

April 14, 2009

## MINUTES

The monthly meeting of the Downers Grove Sanitary District Board of Trustees was held on Tuesday, April 14, 2009, 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, Trustee Edward C. Richard, General Manager Nicholas J. Menninga, Administrative Services Director Sheila K. Henschel, Sewer Construction Supervisor Theodore T. Cherwak, Laboratory Supervisor Mary C. Dressel, Assistant Administrative Services Director Clay Campbell, Board of Local Improvements member Robert T. Jungwirth and Attorney Michael C. Wiedel. Also present was Derek Wold of Baxter & Woodman, Inc., engineers for the District.

### Minutes of Regular Meeting – March 17, 2009

A motion by Trustee Van Buren seconded by Trustee Richard was made approving the minutes of the regular meeting held on March 17, 2009 as presented. The motion carried.

### Claim Ordinance No. 1756

A motion by Trustee Richard seconded by Trustee Van Buren was made adopting Claim Ordinance No. 1756 in the total amount of \$819,376.13 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

### Engineering Agreement for ARRA Projects

General Manager Menninga presented an Engineering Services Agreement with Baxter & Woodman, Inc. to conduct design and construction services for projects being submitted by the District under the American Recovery & Reinvestment Act of 2009 (ARRA). The Agreement was reviewed and various modifications were recommended by Trustee Eckmann. A motion by Trustee Van Buren seconded by Richard was made approving the Engineering Services Agreement with Baxter & Woodman, Inc. subject to the modifications as recommended by Trustee Eckmann and authorizing the President and Clerk to sign same. The motion carried. (Votes recorded: Ayes–Eckmann, Van Buren and Richard.)

### Resolution No. 2009-04 – FTC Identify Theft Prevention

Assistant Administrative Services Director Campbell presented Resolution No. 2009-04 and an Identity Theft Prevention Program. This Resolution and Program are required by recent federal rules and guidelines issued under the Fair and Accurate Credit Transactions Act of 2003 (FACT Act) which require financial institutions and other creditors to implement identity theft prevention programs in an effort to improve the detection, prevention and mitigation of identity

theft for their customers and to identify specific “red flags” applicable to each entity. The District is deemed a “creditor” under the rules. A motion by Trustee Richard seconded by Trustee Van Buren was made approving the Identity Theft Prevention Program and adopting Resolution No. R2009-04 and authorizing the President and Clerk to sign the Resolution. The motion carried.

Operations Report – Industrial Pretreatment and Surcharges

Laboratory Supervisor Dressel reviewed the District’s Industrial Pretreatment and Surcharge Programs including a history of the programs and current requirements.

Executive Session – Personnel

A motion by Trustee Van Buren seconded by Trustee Richard was made to recess the regular meeting and convene an executive session at 9:10 p.m. under exception 2(c)1 of the Open Meetings Act to discuss the compensation and performance of a specific employee of the District. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren, and Richard.)

Upon a motion by Trustee Van Buren seconded by Trustee Richard, the regular meeting was reconvened at 9:34 p.m. The motion carried.

Upon a motion by Trustee Richard seconded by Trustee Van Buren the regular meeting adjourned at 9:34 p.m. The motion carried.

Approved: May 12, 2009.

          /s/ Donald S. Eckmann /s/            
President

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