

**MEETING MINUTES
SANGAMON VALLEY PUBLIC WATER DISTRICT
REGULAR BOARD MEETING
JANUARY 4TH, 2021
3:30PM**

Held at the Olen G. Parkhill Jr. Water Treatment Plant and via GoToMeeting

MEMBERS PRESENT: Bud Parkhill, Meghan Hennesy, Mike Larson, Mike Melton, Michelle Grindley, Bob Buchanan, Kerry Gifford, & Lindsey Stroud-Rodts. A Quorum was present.

MEMBERS ABSENT: None

GUESTS PRESENT: Colleen Schultz

1. CALL TO ORDER/ATTENDANCE: Chairman Hennesy called the meeting to order at 3:32pm. Roll call attendance as follows:

Roll Call Attendance:

Hennesy: Present	Melton: Present	Parkhill: Present	Grindley: Present
Buchanan: Present	Larson: Present	Vacant	

2. APPROVE AGENDA: Chairman Hennesy asked if anyone had any suggested changes to make to agenda. Hearing none she motioned to approve the agenda as presented.

MOTION by Hennesy to approve the agenda as presented, 2nd by Grindley. Roll call vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Parkhill: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Vacant	

All present members voting yes, motion carries.

3. PUBLIC COMMENT: Chairman Hennesy noted that we did received some comments from the Village of Mahomet, but those comments will be shared and published during the Water & Sanitary Sewer Ordinance section of this meeting. No other comments were received.

4. TREASURER’S REPORT:

Approval of Accounts Payable listing for December 2020, January & February 2021 – Gifford reviewed the Income and Expense Report and all A/P listings over \$1,000. Gifford also noted that Chairman Hennesy received and approved to pay AP Summary dated 12/10/2020 in order to pay bills that would have otherwise been late.

AP Summary as of Dec 10th, 2020 - \$161,727.81 (Over \$1,000 below)

- Ameren Illinois - \$11,837.94
- Call-Em-All - \$1,350.00
- CMS - \$11,010.00
- Corrpro - \$1,280.00
- Dig IT - \$1,200.00
- Donohue & Associates - \$10,276.96
- FE Moran - \$2,966.15
- Gunther Salt - \$4,520.00
- Hartke Engineering - \$1,412.00
- Bond Payment - \$96,266.25
- IMCO - \$4,073.52
- Meyer Capel - \$3,056.00
- MTK - \$1,715
- Telescan - \$1,750.00
- Verizon Wireless - \$1,488.99
- Water Solutions Unlimited - \$1,359.99

AP Summary as of December 31st, 2020 - \$30,435.56 (Over \$1,000 below)

- Ameren Illinois - \$5,981.99
- Bulldog Automotive - \$4,002.48
- CUSI - \$1,541.74
- Donohue & Associates - \$3,400.70
- Bond Payment - \$3,695.00
- Mattex - \$1,168.00
- Insurance - \$2,144.00

MOTION to approve Treasure’s Report as present for a total of \$192,163.37 for both AP Summaries by Hennesy and 2nd by Melton.

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Parkhill: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Vacant	

All present members voting yes, motion carries.

5. OLD BUSINESS:

A. Approval of Water & Sanitary Sewer Ordinance #2021-01-04-4 – Chairman Hennesy noted that we did received comments from the Village of Mahomet at about 12pm today and they requested that we read their comments aloud during this meeting for public comment as well as add them into our minutes for this meeting. Hennesy did note that it was a little bit disappointing to receive the comments from the Village at noon today, that doesn’t give us a lot of time or bandwidth to respond. Even though we have been in discussion with the Village for some time on these, (since Oct), it was our understanding that we would receive comments from them the first week of November. The village kept

extending that date to us, and per their request we had put a pause on approving the Ordinances for 3 months, and then to receive comments at noon today. Unfortunately that doesn't give us a lot of time to respond. Given that we have put this vote off for 3 months, Hennesy noted that it is prudent to move ahead and close the hearing for the public comment portion of the Ordinances and move forward with a vote on this today. She also stated that it is important to note that we can always come back and address any of these issues, and we are not locked in here by any means, but given that we have already put this off for 3 months, it puts the District in a better position. Parkhill asked if we had already put this off for 3 months. Hennesy stated that we did originally. It was on our agenda in October for approval, after being posted since August for public review, then the Village requested us to hold off until the first week of November and that deadline continued to get pushed back to January, so they could get us comments and work through some of those concerns, and again, we received their comments today at noon.

Per the Village's request, Stroud read the comments aloud. The verbatim copy is included at the end of these meeting minutes as well.

Chairman Hennesy noted that some of these comments that the village made to these ordinances are not based on new ordinances or changes to existing ordinances, some of the comments are on ordinances that have been in place since our inception. It seems the Village was unaware of what our ordinances were. We have had these ordinances reviewed by our legal team and they have not seen any issues. The Ordinances as we have written them are not out of line, and are in line with other rural water districts. She noted that we do need to continue the discussion with the Village in regards to the development process so we can both be protected and make sure the process is efficient. Chairman Hennesy asked if anyone on the Board had comments or questions. Larson stated that in general there are several statements the Villages makes that are very problematic, and he agrees 100% that there is no need to wait to approve these as we have given them ample time, and quite frankly its and insult that they sent this at the last hour. Larson also rhetorically asked, how can we need these changes if we've been operating this way for the last three decades? Larson also suggested to get a formal response together from legal. Gifford stated that he already let Patrick know this is the correct process and what we really need in an intergovernmental agreement. Gifford is hopeful that this will happen, but also agrees with Larson on the inconsistency in the comments from the Village. Chairman Hennesy agreed with Gifford and Larson and also added that we can get the IGA Committee back together to try and move forward with this with the Village. She added that we really owe the developers in Mahomet a process that is seamless and easy to follow and has a standard between us and the Village's process. Gifford requested that this meeting be taken to the very highest level, being the Village President, Administrator, and our Board. Parkhill agreed that we need to move forward and expressed his frustration with the lateness of receiving these comments. Chairman Hennesy asked

MOTION by Hennesy and 2nd by Larson to Close the hearing & public comment section of the Water & Sanitary Sewer District Ordinances.

Roll call vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Parkhill: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Vacant	

All present members voting yes, motion carries.

MOTION by Hennesy and 2nd by Grindley to approve the Water & Sanitary Sewer District Ordinance No. 2021-01-04-4 as presented and reviewed.

Roll call vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Parkhill: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Vacant	

All present members voting yes, motion carries.

6. NEW BUSINESS:

A. Approval of Cross Construction (Warren Subdivison & S. Prairieview Rd Water Main) Pay Request #1 - \$57,623.40 - Gifford noted that this is our project for 2020 to provide a service access for a new training center and tied in a water main loop. This project is already completed. This is just pay request one and we will then receive a final pay request. Gifford ntoed that they did a fantastic job and he was very pleased with their work. He is recommending approval on this pay request.

MOTION by Hennesy and 2nd by Melton to approve Cross Construction Pay Request #1 for \$57,623.40.

Roll call vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Parkhill: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Vacant	

All present members voting yes, motion carries.

B. Approval of 2010 Bond Abatement for \$1,085,000.00 – Ordinance No. 2021-01-04-1

MOTION by Hennesy and 2nd by Melton to approve the 2010 Bond Abatement for \$1,085,000.00 – Ordinance No. 2021-01-04-1.

Roll call vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Parkhill: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Vacant	

All present members voting yes, motion carries.

C. Approval of 2013 Bond Abatement for \$460,000.00 – Ordinance No. 2021-01-04-2

MOTION by Hennesy and 2nd by Larson to approve the 2013 Bond Abatement for \$460,000 – Ordinance No. 2021-01-04-2.

Roll call vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Parkhill: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Vacant	

All present members voting yes, motion carries.

D. Approval of Task Order No. 029 – American Legend Sanitary Sewer Extension – Donohue & Associates - \$25,250.00 –

MOTION by Hennesy and 2nd by Grindley to approve the Task Order No. 029 for \$25,250.00.

Discussion was held. Gifford reviewed the detailed breakdown of the task order and noted that this could potentially be a future site for a water tower down the road. He stated that this is an emergency for a business district of ours. Larson asked if the area to the west going to be developed or is this for one business only. Gifford noted that potentially it could be developed for us for a water tower site, or for other business buildings, but currently there is only one business. Larson noted that this emergency is being they have a failing septic system. He asked if this is consistent with how we have dealt with these issues in the past. Gifford stated that we haven't had a business district issue with septic failing, but residential we try to get all the homeowners involved and help with repayment. He said this is a new situation on how we handle it. He said at this point we need to figure out how to get it done. Larson is stating that this can't be a big usage, and wonders if we are better off putting a pump in a pit and a small forced main. Gifford stated that it is a couple hundred feet and it has to be deep, so he assumes it would be about \$45,000 total. Larson suggested instead of a new sewer, maybe we put a pit in with a macerating pump that pumps to an existing manhole. Gifford stated that we could look into that. He requested a task order with a limit amount for engineering so he can get moving on this pretty quick. He suggested a total of \$15,000 for task order 029. Larson stated that he has no issue approving this task order as is, but just brought it up for discussion. Chairman Hennesy asked how everyone would like to handle approving this.

MOTION by Hennesy and 2nd by Larson to approve task order No. 029 for \$25, 250.00 with the understanding that Gifford with have Donohue look into a forced main as an alternative solution first before any further action is taken.

Roll call vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Parkhill: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Vacant	

All present members voting yes, motion carries.

E. Discussion of Wage & Benefit Report – Stroud reviewed the Wage & Benefits Report Summary that the Personnel Policy Committee put together and sent out in the Board Packet. She noted that we went through and made a detail

description of current wages and benefits packages, surveys of the employees, turn-over costs, and wage & benefit comparisons with other Districts. She also noted that for growth and stability of the District it is going to be imperative that we can offer comparable wages and benefits in order to retain and attract talented and qualified employees. Chairman Hennesy added that overall the reason that all of this information is given to the Board is because our goal is to set this District up for future success, we have a couple employees that are nearing retirement, we have a specialized work force that is getting harder and harder to attract and keep. The work of this committee was to get all of this data together to help set up budgetary for success, now and as we expand. She noted that she has had discussions in her tenure about wages and some of our benefits not being industry standard and that hurting us, or not keeping existing employees because of it. She notes that the Personnel Policy committee does recommend the budget as presented tonight because the committee feels it does represent a competitive wage and benefits package we need to attract and retain the type of talent we want here. She added that the work of this committee has put forth a lot of effort and she is very thankful for the time and effort that has been put into this report. She felt it was important to explain why you see what this committee has recommended for the Budget this year. Buchanan asked how many of the employees that were surveyed are still here. Stroud noted that we had 6 employees at the time of the survey, and only 5 responded. 1 of the 6 employees chose not to respond as they are not eligible for benefits. Of the other 5 employees, 1 employee has quit and 4 remain employed. Buchanan asked if any of the employees were in the IMRF at the present time. Gifford stated that no one is in IMRF because the District would have to adopt that first, but yes, all employees who work over a certain pre-determined number of hours would then be required to receive IMRF. Buchanan asked if the District would be required to pay into IMRF for employees that would be retiring soon. Gifford said yes, unless we reduced someone's hours below the limit. Gifford stated that any employee would get credit for prior years served. Gifford asked if we could go through IMRF questions when we get there on the IMRF Line item on the agenda page. The board was fine with that. Larson added that he wasn't 100% sure that the wage comparison was compared apples to apples, including the pay, insurance, and the retirement. He also noted that the Board decisions (in his opinion) should be driven by what the market is paying. There is plenty of information out there to know what that is and we need to find that out and make sure we are paying that. Chairman Hennesy stated that we did the best that we could in terms of getting what information is out there publicly and we did our best to make sure our comparisons were apples to apples. Parkhill stated that our bar graph doesn't portray a total picture of our whole compensation package. Stroud noted that she didn't included for the other entity's either, so the wages are just comparing wages and not total compensation packages. Gifford added that the value comparison, let's say the Village vs. SVPWD, how we have an office manager that wears three or four hats and handles the AR/AP, plus is the clerk, plus manages the office, or a General Manager who handles the administration, operator, treasurer, etc. Plus there are very few districts that combine water and wastewater operators. Gifford stated it would be extremely difficult to truly compare apples to apples because of that. Chairman Hennesy agreed that because we are so small, most of our jobs are pieced together. Larson added that some of

these candidates such as Monticello, do these Operators have 5 years' experience or 20 years of experience and that is something that we need to consider when discussing wages. Larson agrees that we absolutely need a wage adjustment and we need to be paying market value for these positions. Chairman Hennesy stated that she believes the wages presented were the committees attempt to do just that. She added that none of the wages presented are on the high end of these ranges. The numbers also incorporate Gifford's experiences in the hopes to attract candidates to fill a role he has filled for 20 years. Parkhill added that he is fully aware of what it takes to get qualified employees and we also need to look at the big picture, which we've done, and in the future we need to compensate people properly and he is all for that, but also conscious of our budget and being careful about how we are spending money because we have so many capital improvement projects in front of us, as well as debt that we are trying to service and keep money in the bank, and we have been very successful in doing that. Chairman Hennesy agreed, but added that we can make these adjustments within this budget and not have to have a rate increase, or put the District in a foolish position and this still allows for us to move forward with our capital projects.

F. Discussion of Annual Budget 2021 – Ordinance No. 2021-01-04-3 – Gifford reviewed the Annual Budget as presented. Page 3 reviews the Budget summary and Project list. The Budget Summary includes a total net profit of \$10,165.09. The Project list for this year includes Diamond Maps GIS, USDA Load for Wildwood Acres, Sewer Lining in Briarcliff, and Savings for the Wastewater Treatment Plant. Page 4 lists that Revenue Budget and itemizes out operating and non-operating income, which also accounts for a loss due to covid-19. Page 5 includes the Personnel Budget and accounts for a 23% increase overall, if the Board decided to adopt IMRF, as well as adding a certified operator on staff, which we don't currently have. Page 6 listed the employee's hourly/annual salary recommendations. Page 7 includes the Operation and Maintenance Budget, as well as an Equipment request list. Finally, page 8 shows the Master Budget, which provides a net profit of \$10,165.09. Gifford noted that we continue to have steady growth and continue to manage our money. Gifford asked the Board for comments on the proposed Annual Budget. Buchanan stated that he probably comes off pretty hard on some of the things as far as the employee but that is not the case. He wants good employees and he wants to be able to retain them and over the years this District began way back in the late 60s early 70s and the retirement benefit that was set up was so each year someone was here they got an additional 2% of their salary that went into their retirement and there were many that left here with very nice retirements. Buchanan noted several specific examples of retired employees and noted that this District has done a lot to keep people. The retirement was set up to help keep people, and there were many that came that didn't see the end result and they didn't stay very long and didn't see the rewards for staying longer. The turnover is high now, but he stated he doesn't know of any employer around that it is not because if they can make \$0.50 or \$1.00 more an hour they are gone. He spoke with Gifford and understands that the IMRF would be a good benefit to capture qualified people which we are going to need high quality people because this new sewer facility is going to be so sophisticated. However, he wants the District to also be careful, advance people

and nurture and take care of the existing employees. It has been a pleasure for him and he has been on the board for 20 plus years. He has seen them come and go, good and bad, mostly good, and that's what he wants to see is good. Gifford thanked Buchanan.

G. G. Discussion of IMRF Resolution - Larson stated that he talked with Gifford a bit about IMRF and he has concerns with that plan specifically, but he would like to know better what our current plan provides. He has run a scenario and it would take that money and invest it, even with a modest return, our employees would be way better off. Larson stated that he does understand that the one benefit is that it opens up a potential pool of applicants, but retirement age is 67 and you have to have 10 years of service, otherwise you take a penalty. Wages are capped. He has a whole bunch of concerns. IMRF is a defined benefit plan and it is funded by that state. Larson also noted that it is very full funded, however it is still subject to state legislature. They could pass a law tomorrow and if they screw something up, they could place a huge burden on the District, and he does not trust the legislatures in Illinois to do the right thing. However, the one advantage to IMRF, which he cannot dispute, is that you will have folks from other IMRF participating entities that could transfer to us, but the opposite is also true, those same folks could leave us and go somewhere else with IMRF. He believes we can structure, or may already have retirement package that is better than IMRF. He also noted with IMRF we contribute 17% a year, and stated that we just put that into an account and start investing it for employees that are younger, they are far better off investing that money yourself and having it to do whatever you want with when you retire. He gave an example of an employee at age 31 making \$56,000 and retiring at age 61, so working 30 years, assuming 2% inflation every year to wages, in 30 years that person would have a nest egg of \$1.3 million that would be your money to do whatever you want with. You could take that money at 61 and invest it at 4% and do nothing but live off the interest. He firmly believes that the District could do better with a self-managed plan. He believes we need to have additional conversations about IMRF because it is a big move and it is a binding move that is going to obligate this District to that funding mechanism going forward, and he has a whole bunch of red flags going up. He fully supports funding retirement and has no issue with that, his concern is with moving that into IMRF. Parkhill asked if we moved to IMRF would we be eliminating the existing 457b plan, and Gifford confirmed that yes, we would eliminate it. Gifford stated that in his case it never adjusted for inflation due to the cap of \$10,000. Gifford also noted that IMRF is not State Funded, it is funded by members and that is was 100% funded before the recession and is now about 91% - 92% funded. Over 3,000 employers or governments in the state have it. Gifford also discussed the issue with the market tanking in a non-IMRF plan. Larson stated that the difference is if the market tanks with IMRF the District has to make up that difference. If IMRF screws up for whatever reason, it will fall on the District to make that up. He also stated you can have the same invest as IMRF yourself but are not subject to their rules of the defined benefit and as he reads their rules, they are not good. He stated IMRF says Tier 2 can't retire until age 67, and asked if everybody understands that. Chairman Hennesy asked if someone is leaving IMRF what happens to their money after they leave. She also asked if the candidate pools of the employees that we need are already invested in IMRF and

they will not come to us because they can't transition their account from IMRF to us then how do we attract that candidate pool. She stated that it doesn't seem like to her that there is an outside option for attracting qualified candidates in our industry without offering this. She stated that we seem to be cutting off our supply of qualified candidates by not having this program, because it seems to her that most experienced candidates that are already in this industry have already bought into this retirement plan and she doesn't know where we are going to get those candidates. She asked Gifford if that was correct. Gifford confirmed that she is correct, most if not all municipalities and water districts are already in IMRF and that why he couldn't get a couple specific candidate hired back in 2018 because we didn't already have IMRF. Chairman Hennesy stated that is her biggest concern. She asked what else we are going to be able to offer them that is as appealing and continuing to build the nest egg that they already have going. She stated that she feels like we are limiting the experience industry people from even looking at us because we can't afford to keep building these candidates from the ground and then once they are certified they jump ship to another organization that has IMRF and we can't even steal them back at that point because their money is already going into that system. She asked Gifford if he is having a hard time finding anybody right now. Gifford said we are not going to get anyone qualified or already certified. He stated that the big concern is that the Wastewater Plant that is planned in the next 5 years is either going to be a Class 2 or Class 1 plant and that requires a very intelligent, qualified operator to obtain that licensing and it will be nearing Gifford's own retirement time frame, not to mention the Wastewater industry is already having difficulties filling roles of those retiring operators right now. He said that anything that can help us fit into the industry and get qualified people is what we need to do. He also stated that IMRF does not include Chicago or Cook County at all. He said maybe we can look at some things like getting a lowered rate closer to 10-11% to ease the Boards mind. Buchanan asked if we go with IMRF is everyone that works here be subject to joining? Gifford confirmed, yes they would. Buchanan asked if it was possible to only pay the fee for a new hire who already has IMRF, but not for our existing employees. Gifford and Stroud confirmed that it has to be all or none. Parkhill asked why we are starting out at 17% and some places are at 10-11%. Gifford stated it is because we are new to the program. Larson asked if the 17% includes the 4.5% that the employees have to contribute. Gifford said no, it does not. He also stated that the 4.5% is fixed. Chairman Hennesy asked the Board if they felt we should try to set a meeting up with the IMRF rep to get more information about the program from them, and add this to the agenda at the end of the month. The Board agreed that would be a good idea. She also asked the Board to send any questions they had further on IMRF to send those in an email to Stroud to put all on one document and plug answers into that document as we get them. Larson added we may want to consider creating another entity that employees our office staff alone, because he does not believe that IMRF is the best option and if we could give non-operator employees another option he thinks it would be better. In his opinion, he does not believe this (IMRF) would be the best option for the staff. Chairman Hennesy agreed that Larson has a valid point and the office staff may leave the industry and go into another position where IMRF is not an option so it would be a good idea to look into this for people who are not water/wastewater certified, or she stated we may think that is too much to

manager, but something to consider. Buchanan asked to be in the meeting with IMRF. Chairman Hennesy stated that would be the goal, is to set up a meeting with the rep and all members of the board who want to attend that meeting can. Gifford said he would reach out and set up the meeting. Melton added that you have to be kind of careful too if you take early retirement because it could minimize your social security. Gifford stated that IMRF is does not affect social security benefits. Chairman Hennesy reminded the Board to please send all questions, comments, and concerns to Stroud and she will put together a Q & A document prior to the IMRF meeting. Chairman Hennesy asked if the Board had any other non-IMRF Budget discussion points. Buchanan asked if the board should have a separate budget meeting prior to the approval of the budget, like they have in the past, specifically the personnel wages and benefits. Parkhill agreed he would like to have a separate meeting. Chairman Hennesy asked if this would be an open or closed session and what their expectations are. Melton said a closed session would probably be the best to discuss wages. Chairman Hennesy added that if the rest of the Board feels like another meeting is necessary she would schedule one, but she for one feels that this is the appropriate budget to pass. Gifford stated that he just wants to get the IMRF in to help him show all the value that this program has. Larson added that he doesn't need another budget meeting with the understand that the dollars we approve for retirement are pending whatever decision we make regarding IMRF, so we could approve a "worst case scenario" budget, but he doesn't think a discussion during a budget meeting is going to clarify that either so he is fine without having an additional budget meeting. Chairman Hennesy asked if the rest of the board is okay with this. Grindley stated she is okay with going forward as Larson suggested. The rest of the board agreed to wait until meeting with the IMRF rep and not scheduling an additional budget meeting prior to the regular board meeting on Jan. 25th.

7. EXECUTIVE SESSION: Executive Session was not held.

8. ADJOURNMENT:

MOTION by Grindley, and 2nd by Hennesy to adjourn at 5:49pm

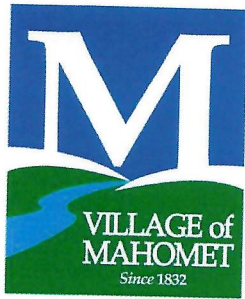
Roll Call Vote:

Hennesy: Yes	Melton: Yes	Parkhill: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Vacant	

All present members voting yes, motion carries.

Respectfully submitted,

Lindsey Stroud-Rodts
Secretary, Board of Trustees



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TO: Sangamon Valley Public Water District
Board of Trustee members

FROM: Patrick J. Brown, Village Administrator

DATE: January 4, 2021

RE: January 4 meeting public comment
Objections to proposed ordinances

Please accept the attached commentary concerning the proposed ordinances. We would like these to be read aloud at the January 4, 2021 regular board meeting at the appropriate point in the meeting. It appears that there is no official public hearing, but our records do not indicate the board motioned and voted to close the required hearing. If the hearing has in fact been closed, please read these during public comment or prior to any board vote. We request as well that this statement is included in the January 4, 2021 meeting minutes in the entirety and verbatim.

These comments/objections should not come as any surprise. We have been communicating with Kerry Gifford, Meghan Hennessey, and Bud Parkhill about our issues over the last few months.

Thank you for the opportunity to convey the Village's objections to portions of the proposed ordinance.

Proposed ordinance text is shown in italics. VOM comments follow pertinent sections.

3.9 District's Responsibility and Liability

Ownership, Installation, and Maintenance: The District shall install, own, inspect, operate, and maintain the complete water system, water mains (exclusive of water meters, service lines, and shut-off valves).

COMMENT: This is a fundamental inconsistency with Village of Mahomet ordinances, practices, policies, and right of way authorities that has far reaching implications. Our main issue is ownership of “service lines” within public right-of-way. This is inconsistent with Village of Mahomet Water & Sewer ordinances for our own system and inconsistent with normal industry practice. The norm is that the homeowner only “owns” and is responsible for the service line from the shut-off valve on their property to their home and homeowner has not responsibility for any service line in a right-of-way or utility easement. We recognized that SVPWD considers themselves a “rural district” but the overwhelming majority of their service is not “rural” and certainly urban. Other districts, municipalities, and private water/sewer utilities consider ownership theirs in rights-of-way and utility easements to the shut-off valve. So the problem here is that a public utility is not owning, operating, locating, coordinating repair of, securing construction permits for services. The service line that runs from the main to the other side of the street through our right of way should be owned and serviced by the utility.

We have no problem with the assets that are physically on private property being owned by the private property owner. However, the service lines that are within Village right of way and the portions that are on the private property of the across the street property owner are problematic.

The District may at any time refuse additional service(s) to any applicant if in the judgement of the Board of Trustees, the capacity of the system will not permit such use or the service is not economically feasible.

COMMENT : The word “additional” is very important. SPVWD makes a commitment to basic service when a lot is platted or zoned. We respect that any request beyond what is already approved and present needs to remain at the discretion of the SVPWD. However, the Village zones land and SVPWD must serve all lots that have permitted, by right zoning uses that require water and sanitary sewer with a minimal level of service.

The District reserves the right to perform or require repair service to the user's equipment on a timely basis; the cost of said repairs shall be borne by the user. All such repairs shall be subject to final inspection by District personnel upon completion.

COMMENT: This is good and if this is an ordinance, then SVPWD can apply for a right of way permit to repair or replace the service line. And as a utility, their insurance is sufficient to meet our requirements. They must be the applicant for the right of way permit to meet our ordinances and technically all contractors working in the public right of way have to have insurance on file with the Village

3.12 User Responsibility

The user shall furnish, install, and maintain water meters, service lines, and such valves, saddles, junctions, and/or other control devices as may be required for connection to the District's water mains. The materials used in any water installation or repair shall be only as specified herein. The installation of the water tap, service lines, valves and meter shall be as per the Standard Drawing included in the Appendix.

COMMENT: We have the same objection as mentioned in 3.9 District's Responsibility and Liability. In the case of lots that are not on the side of the street with the public main and require a service line under the road, through the right of way, this ordinance puts the responsibility for installation and maintenance of service lines on a homeowner or business owner. A "user" in Village of Mahomet ordinances with respect to the presence of public water and sanitary sewer at the private property line is the lot; these ordinances are attempting to place responsibility with customers who may or may not have property and zoning rights.

Initial service line installation/construction; line maintenance repair or replacement responsibility for work and coordination; and financial responsibility for line maintenance or replacement are independent aspects that require separation in the ordinance to work with Village ordinances for subdivision, zoning, building permits, and right of way. While we respect the intention to put the burden on private people, we do not allow private individuals to have permits to do work in our right of way and they cannot be expected to retain contractors that are insured and able to perform to Village standards.

The user shall be responsible for installation and maintenance of service lines between the District's water main and the residence or business. Such services must be at least 1" in diameter, and must be installed at a minimum depth of 4 feet. Service lines must have a minimum working pressure rate of 200 psi at 73.4 degrees F and must be constructed of following type of material: SDR - 9, Copper Tube Size polyethylene water pipe (ASTM D2737). The District reserves the right to require an increased water service line size or

improvements to the existing service line in order to adequately service proposed water usage systems within residential or business properties. Examples include but are not limited to: Homes with more than 4 bedrooms, or more than 3 Bathrooms, or a fire suppression system and/ or an outside irrigation system. Lines larger than two inches shall be PVC, SDR - 21 (ASTM B2241) conforming to water main line specifications as described in Section 6.2 of this document. Service lines must not be covered until they are inspected and approved by a duly authorized District representative. The user will not connect any service line or any plumbing connected with the service line to any other water source. The service line must meet all requirements of the State Environmental Protection Agency and the State of Illinois Plumbing Code.

COMMENT: The current subdivision and development process for both Village of Mahomet and SVPWD requires service lines to be constructed with infrastructure development. SVPWD approves the service lines (laterals) at the subdivision construction plan stage. The proposed language has two fundamental problems: one, it requires the subdivider to build and bond for what they are trying to consider private infrastructure lines and, two, lines cannot be sized in compliance until the size of the home that they will connect to is known.

Village of Mahomet ordinances are clear. All lots must be provided with all public infrastructure (public street access, water, sanitary sewer) at the property line. This applies consistently to public utilities such as Ameren, telephone utilities, cable and internet providers, Village of Mahomet Water & Sewer utility, and SVPWD.

Currently, developers are required to bring water (via main or service line) to the property line for every buildable lot. They include this work in their subdivision performance bond and surety. The size of the house is not known at that time. Compliance for new development is impossible unless this section can be modified to acknowledge that service lines installed as part of approved subdivision construction plans are compliant even if they are too small to meet the eventual home requirements.

If the service lines within the right of way and on private property are not public infrastructure, then half of the lots do not have public water available at the property line in our standard subdivisions as practice is to put water main along one side of the street and sanitary sewer along the other side of the street.

Public services for both must be available at a lot's property line for it to be buildable in our ordinances, but we could grant a waiver and "push" the responsibility for water and sanitary sewer lines to the builder but this takes board action for every set of subdivision construction plans and preliminary plat. But those lines would have to be certified compliant before the building permit could be issued. This would add time to the process for builders and may require the village change it ordinances.

It is probable that both SVPWD and the VOM have to alter their ordinances and/or grant waivers in order to continue with the paradigm of the developer installing the service lines for lots that do not contain the actual water mains.

It should be noted that the developer of Thornewood is an LLC that is made up of some members that are also builders in the neighborhood. But not all members are builders. Village subdivision ordinances only require bonds with developers and only for public infrastructure. If the village recognizes service lines under public streets in the right-of-way as private, the cost of construction would not be included in the performance bond and surety by our ordinances nor would we have any authorities to assure perform. The village may have to alter its bonding and surety requirements ordinances.

1.4.2 General Manager

T. Stop work orders

The General Manager shall have the power to order all work stopped on construction, alteration or repair, replacement or connection on water mains, water service lines, sanitary sewers, sanitary service lines, or any work on the public right-of-way in the District boundaries, when such work is deemed by the General Manager as being executed in violation of any ordinance relating hereto. Work shall not be resumed after the issuance of the stop work order except upon the written permission of the General Manager. If the stop work order is oral, it shall be followed by a written stop work order within a reasonable period of time.

COMMENT: SVPWD has no authority to stop work in our ROW or do work in our ROW without our approval. While we appreciate the need for efficiency, the draft ordinance indicates they have the right to stop any and all work in the ROW – whether related to water or sanitary or not. This is not acceptable.