District immediately levy, under the 1936 Sanitary District Act, for full payment of the 2022 judgment. Radovich provided information on PTELL laws, the issue that the current levy could not be increased lessor of than 5% or ^{CPI}CRI and that the time to file a levy is in December. Whiston and Radovich provided information regarding a referendum for increasing the current real estate tax income received by the District. The Board was of the opinion that a referendum to raise property taxes would not pass. Attorney Whiston will respond to Shodeen legal counsel

6. **Closed Session.**

No closed session.

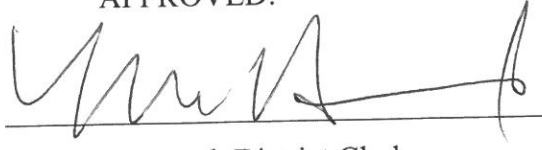
7. **Adjournment.**

Upon motion duly made by Trustee Dougherty to adjourn until the Meeting of May 23, 2023, seconded by Trustee D'Andrea and unanimously carried, the meeting of the Board of Trustees was adjourned.

Roll Call Vote: Ayes: 3 Nays: 0 Absent: 0

Motion approved.

APPROVED:

A handwritten signature in black ink, appearing to read 'Mark Hammond', written over a solid horizontal line.

Mark Hammond, District Clerk

