

## **SOUTH SANGAMON WATER COMMISSION**

### **SPECIAL MEETING MINUTES**

**August 31, 2010**

Chairman McCord called the meeting to order at 8:45 a.m. and designated John Myers as the person to take the minutes. Roll call was held. Commissioners Pfeffer, Hall and Chairman McCord were all present. Also present: Mike Noonan, Chris Collier, Mike Southworth, Herb Butler, Jay Jessen, Mike Williamsen and John Myers.

Motion by Pfeffer, second by Hall to approve the minutes of the August 24, 2010 special board meeting. Voice vote: motion carried.

There followed a discussion of the brine agreement ordinance, Ordinance No. 10-31, "An Ordinance Approving an Intergovernmental Cooperation Agreement".

Motion by Pfeffer, second by Hall to adopt Ordinance No. 10-31. Roll call vote: Hall, yes; Pfeffer, yes; McCord, yes: motion carried.

There followed a discussion of the feasibility study, the preliminary offering statement and the bond documents. Mr. Noonan presented the feasibility study. Mr. Collier stated that the feasibility study would need to be revised after the bonds were priced. He also described the sequence for the bond issue and discussed the status of discussions with the rating agencies, Standard & Poors and Moody's. Southworth discussed the status of talks with John Venturini at Sangamon County regarding the tax levy, specifically that Mr. Venturini was having some issues as to the applicability of PTELL to an alternate bond tax levy.

Motion by Hall, second by Pfeffer, to adopt Resolution No. 10-02, "A Resolution Approving a Feasibility Study." Roll call vote: Hall, yes; Pfeffer, yes; McCord, yes: motion carried.

Mike Southworth presented Ordinance No. 10-21, "A Master Ordinance of the South Sangamon Water Commission, Sangamon County, Illinois, Authorizing and Providing Certain Terms and Security for Bonds of the Commission" for consideration.

Motion by Hall, second by Pfeffer, to adopt Ordinance No. 10-21. Roll call vote: Hall, yes; Pfeffer, yes; McCord, yes: motion carried.

Mr. Southworth then presented Ordinance No. 10-22, "An Ordinance Authorizing Issuance of General Obligation Bonds (Alternate Revenue Source), Series 2010 of the South Sangamon Water Commission, Sangamon County, Illinois in an Aggregate Principal Amount Not to Exceed \$30,000,000" for consideration by the Commission.

Motion by Pfeffer, second by Hall to adopt Ordinance No. 10-22. Roll call vote: Hall, yes; Pfeffer, yes; McCord, yes: motion carried.

The status of the Hudgins matter was then discussed. John Myers reported that the case was close to resolution.

Mike Williamsen reported on the status of wetlands options. He reported that Bryan Cross of Kaskaskia Engineering Group had preliminarily looked at sites in Chatham and New Berlin for wetlands mitigation, but that the Mendenhall land was the most feasible site. Chairman McCord stated that he would broach the subject with Mr. Mendenhall.

There was then a discussion of the duties of Clerk and a proposal for Laura VanProyen rather than Commissioner Hall to be the Clerk of the Commission. John Myers explained that the position of Clerk is a ministerial position; that the Clerk is frequently needed to attest to the signature of the Chairman; that the Clerkship is not a policy-making position; that the Municipal Code does not require the Clerk to be a commissioner; and that the sole purpose of designating Ms. VanProyen as the Clerk in place of Commissioner Hall would be to expedite and simplify

the paperwork of the Commission and to reduce inconveniences to Commissioner Hall. Commissioner Hall tendered his resignation as the Clerk of the South Sangamon Water Commission. Chairman McCord accepted the resignation.

Motion by Pfeffer, second by Hall, to approve Ordinance No. 10-30, "An Ordinance Abolishing the Position of Deputy Clerk and Assigning the Duties of Deputy Clerk to the Clerk." Roll call vote: Hall, yes; Pfeffer, yes; McCord, yes: motion carried.

Motion by Pfeffer, second by Hall to approve "A Resolution Appointing Laura VanProyen as Clerk of the South Sangamon Water Commission", Resolution No. 10-03. Roll call vote: Hall, yes; Pfeffer, yes; McCord, yes: motion carried.

At this point Joe Pisula joined the meeting by telephone and reported on negotiations with Prairie Rivers Network pertaining to the Memorandum of Understanding. The Prairie Rivers Network wants chloride load limits spelled out in the brine agreement, whereas the Sanitary District is unwilling to specify chloride load limits, and the brine agreement that has now been adopted therefor does not contain load limits. There followed a discussion of how to work this out, and it was agreed that Mr. Pisula would attempt to arrange a meeting with the Prairie Rivers Network to be attended by Chairman McCord and Mike Williamsen.

The Chairman announced that the next meeting of the Commission is Tuesday, September 7, 2010 at 8:30 a.m. Motion by Pfeffer, second by Hall, to adjourn. Voice vote in the affirmative. Meeting adjourned at 10:20 a.m.

  
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Laura Van Proyen, Clerk