

Minutes

March 12, 2024- Board Meeting

On March 12, 2024, the Board of Trustees of the Lake County Public Water District met in a regularly scheduled meeting at the hour of 5:30 p.m. in the conference room of the District, 500 –17th Street, Zion, Illinois. Chairman Topcik opened the meeting at approximately 5:30 p.m. Upon the roll being called, Trustees Topcik, Ruchti, Monk, Smith, and Jaeger were present. Trustee Ower was present virtually. Trustee Latif arrived at 5:40 p.m. Also present were General Manager Don White, Operations Manager Jeremy Thompson, and Administrative Assistant/Board Secretary Karen Johnston. District Attorney Dan Kucera was present via telephone. Mr. Jake Carlson of Hub International was present as guest speaker.

Chairman Topcik stated that Mr. Jake Carlson was in attendance to present the 2024 health insurance renewal and turned the floor over to him.

Chairman Topcik turned the floor over to Mr. Jake Carlson of Hub International to present the health insurance renewal. The board was provided with a presentation outlining the renewal program and optional programs. Mr. Carlson reviewed the plans with the board, indicating that the premium for the plan with the current carrier, Blue Cross/Blue Shield had increased approximately 10%. He also provided an alternative quote from United Health Care; however, it was 22% higher than the expiring coverage with Blue Cross. As Blue Cross was the least expensive plan, he indicated that he saw no sense in moving the program. He reviewed this plan, its coverages, and limits. He then proceeded to review the District's other coverages. The dental/vision coverage with Delta Dental had not increased. The disability/life insurance coverage with Principal Insurance increased approximately 6%. He asked the board if they had any questions, they did not, and discussion of this subject followed.

Mr. Carlson proceeded to introduce two additional employee coverages that could be purchased in full by the employees. The purpose of these coverages was to supplement income in the event of illness or catastrophe. As he detailed the coverages, he specified that at least two employees would be required to participate in order to launch the program.

Trustee Ruchti made a motion to accept the personnel insurance renewal as presented and recommended by Mr. Carlson, which was seconded by Trustee Jaeger. Chairman Topcik asked if any further discussion was desired. As there was no further discussion, and upon the vote, the motion was carried unanimously.

Chairman Topcik then indicated that he would accept a motion to place the following items on a consent agenda, and to accept that consent agenda. Chairman Topcik then asked for a motion to approve the consent agenda, which was made by Trustee Jaeger, and seconded by Trustee Ruchti. Chairman Topcik asked if discussion was desired for those items, as there was none, and upon the vote, the motion was carried unanimously.

- 4) Regular & Executive Session Minutes of February 13, 2024 and February 27, 2024
- 5) Disbursements for March, 2024
- 6) Treasurer's Report for February 29, 2024
- 7) Budget Report for February 29, 2024
- 8) End of month February 29, 2024 Monthly Operation Summation

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OPERATIONS & MAINTENANCE ACCOUNT March 2024 – Disbursements

ACCT. #	VENDOR NAME	DESCRIPTION	AMOUNT DUE
2920	FICA Withholding Taxes (EE Portion)	Feb-24	3,504.25
2921	Federal Withholding Taxes	Feb-24	5,288.90
2922	IL Department of Revenue	Monthly Remittance	1,333.73
2923	WI Department of Revenue	Monthly Remittance	708.60
7205	FICA Withholding Taxes (ER Portion)	Feb-24	3,504.25
2925	IDES	Feb-24 Unemployment	271.38
7255	Correll Co.	Feb-24 Pension	6,365.51
7211	Commonwealth Edison	Electricity - Feb-24	92.36
7211	Dynegy Energy Services	Electricity - Feb-24	21,363.42
7215	Pace Analytical Services	Sample Testing	200.00
7221	Hawkins	Chlorine Shipment	2,136.00
7221	Nalco	Nalclear Pail Shipment	556.29
7221	Usalco	Aluminum Sulfate Shipment	7,473.98
7222	Ace Hardware	Misc. Supplies	96.11
7222	Amazon Capital Services	Misc. Supplies	289.72
7222	Grainger, WW.	Misc. Supplies	70.18
7222	Hach	Lab Supplies	1,006.25
7225	Concentric Integration	T&M Support Services/Contract Support	2,224.58
7225	Hansen Associates, Inc.	Apr-24 Copier Maintenance	65.00
7225	Lakeland Larsen Elevator Corp.	Annual Pressure Test	593.10
7231	DeLage Financial	Apr-24 Copier Lease	161.76
7232	AT&T	Telephone Service	622.02
7232	AT&T - Internet2126.50	Telephone Service	(955.39)
7232	Verizon Wireless	Cellular Phone/Data Service	756.89
7234	Amazon Capital Services	Office/Computer Supplies	80.76
7234	Rubber Stamp Champ	Date Stamp	77.00
7235	AARP Medical	Medical Insurance for Diane Fragassi	371.25
7235	AARP Prescription	Prescription coverage for Diane Fragassi	100.70

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7235	Blue Cross/Blue Shield	Apr-24 Health Insurance	13,515.11
7235	Euclid Managers (Delta Dental)	Apr-24 Dental/Vision	662.01
7235	IL Public Risk Fund	2nd Qtr. Workers Compensation	4,464.00
7235	Principal Insurance	Apr-24 Disability/AD&D	824.66
7238	Illinois Municipal League	2024 Subscription	30.00
7239	LiftOff	Office 365 Migration Services	8,000.00
7241	Your Payroll Dept.	Payroll Fees - Feb-24	231.39
7242	Kucera, Daniel	Legal Fees - Feb-24	4,657.50
7243	Baxter & Woodman	Prof. Services - IEPA Loan Assistance	10,142.50
7243	Clark Dietz, Inc.	Consulting Eng. Prof. Services	1,112.50
7251	Correll Co.	Investment Services 3rd Qtr.	973.00
7251	Zion, City of	2024 Elevator Inspection	110.00
Grand Total - Operations			\$103,081.27

FIRST BANKCARD

	Acct. 7222	Misc. Supplies	49.89
	Acct. 7225	Maintenance Contract	39.22
	Acct. 7234	Office Supplies	32.09
	Acct. 7236	Transportation	177.56
	Acct. 7237	Meetings/Seminars	754.61
	Acct. 7238	Dues/Subscriptions	34.00
Total First Bankcard			1,087.37
Grand Total - Operations			\$104,168.64

R&R

ACCT. #	VENDOR NAME	DESCRIPTION	AMOUNT DUE
7300.23	Clark Dietz	Prof. Serv. - Low Lift Pump #2 VFD Replacement	2,500.00
Grand Total - R&R			\$2,500.00

Chairman Topcik asked if any of the committees had reports. The Employer/Employee Relations Committee, consisting of Amos Monk, as Chairperson, and Kristine Smith, presented a written report and the board discussed

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what they felt this committee's objectives were. Following a thorough deliberation, the board determined that the committee's presence was only required on an as-needed basis. Trustee Ruchti made a motion to amend the Employer/Employee Relations Committee to an ad hoc committee, which was seconded by Trustee Latif. Chairman Topcik asked if any further discussion was desired. There was no further discussion, and upon the vote, with six aye votes and one nay vote, the motion was carried. Trustee Latif left at 6:55.

UNFINISHED BUSINESS

- ***Grant Writing Services/State Revolving Loan Program*** – General Manager White reported that he and Operations Manager Thompson furnished Baxter & Woodman (B&W) representatives Elisa Bonkowski and Mike Foley with supplementary information pertaining to the SRF loan. He included a copy of a project list, which he reviewed with the board. He stated that B&W is compiling our information and will provide updated costs for the projects on the list. Based on this information, B&W should have all necessary components by June and be prepared to submit the application between July and August.
- ***Update of Clark Dietz preparation of bid documents for Low Lift Pump #2 Variable Frequency Drive (VFD) Replacement*** – General Manager White reported that the bid advertisement for this project had been submitted to the Lake County News Sun (a copy of which was attached), and the bid for this project would take place on April 2. After examining the bid documents and ensuring they have been completed per the bid specifications, Clark Dietz will provide their recommendation to the board for the lowest qualified bidder. Discussion of this subject followed.
- ***End of Year Projections for availability & R&R charges, and update on Facilities Cost Estimate*** – General Manager White stated that Tom Foley of Clark Dietz had provided the updated facilities cost estimate, which was attached. He indicated that the estimate was 2.7% higher than last year, but lower than the 5% estimate General Manager White provided the prior month. He indicated that based on this facilities cost estimate, the District's customers would be charged approximately \$2,703.62 for the R&R account. This is lower than previous years but will be offset by the charge for the Revenue Delivery Requirement calculation.

He explained that the availability charges are simply the charges for the principal and interest on the outstanding bond issue, and those numbers are fixed, and are not dependent on water sales. He reviewed the attached chart and each customer's portion of the charges and the calculation.
- ***Estimated Revenue Delivery Requirement and estimated Water Rate for FY2025*** – General Manager White provided the estimated Revenue Delivery Requirement charges for the coming fiscal year. He reminded the board that this is ordinarily a refund, however, expenses were greater this last year due to higher costs of goods and services, and it is anticipated that there will be a charge for fiscal year 2023. He stated that these charges would be offset by the lower R&R charges.

General Manager White moved on to a discussion of the estimated water rate for fiscal year 2025. the estimated expenses are higher than FY2023. The current estimated water rate will be \$2.0245/1,000 gallons, which is approximately 36 cents higher than fiscal year 2024. He indicated that this is also due to higher expenses. Discussion of this subject followed.

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- **Draft Budget** – General Manager White presented his updated estimated budget for fiscal year 2025. He also included his explanation of each budgeted line item, reviewing them with the board. He again reminded the board that this was an estimate and would be discussed further next month.
- **Update on Transfer Pump #1 Rebuild** – Operations Manager Thompson furnished a status report concerning the examination and restoration of Transfer Pump No. 1. He stated that the installation had been successfully verified and was operational. However, after a number of days had passed, he and the operators observed that the check valve located downstream of Transfer Pump #1 was malfunctioning. He stated that this component was not included in the Transfer Pump #1 repair. Dahme Mechanical was called to investigate the problem and they believed that the check valve was malfunctioning. The expense of repairing the check valve would exceed that of purchasing a new one. It was decided that proposals for a new check valve should be solicited. Operations Manager Thompson stated that the transfer pump has been removed from service pending a resolution of the issue, due to the significant lead time required to procure the check valve. Discussion of this subject followed.
- **Update of Agreement for Billing Arrangement** – Attorney Kucera provided a copy of an email he sent to Kelly Allen of the IDNR concerning the billing arrangement agreement between the City of Zion, the State of Illinois, and the Lake County Public Water District. Kelly was duly informed via email that the agreement had been executed by the City of Zion in December and subsequently transmitted to the State of Illinois for its own signature. Nevertheless, Kelly forwarded Attorney Kucera a revised agreement that contained inconsequential alterations. Attorney Kucera advised Kelly that as the changes were inconsequential, they did not justify requesting the City of Zion and the District to approve and sign another agreement. He further requested that if the State of Illinois continues to suggest its rewritten agreement, that the IDNR first send it directly to the City of Zion for consideration and approval. Discussion of this subject followed.
- **Update of repairs & maintenance of manhole servicing Winthrop Harbor and the State of Illinois** – Attorney Kucera provided the board with a copy of a letter he sent to the Mr. Bill Jarvis of the Illinois Department of Natural Resources (IDNR) regarding repairs to the manhole on the IDNR 12-inch main near 17th Street. Attorney Kucera advised the IDNR that the main issue regarding this situation is the streambank eroding and threatening the manhole, and it is the responsibility of the IDNR to stabilize the creek bank. Attorney Kucera indicated that he had not received a response to the letter. Discussion of this subject followed.

NEW BUSINESS

- **Approval of resolution regarding General Manager** – Chairman Topcik indicated that Attorney Kucera had written a proposed resolution regarding the residency of the general manager as the clause in the Illinois Water District Act is ambiguous. Chairman Topcik stated that the statute makes no provision requiring the general manager must be a District resident and that precise definitions are necessary. He read the following resolution:

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RESOLUTION

WHEREAS, there is no express provision in the Illinois Public Water District Act ("Act") that requires a District general manager to be a resident of the district; and

WHEREAS, Sec. 7 of the Act states: "Such general manager need not be a resident of the district at the time he is chosen;" and

WHEREAS, advances in communication technology enable employees to conduct work virtually from their homes or locations other than their employer's offices, subject to the limitation that such remote work locations are within reasonable proximity to regular offices;

NOW, THEREFORE, be it resolved by the Board of Trustees of the Lake County Public Water District at its regularly scheduled meeting, March 12, 2024 as follows:

1. The District finds that the above quote from Sec. 7 of the Act is unclear as to its meaning and purpose. However, as the Act states no express residency requirement for the general manager, the District finds and reasonably believes that Sec. 7 does not require a general manager of the District to be a resident of the district.
2. The District hereby establishes a requirement that the general manager's residence be in Illinois and within 75 miles of the District facility at 500 17th Street, Zion, IL.

Lake County Public Water District




Karen L. Johnston, Secretary


Gerold Topcik
Chairman, Board of Trustees

PRESENTED AND READ:
PASSED AND APPROVED:

ROLL CALL VOTE

Trustees voting aye: M. Ruchti; A. Monk; D. Ower; K. Smith; D. Jaeger; G. Topcik
Trustees voting nay: None
Trustees absent: S. Latif
Trustees abstaining: None

Trustee Jaeger made a motion to approve the resolution as written, which was seconded by Trustee Monk. Chairman Topcik asked if any further discussion was desired. As there was no further discussion, and upon the vote, the motion was carried unanimously. Chairman Topcik asked if any further discussion was desired. As there was no further discussion, Chairman Topcik initiated a roll call vote, and the motion was carried.

Ayes: (6) M. Ruchti; A. Monk; D. Ower; K. Smith; D. Jaeger; G. Topcik
Nays: (0)
Absent: (1) S. Latif

- ➔ **Approval of update to Administrative Ordinance resolution** – Chairman Topcik indicated that the Administrative Ordinance needed to be updated to reflect that there are no longer Savings & Loan associations, therefore that section of the resolution needed to be deleted. Additionally, he stated that since

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the board appointed the operations manager, they determined his salary and that the section pertaining to the operations manager's compensation required revision. He read the following resolution:

ADMINISTRATIVE ORDINANCE

AN ORDINANCE PRESCRIBING RULES FOR THE CONDUCT OF THE BUSINESS OF LAKE COUNTY PUBLIC WATER DISTRICT.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE LAKE COUNTY PUBLIC WATER DISTRICT:

Chapter 1

OFFICERS

Section 1. The Officers of the Board shall be Chairman, Vice-Chairman, Secretary, Attorney, Treasurer, General Manager, and Operations Manager.

Section 2. CHAIRMAN. The Chairman shall be the executive officer of the Board. It shall be the duty of the Chairman to preside at all meetings when present; to sign all contracts and other papers authorized by the Board; to see that all ordinances of the Board are enforced, and that all orders of the Board are faithfully executed; and to exercise general supervision of all elected and appointed officers and employees and over the business and property of the District, all subject, however, to the direction, ratification and approval of the Board of Trustees.

Section 3. VICE-CHAIRMAN. The Vice-Chairman in the absence of the Chairman, or in the event of his refusal or inability to act, shall be vested with the powers and perform the duties of the Chairman.

Section 4. SECRETARY. The Secretary shall have the custody of the corporate seal and of all books and papers pertaining to the office; shall attest and affix the corporate seal to all instruments requiring such action when authorized by ordinance or vote of the Board, and shall cause all ordinances, resolutions and other actions of the Board requiring publication, to be duly published; shall attend all meetings of the Board and keep a full and true record of its proceedings.

Section 5. ATTORNEY. The Attorney shall have charge of all legal matters and of the prosecution and defense of all litigation in which the District is interested; shall draft all ordinances, resolutions and other instruments required by the Board and shall give opinions on all questions referred by the Board.

Section 6. TREASURER. The Treasurer shall receive and safely keep all monies belonging to the District and received from whatever source, in a Bank or Banks approved and designated by the Board, in the name of the District and shall disburse the same only upon the authority of the Board. The Treasurer shall make monthly reports to the Board of all receipts and disbursements and shall submit at the annual meeting of the Board a detailed statement showing all receipts and disbursements during the preceding year.

Section 7. GENERAL MANAGER. The General Manager's time shall be devoted exclusively to the affairs of the District. The General Manager shall have power, within the limits of the budget and the job descriptions as approved by the Board of Trustees, to employ, discharge and fix compensation of all employees of the District except as in the Act under which the District is organized and is operating otherwise provides and shall perform and exercise such above and other powers and duties as may be conferred upon the General Manager by the Board of Trustees.

Section 8. OPERATIONS MANAGER. The Operations Manager is appointed by the Board. He reports to the General Manager. The Operations Manager shall supervise the operating employees under his charge and manage the day-to-day operations of the District in the production of safe drinking water meeting quality regulations. The Operations Manager holds the Operating License of the District and is responsible for ensuring that the plant is operated in compliance with the regulations of the Illinois Environmental Protection Agency. The Operations Manager shall regularly attend Board meetings as an Officer of the Board and will report to the Board of Trustees and the General Manager all water quality irregularities.

Section 9. ADDITIONAL DUTIES OF OFFICERS. In addition to the duties hereinbefore specified, each officer shall perform such other duties as may be required by law or by the ordinances or the resolutions of the Board.

Section 10. ELECTIONS AND APPOINTMENTS OF OFFICERS. All officers shall be chosen by the Trustees at the annual meeting hereinafter provided for, and at such other times as a vacancy occurs, and each of said officers shall hold office until the next annual meeting and thereafter until their successor is chosen and has qualified.

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Vacancies may be filled at any regular or special meeting of the Board, and in case of the temporary absence or inability of any officer to act as such, the Board may fill that office pro tempore.

Section 11. COMPENSATION OF OFFICERS. The officers shall receive such compensation as determined by resolution annually at their first meeting in May in accordance with Section 4 of the Public Water District Act, 70 ILCS § 3705/4.

Chapter 2.

MEETINGS AND RULES OF ORDER

Section 1. ANNUAL MEETING. The annual meeting of the Trustees shall be held in May of each year, at 5:30 O'clock P.M. on the date specified by the Resolution establishing meeting dates.

Section 2. REGULAR MEETINGS. Regular meetings of the Board shall be held each month at 5:30 o'clock P.M. on the dates specified by the Resolution establishing meeting dates.

Section 3. SPECIAL MEETINGS. Special meetings of the Board may be called by the Chairman, or any two Trustees, whenever deemed necessary. Notice shall be given by the Secretary to each Trustee of the date, time, place, and agenda of such special meeting by email to each Trustee's email address on file with the Secretary, and/or other appropriate means, at least 48 hours before the special meeting.

Section 3.1 EMERGENCY SPECIAL MEETINGS. In the event of an emergency special meeting, such notice shall be given to Trustees as soon as practicable prior to the meeting.

Section 4. PLACE OF MEETING. The meetings of the Board shall be held at the office of the District, at 500 -17th Street, Zion, Illinois; provided that meetings may be held at any place with the consent of not less than four Trustees.

Section 5. QUORUM. A majority of the duly appointed and qualified Trustees shall constitute a quorum for the transaction of business.

Section 5.1. ATTEND MEETING BY VIDEO OR AUDIO CONFERENCE. Provided that a quorum of the Board of Trustees is physically present, a Trustee may attend a meeting by video or audio conference if the Trustee is prevented from physically attending because of (i) personal illness or disability; (ii) employment purposes or the business of the District; or (iii) a family or other emergency. (Open Meetings Act Resolution passed February 13, 2007).

Section 5.2. NOTIFICATION OF SECRETARY OF THE DISTRICT. If a Trustee wishes to attend a meeting of the Board of Trustees by video or audio conference, the Trustee must notify the Secretary of the District before the meeting unless advance notice is impracticable. (Open Meetings Act Resolution passed February 13, 2007).

Section 6. ORDER OF BUSINESS. The order of business at all meetings of the Board shall be as follows: (1) Public Comment (2) Guest Speakers (3) Consent Agenda; (4) Minutes of last meeting; (5) List of Disbursements; (6) Report of Treasurer; (7) Budget Report; (8) Monthly Operation Summation; (9) Ordinances/Resolutions (10) Unfinished business; (11) New business.

Section 7. PUBLIC COMMENTS RULES. Any person wishing to address the board shall fill out an available form indicating the speaker's name, address, telephone number, email address, and the subject of that person's presentation. This completed form shall be provided to the board chairman by the start of the board meeting. A maximum of 30 minutes per meeting will be allocated for public comment. Individual speakers will be limited to no more than five minutes of speaking time.

Section 8. ORDINANCES AND REPORTS TO BE IN WRITING. All ordinances, resolutions, and orders shall be in writing.

Section 9. VOTE - MANNER OF. The yeas and nays shall be taken upon the passage of all ordinances and upon all propositions to create any liability or for the expenditure or appropriation of money, and in all cases, at the request of any Trustee, and shall be entered upon the journal of the proceedings

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Section 10. RULES OF ORDER. The most current edition of Robert's Rules of Order shall govern in all questions of procedure not herein provided for.

Section 11. All Ordinances and parts of ordinances in conflict or inconsistent with any of the provisions of this ordinance are hereby repealed, and this ordinance shall be in force from and after its passage and approval.

Chapter 3. IDENTITY PROTECTION POLICY

Section 1. Pursuant to the Illinois Identity Protection Act, 30 ILCS 800/8.33, the Lake County Public Water District ("District") hereby adopts its identity-protection policy to protect social security numbers from unauthorized disclosures.

Section 2. All employees of the District identified as having access to social security numbers in the course of performing their duties are required to be trained to protect the confidentiality of social security numbers. Such training should include instructions on the proper handling of information that contains social security numbers from the time of collection through destruction of the information.

Section 3. Only employees of the District who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.

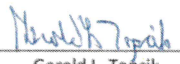
Section 4. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.

Section 5. When collecting a social security number or upon request by the individual, a statement of the purpose for which the District is collecting and using the social security number shall be provided.

LAKE COUNTY PUBLIC WATER DISTRICT


ATTEST

Karen Johnston
District Secretary


Gerold L. Topcik
Chairman, Board of Trustees

PRESENTED AND READ: March 12, 2024
PASSED AND APPROVED:

ROLL CALL VOTE:

Trustees Voting Aye: M. Ruchti; A. Monk; D. Ower; K. Smith; D. Jaeger; G. Topcik
Trustees Voting Nay: None
Trustees Absent: S. Latif

Trustee Jaeger made a motion to approve the resolution as written, which was seconded by Trustee Ower. Chairman Topcik asked if any further discussion was desired. As there was no further discussion, and upon the vote, the motion was carried unanimously. Chairman Topcik asked if any further discussion was desired. As there was no further discussion, Chairman Topcik initiated a roll call vote, and the motion was carried.

Ayes: (6) M. Ruchti; A. Monk; D. Ower; K. Smith; D. Jaeger; G. Topcik
Nays: (0)
Absent: (1) S. Latif

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MISCELLANEOUS

- **Review CRG Search Recommendations for General Manager Position. Approval as necessary to extend employment offer.** –Chairman Topcik stated that CRG had had no new recommendations for the general manager position. Trustee Jaeger made a motion to move into executive session to discuss personnel matters, which was seconded by Trustee Ruchti. Chairman Topcik asked if any further discussion was desired. As there was no further discussion, and upon the vote, the motion was carried unanimously.

* * * EXECUTIVE SESSION * * *

Upon leaving executive session, the board started discussing the general manager position further, and it was decided to go back into executive session. Trustee Ower made a motion to go back into executive session to discuss personnel matters, which was seconded by Trustee Smith. Chairman Topcik asked if any further discussion was desired. As there was no further discussion, and upon the vote, the motion was carried unanimously.

* * * EXECUTIVE SESSION * * *

Upon leaving executive session, Trustee Ruchti made a motion to adjourn, which was seconded by Trustee Smith.

X


Karen L. Johnston
Board Secretary