

Peoria, Illinois, December 15, 2020

The regular meeting of the Board of Trustees of the Greater Peoria Sanitary and Sewage Disposal District was held on Tuesday, December 15, 2020, at the office of the District, 2322 South Darst Street, in the City and County of Peoria, State of Illinois, and within the boundaries of said District at the hour of 9:36 A.M.

Chairperson Gates declared that an in-person meeting is not practical or prudent because of the state-declared public health emergency relating to COVID-19. In compliance with the Governor of Illinois' Executive Order in Response to COVID-19 (COVID-19 Executive Order No. 5), dated and executed March 16, 2020, and further Executive Orders, roll call showed the following Trustees were present via teleconference: Thomas V. Broadway Jr., Stephen M. Morris, Heather L. McCord, Matthew R. Bender, and Robert C. Gates. Executive Director Brian F. Johnson, Director of Finance Joseph C. Merkle, Director of Administration Michelle R. Mortland, Director of Operations James E. Sloan, and Director of Planning and Construction Timothy F. Leach were also present in person at the District offices to welcome those wishing to participate in the public comment portion of the meeting. All members could hear each other in discussion and testimony.

Chairperson Gates stated that there was a quorum, and that the meeting was duly and legally convened for the transaction of business.

Chairperson Gates next opened the meeting for public participation. Comments from the public were solicited via e-mail on the District's website. One member of the public, Joyce Blumenshine, did call-in to the meeting. Ms. Blumenshine chose to listen to the meeting and had no comments. There being no further response, the public participation period was closed.

Operating reports for the Finance, Administration, Operations, and Planning and Construction Departments were thereafter discussed with various questions answered thereto.

Chairperson Gates asked if any items should be removed from the Consent Agenda, which included: approval of the minutes of the regular meeting held on Tuesday, November 17, 2020; payment of the list of bills, totaling \$2,345,314.52; the recommendation of the Investment Committee's recommendations for the following investment: Better Banks \$1,000,000.00 CD for 12 months at 0.30% and Morton Community Bank CD for 12 months at 0.30%; and that delinquent accounts listed as Batch #193 Illinois American Water Company, Batch #93 Village of Peoria Heights, and Batch #95 Pleasant Valley Water Co. be forwarded for disconnection from service in accordance with the applicable water shutoff arrangements. There being no items to be removed and on roll call vote being taken, Trustee Morris moved to approve the items on the Consent Agenda, seconded by Trustee McCord. Following discussion and, on roll call, Trustees Broadway, Morris, McCord, Bender, and Gates voted "Aye" and there were no "Nays". Chairperson Gates declared the items on the Consent Agenda approved.

The Executive Director next updated the trustees regarding an Agreement with Midwest Engineering for professional design services relating to the rehabilitation of the Grandview Pump Station and recommended approval of the Agreement. Trustee McCord moved to approve the agreement, seconded by Trustee Bender. Following discussion and on roll call, Trustees

Broadway, McCord, Bender, and Gates voted "Aye", Trustee Morris abstained, and there were no "Nays". Chairperson Gates declared the motion approved.

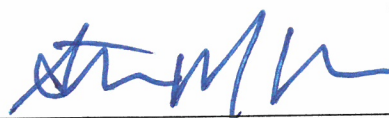
The Executive Director next updated the trustees regarding Ordinance No. 639, a copy of which is attached, relating to eminent domain pursuant to 70 ILCS 2405/15 to obtain an easement necessary for erosion control work to be performed in Dry Run Creek and recommended approval of Ordinance No. 639. Trustee Morris moved to approve the agreement, seconded by Trustee McCord. Following discussion and on roll call, Trustees Broadway, Morris, McCord, and Gates voted "Aye", Trustee Bender abstained, and there were no "Nays". Chairperson Gates declared the motion approved.

The Executive Director next updated the trustees regarding the Consent Decree with the United States Environmental Protection Agency, the Illinois Environmental Protection Agency, and the City of Peoria and recommended approval of the Consent Decree conditional upon approval by the remainder of the parties. The environmental lawyer for the District, Roy Harsch, joined the meeting and updated the trustees regarding what to expect throughout the process of waiting on approval by all parties. Trustee Bender moved to approve the agreement, seconded by Trustee McCord. Following discussion and on roll call, Trustees Broadway, Morris, McCord, Bender, and Gates voted "Aye" and there were no "Nays". Chairperson Gates declared the motion approved.

The Executive Director next updated the trustees regarding an Agreement with Greeley and Hansen for professional design services relating to certain Consent Decree projects and recommended approval of the Agreement. Trustee Bender moved to approve the agreement, seconded by Trustees McCord and Morris. Following discussion and on roll call, Trustees Broadway, Morris, McCord, Bender, and Gates voted "Aye" and there were no "Nays". Chairperson Gates declared the motion approved.

Next, the Executive Director updated the trustees regarding various topics, including Bond Financing/Grant Status and FY 22 Budget.

There being no further business to come before the Board, the Chairperson declared the meeting adjourned at 10:50 A.M.



Clerk

ORDINANCE NO. 639
OF THE GREATER PEORIA SANITARY AND
SEWAGE DISPOSAL DISTRICT

AN ORDINANCE FOR
THE MAKING OF THE GPSD SEWER REHABILITATION:
EROSION CONTROL 1D IMPROVEMENTS
GPSD PROJECT 2683

WHEREAS, the Board of Trustees ("Board") of The Greater Peoria Sanitary and Sewage Disposal District ("District") has determined that certain erosion control issues need to be addressed to ensure the integrity of the sanitary sewer collection system; and

WHEREAS, the District has designed the improvements known as GPSD SEWER REHABILITATION: EROSION CONTROL PROJECT 1D; and

WHEREAS, it is in the interest of the parties involved to proceed on an expedited schedule; and

WHEREAS, permanent easements from private property owners are required for the construction, operation and maintenance of the improvements; and

WHEREAS, the District has begun negotiations with landowners affected by the improvements for the acquisition of the property interests (easements) to complete construction of the improvements; and

WHEREAS, the District may not be able to acquire by voluntary agreement all of the property interests to complete construction of said improvements; and

WHEREAS, Section 2405/15 of the Sanitary District Act of 1917 authorizes the District to acquire necessary private property by the exercise of the power of eminent domain upon passing an ordinance for the making of an improvement concerning which said private property is needed; and

WHEREAS, the Board wishes to memorialize, by ordinance, the making of the GPSD SEWER REHABILITATION: EROSION CONTROL PROJECT 1D improvement for the purposes of availing itself of the eminent domain powers contained in the Sanitary District Act of 1917;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE GREATER PEORIA SANITARY AND SEWAGE DISPOSAL DISTRICT:

ARTICLE I

That the making of the improvement known as GPSD SEWER REHABILITATION: EROSION CONTROL PROJECT 1D is hereby formally authorized and hereby affirmed.

ARTICLE II

That easements for the construction, operation, maintenance and replacement of the improvement are attached hereto in Exhibit A-1.

ARTICLE III

That the District's Executive Director is authorized to make its final good faith offer in an amount equal to the appraised value to each of the owners; that owners be given 10 days from the date of the offer to accept it; and in those cases where the owner does not accept such good faith offer, the District's attorney is authorized and directed to file suit in Circuit Court of Peoria County to obtain said easement pursuant to the provisions of Section 2405/15 of the Sanitary District Act of 1917.

ARTICLE IV

That this Ordinance shall take effect immediately after its adoption.

PASSED by the Board of Trustees of The Greater Peoria Sanitary and Sewage Disposal District this 15th day of December 2020.



THE GREATER PEORIA SANITARY
AND SEWAGE DISPOSAL DISTRICT

By

ATTEST:

Passed: December 15, 2020
Approved: December 15, 2020
Recorded: December 15, 2020

EXHIBIT A-1

When recorded mail to:

The Greater Peoria Sanitary
and Sewage Disposal District
2322 South Darst Street
Peoria, IL 61607-2093

EASEMENT TO THE GREATER PEORIA SANITARY AND SEWAGE DISPOSAL DISTRICT

THIS INDENTURE WITNESSETH, that the Grantors herein, **STORMY CREEK, LLC**, an Illinois limited liability company, in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, and of the mutual conditions and agreements herein contained, do hereby give, grant and convey to The Greater Peoria Sanitary and Sewage Disposal District, a municipal corporation of the County of Peoria and State of Illinois, and its assigns, successor or successors forever, the perpetual easement, privilege, right, permissions and authority to enter upon the premises hereinafter described and to construct, reconstruct, repair, maintain and operate, above and below the surface of the ground, an enclosed sanitary sewer and necessary infrastructure for access to or protection of said sanitary sewer, together with lateral sewers connecting with the same in, upon, under, across and through the following described real estate, situated in the County of Peoria and State of Illinois, to wit:

Exhibit A – Legal Description
Exhibit B – Plat

P.I.N.: 17-01-428-017

and further Grantor and Grantee agree:

1. All materials, plant or equipment used by the Grantee, its agents and/or contractors in the construction, reconstruction, repair, maintenance and/or operation of said sanitary sewer or any lateral sewers in the future to be connected therewith may be reasonably transported to the site of the work on and across the real estate hereinbefore described. The Grantee, its agents and/or contractors shall also be given the reasonable right of access to the described easement on and across the property of adjoining lands of the Grantor and its assigns and successors.
2. While the property of the Grantor hereinbefore described, or any part thereof, is vacant the Grantee herein shall have the right to reasonably place surplus or excavated material, debris or waste or equipment and materials needed for the purpose of construction, reconstruction, repair, maintenance and/or operation, upon such vacant lands of the Grantor, with the provision, however, that all surplus material, equipment and debris so placed during construction, reconstruction, repair, maintenance and/or operation of said sanitary sewer or lateral sewers to be connected therewith shall, within thirty days after the expiration of the time when any such work has been completed, be removed by the Grantee at its own expense.

3. The Grantee shall have the right to trim, or remove, any objects, trees, shrubs, or saplings that interfere, or threaten to interfere, with the operation, maintenance or repair of the sanitary sewer.
4. Grantor represents and warrants that the property is non-homestead property.
5. This easement, together with all the covenants herein contained, shall run with the land and shall be binding upon the successors, grantees and assigns of the respective parties hereto.
6. A copy of this easement shall be filed in the Office of the Peoria County Recorder of Deeds and be indexed against the real estate after execution by all parties to this easement. Such filing shall constitute notice to all present and future owners and purchasers of the property of the permanent easement.
7. This easement and the rights of the parties hereto shall be interpreted, construed and enforced in accordance with the laws of the State of Illinois. Any litigation concerning matters detailed herein shall be commenced in Peoria County, Illinois.
8. The waiver of any right, term or condition detailed in this easement, or the forbearance of enforcement of any right in the event of a breach of any term of this easement, shall not be deemed to be a waiver or release of any future right or cause of action arising from the commission of any additional act or breach of a similar or dissimilar nature. Any delay in enforcement of rights arising from a particular breach shall not act as a waiver of the right to pursue all available remedies. Waiver of a right, term or condition in regards to a particular individual or entity shall not entitle any other individual or entity to a similar waiver.
9. If any provision, term or condition of this easement or a part thereof shall be deemed illegal and/or unenforceable due to statute, rule of law, or Court Order, the remaining provisions of this easement shall remain in full force and effect with the interpretation of this easement, to the extent legally possible, to be in accordance with the general intent demonstrated herein.
10. All obligations detailed herein shall be joint and severable and may be enforced in their entirety against any signatory to this easement.
11. Reference to gender or singular or plural pronouns shall not be construed as a limitation of the terms of this easement.

IN WITNESS WHEREOF, the said _____ has caused this instrument to be executed by its sole Manager this _____ day of _____ A.D. 20_____.

STORMY CREEK, LLC

Its Sole Manager

STATE OF ILLINOIS)

COUNTY OF PEORIA)SS
)

I, _____, Notary Public in and for the said County in the State
aforesaid, DO HEREBY CERTIFY that _____, personally known to me to be the _____
_____ of _____, a limited liability company, and personally known
to me to be the same person whose name subscribed to the foregoing instrument as such _____
appeared before me this day in person and acknowledged that he/she signed, sealed and delivered the said
instrument as his/her free and voluntary act as such _____ and as his/her free and
voluntary act of said corporation for the uses and purposes therein set forth; and on his/her oath stated that
they were duly authorized to execute said instrument, and that the seal affixed thereto is the seal of said
corporation.

GIVEN under my hand and notarial seal this _____
day of _____ A. D. 20____.

Notary Public

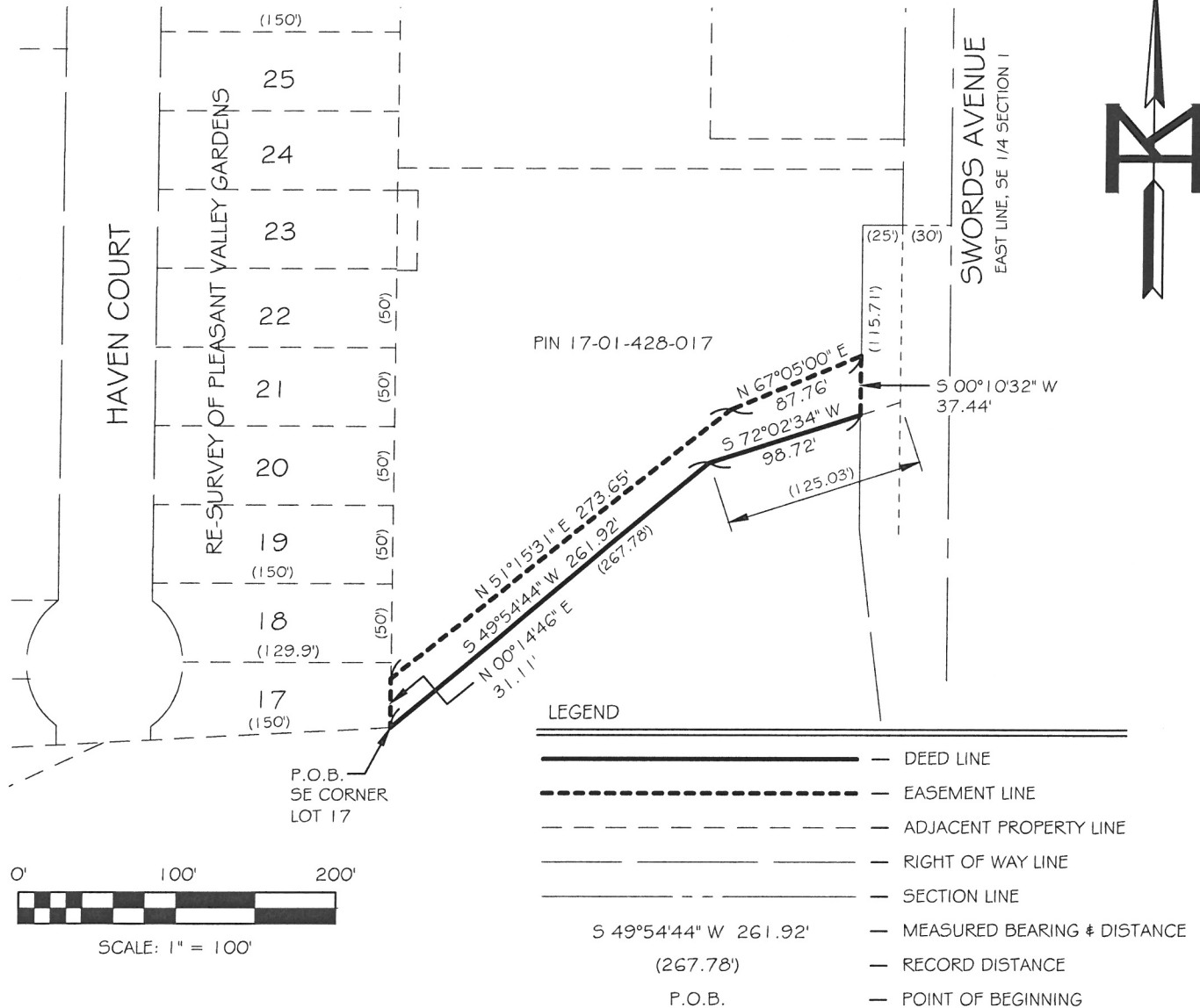
EXHIBIT A – LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 17 IN THE RESURVEY OF PLEASANT VALLEY GARDENS AS SHOWN IN PLAT BOOK "P", PAGE 79 IN THE PEORIA COUNTY RECORDER'S OFFICE, THENCE NORTH 00 DEGREES 14 MINUTES 46 SECONDS EAST, (BEARINGS BASED ON THE ILLINOIS STATE PLANE, WEST ZONE, NAD 83 2011 ADJUSTMENT), ALONG THE EAST LINE OF SAID LOT 17, A DISTANCE OF 31.11 FEET; THENCE NORTH 51 DEGREES 15 MINUTES 31 SECONDS EAST, A DISTANCE OF 273.65 FEET; THENCE NORTH 67 DEGREES 05 MINUTES 00 SECONDS EAST, A DISTANCE OF 87.76 FEET TO THE WEST RIGHT OF WAY LINE OF SWORDS AVENUE; THENCE SOUTH 00 DEGREES 10 MINUTES 32 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 37.44 FEET; THENCE SOUTH 72 DEGREES 02 MINUTES 34 SECONDS WEST, A DISTANCE OF 98.72 FEET; THENCE SOUTH 49 DEGREES 54 MINUTES 44 SECONDS WEST, A DISTANCE OF 261.92 FEET TO THE POINT OF BEGINNING, SAID EASEMENT CONTAINING 8,465 SQUARE FEET± OR 0.194 ACRES±, SUBJECT TO ANY EASEMENTS, RESERVATIONS, RESTRICTIONS OR RIGHT OF WAY OF RECORD.

EASEMENT PLAT

PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH,
RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS.



EASEMENT DESCRIPTION

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MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.
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Fax: (309) 692-8501
Professional Design Firm #184.005091

GREATER PEORIA SANITARY DISTRICT

SURVEYED WLC
DRAWN JEF
CHECKED CEJ
SCALE 1" = 100'
DATE 10/02/20

SANITARY SEWER
EASEMENT

PROJECT NO.
20-360
SHEET 1 OF 1
DRAWING NO.
EXHIBIT B

CERTIFICATE


I, Stephen Morris, Clerk of THE GREATER PEORIA SANITARY AND SEWAGE DISPOSAL DISTRICT, DO HEREBY CERTIFY that I am such Clerk and as such am keeper of the records and custodian of the corporate seal thereof.

I FURTHER CERTIFY that the attached is a true and correct copy of Ordinance No. 639 entitled "An Ordinance for the Making of the GPSD Sewer Rehabilitation: Erosion Control 1D Improvements, GPSD Project 2683".

I FURTHER CERTIFY that said Ordinance was duly passed by the Board of Trustees of said District at a meeting of said Board of Trustees on the 15th day of December, 2020, and that said Ordinance has been spread upon the records of said District.

IN WITNESS WHEREOF, I have hereunto set my hand as Clerk of said District and attached the Corporate Seal thereof, this 15th day of December, 2020.




Clerk of

THE GREATER PEORIA SANITARY AND
SEWAGE DISPOSAL DISTRICT

Peoria, Illinois, December 15, 2020

The Investment Committee of the Greater Peoria Sanitary and Sewage Disposal District met on Tuesday, December 15, 2020, at the office of the District, 2322 South Darst Street, in the City and County of Peoria, State of Illinois, and within the boundaries of said District at the hour of 9:30 A.M.

Trustee Gates acted as Chairperson of the Committee and called the meeting to order at 9:30 A.M. Pursuant to the Governor of Illinois' Executive Order in Response to COVID-19 (COVID-19 Executive Order No. 5), dated and executed March 16, 2020, Trustee Robert C. Gates, Trustee Matthew R. Bender, Trustee Stephen M. Morris, Trustee Heather L. McCord, Trustee Thomas Broadway, Jr., and Executive Director Brian F. Johnson, met via conference call, as well as Director of Finance Joseph C. Merkle.

Chairperson Gates moved to approve the recommendation and approval of the minutes of the regular meeting held on Tuesday, November 17, 2020. Trustee McCord motioned to approve the minutes and Trustee Bender seconded. Upon roll call vote being taken, Trustees Broadway, Morris, McCord, Bender, and Gates voted "Aye" and there were no "Nays". Chairperson Gates stated that the motion carried.

The Director of Finance presented a report to the Investment Committee. He advised the Board that up to \$2,000,000.00 would be available to invest this month. He recommended the following investments to the Committee, providing for consideration by the Board of Trustees:

<u>Bank</u>	<u>Amount</u>	<u>Type</u>	<u>Term</u>	<u>Yield</u>
Better Banks	\$1,000,000	CDARS	12 Months	0.30%
Morton Community Bank	\$1,000,000	CDARS	12 Months	0.30%

With no further business to consider, on motion duly made, seconded and unanimously carried, the meeting was adjourned at 9:36 A.M.

Prepared and Submitted by:


Secretary