

**ORDINANCE NO. 26**

**AN ORDINANCE ADOPTING THE PREVAILING RATE OF WAGES OF LABORERS, MECHANICS AND OTHER WORKERS EMPLOYED IN PUBLIC WORKS AS ASCERTAINED BY THE ILLINOIS DEPARTMENT OF LABOR**

**WHEREAS**, the State of Illinois has enacted an act regulating wages of laborers, workers and mechanics employed by or on behalf of any and all public bodies engaged in public works; and

**WHEREAS**, the Board of Trustees of the Lakeside Water District desires to adopt the prevailing rate of wages for Jackson and Williamson Counties, Illinois, as ascertained by the Illinois Department of Labor, as the prevailing rate of wages for Lakeside Water District.

**NOW, THEREFORE**, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE MILLSTONE WATER DISTRICT, JACKSON AND WILLIAMSON COUNTIES, ILLINOIS, AS FOLLOWS:

**Section 1.** To the extent and as required by “An Act regulating wages of laborers, mechanics and other workers employed in any public works by state, county, city or any public body or any political subdivision or by any one under contract for public works,” approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the Lakeside Water District is hereby ascertained to be the same as the prevailing rate of wages for construction work in Jackson and Williamson Counties, Illinois, as determined by the Department of Labor of the State of Illinois as of June of the current year, a copy of that determination being attached hereto and incorporated herein by reference.

**Section 2.** As required by the Act, any and all revisions of the prevailing rate of wages by the Illinois Department of Labor shall supersede the Department’s June determination and apply to any and all public works construction undertaken by the

Lakeside Water District. The definition of any terms appearing in this Ordinance which are also included in the Act shall be the same as in the Act.

**Section 3.** Nothing herein shall be construed to apply the general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the Lakeside Water District to the extent required by the Act.

**Section 4.** This determination, or any revisions of such prevailing rate of wages, shall be publicly posted or kept available in the main office of this public body for inspection by any interested party. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

**Section 5.** A copy of this determination shall be promptly mailed to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

**Section 6.** A certified copy of this Ordinance shall be promptly filed in the office of the Secretary of State Index Division and the Illinois Department of Labor.

**Section 7.** This Ordinance shall be published in the Southern Illinoisan, a newspaper of general circulation in the District and such publication shall constitute notice that the determination is effective and that this is the determination of the Board of Trustees of the Lakeside Water District.

**Section 8.** All ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

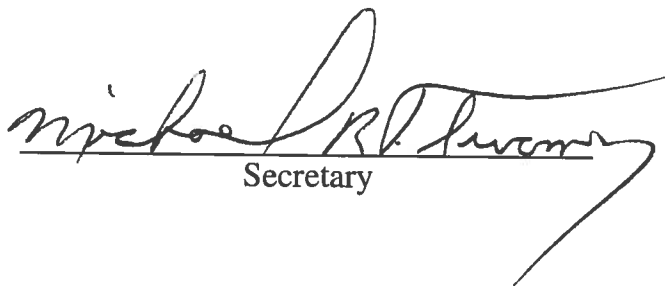
**Section 9.** The repeal of any ordinance by this Ordinance shall not affect any rights accrued or liability incurred under said repealed ordinance to the effective date hereof. The provisions of this Ordinance, insofar as they are the same or substantially the

same as those of any prior ordinance, shall be construed as a continuation of said prior ordinance.

**Section 10.** It is the intention of the Board of Trustees of the Lakeside Water District that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Passed, approved and adopted by the Board of Trustees of the Lakeside Water District, Jackson and Williamson Counties, Illinois, this 10<sup>th</sup> day of September, 1996.

  
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Chairman

  
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Secretary

**MINUTES OF THE REGULAR MEETING OF  
LAKESIDE WATER DISTRICT  
SEPTEMBER 10, 1996**

The regular meeting of the Lakeside Water District was held on September 10, 1996 at 7:30 p.m. at the office of R.A. Nack and Associates, Inc., in Carbondale, Illinois.

Present were trustees Fly, Hudson, James, Usher, Wilson, McMeen and Dillinger. Also present were R.A. Nack, Mickey Edwards, Artie Wells and Michael R. Twomey.

Minutes of the regular meeting of July 9, 1996 and the minutes of the special meeting of July 25, 1996 were approved as presented.

Mr. Nack reported to the board on the following matters:

1. The Cypress Gardens extension will be finished within the next week. Motion made by Trustee McMeen and seconded by Trustee Hudson to approve payment to the contractor, less 10%, to be paid upon completion and inspection by engineer. On hand vote, motion passed with all trustees voting aye.

2. The Environmental Protection Agency has issued its permit as it relates to the Hawthorne extension. The engineer is still waiting for final payments to be made to all contractors and obtain lien waivers. Upon notification that all payments have been paid, Michael R. Twomey is to obtain an agreement of conveyance and easement from Mr. Hawthorne.

3. Request for service to the Tomas property in the Gardens area has been made. Determination as to expenses to be made to see if extension can be completed for under \$5,000.00.

4. Requests for two taps in the Mac-Weld, Inc. area have been requested. Determination as to expense is to be made for this extension also.

Mr. Nack will contact Danny Williams to incorporate these into the current contract assuming the same can be done for less than \$5,000.00 each which is the limit of work that can be performed without bidding.

Motion made by Trustee Wilson and seconded by Trustee Fly that the Tomas extension on Burbank Road be considered and examined for cost and that the EPA permit for both extensions be obtained. On roll call vote, motion passed with all trustees voting aye.

5. There exists three or four users on the Marion Road area north of Carbondale that have not been annexed. Trustee Dillinger is to obtain signatures on an annexation petition and the district will proceed to annex this area.

6. There is a new meter reading system available that is computerized and less labor intensive. The cost of the system is \$80.00 as opposed to the current expense of \$45.00. The board will consider further action.

7. Mr. Nack presented to the board for consideration supplying water and sewer to the Charlie Brown development on the north side of Route 13 immediately west of the existing go-cart business. Mr. Nack is to prepare a report for the board with information concerning the project. Michael Twomey is to examine statutes to determine the possibility of additional surcharge to water bills for payment of issuance of revenue bonds and determine whether or not the district can charge a higher tap fee in the development area to help defray costs.

A bill from Egyptian Electric Cooperative Association in the amount of \$1,453.51 was presented to the board for payment resulting from Lynn Bush damaging a buried electrical line when working on the McKinney extension. Motion to pay the bill made by Trustee Fly and seconded by Trustee Dillinger. On voice vote, motion passed with all trustees voting aye.

After discussion, the board directed Michael R. Twomey to contact Teri Montgomery, Blairsville Water District, the Village of Cambria and Bryan Reeves concerning the pending matters with each.

Ordinance No. 26 was presented to the board for consideration concerning the adoption of the prevailing wage rate. Motion made by Trustee Wilson and seconded by Trustee Hudson that Ordinance No. 26 be adopted. On hand vote, motion passed with all trustees voting aye.

Statements from R.A. Nack in the amount of \$525.00 and Barrett, Twomey, Morris, Broom & Hughes in the total amount of \$700.00 concerning the Cypress Garden extension and LaVerne Road extension were presented to the board for payment. Motion made by Trustee Fly and seconded by Trustee Wilson to pay these bills. Motion passed on hand vote, with all trustees voting aye.

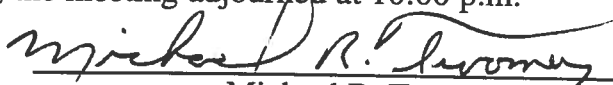
Trustee Dillinger presented copies of job descriptions that she obtained from the South Highway Water District to the board for consideration and discussion. All trustees are to consider this matter and come to the November meeting ready to discuss job descriptions.

The new operator for the district is on the job and will take all water samples, issue all boil water orders and basically perform all services of this nature.

The treasurer's report was presented by Bud Walker for the months of July and August, 1996. The report was approved as presented.

Board discussion concerning personnel matters was held. Motion made by Trustee McMeen and seconded by Trustee Dillinger that Artie Wells' rate of pay be raised to \$12.00 per hour. On hand vote, motion passed with all trustees voting aye.

There being no further business, the meeting adjourned at 10:00 p.m.

  
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Michael R. Twomey

**CERTIFICATION**

STATE OF ILLINOIS        )  
                                  )  
COUNTY OF JACKSON    )        SS.

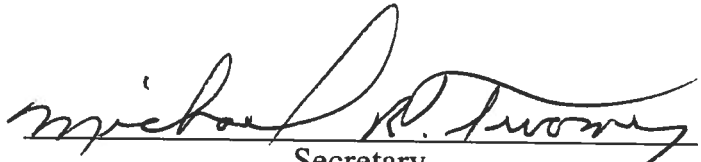
I, **Michael R. Twomey**, do hereby certify that I am the duly qualified and acting secretary of the Board of Trustees of Lakeside Water District, Jackson County, Illinois, and as such am the keeper of the records of said water district.

I further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the legally convened meeting of said Board of Trustees of said water district, held on the 10<sup>th</sup> day of September, 1996, insofar as the same relates to the adoption of an ordinance providing for the adoption of the prevailing rate of wages of laborers, mechanics and other workers employed in public works as ascertained by the Illinois Department of Labor, said ordinance being entitled:

AN ORDINANCE adopting the prevailing rate of wages of laborers, mechanics and other workers employed in public works as ascertained by the Illinois Department of Labor,

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

**IN WITNESS WHEREOF**, I hereunto affix my official signature at Carbondale, Illinois, this 10<sup>th</sup> day of September, 1996.

  
Secretary