

February 9, 2010

MINUTES

The monthly meeting of the Downers Grove Sanitary District Board of Trustees was held on Tuesday, February 9, 2010, convening at 7:30 p.m. The meeting was held at the District's Administration Center, 2710 Curtiss Street, Downers Grove. Present were President Donald E. Eckmann, Trustee Wallace D. Van Buren, General Manager Nicholas J. Menninga, Administrative Services Director W. Clay Campbell, Sewer Construction Supervisor Theodore T. Cherwak, and Attorney Michael C. Wiedel. Trustee Edward C. Richard was not physically present but did attend the meeting by audio conference.

Minutes of Regular Meeting – January 12, 2010

A motion by Trustee Van Buren seconded by Trustee Richard was made approving the minutes of the regular meeting held on January 12, 2010, as presented. The motion carried.

Minutes of Executive Session – January 12, 2010

A motion by Trustee Van Buren seconded by Trustee Richard was made approving the minutes of the executive session held on January 12, 2010 as presented. The motion carried.

Claim Ordinance No. 1766

A motion by Trustee Richard seconded by Trustee Van Buren was made adopting Claim Ordinance No. 1766 in the total amount of \$832,195.28 as presented and authorizing the President and Clerk to sign same. The motion carried. (Votes recorded: Ayes–Eckmann, Van Buren and Richard.)

Public Comment - None

ARRA Construction Contract Modifications – Davis Bacon Labor Requirements

General Manager Menninga presented to the Board proposed change orders for each of the District's ARRA-eligible projects to include Davis-Bacon Labor Rules language. All of the contracts originally included Illinois Prevailing Wage Act requirements, whereas the Davis-Bacon Act language specifies prevailing wage requirements on a federal level. This language is required by the Illinois Environmental Protection Agency (IEPA) to be part of each project's construction contract prior to any disbursements being made from the IEPA to the District. General Manager Menninga had already signed the change orders in anticipation of obtaining signatures from each of the contractors involved with the District's ARRA-eligible projects. The Board came to a consensus that General Manager Menninga's actions were appropriate and endorsed by the Board.

Insurance Renewals

Administrative Services Director Campbell reviewed the proposal for renewal of the District's property and liability coverages effective April 14. The proposal included Property, General Liability, Automobile, Public Officials Liability, Workers Compensation, Excess Liability and Employee Dishonesty. Total annual premiums are \$151,462, an increase of 2.9 percent over last year's premiums with a change from Hartford Insurance to Chubb Insurance Co. for the District's property coverage. A motion by Trustee Richard seconded by Trustee Van Buren was made authorizing the General Manager to renew the District's insurance coverages as presented in the February 5, 2010 memo from Administrative Services Director Campbell. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren and Richard.)

Review of Executive Session Minutes

The Board reviewed the minutes of executive sessions held on September 12, 2006. These are the executive session minutes not previously made available for public inspection or not previously reviewed. A motion by Trustee Van Buren seconded by Trustee Richard was made determining that the need for confidentiality still exists as to the executive session minutes of September 12, 2006. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren and Richard.) The Board also reviewed the written minutes of the meetings of April 8, 2008 to determine if the verbatim record could be destroyed as provided by state statutes. A motion by Trustee Van Buren seconded by Trustee Richard was made authorizing the destruction of the verbatim record of the executive sessions held on April 8, 2008 in accordance with state statutes. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren and Richard.)

Intergovernmental Agreement - Westmont Cass Alley Sewer

General Manager Menninga presented a draft intergovernmental agreement to the Board intended to address the Village of Westmont's request to have additional roadway improvements constructed in conjunction with upcoming sanitary sewer alley work by the District. A motion by Trustee Richard seconded by Trustee Van Buren was made approving the draft intergovernmental agreement contingent upon the District's receipt of a cost estimate from the contractor to construct the additional roadway improvements, requested by the Village of Westmont, with a cost not to exceed \$19,000 and authorizing the General Manager and Assistant Clerk to execute the agreement once that contingency had been met. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren and Richard.)

Intergovernmental Agreement – METRA Belmont Crossing

General Manager Menninga presented a draft intergovernmental agreement to the Board regarding the replacement of a sanitary sewer main in Belmont Road constructed in conjunction with the Belmont Road Underpass project by METRA. The proposed replacement sewer will be installed at a greater depth than the existing sewer to provide the proper elevations to serve an unsewered area located west of Belmont Road on Puffer Road. A motion by Trustee Richard seconded by Trustee Van Buren was made approving the draft intergovernmental agreement with the removal of the word "entire" from Paragraph 8 and authorizing the General Manager and

Assistant Clerk to execute the revised agreement. The motion carried. (Votes recorded: Ayes–Eckmann, Van Buren and Richard.)

Review of Five Year Financial Plan for Fiscal Years 2010-11 to 2014-15

General Manager Menninga presented the following budget documents: Five-Year Financial Plan, Notice of Availability of Appropriation Ordinance/Budget for public review, revised budget calendar and proposed Appropriation Ordinance for Fiscal Year 2010-2011. He reviewed the Five-Year Financial Plan including the General Corporate, Construction, Improvement and Public Benefit funds. He indicated that the monthly service fee was proposed to increase during Fiscal Year 2010-2011. The Notice of Availability of the Appropriation Ordinance/Budget will be published in the local paper on February 10. Final approval of the Five Year Financial Plan and the Appropriation Ordinance is scheduled for the March 16 regular meeting. A motion by Trustee Van Buren seconded by Trustee Richard was made authorizing publication of the Notice of Availability. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren, and Richard.)

Upon a motion by Trustee Richard seconded by Trustee Van Buren the regular meeting adjourned at 9:43 p.m. The motion carried.

Approved: March 23, 2010.

 /s/ Donald S. Eckmann /s/
President

Attest: /s/ Edward C. Richard /s/
Clerk