

MEETING MINUTES
SANGAMON VALLEY PUBLIC WATER DISTRICT
REGULAR BOARD MEETING
MAY 23RD, 2022
3:30PM

Held in Person at the SVPWD Water Treatment Plant

MEMBERS PRESENT: Bob Buchanan, Michael Melton, Monte Cherry, Michelle Grindley, Meghan Hennesy, Mike Larson, Colleen Schultz, Kerry Gifford, & Lindsey Wallen. A Quorum was present.

MEMBERS ABSENT:

GUESTS PRESENT: Attorney Ed Flynn

1. CALL TO ORDER: Chairman Hennesy called the meeting to order at 3:28pm.

2. APPROVE AGENDA: Chairman Hennesy asked if everyone had a chance to review the agenda. She also asked to move New Business item D.-Board Attorney up to item A.

MOTION by Grindley to approve the agenda, moving up item D to A. 2nd by Larson.
All present members voting yes, motion passes.

3. PUBLIC COMMENT: Chairman Hennesy asked if anyone wanted to share during public comment this evening. One request was made.

1. Matthew Broga – Mr. Broga introduced himself and stated that he really appreciates the leadership that Meghan has shown to them, to help the growth and development of the employees here at Sangamon Valley. She has been open and honest about what has gone on in the District with the employees and keeping them informed about what is actually happening. He added that she knows their names. He stated they would be lost without her leadership.

2. Marc Sellers stated that echoed Mr. Broga’s statement.

Trustee Melton asked Mr. Broga if his comment was meant for the entire board of trustees. No response was given.

4. NEW BUSINESS:

A. Board Attorney – Chairman Hennesy introduced the Board to the new District Attorney Mr. Ed Flynn. The Board introduced themselves to Mr. Flynn. Melton asked if he was hired before the board approved him. Mr. Flynn stated he is not hired until the Board approves him. Schultz introduced herself, stating she has been on the board for 1 year. Mr. Gifford and Mr. Parkhill approached her last year about an opening on the board due to her financial background and she was the only person who applied at that time. She stated the ordinances at the time were such that she was not qualified.

She stated that the board at the time subsequently changed the ordinances to allow people from the townships the District serves to be on the board, and at that point she was able to accept the position. Mr. Flynn asked her to confirm that the lack of qualification was that she doesn't live in the District. Schultz confirmed that she does not live in the District, she lives a few miles south. Mr. Flynn said that is not unusual for units of local government. Grindley stated she's been on the board a little over 2 years and she is a user in the District and also works for a local real estate company in town. Melton stated that he's been on the board since 1980, for 42 years, and he was a former administrator for the Mahomet schools and also the Athletic Director. He stated that he kind of like to retire if possible. Buchanan stated that he has been on the board since 1991 and he used to own a grocery store in the District for 28 years. He stated that he has been on the board for all of those years because he had an interest in it, he didn't live in the District though. Mr. Flynn stated that he has known Monte for years during the time when he worked at the Decatur Sanitary District, so no introduction was necessary. Monte stated that the District would be hard pressed to find a better attorney for units of local government. Larson introduced himself and stated that he has served two terms with the District and his 2nd term is coming to a close as he has not been reappointed. Mr. Flynn asked when Larson's term ends. Chairman Hennesy noted that the term would end on May 31st and the new term begins on June 1st.

B. Financial Review – Schultz stated that they has been some rumblings in the community about financial dealings in the community and there have some things put out there about improprieties. She is wondering what it is that they can do as a board to address this issue, she doesn't know if they need to contact the attorney general, and she asked Mr. Flynn for his advice on what they might do. Mr. Flynn asked if they District has an audit done annual. Schultz said they do, but it is not a forensic audit. Mr. Flynn asked if the audit is clean every year. She said yes. Mr. Flynn asked what is being said in the community. She stated that there are a variety of things being said, like the misuse of employee work hours, the lack of everyone being charged for water. Mr. Flynn asked for clarification. Schultz stated that there is concern the employees are doing work not for the District, during the hours they are working. Mr. Flynn stated it is difficult to make suggestions on what to do without substantiating evidence. Schultz stated that she understands and doesn't know of anything first hand, but wants to find any financial malfeasance at all. She stated that she just wants to make sure they are completely above board. Gifford noted that the District has been doing FOIA requests for weeks asking for several things such as inventory supplies for the Candlewood mobile home park that the District, by ordinance, doesn't maintain, such as standpipes. Gifford explained that that is what he thinks Schultz is trying to reference. She stated that she does not think it serves the public well for this to be out there and for them as a board to do nothing about it. Mr. Flynn asked Gifford what a stand pipe is and Gifford explained. Additional discussion was held regarding the District ordinances and where the District responsibility starts and stops verses the property owner. Gifford explained the District only owns to the main, the service line on is owned by the property owner. Mr. Flynn asked to discuss a comment about meters not being right. Gifford explained that the District does not own the meters, that is part of the homeowner's responsibility, but the issue that was made public is that the District was repairing or replacing busted meters in a private mobile home park and then had to fight with the mobile home park owner that was leasing the lot to get the money for the meter repair or replacement. Gifford noted that sometime the

renter would pay and sometimes they wouldn't but it ultimately should have been the responsibility of Mr. Parkhill. Mr. Flynn asked what is done for apartments. Gifford stated there is only one meter and the District charges the apartment complex. Mr. Flynn recommended doing the same thing for the Mobile Home Park. Mr. Larson stated that it would make sense to him to bill the individual mobile home owner as opposed to billing Mr. Parkhill one bill for all use. Gifford disagreed based on the Mobile Home Park Act. Mr. Flynn reiterated that this problem would be eliminated by installing a master meter and issuing one bill to the mobile home park owner. Gifford agree and said the biggest issue is that they have been doing this for year and wouldn't do this for anyone else.

Mr. Parkhill spoke stating that he is the owner of the mobile home park. He said the deal was that all developers, be it subdivisions or mobile home parks, would donate the water and sanitary sewers to the water district. He stated at the mobile home park they did have a master meter and the reason they did away with that is because the average water consumption was running about 4,000-5,000 gallons per month because the park was paying for it. So then, in cooperation with the water district, the mobile home park agreed to put individual meters in every home and the consumption went down to about 3,000 per month because then that way it was fairer to the consumer. He said if you lived in a manufactured home and had a husband or wife and 2 children, they were probably using 4,000-5,000 gallons of water, but take the retiree that is just by himself or just a couple and they might be only using the minimum 2,000 gallons. Mr. Parkhill noted that his business is governed by the Illinois Department of Public Health, that is who licenses mobile home parks through the State of Illinois, and the mobile home park is responsible for the riser pipe (stand pipe), and stated they (the district) set the price and they (the mobile home park) would buy them. He stated, in their infinite wisdom, they decided to discontinue that program. He stated after the meter that ends their responsibility. He noted that it is the tenant's responsibility for their meter and service line into their house because they have to put heat tape on those to keep them from freezing up. Mr. Flynn asked if he lived in a trailer in his park and he disappears in the middle of the night and he doesn't pay him rent or pay his water and sewer bill, who pays the water and sewer bill. Mr. Parkhill stated that the water district has to go after that person that disappears in the middle of the night, just like he has to go after them for the rent. Mr. Parkhill stated that these people have to make an application to the water district to get service so they are all on record. Mr. Flynn stated that he represents two mobile home parks in Decatur and some apartment complexes and when those people don't pay their bills the owner of the complex has to pay the sewer and the water bill. Mr. Flynn stated that it doesn't seem right to him, and it's going to be a board call, that the users of the District should satisfy the loss of the mobile home park, if the mobile home park's residents aren't paying their water bill. Mr. Parkhill stated that they are not being treated any different than a home owner. Wallen stated that for "homeowner" renters, if they leave the bill would go to their landlord. Mr. Flynn agreed. Mr. Parkhill stated that the people in the manufactured homes are not being treated any differently than a single family home in the district. Mr. Flynn stated that where he is from, if a family moves and leaves a bill unpaid, then the new homeowners aren't getting water until the bill is paid.

Mr. Flynn stated what he was trying to originally figure out from Gifford was that this District's responsibility is to get water to the main and from the main forward, whether

it's a business, a multi-family home, or a single-family residence, everything that happens beyond the main is the property owner's responsibility. He stated that it seems like the fix to this would be get the master meter operable and whatever happens after the meter would be his responsibility as the business owner. Gifford confirmed that there is an old, existing master meter, but they don't know if it works.

Schultz stated that what she hears him saying is that there would be a main meter before the trailer park and then after that is where the water bill would go. Cherry said they'd be turning the trailer park into a property, just like every house, just like every apartment. He said the fallacy of what is going on right now, is that inside that trailer park there are a lot of "mains" going down the streets that are 2 inches big, that everybody is tapped into. Cherry noted that the District's actual mains have a certain amount of water that is lost and that is the District's responsibility but the "mains" in the trailer park are in no-man's land, and who is responsible for those. Without writing it or having an agreement, then those weren't turned over like a subdivision, and now the rate payers are all paying for that water loss. He stated that it should come from the trailer park. Mr. Flynn agreed that the most equitable way to do this is put a master meter in at the main and whatever that reads is what the property owner, in this case Mr. Parkhill, pays. Gifford confirmed that that is what he is familiar with and he has been in the industry since 1986. Larson stated that one thing he doesn't fully understand yet is that he thought he heard Mr. Parkhill say that the water and sewer mains were donated or given to the District, and asked if that was accurate information. Mr. Flynn stated that the way it is typically done is the infrastructure up to the point of the right-of-way are owned by the unit of local government and then from that point forward it's the private property owners. Larson stated that he understood that, but said all the lines that go down the street are in the right-of-way, so who owns them. Mr. Flynn said that is where there is a disconnect, as there is no right-of-way in a mobile home park, that is private property. Larson asked again if the water line that go into the mobile home are considered in private property. Mr. Flynn said that all depends on how the mobile home park has been constructed. If the city approved it as such that the city approved the construction of the mobile home park and accepted the dedication of the streets, then the streets would be public streets, if they didn't then the streets would be considered private. Larson asked Mr. Parkhill if his streets are private or public. Mr. Parkhill confirmed that they are private. Larson asked for confirmation that east of Prairieview those streets are private. Mr. Parkhill stated that they had been granted easements in rights-of-way for the sanitary sewer mains and the water mains. Larson asked if they have that documentation. Gifford stated that he did a title search and there is no easement within the park. Mr. Flynn recommend just fixing the master meter at the main and, respectfully, let multi-property owners' asses the expense to their residents accordingly. He stated it is a board decision if you want to make "boutique" rules, but you want to be fiscally responsible to the rest of the members of your district as well. Larson asked how long it's been meters at the mobile home. Gifford stated he thinks it goes back into the 80's, well before his time. Larson suggested to be fair to both parties, that they should have a conversation with Mr. Parkhill as a board, and they have done it this way for a long time and this would be a significant change. Chairman Hennesy suggested having this as an agenda item with some more detail at the next meeting. Mr. Flynn agreed with Larson's suggestion about working with Mr. Parkhill who has had this arrangement in place for 40 plus years, and not just putting a meter in tomorrow. Cherry suggested

scheduling a study session as opposed to waiting until the next meeting. Chairman Hennesy agreed.

Larson asked if the “Board Attorney” agenda item was his opportunity to ask his question regarding possibly changing the language for the resolution. Chairman Hennesy said that would have been underneath that heading, but he could ask it now. Larson stated that when they passed the resolution, he asked for a chance to revisit it. He suggested adding something to the effect of “the board be kept abreast of any actions taken from the month prior”. He stated that he understands the Chairman and GM have the authority to meet with the attorney, but he wanted to add a sentence about briefing the board about anything that has happened at the next meeting. Mr. Flynn explained that he just met Chairman Hennesy and Mr. Gifford tonight and added that he doesn’t represent either of them, he represents the District. He added that if anyone every has questions they can call him, Larson already called and spoke with Mr. Flynn. He stated that he lives in a world of full disclosure. Larson said with that general understand, that is fine. Chairman Hennesy noted that in her tenure, past practice was to give the board an update and she didn’t intend to stop that practice. Larson said that was fine, whether it is just done, or written in the resolution, his concern was that the Mahomet Daily seems to know more about what’s going on in the last couple of months with legal conversations than he does. He said he has asked, trying to find out, but he went on and read in the Mahomet Daily that certain steps were not taken and conversations were had that he as a board member didn’t know anything about. Chairman Hennesy asked Larson to be more specific about what he was talking about. Larson stated that she had conversations with local attorneys and were given advice, in the course of reviewing and turning the petitions in that they didn’t know anything about and they had an emergency board meeting and he asked for her to let them know what is going on, and then information came out that he didn’t know anything about. Chairman Hennesy stated that in March, when they had the board meeting and she gave the review of what the local attorneys had said and the petitions were presented to the board at that time. With respect to the emergency meeting, it was for the purposes of hiring Mr. Flynn so that they could then have discussions about that, so she isn’t sure what Larson is talking about. She stated that she knows the Daily had an email from FOIA request about the first meeting that they had with Webber and Thies, and they did talk about that on the 28th of March meeting, so that was disclosed to the board. Larson stated that he just wants to make sure the board is kept abreast. Chairman Hennesy said she has done that in her tenure and she has no intention of stopping. Cherry stated that it was kind of any unusual situation that led with the actions that took place at that time, and he stated that as long as he had known Mr. Flynn and worked with him, if there is something unusual about the communications from the board overall, he will point that out, and will make sure they function legally and correctly. He won’t allow anything to go sideways or allow anything go outside the bounds of that. Cherry said, as Mr. Flynn had said, the board needs to function as the board. Melton stated that he would like to know what is going on before a day before they get the packet. He said if they want to spend a million dollars on a project they don’t know until Thursday before the meeting on Monday and added that is a lot of money coming out of the customer’s pocket. He said that he feels, sometimes, that they don’t have a board of seven, they have a board of one or two and he would just like to know what is going on. He said if he doesn’t know before he gets his packet, it’s a little late. Melton said they have a \$500,000 grant from the state for the Northern Project that is he very much in favor of, but he got the packet

Thursday to spend that \$500,000 plus what they are going to put into it and they don't know until the last minute. Chairman Hennesy stated that it is not for spending the money, it is for the Intergovernmental Agreement with the County that actually allows them to accept it. Melton told Chairman Hennesy that she does this every time. She did not understand what he meant. Melton asked her how an item gets on the agenda, because they can't put anything on the agenda, only she can do that. Chairman Hennesy stated that was not true, Larson and Schultz both asked for items to be added to the agenda that were added. Melton said one time. Chairman Hennesy stated that is not a fair characterization of what has happened. She added they have added agenda items during a meeting even. Melton asked if he could know maybe a week in advance, not a day or two days. Chairman Hennesy said that for the tenure of her term they have delivered packets in the same amount of time and if the board would like to request that the delivery of packets have a different time stamp on them, then they could have that discussion, but for him to suggest that this is different than it has been for the 6 years she has been on the board is incorrect. Melton said only since the six years that she has been there, not 40 years ago. She said to Melton that if he wants to bring this up for discussion that is fine, but this is the first time she is ever hearing this, in regards to the amount of time ahead of a meeting the packet is delivered. Larson recommend that some of these issues could be address in the Item: By-Laws.

C. Election of Officers (Chair, Vice-Chair, Treasurer, Secretary) (ACTION ITEM) - Chairman Hennesy noted that they need to elect a Chair, a Vice-Chair, and then discuss the Treasurer and Secretary position as Gifford and Wallen had both resigned their post. Mr. Flynn had discussion regarding their resignation and asked if they would both resign at a different time to get through the election process. Both Gifford and Wallen declined and wished to speak about the positions in executive session. Melton suggested Schultz for the Treasurer position. Mr. Flynn and Schultz both explained that the Public Water Act prohibits board members from serving in that position. Melton asked if they need to go outside and hire somebody. Mr. Flynn said they could appoint somebody and if they chose to pay them, they could do that. Melton said that they could ask Schultz to resign as a board member, and then she could make more money as the Treasurer. Schultz suggested moving the vote on the Secretary and Treasurer towards the end of the agenda. Mr. Flynn told the board they could at least get a motion to elect the Chair and Vice-Chair. Larson asked Wallen and Gifford if they would be willing to serve in those positions for a least a couple months. Wallen stated again she would prefer to discuss it during the executive session. Gifford agreed with Wallen.

MOTION by Schultz and 2nd by Hennesy to elect Meghan Hennesy as the Chairman and Monte Cherry as the Vice-Chair for the Board of Trustees for Sangamon Valley Public Water District.

Discussion:

Melton asked, before voting is there a certain number required to pass these positions. Mr. Flynn said it is just a simple majority. Melton asked if they could have more than one slate at a time. Mr. Flynn said that only one motion is handled at a time. Larson asked if he could recommend a different slate, Cherry as Chairman and Grindley as Vice-Chair. Melton said he would second. Larson reminded Melton this was just for discussion on the first motion. Larson said he feels that it would be good for some different people to get in and he think's Cherry's experience speaks for itself. Grindley stated that she just really wants to know what Wallen has to say. Buchanan stated that he feels like things have really changed in the past six months or so on their board, where they have had a lot less information coming out and there have been a lot of

things that have been decided between one or two people and they have been brought to the board and they don't get any discussion about it and they are required to make a vote. He said it seems like the decision has already been made and many of the things have passed or they would try to go to executive session, one time, and it was voted down, but they finally took a vote on that and they got rejected going into executive session. He said it used to be that it took seven people to make a budget and they all looked at the budget and talk about the things that were upcoming, projects, employees, benefits and all of those things. They discussed that following a recommendation from the General Manager as far as what he would like for himself and the Secretary and all the other staff, and then they had a meeting and they would discuss that. Then they would decide, here is what they think they can afford. Buchanan said maybe it was less, it probably was less, than what Gifford recommended but they would make a decision on it between the seven of them, and then they would take that to the GM, then he could accept it or reject it and if they weren't going to offer him enough money, that they thought they could afford to do, he could say "no" and he could quit or they could have further discussion. That was the way they operated for a long, long time. Buchanan said it seems as though there were two people leading the Personnel Committee, the Chairman and one other, and all of the things they discussed salaries and benefits and whatever they discussed was put down before them and it can to the vote and they were out-voted 4 to 3, so it passed. Buchanan stated there were other items the same way, regarding retirement as a matter-of-fact, and it was already decided, it had already been put on the budget for IMRF and they had never discussed IMRF and all of the sudden here it is and it was \$81,000, plus back-pay or catch-up pay. He said, they were presented all of that, on the budget and they had no discussion about that what-so-ever. He stated they had a chance to vote and it was rejected 4-3 because in order for IMRF to pass it required a super majority of two-thirds and they didn't get the two-thirds, so they dropped it. Then, he stated, it seems that somebody decided, the way they could get the majority is by reducing the board from 7 to 5 members and that was all done, an attorney drew up this agreement and that was never brought before this board, ever, and they rejected that. He said it just seems like this are already decided without two or three or four of us having ever been involved. Buchanan added that sometimes we can't bring anything else up on the agenda, if its not on the agenda you can't talk about it. He said he didn't know it was that way, he thought they could talk about anything and you can only vote about what's on the agenda. Buchanan said that he thought Meghan did a fantastic job in the early years when they had a lot of problems with the construction of the water plant and all of the legal things and he thought she did an outstanding job. In fact, he stated that he thinks they offered to give her a bonus for that and to increase her pay over the rest of the board, but he doesn't know what happened, something happened, but that is just him. Buchanan said that he just thinks they just need somebody else that is making out the agenda and not making all of the decisions instead of just one, two, maybe three or four, there are seven of them. Gifford asked if he is allowed to comment in this section. Mr. Flynn said no. Chairman Hennesy stated that she would like to clarify a few things because she doesn't think that what he said was entirely fair or accurate and because its directed at her if she may, she'd like to say a few things. She stated the executive session before the budget was voted down, that was not by her that voted down by the majority of the board, that is actually how votes happen, so although he is blaming her for that, the majority of the board was fine with the budget that was presented and did not see the need to go into executive session. She said the other planning components that were discussions in the past that were part of that executive session were actually illegal, which she had pointed out, that you cannot go into executive session to talk about future planning because those are illegal things in closed session. She said those things seemed to happen anyway and so this year that executive session did not happen, not because she didn't want it to happen, but because a majority of the board looked at the work that the Personnel Committee had done and had presented two if not three other times to the board as a whole with all of the research, all of the numbers and had discussion points on each of those presentations, so the suggestion that the board had never seen those numbers, she thinks is incorrect, because it had been presented at least two if not three times previous board meetings with a full disclosure of all of the research and the numbers and the comparisons that had been done with full discussion by the board. She stated those (his comments) are not accurate. She said with respect to making decisions, she has never made a decision for this board unilaterally. She stated, when they talked about the reduction of the board, she

presented that resolution just as any resolution previously had been presented. They had had some discussion in a board meeting about reducing the size of the board, the attorney put a resolution together for the purposes of discussion, it was presented and it was voted down, so the suggestion that she is making decisions and not presenting them to the board is just not correct because its presented to the board and the board actually did vote against that. She stated if they are going to talk about things that were done, perhaps inappropriately, three board members did get together and decide to circulate the petition and to hire an attorney who wanted to sue this board and her personally, and then came to this board table and tried to duplicitously suggest that they weren't also suing this board and then they were going to sit on this side and decide what to do about the board being sued. She does think that there are some issues with some conduct of the board but she takes real issue with him suggesting that she has done anything improperly. She doesn't think its fair and she certainly doesn't think it is accurate and because the board has, in times, voted a way that he did not vote does not mean it was improper. Buchanan stated that he contends that the entire board did not get to discuss all of these plans, it was only two people, usually on a committee, that made up all of the information and everything was laid out and put on paper and it was presented to them just the way two people had set it up, but not all seven. Schultz stated that she thinks sometimes that is for efficiency and gave an example of herself and Buchanan discussing the ARPA funds to assist the customer's affected with Covid. She said that it wasn't to exclude or act like they don't care what Grindley thinks, it was a matter of efficiency. Grindley said from her perspective she is thankful for the committee doing that work because she trusts them to do that work, bring it to the table and then they will all talk about it. Grindley added that she was also on the Personnel Committee and they presented to the board at least twice. She stated that Wallen did hundreds of pages of work, so they did present that to the board and she stated she was sorry if people felt like that work wasn't done appropriately but they did spend a lot of time and they had lots of meetings and it was presented at least twice before they voted on that. Buchanan said when it was presented to them it was a done deal. Grindley and Hennesy both said no. Grindley said no, they presented it two meetings before hand to have discussion. Buchanan stated that he doesn't recall the discussion. Buchanan then stated, as far as the petition, there are other people in the District that thought maybe that Trustees should be elected. He stated that it is legal and there is a process that needs to be done and he participated in that because he felt like the Champaign County Board was doing the selecting, and people that they were selecting came from the General Manager and some of the other people, so maybe he kind of felt like the trustees were being chosen, solicited, to get the people they wanted. He said the way they thought they would fight that would be to let the people elect. He stated that if felt like to them, the people that were against that were taking the people that own this district, the customers, and taking it out of their hands and not giving them a voice about who is going to be a trustee. He stated that he is not going to continue to be a trustee but he thinks it should be the District elected trustees not the County Board. He stated that he saw an example of it and he was not impressed, he was disappointed and disgusted. He said that is just him and he thinks it is time that they need somebody else on this board to be the Chairman. Grindley asked Cherry what his thoughts are on all of this, being Chair, Vice-chair. Cherry said that he thinks that this board has developed extreme disfunction and the disfunction needs to be fixed and he thinks it can be fixed with the people at the table in any position and in any combination of certain people that will provide the kind of leadership that will take them past this situation that they are in. He said he is comfortable with the vice-chair position. Melton said that would be her (Grindley). Grindley clarified that Cherry meant he himself was comfortable with the vice-chair position. Buchanan said Hennesy was for the Chair. Melton said not through Larson's suggestion. Mr. Flynn clarified that they hadn't voted on the first motion yet.

Roll call Vote as follows to elect Hennesy as Chair & Cherry as Vice-Chair:

Roll Call Vote:

Hennesy: Yes	Melton: No	Schultz: Yes	Grindley: Yes
Buchanan: No	Larson: No	Cherry: Yes	

With a vote of 4 Ayes and 3 Nays, motion carries.

Mr. Flynn confirmed the vote. He also noted that one thing discussed was the budget being discussed in an executive session and he reiterated that you cannot discuss a budget in an executive session. Buchanan stated that they didn't vote, they just discussed. Mr. Flynn stated they cannot do that. Larson asked for clarification on personnel discussion of wages. Mr. Flynn confirmed that wages can be discussed, but the budget itself cannot be discussed. He said he isn't sure where they are going to go in executive sessions but he can tell them that the only people that will remain in the room are the officials and him unless they want to excuse him, but if he is there, he will make sure they stay in the bounds of what should happen in an executive session.

D. Approval of Pay Request #4 \$24,390.00 – Briarcliff Sewer Lining (ACTION ITEM) – Gifford noted that they are finalizing the project right now. They are waiting on the vendor to pay a water bill they owe, some grounds work that needs repaired, and on a final lien waivers. He is expecting to have it all wrapped up next month and to have a final pay request for the board. Mr. Flynn, Gifford and the Board discussed having lien waivers for the amount of the request and the how this process is normally handled. Gifford requested approval by the board of pay request #4 in the amount of \$24,390.00 upon providing the lien waivers to that amount.

MOTION by Larson and 2nd by Cherry to approve pay request #4 in the amount of \$24,390.00 upon providing the lien waivers.

Roll call Vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Schultz: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Cherry: Yes	

With a vote of 7 Ayes and 0 Nays, motion carries.

E. Champaign County IGA – ARPA Funds \$500,000 Northern Expansion - (ACTION ITEM) – Chairman Henney stated this agreement allows the District to accept ARPA funds from the County. Melton asked if this is the IGA grocery store. Chairman Hennessy said no, this is an Inter-Governmental Agreement.

MOTION by Cherry and 2nd by Larson to approve Champaign County IGA for ARPA funds up to \$500,000.

Discussion: Melton stated that he would like to have known about this prior to this meeting. Melton stated he would have liked to know about this last week at least. Chairman Hennessy stated they just received it on Friday and they wanted to execute it as soon as possible. Melton stated that he would just like to know ahead of time. Chairman Hennessy stated that he knew as soon as they knew. Melton said, not every item. No further discussion was held.

Roll call Vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Schultz: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Cherry: Yes	

With a vote of 7 Ayes and 0 Nays, motion carries.

F. By-Laws – Chairman Hennesy gave the floor to Larson who requested this item be added to the agenda. Larson stated that he just would like the board to have a plan to start the process. He was going to volunteer to do this, maybe with Grindley, on a sub-committee but doesn't know if it is appropriate for him to take it with his tenure ending. Some thoughts he had on this were to ask things like: When the agenda gets published, who can submit to it, how an item gets added to an agenda, by-laws he thinks can help with that. Larson asked Flynn if he had a sample set of by-laws they could start with. He doesn't have a canned set, but he does have something to get them started. Cherry said he will put out a request to IWA and they will send it out to other agencies to see if anybody is willing to share their by-laws. Melton stated that Grindley resigned today, and then took back her resignation, and before that happened he was concerned about what they do if they have a 3-3 vote, since they have no by-laws. Mr. Flynn confirmed that a 3-3 vote, it is a "no" vote. Chairman Hennesy stated Cherry is going to reach out and look for some forms for them. Melton said that he would like to know what is going to be on the agenda before they get it. He said, for example, if you want A, that's fine, but he wants to know what A is before they leave the meeting tonight, he doesn't want to know next Friday or a day before the meeting, and asked if that makes sense. Chairman Hennesy said no, because she doesn't have an agenda for the next meeting. Melton said that she puts it on the agenda. Larson stated that between now and the next meeting they are going to have a study session on by-laws and a study session on reviewing the dealings with the mobile home park. Melton said, but they won't have three, four, or five that they don't know about, or two or one. Larson stated that he doesn't mean to speak for Hennesy, but he doesn't think there will be an agenda for those, there will just be a general topic where they come together to talk about it in more detail. Chairman Hennesy stated for a study session there needs to be an agenda because it's a meeting, but she said again, up until very recently the agendas have always been published in the same way, and if they get to a meeting and someone wants to add something for discussion, they add it to the agenda, but she will publish an agenda to the best of her ability to tell him what the topics will be, to be discussed. She stated if you want to add to that, he can add to that. Melton stated that he is sure she knows what she wants to discuss before this meeting has even started. Chairman Hennesy stated that it just feels combative to her, and she doesn't know what he wants from her with that kind of statement. She stated she will do her best to put an agenda out, which is the mechanism used by the Chair to inform the board on what topics will come to the meeting. Melton stated that Giffords tells Chairman Hennesy, for example, they have a million dollar item they need to pass or not two, three, four weeks from now, so she makes sure she puts that on the agenda because of what Gifford tells her, and they would like to know that now. Chairman Hennesy stated that she doesn't have anything now for the next months agenda. Melton said that Gifford has already told her. Chairman Hennesy said that is an incorrect statement. Melton said, then he can't pass a million-dollar thing. Chairman Hennesy asked what this million-dollar thing is that Melton is referring to. Melton said, ten million dollars or five million dollar, whatever. Chairman Hennesy stated that she is going to put out an agenda and if he would like, as things come up, she can send an emails that says, this might be on the upcoming agenda. She added that she isn't sure what he is asking for and she thinks that this is argumentative. Melton stated that he doesn't always trust her. She stated that she thinks that is obvious. She stated she is trying to tell him that she hasn't given him any reason to distrust her, when the agendas come out just as they have for the entirety of her tenure on this board. Gifford recommending the business that needs to be done by the District for that particular

month and anything else that has come to light for discussion of the board, no decisions get made. She said by having them on the agenda it allows this board to come together and have discussion and make decisions that further the business of the District, and to not have it on the agenda ties their hands in terms of getting the business of the District done. She stated that she doesn't agree with what he is saying, that somehow there is a sneaky way that she approaches these agendas, so she doesn't want to keep arguing with him about it and she understands that he doesn't trust her but she letting him know how this works. Mr. Flynn stated that the State of Illinois has a 48-hour rule by which agendas and board packets have to be distributed and the logic behind that is that they want the public to know at least 48 hours in advance what is on the agenda and what is going to happen so the public and the trustees can come to meetings and be prepared, but they don't require 96- or 120-hour rule, it's just the 48-hour rule because you never know what's going to happen at the last minute. Mr. Flynn stated that he doesn't know the million-dollar project Mr. Melton is referencing but if that is an issue he should vote it down, if he is caught off guard, he could ask to delay that conversation to the next meeting and that is completely respectful. Schultz added that she took her required attorney general training again for this board a month ago or so and one of the things on the training is that when you call a "special" meeting you may not even discuss things that are not on the agenda and that was very clear on that training that she had. She stated all of the other meetings that they have, they can add things on the agenda, it's a special meeting that they don't allow discussion of anything else. Mr. Flynn stated if the next meeting will be a study session you may discuss things not on the agenda since no action will be taken. Schultz agreed she just wanted everyone to be clear. Larson asked if she meant emergency, not special meetings. Schultz stated that in the training it says "special" or "emergency". Buchanan asked about the agenda being posted on the website and the buildings. Mr. Flynn confirmed it should be posted on the website and buildings but also the gate should be open during the times of the meeting, or if you are going to keep it closed, then he suggested putting together a structure outside of the gate to adhere the agenda to. Chairman Hennesy clarified that even if the gate is closed, the office is still letting the public in for payments and such, it is just a mechanism for knowing who is coming in and out of the facility. Melton asked why. Chairman Hennesy and Gifford both said for security. Melton asked, security for what. Cherry stated that security is a very big issue for this industry. Grindley stated that almost every public water supply you can't just walk in. Melton stated that he was never told. Gifford stated that it was in the budget, the gate was in the budget.

MOTION by Schultz and 2nd by Larson to switch the agenda and Move to Executive Session ahead of Old Business.

All present members voting yes, motion carries.

5. EXECUTIVE SESSION:

A. Assistant General Manager Personnel Matter – 5 ILCS 120/2(c)(1)

MOTION by Larson and 2nd by Cherry to go into Executive Session at 5:26pm for the purpose of discussing personnel **5 ILCS 120/2(c)(1)**.

Roll call Vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Yes	Schultz: Yes	Grindley: Yes
Buchanan: Yes	Larson: Yes	Cherry: Yes	

With a vote of 7 Ayes and 0 Nays, motion carries.

Trustees Larson, Buchanan, and Melton left at some point during Executive Session.

MOTION by Schultz and 2nd by Grindley to come back into Open Session at 7:20pm.

Roll call Vote as follows:

Roll Call Vote:

Hennesy: Yes	Melton: Absent	Schultz: Yes	Grindley: Yes
Buchanan: Absent	Larson: Absent	Cherry: Yes	

With a vote of 4 Ayes, 0 Nays, and 3 Absent motion carries.

6. TREASURER’S REPORT:

Approval of Accounts Payable listing for March, April & May 2022 – Gifford reviewed the Income and Expense Report and all A/P listings over \$1,000.

AP Summary as of May 17th, 2022 - \$61,945.31 (Over \$1,000 below)

- Altorfer - \$3,140.00
- Ameren - \$9,092.65
- CMS - \$6,414.00
- Certified Balance & Scale - \$1,152.00
- Donohue - \$1,935.00
- Gunther Salt - \$4,607.91
- Heartland Bank (Bond) - \$6,510.00
- Martin Hood - \$11,000
- Midwest Meter - \$6,324.00
- Schulte Supply - \$1,353.00
- The Cincinnati Insurance Co. - \$2,434.00
- Water Solutions Unlimited - \$1,658.15

MOTION by Schultz and 2nd by Grindley to approve the Treasure’s Report as presented, to appoint Lindsey Wallen as Secretary and to appoint Kerry Gifford as Treasurer.

Roll Call Vote as Follows:

Roll Call Vote:

Hennesy: Yes	Melton: Absent	Schultz: Yes	Grindley: Yes
Buchanan: Absent	Larson: Absent	Cherry: Yes	

With a vote of 4 Ayes, 0 Nays, and 3 Absent motion carries.

7. OLD BUSINESS:

A. 2022 Bond Update – Discussion tabled until next meeting.

MOTION by Hennesy and 2nd by Schultz to table remaining agenda items until the June meeting.
With a vote of 4 Ayes, 0 Nays, and 3 Absent motion carries.

8. SECRETARY’S REPORT:

A. Approval of Open Minutes from Regular Meeting held March 28th, 2022 -
Discussion tabled until next meeting.

B. Approval of Emergency Meeting Minutes held April 19th, 2022 - Discussion
tabled until next meeting.

9. GENERAL MANAGER’S REPORT: Gifford’s General Manager’s Report was tabled until next meeting.

10. BOARD COMMUNICATION: Discussion tabled until next meeting.

11. CONTINUATION OF NEW BUSINESS: Discussion tabled until next meeting.

12. ADJOURNMENT:

MOTION by Cherry, and 2nd by Grindley to adjourn at 7:30pm.
With a Vote of 4 AYES, 0 NAYS, and 3 Absent, Motion carries.

Respectfully submitted,

Lindsey Wallen
Secretary, Board of Trustees