

**Lost Lake Utility District Regular Meeting
404 Lake Court, Dixon Illinois
December 15, 2009**

- I. **Call to Order and Roll Call:** Nadine Portner called the meeting to order at 7:00 pm. Trustees present: Nadine Portner, Bill Weronko, Joe Olliges, Ron Berger, George Kersten, Dave Shaw, and Jerry Pohlman. Also Present: Sheila Warner, Treasurer; Susan Steffens, Secretary; Mick Gronewold of Fehr-Graham and Associates, and members of the community.
- II. **Pledge of Allegiance**
- III. **Approval of the Agenda:** Joe made a motion to approve the agenda. Bill seconded the motion. The motion was approved by unanimous roll-call vote (12-15-09-1).
- IV. **Approval of the Minutes:** Ron made a motion to approve the November 17, 2009 Regular Meeting minutes. Jerry seconded the motion. The motion was approved by unanimous roll-call vote (12-15-09-2). Ron made a motion to approve the November 23, 2009 Special Meeting and Executive Session. Jerry seconded the motion. The motion was approved by unanimous roll-call vote (12-15-09-3).
- V. **Treasurer's Report:** Sheila reported for the period ending November 30, 2009 *Operating Account:* beginning balance: \$144,565.52; receipts: \$13,887.44; expenditures: \$57,730.06; ending balance: \$100,722.90. *Project Fund-FNB:* beginning balance: \$465,931.72; receipts: \$334.26; expenditures: \$325,746.00; ending balance: \$140,519.98. *Debt Service Bond Fund-FNB:* beginning balance: \$61,687.94; receipts: \$30,031.05; ending balance: \$91,718.99. *Debt Service Reserve Fund-FNB:* beginning balance: \$89,546.83; ending balance: \$89,546.83. *CD Fund-Amcore:* beginning balance: \$253,421.85; ending balance: \$253,421.85. *CD Fund-FNB* beginning balance: \$170,000.00; ending balance: \$170,000.00. Discussion was held by the Board. George made a motion to accept the Treasurer's report. Bill seconded the motion. The motion was approved by unanimous roll-call vote (12-15-09-4).
- VI. **Old Business**

Office Report: Susan reported that we billed out \$92,856.84, \$91,429.62 has been collected. Two accounts have been paid in full, the liens were removed, and properties sold. Meeting dates will be published in Ogle County Life on December 29, 2009. The public notice for hearing has been published. Meters will be read on December 28th or 29th, and we will bill out January 4, 2010.

WWTP updates/change orders: Nadine reported that not much has happened, waiting for approval for the change order.

Bridge/Main Repair update: Jay Mulholland of Flagg Construction will proceed with boring when equipment is lined up.

Unmetered water pump (valve) update: Dave reported after reviewing the Ordinance and by precedence of the District the valve in question is the property

owner's responsibility to remove. Dave drafted a letter to customer. It was forwarded to the District Attorney for review.

VII. New Business

Consideration of an Ordinance Abating the Levy Year 2009 Tax for the District's Series 2007 Bonds. Joe made a motion to waive the first reading and adopt Ordinance 05-09. Bill seconded the motion. The motion was approved by unanimous roll-call vote (12-15-09-5). Susan read into record:

ANNUAL ABATEMENT ORDINANCE ORDINANCE NO. 05-09

ORDINANCE abating the tax hereto levied for the year 2009 to pay the principal of and interest on \$2,240,000 General Obligation Bonds (Alternate Revenue Source), Series 2007, of the Lost Lake Utility District, Ogle County, Illinois.

WHEREAS, the Board of Trustees (the "*Corporate Authorities*") of the Lost Lake Utility District, Ogle County, Illinois (the "*District*"), by Ordinance Number 08-07, adopted on the 26th day of November, 2007 (the "*Ordinance*") and a related Notification of Sale, did provide for the issue of \$2,240,000 General Obligation Bonds (Alternate Revenue Source), Series 2007 (the "*Bonds*"), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Pledged Revenues (as defined in the Ordinance) have been determined by the Treasurer to provide an amount not less than 1.25 times debt service of all Outstanding Bonds (as defined in the Ordinance) in the next succeeding bond year (August 1 and February 1 of the following year); and

WHEREAS, the Pledged Revenues have been deposited in the Alternate Bond and Interest Account (as created in the Ordinance) in an amount sufficient to pay debt service on all Outstanding Bonds in the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of a the District that the tax heretofore levied for the year 2009 to pay the principal of and interest on the Bonds be abated;

NOW, THEREFORE, Be It Ordained by the Board of Trustees of the Lost Lake Utility District, Ogle County, Illinois, as follows:

Section 1. Abatement of Tax. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

Section 2. Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Secretary of the Board of Trustees of the District shall file a certified copy hereof with the County Clerk of The County of Ogle, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

Section 3. Effective Date. This ordinance shall be in full force and effect forthwith upon its passage by the Corporate Authorities.

Motion to extend existing Budget to operate until January 5, 2010. Bill made a motion to extend the budget until the January 5, 2010 hearing. Dave seconded the motion. The motion was approved by unanimous roll-call vote (12-15-09-6).

Change Order: Nadine presented the change order to Board. Mick Gronewold of Fehr-Graham explained the \$52,351.00 added expense to the District as an unforeseeable expense due to soil stability and that the original fee from Mechanical, Inc. was over \$92,000.00 and was negotiated down to \$52,351.00. Without this change, the sewer treatment facility cannot proceed. Mick also suggested and greatly urged that this project be monitored at all times due to the time constraints on the contract. Discussion was held by the Board. Joe made a motion to approve and accept the change order not to exceed \$52,351.00. Bill seconded the motion. The motion was approved by unanimous roll-call vote (12-15-09-7).

Resolution to retain District Attorney Susan read Resolution 06-2009 into record, a resolution concerning retaining the District Attorney for fiscal year 2010 for the Lost

Lake Utility District. Ron made a motion to retain the District Attorney. Bill seconded the motion. The motion was approved by unanimous roll-call vote (12-15-09-8).

VIII. Guest/Public Opinion

Tom Wendling: Q. How do make soil stable? A. We'll haul in rock for stability.

Mike Robinson: Q. Sheila does the CenturyLink have anything to do with the alert system? A. No.

Q. What is this bill for Mechanical, Inc? A. A pressure problem at the well house. A seal was repaired.

Q. Babbling Brook main can you work if it is freezing? A. Yes.

VIII. Adjournment: Joe made a motion to adjourn the meeting. Dave seconded the motion. The motion was approved by unanimous vote (12-15-09-9). The meeting ended at 8:50 pm. The next regular meeting will be held on January 19, 2009 at 7:00 pm.

12-15-09-1	Approval of the agenda
12-15-09-2	Approval of the minutes
12-15-09-3	Approval of the special meeting minutes
12-15-09-4	Approval of the Treasurer's report
12-15-09-5	Approval of Ordinance 05-09
12-15-09-6	Approval to extend budget until 1/5/10
12-15-09-7	Approval of change order payout
12-15-09-8	Approval of Resolution 06-2009
12-15-09-9	Adjournment