

RESOLUTION NO. 23-05

**A RESOLUTION AMENDING RESOLUTION NO. 12-01
RELATING TO APPOINTMENT OF DISTRICT TRUSTEES**

WHEREAS, the Northern Moraine Wastewater Reclamation District (the "***District***") exists and operates pursuant to the Sanitary District Act of 1917, 70 ILCS 2405/0.1 *et seq.* (the "***1917 Act***"); and

WHEREAS, pursuant to the 1917 Act, the Trustees of the District are to be appointed by the members of the General Assembly whose legislative districts encompass any portion of the District (the "***Appointing Authority***"); and

WHEREAS, in order to assist the Appointing Authority in its selection of Trustees to the District and to help ensure broad representation on the Board of Trustees of the District (the "***District Board***"), the District Board had adopted its Resolution No. 12-01 to provide a procedure for vetting candidates to serve on the District Board; and

WHEREAS, in light of recent expansions in the service area of the District, the District Board has determined that it is desirable and appropriate to amend Resolution 12-01 as hereinafter set forth so that representation on the District Board may include residents of each of the following villages: (a) Island Lake; (b) Lakemoor; and (c) Port Barrington or Holiday Hills (a "***Village***" or collectively the "***Villages***"); and

WHEREAS, consistent with historic practices and the relative distribution of District customers, it is desirable and appropriate that the appointment of District Trustees should be allocated as follows: (a) two residents of Island Lake; (b) two residents of Lakemoor; and (c) one resident of either Port Barrington or Holiday Hills (the "***Board Distribution***");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE NORTHERN MORAIN WASTEWATER RECLAMATION DISTRICT, Lake and McHenry Counties, State of Illinois, as follows:

SECTION 1: Recitals. The foregoing recitals are incorporated into this Resolution as if fully set forth herein.

SECTION 2: Amended Trustee Appointment Protocols. The District shall implement the following policy and procedure in connection with the appointment or reappointment of District Board members and to fill vacancies thereon:

1. No later than ninety (90) days in advance of the second Monday in April before the end of a Trustee's term (the "**Appointment Date**"), the District Clerk shall publish a Public Notice in the largest daily newspaper serving the majority of the District's service area announcing an opening on the District Board. That notice shall specify the Village or Villages from which a trustee vacancy will occur based on the Board Distribution and invite interested persons ("**Candidates**") to submit: (a) a written letter of application, including contact information; (b) a resume including a listing of qualifications; and (c) references and/or letters of recommendation. The Public Notice shall include a deadline for receiving applications such that they are available for review at the regular Board Meeting two (2) months preceding the Appointment Date. If a Candidate resides in unincorporated Lake or McHenry County, and his or her residence has been annexed into the District, such Candidate may apply as if he or she resided in the represented Village (*i.e.*, Island Lake, Lakemoor, or Port Barrington or Holiday Hills), closest to his or her residence.
2. All Candidate applications received shall be forwarded to the District Board in the board packet for the regularly scheduled District Board meeting not less than two months prior to the Appointment Date. The District Clerk shall include a certification whether a Candidate is a resident of the Village from which a trustee is being sought or resides within the District's service area or is a customer of the District. Candidates shall be invited to attend a meeting of the District Board to discuss their interest in serving on the District Board. The District Board shall use this opportunity, at the Board's discretion, to interview and vet the Candidates to confirm their qualifications, the sincerity of their interest in serving, and to determine the Candidates' understanding of the need to serve the best interest of the District even when those interests conflict with the interests of the community within which they reside. This process shall be conducted during the open, public session of the meeting.
3. Following the District Board meeting at which Candidates are interviewed, the District Board shall continue consideration of the Candidates to the next District Board meeting. In the interim, any District Board member may confer with not more than one other District Board member at a time regarding the qualifications and respective merits of the Candidates.
4. At the District Board meeting convened not less than one month before the Appointment Date, the District Board shall consider any recommendation on any particular Candidate or Candidates. Should the Board vote to recommend any one specific Candidate or Candidates, the Board President shall direct the District Manager to forward a letter of recommendation conveying the District Board's recommendation or recommendations, along with the applications of all Candidates received to the members of the Appointing Authority.

5. The final appointment or reappointment is entirely at the discretion of the Appointing Authority. The appointed Trustee, upon qualifications per the 1917 Act, shall be sworn in and seated at the first regularly scheduled board meeting following the appointment, subject to the requirements of the 1917 Act.
6. In the event of a sitting Trustee's term ends prior to an appointment or reappointment being made, that Trustee shall continue to serve until reappointed or replaced by the Appointing Authority.
7. In the event that a mid-term vacancy occurs, the District Clerk shall initiate this process as soon as practicable and the deadlines for submission of applications and process may be shortened to accommodate any legal requirements of the Appointing Authority under the 1917 Act.

SECTION 3: Effective Date. This Resolution shall be in full force and effect following its passage and approval in the manner provided by law.

DATED this 9 day of May, 2023.



NORTHERN MORAINÉ WASTEWATER
RECLAMATION DISTRICT, an
Illinois municipal corporation,

Lucy G. Schubert
President

ATTEST:

Elise Fisher
District Clerk

VOTE:

Ayes: 4

Nays: 0

Abstain: 0

Absent: 0