

BOARD OF LOCAL IMPROVEMENTS
MINUTES
February 12, 2008

A meeting of the Board of Local Improvements of the Downers Grove Sanitary District was held on Tuesday, February 12, 2008. The meeting was held at the District's Administration Center, 2710 Curtiss Street, Downers Grove. Present were Board Members W. Robert Ivarson, Jr. and Robert T. Jungwirth, General Manager Nicholas J. Menninga, Administrative Services Director Sheila K. Henschel, Sewer Construction Supervisor Theodore T. Cherwak, Assistant Administrative Services Director Clay Campbell, District Trustees Wallace D. Van Buren and Edward C. Richard and Attorney Michael C. Wiedel. Also present was Derek J. Wold of Baxter & Woodman. Vice President Kenneth T. Rathje was absent. President Ivarson called the meeting to order at 7:04 p.m.

Minutes of December 11, 2007 Regular Meeting

A motion by Jungwirth seconded by Ivarson was made approving the minutes of the regular meeting held on December 11, 2007, as presented. The motion carried.

Minutes of December 14, 2007 Special Meeting

A motion by Jungwirth seconded by Ivarson was made approving the minutes of the special meeting held on December 14, 2007, as presented. The motion carried.

Minutes of January 7, 2008 Special Meeting (Special Assessment No. 58 public hearing)

A motion by Jungwirth seconded by Ivarson was made approving the minutes of the public hearing (special meeting) held on January 7, 2008, as presented. The motion carried.

The following items of business were discussed:

P651: 8 W 61st Street. Downers Grove, Two Single Family Lots

The Board reviewed a request for sanitary sewer service from Mark Zuehl, owner-developer, for two single family lots located at 8 W 61st Street, Downers Grove. The property is within the District's Facilities Planning Area, but is not within the District's current corporate limits. Service can be provided to this property by a 100 lineal feet extension of the existing District sewer located at 61st Street, west of Williams Street, which complies with the District's Unsewered Area Plan. The downstream trunk sewers have adequate reserve capacity to serve this request. Staff recommended approval of this request. A motion by Jungwirth seconded by Ivarson was made approving this request subject to annexation, receipt of an Illinois EPA permit, construction of the necessary sewer extension, payment of all fees per ordinance, compliance with all District ordinances and standard conditions. The motion carried.

P652: Indianapolis, East of Drendel Road, Downers Grove, One Single Family Lot

The Board reviewed a request for sanitary sewer service from Jacob Karamol, owner-developer, for a single family lot located on Indianapolis Avenue, east of Drendel Road, Downers Grove. The property is within the District's Facilities Planning Area, but is not within the District's current corporate limits. This type of subdivision is not included in the District's Unsewered Area Plan, but service can be provided by a 50 lineal feet extension of the existing District sewer located in Indianapolis Avenue. The downstream trunk sewers have adequate reserve capacity to serve this request. Staff recommended approval of this request. A motion by Jungwirth seconded by Ivarson was made approving this request subject to annexation, receipt of an Illinois EPA permit, construction of the necessary sewer extension, payment of all fees per ordinance, compliance with all District ordinances and standard conditions. The motion carried.

Special Assessment No. 55 (Virginia Street, Carol Street & Northcott Avenue) – Approve Voucher No. 1 (revised), Voucher No. 2 (revised) and Voucher No. 3

Administrative Services Director Henschel presented Voucher Number One, as corrected, in the amount of \$267,344.23 (original amount - \$267,847.56), Voucher Number Two, as corrected, in the amount of \$78,619.70 (original amount - \$88,455.97) and Voucher Number Three in the amount of \$5,238.25, all for Special Assessment No. 54. Voucher Number Three will be held by the District as reimbursement for costs previously incurred for engineering. A motion by Jungwirth seconded by Ivarson was made approving Voucher Number One, as corrected, in the amount of \$267,344.23, Voucher Number Two, as corrected, in the amount of \$78,619.70 and Voucher Number Three in the amount of \$5,238.25, at an interest rate of 6.0 percent, with the vouchers to be held by the District as reimbursement for costs previously incurred. The motion carried. (Votes recorded: Ayes- Ivarson and Jungwirth.)

Special Assessment No. 56 (Lee and Maple Avenues) – Award Construction Contract

Fifteen bids were opened on January 31, 2008 for this project. Staff concurred with the engineer's recommendation to award the contract to the low bidder, Apollo Trenchless, Inc., in the amount of \$169,942.80, contingent upon the publication of a notice of this award and the expiration of the ten-day period for the owners of a majority of the frontage to elect to take the work. Notice of this award must be published as Illinois statute permits the owners of a majority of the frontage where the work is to be done to elect to take the work themselves and enter into a contract, within ten days of publication of this notice, at 10% less than the contract award amount. A motion by Jungwirth seconded by Ivarson was made awarding the contract to the low bidder, Apollo Trenchless, Inc., in the amount of \$169,942.80, contingent upon the publication of a notice of this award and the expiration of the ten-day period for the owners of a majority of the frontage to elect to take the work, and authorizing the General Manager to execute and publish the Special Assessment Notice of award of the contract. The motion carried. (Votes recorded: Ayes-Ivarson and Jungwirth.)

Special Assessment No. 56 (Lee and Maple Avenues) – 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's 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 Jungwirth seconded by Ivarson 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 and Jungwirth.)

Upon a motion by Jungwirth seconded by Ivarson, the meeting was adjourned at 7:27 p.m. The motion carried.

Approved: May 13, 2008

 /s/ W. Robert Ivarson, Jr. /s/
President

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