

CHAPTER 7: BOARD OF LOCAL IMPROVEMENTS

Flagg Creek Water Reclamation District - Board of Local Improvements

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Section

7-1.01	Appointment
7-1.02	General duties
7-1.03	Recitals
7-1.04	Public interest
7-1.05	Interests of the District
7-1.06	Name
7-1.07	Monthly salary
7-1.08	Term of office; bonds
7-1.09	Appointment
7-1.10	Meetings
7-1.11	Budget
7-1.12	Funds
7-1.13	Engineer
7-1.14	Special assessment proceeding

' 7-1.01 APPOINTMENT.

There is hereby established the Board of Local Improvements for the District, which shall consist of the President and all the members of the Board of Trustees.
(Prior Code, ' 7-1.01)

' 7-1.02 GENERAL DUTIES.

The Board of Local Improvements shall have the powers and perform the duties assigned to it by statute or ordinance.
(Prior Code, ' 7-1.02)

' 7-1.03 RECITALS.

The recitals in this Ordinance 721 are hereby incorporated herein as if they were set forth hereafter.
(Ord. 721, passed 2-10-2000)

' 7-1.04 PUBLIC INTEREST.

After a study or a written explanation by the District general counsel of the functions of the members of the Board of Trustees and the members of a Board of Local Improvements with respect to unserved adjacent territory, the corporate authority finds that it is in the best interests of the public-at-large, and in the specific interest of the District and the owners and residents of lands at the northern boundary of the District to establish a Board of Local Improvements and to appoint members thereto.
(Ord. 721, passed 2-10-2000)

' 7-1.05 INTERESTS OF THE DISTRICT.

The corporate authority further finds that it would be in the best interests of the District if the members of the Board of Local Improvements were one and the same persons as the Trustees of the District.
(Ord. 721, passed 2-10-2000)

' 7-1.06 NAME.

The corporate authority hereby determines that a board of local improvements shall be, and is hereby, constituted for the District and that such board shall be known and referred to as the District Board of Local Improvements.
(Ord. 721, passed 2-10-2000)

' 7-1.07 MONTHLY SALARY.

The monthly salary for such Board members shall be as limited by the operative statute, presently 65 ILCS 5/9-2-7, and shall automatically increase if and when such statute shall be amended increasing the compensation. Currently, said act limits the compensation for Board members who hold any other office in the government to \$100 per month. There appears to be no such limit for persons who hold no other office in the District. Should the Board appoint a member who is not a member of the Board of Trustees in the appointing ordinance, the compensation for such Board member shall be fixed by the appointing ordinance.
(Ord. 721, passed 2-10-2000)

' 7-1.08 TERM OF OFFICE; BONDS.

The term of office for such Board members shall be at the pleasure of the Board of Trustees. It is expected that, annually at the District organizational meeting in May of each year, the members will be re-appointed, or new and different members will be appointed to replace one or more of them. No bond shall be required for any Board of Local Improvements member, unless and until such members actually handle funds belonging to the District or to a Special Assessment Fund. The amount of any such bond

Board of Local Improvements

shall be set by the Board of Trustees at the time that such a bond becomes necessary. The cost of any such bond shall be borne by the District from its general fund or Public Benefit Fund in the sole discretion of the Trustees.

(Ord. 721, passed 2-10-2000)

' 7-1.09 APPOINTMENT.

The corporate authority hereby appoints persons to the Board of Local Improvements, each to serve a full term as such member and thereafter until his or her successor is appointed.

(Ord. 721, passed 2-10-2000)

' 7-1.10 MEETINGS.

The Board of Local Improvements shall meet monthly on the same date as the Board of Trustees, after the conclusion of the regular Board meeting and any executive session of the Board of Trustees, and said Board of Local Improvements meeting may, if necessary, be continued to another date or dates; however, the next regular meeting of the Board of Local Improvements shall fall on the date of the regular meeting of the Board of Trustees.

(Ord. 721, passed 2-10-2000)

' 7-1.11 BUDGET.

The Board of Local Improvements shall prepare a budget for its estimated costs for each fiscal year of the Board, which shall be coincidental with the fiscal year of the District (May 1 through April 30). Said budget shall include all estimated costs of operation, including member salaries, staff salaries, engineers estimated fees, inclusive of the cost of the preparation of the plans and specifications for individual assessments, and legal counsel, but no costs of making and levying of any assessment, which shall be paid from assessments levied against the property to be benefitted by such assessment. If a project for which the Engineer has prepared plans and specification proceeds to special assessment proceedings and confirmation, the specific costs thereof, but not the expense of the operation of the Board of Local Improvements, shall be included in the assessment as provided by law.

(Ord. 721, passed 2-10-2000)

' 7-1.12 FUNDS.

At such time thereafter that the Board of Trustees receives such budget and the time for a legal appropriation arises, the Board of Trustees shall appropriate such funds as the Board of Trustees deems appropriate, whether in the amount of the budget of the Board of Local Improvements or greater or lesser, in the sole discretion of the Board of Trustees. The Board of Local Improvements shall not expend any funds which have not been legally appropriated. If, prior to the first appropriation for the Board of Local Improvements, or subsequent thereto, the original appropriation is insufficient, and there is an

Flagg Creek Water Reclamation District - Board of Local Improvements

appropriation in existence for another purpose which exceeds the needs for that purpose (specifically including the Public Benefit Fund) from which the Board of Trustees may legally transfer funds to the Board of Local Improvements Fund, and the Board of Trustees enacts an ordinance authorizing and directing the transfer, the funds so transferred shall be available to the Board of Local Improvements for expenditure pursuant to the terms of said ordinance. Said ordinance may limit the use of such funds in such manner and to such degree as the Board of Trustees determines meets the needs and policies of the Board of Trustees.

(Ord. 721, passed 2-10-2000)

' 7-1.13 ENGINEER.

The Board of Local Improvements shall, after being funded, hire an Engineer to study any project for installation of sewers or other public improvement which benefits adjacent land owners which its members determine is in the best interests of the District and the land to be assessed.

(Ord. 721, passed 2-10-2000)

' 7-1.14 SPECIAL ASSESSMENT PROCEEDING.

(A) If, after review of the facts and circumstances and estimated costs of the improvement, the Board of Local Improvements determines that a special assessment proceeding is required to provide the funding necessary to install the proposed improvement, the Board of Local Improvements shall, pursuant to statute, hold the necessary public hearing and thereafter prepare, with its Counsel=s assistance, a first resolution and, in the event that such resolution is enacted by the Board of Local Improvements, thereafter prepare, with its Counsel=s assistance, an ordinance for the improvement to be delivered to the Board of Trustees with the resolution for its action.

(B) If the Board of Trustees thereafter enacts the ordinance for the improvement, the Board of Local Improvements shall proceed hence with the statutory procedure for the assessment.

(Ord. 721, passed 2-10-2000)