

BOARD OF LOCAL IMPROVEMENTS  
MINUTES  
August 12, 2008

A meeting of the Board of Local Improvements of the Downers Grove Sanitary District was held on Tuesday, August 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., Kenneth J. Rathje 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 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 July 8, 2008 Regular Meeting

A motion by Rathje seconded Jungwirth by was made approving the minutes of the regular meeting held on July 8, 2008, as presented. The motion carried.

The following items of business were discussed:

Special Assessment No. 57 (Woodward and Maple Avenues) – Award Construction Contract

Five bids were opened on August 7, 2008 for this project. Staff concurred with the engineer's recommendation to award the contract to the low bidder, Archon Construction Co., Inc., in the amount of \$286,000.00, 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 Rathje was made awarding the contract to the low bidder, Archon Construction Co., Inc., in the amount of \$286,000.00, 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, Rathje and Jungwirth.)

Special Assessment No. 57 (Woodward 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 Rathje seconded by Jungwirth was made approving the Notice of First Installment and Accrual of Interest,

authorizing the President and Clerk to sign same 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.)

Special Assessment No. 56 (Lee and Maple Avenues) – Approve Voucher No. 2

Administrative Services Director Henschel presented Voucher Number Two in the amount of \$91,003.97 for Special Assessment No. 56. Voucher Number Two will be held by the District as reimbursement for costs previously incurred for construction (\$91,003.97). A motion by Rathje seconded by Jungwirth was made approving Voucher Number Two in the amount of \$91,003.97, at an interest rate of 6.0 percent, with the voucher to be held by the District as reimbursement for costs previously incurred. The motion carried. (Votes recorded: Ayes- Ivarson, Rathje and Jungwirth.)

Upon a motion by Jungwirth seconded by Rathje, the meeting was adjourned at 7:20 p.m. The motion carried.

Approved: September 9, 2008

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

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