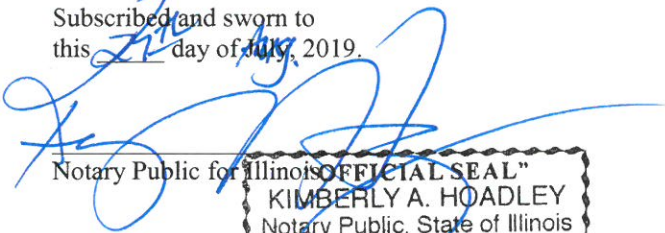


CERTIFICATION
OF MINUTES OF THE BOARD OF TRUSTEES
MEETING FOR JUNE 25, 2019

I hereby certify that the attached minutes were reviewed and approved at the July 23, 2019 Meeting of the Board of Trustees for the Mill Creek Water Reclamation District.


MARK HAMMOND
DISTRICT CLERK

Subscribed and sworn to
this 23 day of July, 2019.


Notary Public for Illinois



**MINUTES OF THE JUNE 25, 2019 MONTHLY MEETING
OF THE BOARD OF TRUSTEES OF THE
MILL CREEK WATER RECLAMATION DISTRICT**

Meeting Date: Tuesday, June 26, 2019
Place: SSA Office in the Mill Creek Village Center,
39W250 Herrington Boulevard, Suite R-1
Blackberry Township, IL
Time: 7:00 p.m.
Attendance: Trustees: James Dougherty, Ben D’Andrea and Mark Hammond
Others: Charles Radovich, James Hare, Kim Hoadley, Jason
Fowler, Timothy Reuland, Brenda Schory, Gil Fonger,
John Philipchuck, Drew Frasz

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 SSA Office in the Mill Creek Village Center, Blackberry Township, Illinois on Tuesday, June 26, 2019 by Trustee Dougherty. Trustees present were Mark Hammond, Ben D’Andrea and James Dougherty.

3. ANNOUNCEMENTS AND PUBLIC COMMENT

Gil Fonger, President and founder of Marklund addressed the Board. Mr. Fonger stated that Marklund received a letter from the District advising them that all connection permits had been suspended until further notice. Mr. Fonger requested that the Board make an exception as it is a current facility and are meeting the needs of the community by providing service to children with special needs. He felt the District had a duty to provide services and that a delay in beginning the build would cause an increase in the cost of up to \$1,000,000. Mr. Fonger further stated that this was a litigation play in connection to the pending litigation with Shodeen. President Dougherty referred a response to Jason Fowler, Sheaffer & Roland. Fowler stated that it was an operational issue due to the lack of maintenance on the Mill Creek Golf Course irrigation system. Maintenance is to be performed by the owner or the tenant of the golf course and the golf course is currently not available for full irrigation which in turn diminishes the amount of waste water the treatment plant can take in. Fowler explained the permitting process for new construction and that Marklund was third in line for pending permit approval and that it has been the practice of the District to process permit

applications in the order received by the District. Attorney John Phillipchuck, representing Marklund, asked what the contractual relationship is between the District and Shodeen. Radovich advised the Board that he had represented Marklund at the time it sought zoning approval from Kane County, but has not represented it since then. Attorney Radovich advised that there is no lease or written license between the parties; but, the District does employ an individual to monitor the irrigation on the Mill Creek Golf Course. Radovich stated the golf course is responsible for maintenance of the irrigation system. Radovich advised that the District is attempting to acquire adjacent real estate for the purposes of substituting the golf course irrigation. Phillipchuck suggested that Marklund should join in the litigation as an injured party.

Drew Frasz, Kane County Board Member, spoke and asked if the Board could pass a resolution allowing service to be provided to Marklund. President Dougherty asked if Marklund permit application was complete and Fowler advised that it was not, but he would review it as soon as all parts were received.

Drew Frasz stated he will contact the Shodeen Group to see if they would allow Marklund to move to the front of Shodeen's application in the process. Marklund organization will complete their application process and submit the needed documentation to Sheaffer & Roland, Fowler will contact the Golf Course in an attempt to obtain information regarding repairs and will review documents when they are submitted by Marklund. At 7:40 p.m. all members of the public left.

4. LONG RANGE PLAN SUBCOMMITTEE REPORT. Tabled to July Meeting.

5. OLD BUSINESS

5.a. Approval of the Minutes of the May 28, 2019 Board of Trustees' meeting. Motion by Trustee D'Andrea to approve the meeting minutes of the May 28, 2019 Board of Trustees' meeting; seconded by Trustee Hammond.

Roll Call Vote: Ayes: 3 Nays: 0

Motion Approved

6. NEW BUSINESS

6.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.

Discussion regarding the current financial reports. Fowler requested that the invoice from Flow-Technics in the amount of \$19,662 not be paid at this time as the pump is not scheduled to be installed until August.

Motion by Trustee Hammond to approve the financial reports including accounts payable list minus the payment to Flow-Technics in the sum of \$19,662, Treasurer's Report, financial statements, past due account payment plans and outstanding invoices as together with the additional payables as presented; second by Trustee D'Andrea.

Roll Call Vote: Ayes: 3 Nays: 0

Motion Approved

6.b. *Operations Report from Sheaffer & Roland and Discussion Regarding the Same.*

The Operations Report was presented by Jason Fowler of Sheaffer & Roland. Fowler said he had been contacted by a homeowner regarding flooding in the backyard. Fowler stated that the grade plan approved by the County had not been complied with. He stated it would be approximately \$5,000 to install a storm drain. Discussion was had regarding the liability of the homeowner for payment of this expense. Fowler also advised that electrical pricing, through Vanguard, is due to be renewed in November and that rates are historically low and he recommended that the Board renew in July. At the current rates the District could save \$10,000 to \$11,000 per year in electrical expenses.

Motion by Trustee Dougherty, to accept the Operations Report as presented, seconded by Trustee Hammond.

Roll Call Vote: Ayes: 3 Nays: 0

Motion Approved.

6.c. *Discussion of Continuing Workers' Compensation for Trustees.* The Board agreed to continue coverage through Hartford at a cost of \$830 per year.

7. Closed Session.

Motion by Trustee Hammond, to adjourn to closed session for the consideration of anticipated and/or pending litigation, seconded by Trustee D'Andrea.

Roll Call Vote: Ayes: 3 Nays: 0

Motion Approved

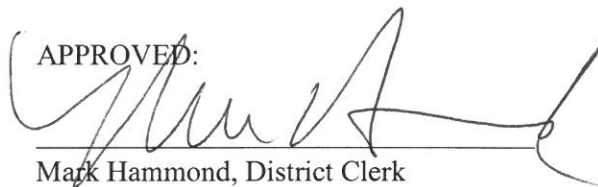
8. *Consideration of Pending Litigation, Subject to Closed Session Consideration.*

No action taken.

Upon motion duly made by Trustee Hammond to adjourn until the next regular meeting July 23, 2019, seconded by Trustee D'Andrea and unanimously carried. The Meeting of the Board of Trustees was adjourned at 9:14 p.m.

Roll Call Vote: AYES: 3 NAYS: 0

Motion approved.

APPROVED:

Mark Hammond, District Clerk