

MINUTES

The monthly meeting of the Downers Grove Sanitary District Board of Trustees was held on Tuesday, March 13, 2012, convening at 7:10 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 W. Clay Campbell, Sewer Construction Supervisor Theodore T. Cherwak, Board of Local Improvements Members Kenneth J. Rathje and Robert T. Jungwirth and Attorney Michael C. Wiedel.

Minutes of Regular Meeting – February 7, 2012

A motion by Trustee Van Buren seconded by Trustee Richard was made approving the minutes of the regular meeting held on February 7, 2012, as presented. The motion carried.

Claim Ordinance No. 1791

A motion by Trustee Richard seconded by Trustee Van Buren was made adopting Claim Ordinance No. 1791 in the total amount of \$532,073.15 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

Old Business:

Operations Report – IMRF

General Manager Menninga provided additional information regarding the Illinois Municipal Retirement Fund including projections of employer contribution rates, estimated impacts of investment income on reserves from employer contributions, and residual investment income from annuity reserves and employee contributions, Tier II benefits, and pending state pension reform legislation. The Board directed General Manager Menninga to draft a letter to legislators regarding pension reform.

New Business:

Five Year Financial Plan for Fiscal Years 2012-13 to 2016-17

This plan was reviewed at the February Board meeting and has been available for public review since February 8. A motion by Trustee Van Buren seconded by Trustee Richard was made approving the Five-Year Financial Plan dated February 7, 2012 for Fiscal Years 2012-13 to 2016-17, which includes the budget for Fiscal Year 2012-13. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren, and Richard.)

Appropriation Ordinance for Fiscal Year 2012-13

The Fiscal Year 2012-13 Appropriation Ordinance has been available for public review since February 8. The Ordinance establishes the spending limits for the year including operation and maintenance and capital improvements for all areas of District operations. A motion by Trustee Richard seconded by Trustee Van Buren was made adopting the Fiscal Year 2012-13 Appropriation Ordinance and authorizing the President and Clerk to sign same. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren, and Richard.)

Ordinance No. ORD 12-01 - Amending Fees and Charges

General Manager Menninga presented Ordinance No. ORD 12-01. This ordinance increases various District fees and charges to the following amounts:

- a) Permit inspection fees - \$166 per building sanitary service for single family class and \$275 per building sanitary service or \$159 per building sanitary service for all other classes if no work on building sanitary service is required.
- b) Tap-in fee - \$747 per population equivalent (P.E.).
- c) Trunk sewer service charges - \$346 per P.E.
- d) Lateral sewer charge - \$9,644 per building drain to near side property and \$6,990 per building drain to far side property.
- e) Sewer construction inspection fee - \$52.00 per hour straight time and \$78.00 per hour overtime.
- f) Monthly service fee - \$9.50 per month.
- g) Sampling and monitoring charge – This charge will vary from \$4.29 per month to \$95.23 per month depending on the type of user.

A motion by Trustee Van Buren seconded by Trustee Richard was made adopting Ordinance No. ORD 12-01 and authorizing the President and Clerk to sign same. The motion carried. (Votes recorded: Ayes–Eckmann, Van Buren, and Richard.)

Contract Award – Building Service Repairs

General Manager Menninga reviewed the bid opening on March 6 for a term unit-price contract for building service repairs under the District Building Sanitary Service Repair Assistance Program, as well as other emergency sewer and manhole repair tasks. The contract is structured to allow annual renewals for up to five years, with annual price increases tied to the Consumer Price Index. Five bids were received. He recommended award to the lowest responsible bidder, Uno Construction Company, for an annual estimated cost of \$877,920 for the first year. A motion by Trustee Van Buren seconded by Trustee Richard was made awarding the contract for the Building Sanitary Service Repairs project to the lowest responsible bidder, Uno Construction Company, in the estimated first year amount of \$877,920, and authorizing the General Manager and Assistant Clerk to execute the contract documents. The motion carried. (Votes recorded: Ayes–Eckmann, Van Buren and Richard.)

Electricity Procurement

General Manager Menninga presented the results of an electricity auction held by World Energy, an electricity broker, on March 13, 2012. The results of the auction were utilized for selecting the District's electricity supplier starting in November 2012 when the existing contract ends. Several bidders participated in the auction and three options were offered. He recommended the District enter into an agreement for a one-year fixed price contract with Reliant Energy Northeast LLC for the supply of electricity in accordance with their bid. A motion by Trustee Richard seconded by Trustee Van Buren was made authorizing the General Manager to enter into an agreement with Reliant Energy Northeast LLC for the supply of electricity to the District's lift stations, Wastewater Treatment Center, and Administration Center for the period from November, 2012 to November 2013, subject to obtaining a refreshed price on March 14, 2012 that remains competitive, consistent with Reliant's bid price of 3.969 cents per kwh. The motion carried. (Votes recorded: Ayes–Eckmann, Van Buren and Richard.)

Unsewered Area Plan Update

Sewer Construction Supervisor Theodore T. Cherwak presented an update to the District's Unsewered Area Plan completed by Baxter and Woodman and District staff. Cost estimates in the plan were updated to reflect increases in the construction cost index and the current construction bidding environment. The plan update

reflects only cost changes as there have been no new sewer main extensions constructed since the last update in 2010. A motion by Trustee Van Buren seconded by Trustee Richard was made approving the Annual Unsewered Area Plan Update as presented. The motion carried.

Rules for Public Comment

Administrative Services Director Campbell presented proposed Rules for Public Comment. These rules would apply for both Board of Trustees and Board of Local Improvements meetings. As indicated in his memo of February 3, the Open Meetings Act was revised to require all public bodies to provide the public with an opportunity to comment during meetings “under the rules established and recorded” by the public body. A motion by Trustee Richard seconded by Trustee Van Buren was made approving the Rules for Public Comment during Board Meetings as proposed by staff. The motion carried.

Waiver of Trunk Sewer Service Charges

General Manager Menninga reviewed a request by DuPage County Public Works Department to transfer sanitary sewer service from the County to the District for three properties currently served by the County which are located at 1555, 1565 and 1579 W. 75th Street. Construction by the County along 75th Street exposed a private forcemain, within the public right-of-way, serving these properties. Rather than maintaining the common forcemain under new pavement, the County is exploring the option of connecting the services to the District’s sewer main. Two of the properties are commercial and one is government-owned. The government-owned property is the Woodridge Park District’s Village Greens Golf Course. District ordinances would require a trunk sewer service charge for the golf course property that would be disproportionate with sewer usage as a result of the acreage of the golf course. District past practice has provided for waiving trunk sewer service charges and annexation fees for park district properties where acreage is disproportionate with sewer usage. He requested approval to waive the annexation application fee and the trunk sewer service charge based on acreage for the golf course property if the property should be annexed into the District, and instead assess the trunk sewer service charge commensurate with sewer usage. A motion by Trustee Van Buren seconded by Trustee Richard was made authorizing the General Manager to waive the annexation application fee and the trunk sewer service charge based on acreage for the Woodridge Park District’s Village Greens Golf Course property on 75th Street when annexed, and instead assess the trunk sewer service charge commensurate with sewer usage. The motion carried. (Votes recorded: Ayes–Eckmann, Van Buren and Richard.)

Annexation Ordinance No. AO 2012-01 – 215 W. 59th Street, Westmont

Sewer Construction Supervisor Cherwak presented Annexation Ordinance No. AO 2012-01 for the annexation of one lot located at 215 W. 59th Street, Westmont. This parcel will be subdivided into two single family lots. A motion by Trustee Richard seconded by Trustee Van Buren was made accepting the Petition for Annexation, adopting Annexation Ordinance No. AO 2012-01 as presented and authorizing the President and Clerk to sign same. The motion carried.

Annexation Ordinance No. AO 2012-02 – 6600 Fairview Avenue, Downers Grove

Sewer Construction Supervisor Cherwak presented Annexation Ordinance No. AO 2012-02 for the annexation of five parcels located in the 6600 block of Fairview Avenue, Downers Grove. These parcels will be consolidated to form a 13 lot subdivision. A motion by Trustee Van Buren seconded by Trustee Richard was made accepting the Petition for Annexation, adopting Annexation Ordinance No. AO 2012-02 as presented and authorizing the President and Clerk to sign same. The motion carried.

Investment in Certificate of Deposit – OneWest Bank

Administrative Services Director Campbell presented a seven-month Certificate of Deposit with OneWest Bank in the amount of \$250,000 with an annual interest rate of 0.42 percent that staff had renewed on February 27, 2012. This certificate of deposit is secured by the FDIC. A motion by Trustee Van Buren seconded by Trustee Richard was made ratifying the actions of staff on behalf of the District which renewed a certificate of deposit on February 27, 2012 in the amount of \$250,000 with OneWest Bank at an interest rate of 0.42 percent and a term of seven months. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren and Richard.)

Investment in Certificate of Deposit – Ascencia, a division of PBI Bank

Administrative Services Director Campbell presented three six-month certificates of deposit with Ascencia, a division of PBI Bank, purchased by staff on March 6, 2012. Each of the certificates is for a term of six months with annual interest rates of 0.75 percent. Two of the certificates are in the amount of \$97,000 each and one certificate is in the amount of \$56,000, for a total invested amount of \$250,000. The purchase of three certificates was necessary due to the bank's policy of a maximum amount for a single certificate not to exceed \$97,000. These certificates of deposit are secured by the FDIC. A motion by Trustee Richard seconded by Trustee Van Buren was made ratifying the actions of staff on behalf of the District to open two six-month certificates of deposit in the amount of \$97,000 each and one certificate of deposit in the amount of \$56,000, with Ascencia, a division of PBI Bank, accruing annual interest rates of 0.75 percent. The motion carried. (Votes recorded: Ayes-Eckmann, Van Buren and Richard.)

A motion by Trustee Richard seconded by Trustee Van Buren was made to recess the regular meeting and convene an executive session at 9:18 p.m. under exception 2(c)1 of the Open Meetings Act to discuss the compensation and performance of specific employees 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 9:45 p.m. 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 9:47 p.m. The motion carried.

Approved: April 10, 2012

/s/ Donald S. Eckmann /s/
President

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