

**MINUTES OF A MEETING OF THE  
ADMINISTRATION COMMITTEE  
OF THE DuPAGE WATER COMMISSION  
HELD ON APRIL 14, 2005**

The meeting was called to order at 7:05 P.M. at the Commission's office located at 600 East Butterfield Road, Elmhurst, Illinois.

Committee members in attendance: E. Chaplin, W. Murphy, D. Zeilenga, L. Hartwig and M. Vondra (*ex officio*)

Committee members absent: None

Also in attendance: M. Crowley, R. Ferraro (arrived at 7:15 P.M.) and W. Mueller (arrived at 7:15 P.M.)

Commissioner Chaplin moved to approve the Minutes of the March 10, 2005, Administration Committee meeting. Seconded by Commissioner Zeilenga and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The Committee discussed the request by West Chicago to be reimbursed for past and future Commission sales tax collections. Several Commissioners reported on their individual discussions with West Chicago representatives: Commissioner Hartwig reported that he had spoken with the Mayor of West Chicago and, based upon that conversation, Commissioner Hartwig understood that West Chicago's current objectives were limited to becoming an excluded unit and obtaining its own sales tax; Commissioner Mueller reported that he had spoken with the Mayor of West Chicago and, based upon that conversation, Commissioner Mueller understood that West Chicago's current objectives were limited to becoming an excluded unit; Commissioner Ferraro reported that he had a conversation with the Mayor of West Chicago that was very similar to Commissioner Mueller's with the exception that West Chicago did want to be reimbursed for future (but not past) sales tax collections; and Commissioner Murphy reported that he had several conversations with the Mayor of West Chicago where Commissioner Murphy believed that West Chicago was limiting its request to simply becoming an excluded unit.

Commissioner Hartwig indicated his support for West Chicago becoming an excluded unit and his opposition to making any sales tax rebates to West Chicago except, perhaps, for sales taxes collected after the March or April 2005 Board meetings and until legislation could be adopted changing West Chicago's status from an included to an excluded unit. Commissioner Zeilenga questioned why the Commission's support or opposition to legislation would vary depending upon whether the legislation changed West Chicago's status from an included to an excluded unit and gave West Chicago its own sales tax or whether the legislation directed the Commission to make sales tax rebates to West Chicago. Commissioner Murphy questioned why the Commission needed to take any position on the legislation. The Staff Attorney cautioned that, based

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upon discussions with Bond Counsel and Charter Customer Contract and Bond Ordinance covenants, the Commission should not be actively involved in shepherding any such legislation.

Chairman Vondra reiterated his personal preference that he was not open to refunding taxes previously paid because the Commission sized its system to accommodate West Chicago as it was supposed to do in exchange for the taxes collected. Chairman Vondra also indicated he was amenable to supporting corrective action going forward and, because of the timetable associated with obtaining a legislative solution, somehow rebating sales taxes collected after the March or April 2005 Board meetings until the corrective legislation was adopted. Chairman Vondra concluded his remarks by suggesting Commissioners Zeilenga and Mathews meet with representatives of West Chicago to discuss the matter further.

Commissioner Murphy moved to adjourn the meeting at 7:30 P.M. Seconded by Commissioner Zeilenga and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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