

STATE OF ILLINOIS, } ss.  
COUNTY OF WINNEBAGO }

*I, MARGIE M. MULLINS, County Clerk in and for said County, in the State aforesaid, do hereby certify that I have compared the foregoing attached copy of:*

**RESOLUTION AUTHORIZING MODIFICATION NO. 1 TO THE AGREEMENT BETWEEN THE COUNTY OF WINNEBAGO AND THE VILLAGE OF WINNEBAGO TO OPERATE AND MANAGE THE COUNTY'S WATER SYSTEM LOCATED NEAR BAXTER ROAD AND I-90 (SECTION 11-00459-02-MG)**

*with the original document which is on file in my office; and found it to be a true, perfect and complete copy of the original document*

*IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County, at my office in the City of Rockford, in said County,*

*this 14<sup>TH</sup> DAY OF JULY, 2017.*

*MARGIE M. MULLINS, Winnebago County Clerk*

*BY: Jan Foddy Deputy County Clerk*



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**RESOLUTION OF THE  
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS**

**2017 CR 092**

**SUBMITTED BY: PUBLIC WORKS COMMITTEE  
SPONSORED BY: DAVE KELLEY**

**RESOLUTION AUTHORIZING MODIFICATION No. 1 TO THE  
AGREEMENT BETWEEN THE COUNTY OF WINNEBAGO AND THE  
VILLAGE OF WINNEBAGO TO OPERATE AND MANAGE THE  
COUNTY'S WATER SYSTEM LOCATED NEAR BAXTER ROAD AND I-90  
(SECTION 11-00459-02-MG)**

**WHEREAS** the Winnebago County Board acquired a water system from Rock 39, LLC on September 21, 2012 located on the North side of Baxter Road approximately a half mile East of I-39 consisting of one deep well, water main, and a building containing a chlorination system; and

**WHEREAS** the County entered into an Intergovernmental Agreement under Resolution 13-059, dated September 5, 2013 with the Village of Winnebago, Illinois for the operation and management of the County's water system; and

**WHEREAS** as per Article III, Section A, items 4 and 5 of said agreement if the water system comes under the Illinois Department of Public Health (IDPH) rule as a Transient or Non-Transient water system, then the parties will negotiate the added work to be performed by the Village; and

**WHEREAS** according to the IDPH rule the County's water system is now considered a Non-Transient, Non-Community water system requiring addition work on the Village's part to maintain and manage the system; and

**WHEREAS** the County has also completed the construction of the second well at the water system site which increases the sampling requirements as set out by IDPH: and

**WHEREAS** the County is currently paying the Village a base monthly fee of \$4,512.00 plus any annual adjustment in fees as per Article III, Section B, item 4 of said agreement; and

**WHEREAS** the Village of Winnebago is requesting an increase in the base monthly fee to \$5,833.34 to cover the increase in work associated with the IDPH designation as a Non-Transient, Non Community water system and for the necessary additional testing associated with the second well; and

**WHEREAS** it would be in the public interest to enter into the attached modification to the Intergovernmental Cooperation Agreement with the Village of Winnebago, Illinois in the amount not to exceed \$80,000 per year; and

**NOW THEREFORE BE IT RESOLVED** by the County Board of the County of Winnebago, Illinois that the County Board Chairman is authorized to execute on behalf of the County of Winnebago the attached modification to the Intergovernmental Cooperation Agreement with the Village of Winnebago, Illinois in substantially the form as attached hereto.

**BE IT FURTHER RESOLVED** that the Intergovernmental Cooperation Agreement entered into shall not become effective and binding unless and until both parties have executed it.

**BE IT FURTHER RESOLVED** that this Resolution shall be in full force and effect immediately upon its adoption.

**BE IT FURTHER RESOLVED** that the Clerk of the County Board is hereby directed to prepare and transmit a certified copy of this Resolution to the County Engineer, Treasurer and Auditor.

**Respectfully submitted,  
PUBLIC WORKS COMMITTEE**

AGREE

DISAGREE

  
\_\_\_\_\_  
Dave Kelley, Chairman

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Dave Kelley, Chairman

\_\_\_\_\_  
Burt Gerl

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Burt Gerl

  
\_\_\_\_\_  
Dave Boomer

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Dave Boomer

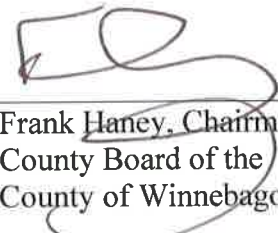
  
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Dave Tassoni

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Dave Tassoni

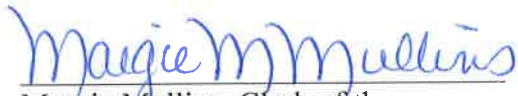
  
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Jim Webster

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Jim Webster

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois  
this 13th day of July, 2017.

  
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Frank Haney, Chairman of the  
County Board of the  
County of Winnebago, Illinois

ATTEST:

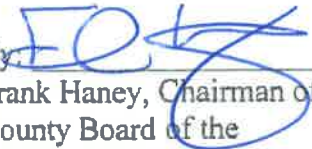
  
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Margie Mullins, Clerk of the  
County Board of the  
County of Winnebago, Illinois

**MODIFICATION #1 TO THE AGREEMENT DATED SEPTEMBER 5, 2013  
RESOLUTION 13-059  
BETWEEN THE COUNTY OF WINNEBAGO AND THE  
VILLAGE OF WINNEBAGO, ILLINOIS FOR THE OPERATION OF THE  
COUNTY'S WATER PLANT AND TREATMENT SYSTEM**

The following terms and conditions modify the Agreement dated September 5, 2013, Resolution 13-059, between the County of Winnebago ("COUNTY") and the Village of Winnebago ("VILLAGE") for the operation of the COUNTY's water plant and treatment system located in the Rock 39 Industrial Park (hereinafter referred to as the "AGREEMENT"). The COUNTY and VILLAGE agree as set forth below:

1. Paragraph III., A., 2., shall be replaced with "That it will take over the day-to-day operation and management of the water system as described in Article I(B) at the rate of \$5,833.34 per month"; and
2. This modification to the AGREEMENT shall commence on the date of execution by all parties hereto; and
3. All other provisions and clauses included in the original Agreement remain in full force and effect.

THE COUNTY OF WINNEBAGO


By:   
Frank Haney, Chairman of the  
County Board of the  
County of Winnebago, Illinois

Date: 7-14-17

ATTEST:

  
Margie Mullins, Clerk of the  
County Board of the County of  
Winnebago, Illinois

VILLAGE OF WINNEBAGO

By:   
Franklin J. Eubank Jr.  
Village President  
Village of Winnebago, Illinois

Date: June 28, 2017

ATTEST:

