

BOARD OF LOCAL IMPROVEMENTS

MINUTES

October 13, 2009

A meeting of the Board of Local Improvements of the Downers Grove Sanitary District was held on Tuesday, October 13, 2009. The meeting was held at the District's Administration Center, 2710 Curtiss Street, Downers Grove. Present were Board Members W. Robert Ivarson, Jr., Kenneth J. Rathje and Robert T. Jungwirth, General Manager Nicholas J. Menninga, Administrative Services Director W. Clay Campbell, Sewer Construction Supervisor Theodore T. Cherwak, Trustees Donald E. Eckmann, Wallace D. Van Buren and Edward C. Richard and Attorney Michael C. Wiedel. President Ivarson called the meeting to order at 7:00 p.m.

Minutes of August 18, 2009 Special Meeting

A motion by Rathje seconded by Jungwirth was made approving the minutes of the special meeting held on August 18, 2009, as presented. The motion carried.

The following items of business were discussed:

Special Assessment No. 56 (Lee & Maple Avenues)

Administrative Services Director Campbell advised the Board that the construction of the sanitary sewers under Special Assessment No. 56 is complete and the sewers have been accepted by the District. He presented the following items:

1) Voucher Number Eight in the amount of \$11,526.40

This voucher will be held by the District as reimbursement for costs previously incurred for inspection and costs of making and collecting the assessment as detailed on the final cost summary. A motion by Rathje seconded by Jungwirth was made approving Special Assessment No. 56, Voucher Number Eight, as presented, in the amount of \$11,526.40, with the voucher to be held by the District as reimbursement for costs previously incurred for inspection and costs of making and collecting the assessment as detailed in the summary provided with the staff briefing, and authorizing the President, Clerk and Treasurer to sign the voucher. The motion carried. (Votes recorded: Ayes-Ivarson, Rathje and Jungwirth.)

2) Certificate of Completion and Acceptance including a revised Assessment Roll

A motion by Rathje seconded by Jungwirth was made approving the Special Assessment No. 56 Certificate of Completion and Acceptance including a revised Assessment Roll as this project has been completed in accordance with all District specifications and requirements, with the final cost summary indicating a final cost of \$242,267.53 which is \$102,068.47, or 29.64% under the total estimated cost of \$344,336.00, and authorizing the President to sign the Certificate of Completion and Acceptance. The motion carried. (Votes recorded: Ayes-Ivarson, Rathje and Jungwirth.)

3) Application and Certificate of Board of Local Improvements on Completion of the Work

A motion by Rathje seconded by Jungwirth was made approving the Special Assessment No. 56 Application and Certificate of Board of Local Improvements on Completion of the Work, authorizing the publishing of the Public Notice regarding the public hearing on the approval of the Application for reduction of the assessment, and authorizing the President to sign the Application and Certificate of Board of Local Improvements on Completion of the Work and the Public Notice. The motion carried. (Votes recorded: Ayes-Ivarson, Rathje and Jungwirth.)

Special Assessment No. 58 (Drendel Road, Cross Street and Ogden Avenue) – Notice of First Installment and Accrual of Interest

Under the traditional Special Assessment statute, the issuance of the first voucher by the Board of Local Improvements was the triggering event which commenced a sixty (60) day interest-free period during which a property owner was permitted to pay any portion of their respective assessment principal balance. Section 35 of the Special Assessment Supplemental Bond and Procedures Act (50 ILCS 460) provides the District with the ability to initiate the accrual of interest on the Special Assessment installments independently from the issuance of the first voucher. To be effective, such a notice must be approved by the District's Board of Local Improvements and subsequently filed with the Clerk of the Circuit Court. A motion by Rathje seconded by Jungwirth was made approving the Notice of First Installment and Accrual of Interest, and authorizing staff to proceed with filing the notice with the Clerk of the Circuit Court. The motion carried. (Votes recorded: Ayes-Ivarson, Rathje and Jungwirth.)

Upon a motion by Jungwirth seconded by Rathje, the meeting was adjourned at 7:12 p.m. The motion carried.

Approved: November 10, 2009

/s/ Kenneth J. Rathje /s/
Acting President

Attest: /s/ Robert T. Jungwirth /s/
Clerk