

**MINUTES OF A SPECIAL MEETING OF THE  
DU PAGE WATER COMMISSION  
HELD ON THURSDAY, APRIL 25, 2002  
600 E. BUTTERFIELD ROAD  
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Michael Vondra at 7:30 P.M.

Commissioners in attendance: R. Benson, A. Crane, J. Devlin, B. Krajewski, J. Liljegren, W. Mueller, N. Pollock, A. Poole, J. Tenison, R. Thorn, R. Tolentino and M. Vondra

Also in attendance: J. Holzwart, R. Martin, E. Nawrocki, R. Skiba, D. Eckmann (AB&H), and M. Crowley (H&K).

Commissioner Benson made a motion to reconvene the Public Hearing Regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2002 and Ending April 30, 2003. Seconded by Commissioner Thorn and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Chairman Vondra reviewed the draft Summary of a Proposed Agreement to Provide Lake Michigan Water to Areas of DuPage County Affected by Contamination.

Several residents in unincorporated DuPage County questioned the Commission on the terms of the Proposed Agreement.

Commissioner Tenison made a motion to close the Public Hearing Regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2002 and Ending April 30, 2003. Seconded by Commissioner Crane and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Crane made a motion to recess the Commission meeting for 10 minutes. Seconded by Commissioner Pollock and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The meeting was in recess from 8:02 P.M. until 8:12 P.M.

Summary of Proposed Agreement  
To Provide Lake Michigan Water  
To Areas of DuPage County Affected by Contamination

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### Overview

Municipalities that are Charter Customers of the DuPage Water Commission will provide Lake Michigan water at reasonable rates to areas of DuPage County affected by contamination.

### Areas to be Served

These municipalities will provide service to areas of DuPage County that are affected by contaminated water.

### Forms of Service

If a water main exists in the vicinity, municipalities will make water available to the contaminated area from the existing main. If a main does not exist in the vicinity, municipalities will construct new mains in order to extend water service to the contaminated area.

### Financing for Service

The Commission would make financing available to municipalities to provide service to contaminated areas. This would include long-term low-interest loans that would be passed on by municipalities to customers in the contaminated areas who would obtain water service.

### Conditions of Service

Municipalities would make Lake Michigan water available expeditiously from their existing allocation to all property in these areas at rates that are reasonably related to the actual cost of providing and delivering water to these areas. Municipalities would have the right to require potential customers for water service to enter into pre-annexation agreements as a condition of service, but annexation of residential property would not be required for at least ten years.

### Approval of Agreement

Before becoming effective, a final written agreement will be drafted. The Agreement, which is expected to be drafted promptly, would be approved by all Charter Customers, the County and the Commission.

Commissioner Mueller moved that the "Summary of Proposed Agreement to Provide Lake Michigan Water to Areas of DuPage County Affected by Contamination," which is hereby incorporated into this motion, be endorsed by the DuPage Water Commission and that the DuPage Water Commission be authorized to enter into negotiations with the County and municipalities regarding an intergovernmental agreement based upon

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the general outline that is set forth in that document. Seconded by Commissioner Tenison and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Tenison moved that, pursuant to Article VII, Section 5 of the By-laws of the DuPage Water Commission, a Task Force be established regarding the proposed intergovernmental agreement to provide Lake Michigan water to areas of DuPage County affected by contamination. The responsibilities of the task force will include advising the Commission on and reviewing matters related to negotiations concerning the proposed intergovernmental agreement and make recommendations regarding the implementation of the intergovernmental agreement. Seconded by Commissioner Crane and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Chairman Vondra proposed the appointment of William Mueller, William Murphy, Jack Tenison and Mike Vondra as voting members, and Greg Wilcox and Chris Burke as advisory members, of the task force regarding the proposed intergovernmental agreement to provide Lake Michigan water to areas of DuPage County affected by contamination.

Commissioner Crane moved to consent to the appointment of William Mueller, William Murphy, Jack Tenison and Mike Vondra as voting members, and Greg Wilcox and Chris Burke as advisory members of the task force. Seconded by Commissioner Liljegren and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

## Omnibus Agenda

Commissioner Mueller moved to approve Resolution R-14-02 and Ordinances O-5-02, O-6-02 and O-7-02 in a single group pursuant to the Omnibus Vote Procedures, provided that my making this motion and my support of it is based on the expectation that the agreement discussed earlier is negotiated, finalized and executed by all necessary parties promptly. If the parties are not able to come to agreement in a reasonable period of time, I will request the approval of an amendatory ordinance the effect of which will be to change the water rate from \$1.65 per 1,000 gallons to \$1.75 per 1,000 gallon as was originally noticed to the Charter Customers. Seconded by Commissioner Tenison and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, A. Crane, J. Devlin, B. Krajewski, J. Liljegren, W. Mueller, N. Pollock, A. Poole, J. Tenison, R. Thorn, R. Tolentino and M. Vondra

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Nays: None

- Item 1. Resolution R-14-02: A Resolution Establishing the Policy of the DuPage Water Commission with Respect to Fund Balances and Construction and Rate Stabilization Reserves for the Fiscal Year Ending April 30, 2002 – “Omnibus Vote”
- Item 2. Ordinance O-5-02: An Ordinance Approving and Adopting an Annual Management Budget for the Fiscal Year Commencing May 1, 2002 and Ending April 30, 2003 – “Omnibus Vote”
- Item 3. Ordinance O-6-02: An Ordinance Establishing a Water Rate for Operation and Maintenance Costs for the Fiscal Year Commencing May 1, 2002 and Ending April 30, 2003 – “Omnibus Vote”
- Item 4. Ordinance O-7-02: An Ordinance Establishing Fixed Costs to be Payable by Each Contract Customer for the Fiscal Year Commencing May 1, 2002 and Ending April 30, 2003 – “Omnibus Vote”

Commissioner Mueller made a motion to adjourn the meeting at 8:30 P.M. Seconded by Commissioner Tenison and unanimously approved by a Voice Vote.

All voted aye. Motion carried.