

**WHEATON SANITARY DISTRICT
REGULAR SESSION
October 14, 2009**

MINUTES

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Board of Trustees of the Wheaton Sanitary District was called to order by President Pro Tempore Walker at 9:04 a.m., October 14, 2009. Upon roll call, the following were present:

DISTRICT TRUSTEES:

Jeffrey R. Walker
Cleve E. Carney

Quorum Present

DISTRICT STAFF:

Executive Director Stephen Maney
Senior Advisor Robert Clavel
Attorney Roger Ritzman
Plant Superintendent Sue Baert
Administrative Services Manager Diana Soltess

Trustee Carney moved and Trustee Walker seconded that Trustee Hesterman be allowed to attend via teleconference.

ROLL CALL VOTE

Trustee Carney	Aye
Trustee Walker	Aye

MOTION CARRIED

2. AGENDA AMENDMENTS/APPROVAL

Trustee Carney moved and Trustee Walker seconded to approve the agenda as presented.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve E. Carney

MOTION CARRIED

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3. APPROVE MINUTES

Trustee Carney moved that the minutes of the September 8, 2009 Regular Board Meeting and Executive Session be approved and Trustee Walker seconded the motion.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve E. Carney

MOTION CARRIED

4. APPROVE PAYMENT OF BILLS

Trustee Carney moved and Trustee Walker seconded that the following bills be paid and vouchers drawn therefore:

User Charge Fund:

West Suburban Bank	\$	271,831.07
West Suburban Bank	Electronic Payments	\$43,296.44

Capital Improvement Fund:

Wheaton Bank & Trust	\$44,625.75	
Illinois Funds	\$318.59	
Illinois Funds	Wire Transfer	\$0.00

Construction Fund:

Illinois Funds	\$0.00	
Illinois Funds	Wire Transfer	\$0.00

Replacement Fund:

Illinois Funds	\$37,342.10
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	\$397,413.95

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve E. Carney

MOTION CARRIED

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5. PUBLIC COMMENTS

None

6. STAFF REPORTS

Executive Director Maney reported that the District's current NPDES permit expires on March 31, 2010. We are hopeful that the new permit does not include cyanide or zinc.

On the evening of September 17, 2009, the Milton Township Citizen's Emergency Response Team (CERT) simulated several emergency situations on the plant site. The group will be using the District's parking on October 17, 2009 for another event at Atten Park.

We are awaiting a response from the City of Wheaton regarding the Intergovernmental Agreement submitted to them. We are also planning to talk with them about the possibility of doing the District's sewer bills.

Plant Superintendent Baert submitted a written report with no additional comments.

Project Engineer Streicher submitted a written report with no additional comments.

Administrative Services Manager Soltess requested feedback on the concept of e-mailing the agenda and minutes to the Board. The documents can be sent via e-mail with a disclaimer as long as there is no discussion about the items contained in the documents.

The Draft September 2009 Financial Statements were reviewed.

Trustee Carney moved and Trustee Walker seconded acceptance of the written and verbal reports above.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve E. Carney

MOTION CARRIED

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7. REVIEW CUSTOMER COMMENTS

Dr. Gregory Bown had complaints about the District's late fees and penalties pertaining to his property at 325 Knoll Street in Wheaton.

The Streams Subdivision would like District representatives to attend their homeowners' association meeting in November 2009 to discuss the pending construction of the Southside Interceptor and the traffic rerouting during construction.

8. SOUTHSIDE INTERCEPTOR SEWER STATUS

The bid-opening was held October 6, 2009. Five bids were received. The apparent low bidder was Benchmark Construction Co. of Bartlett, Illinois at \$12,348,045.00. A large amount of documentation was submitted to the Illinois Environmental Protection Agency (IEPA). IEPA will need four to six weeks to review the documentation. A Notice of Award to Benchmark Construction will be presented for approval at the next Board Meeting, pending IEPA's approval of the paperwork submitted.

Comcast moved their lines earlier in the month. Commonwealth Edison has just one overhead line remaining to be relocated. The DuPage County DEC Stormwater Permit Group is responding to Strand's second submittal this week. Final paperwork for five of the eight easements are ready for submittal to the DuPage County's Records Office, and the three remaining easements are either resolved or near resolution. The District will be conducting a public meeting on the project in the near future. Weekly updates will be held with the contractor and the homeowners.

9. PRELIMINARY PLANT IMPROVEMENTS STATUS

The bid opening was October 6, 2009. Eight bids were received. The apparent low bidder was Maxim Construction of Volo, Illinois at \$3,409,000. Paperwork with IEPA for this project is at the same stage as the Southside Interceptor Sewer Project.

Commonwealth Edison is working with the District's consulting engineer, AECOM, on electrical design considerations for the plant, particularly as it relates to some of the District's transformers on plant site.

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10. APPROVE DAVE JOHNSON & ASSOCIATES FOR THE DARLING STREET SEWER EXTENSION DESIGN

Trustee Walker moved and Trustee Hesterman seconded to ratify the retention of Dave Johnson & Associates, Ltd. for the engineering design services of the Darling Street Sewer Extension Project for \$7,500.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve E. Carney

MOTION CARRIED

11. APPROVE REMPE SHARPE FOR STORM WATER LIFT STATION DESIGN

Trustee Hesterman moved and Trustee Carney seconded the motion that Rempe Sharpe be retained by the District for the Storm Water Lift Station Design Improvements in the Maintenance Building basement for the contract amount of \$16,768.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve E. Carney

MOTION CARRIED

12. DISCUSSION OF TRANSITION PLANNING

The District has a number of employees with a high level of tenure. Operations Director Bollweg had prepared a handout summarizing the main points of a transition-planning process which included items such as incentives for long-term employees who intend on retiring to inform the District in advance of their retirement, benefits for new hires, and emergency backups for all responsibilities.

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13. HOLIDAY SCHEDULE

Christmas and New Year fall on a Friday this year, so Executive Director Maney informed the Board that he will allow an early dismissal on the eves of those holidays.

At the annual Christmas Luncheon, at Cantigny, on December 10, 2009, the District will honor Robert Vogel and Philip Knight for their 20 years of service.

14. AUTHORIZE EXECUTION OF ELECTRICAL SUPPLY CONTRACT

Trustee Walker moved and Trustee Carney seconded that Director Maney be authorized to execute a contract with Exelon Energy for a three-year energy supply contract when the prices are estimated to be at their lowest between now and December 1, 2009.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve E. Carney

MOTION CARRIED

15. APPROVE WEST SUBURBAN BANK REMOTE DEPOSIT CAPTURE

Trustee Walker moved and Trustee Hesterman seconded that the District approve executing the West Suburban Bank Remote Deposit Capture Agreement.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve E. Carney

MOTION CARRIED

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16. APPROVE CONTRACTS NEEDED FOR ST. MATTHEWS MOORE PROPERTY TRANSACTION

After adjourning the Executive Session, the Regular Session was re-convened. Trustee Carney moved and Trustee Walker seconded a motion to authorize Attorney Ritzman to make some minor adjustments to the Agreement prior to Director Maney presenting the Agreement to the Church. In addition, Director Maney will contact attorney Hank Stillwell, Dave Johnson, and Wendy Flaherty (First Trust Portfolio) so that they may initiate any required due diligence services in the next approximate 40 days on legal, engineering, and financing issues respectively. Director Maney will also seek proposals for services from Hank Stillwell and First Trust Portfolio for legal and financing respectively. The District already has a proposal from Dave Johnson for all expected engineering services.

ROLL CALL VOTE:

Jeffrey R. Walker
Robert A. Hesterman
Cleve Carney

MOTION CARRIED

E-1 EXECUTIVE SESSION

Trustee Carney moved and Trustee Hesterman seconded that the Board convene in Executive Session to discuss legal matters and personnel matters.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve E. Carney

MOTION CARRIED

After reconvening the regular session, Trustee Carney moved and Trustee Walker seconded adjusting the Plant Superintendent's salary as discussed in Executive Session.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve Carney

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MOTION CARRIED

17. ADJOURNMENT

There being no further business to come before the Board, Trustee Walker moved and Trustee Hesterman seconded that the Board Meeting be adjourned at 10:44 am.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve Carney

MOTION CARRIED

CLERK