

**WHEATON SANITARY DISTRICT
REGULAR SESSION
December 9, 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 Hesterman at 9:07 a.m., December 9, 2009. Upon roll call, the following were present:

DISTRICT TRUSTEES:

Cleve Carney
Robert A. Hesterman
Jeffrey R. Walker

Quorum Present

DISTRICT STAFF:

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

2. AGENDA AMENDMENTS/APPROVAL

Trustee Carney moved and Trustee Walker seconded to approve the agenda as presented, with the only modification being the approval of the November 30, 2009, Special Board Meeting Executive Session Minutes under Item 3.

ROLL CALL VOTE:

Cleve Carney
Robert A. Hesterman
Jeffrey R. Walker

MOTION CARRIED

3. APPROVE MINUTES

Trustee Carney moved that the minutes of the November 11, 2009 Regular Board Meeting, November 11, 2009 Executive Session, the November 30, 2009 Special Board Meeting, and the November 30, 2009 Executive Session be approved and Trustee Walker seconded the motion.

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ROLL CALL VOTE:

Cleve Carney
Robert A. Hesterman
Jeffrey R. Walker

MOTION CARRIED

4. APPROVE PAYMENT OF BILLS

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

User Charge Fund:

West Suburban Bank	\$ 277,011.90
West Suburban Bank Electronic Payments	\$10,688.93

Capital Improvement Fund:

Wheaton Bank & Trust	\$0.00
Illinois Funds	\$82,557.99

Construction Fund:

Illinois Funds	\$0.00
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Replacement Fund:

Illinois Funds	\$ 13,700.00
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Investment Fund:

Illinois Funds	\$ 428,292.64
	<hr style="width: 100%; border: 0.5px solid black;"/> \$812,251.46

ROLL CALL VOTE:

Cleve Carney
Robert A. Hesterman
Jeffrey R. Walker

MOTION CARRIED

5. PUBLIC COMMENTS

None

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6. STAFF REPORTS

Executive Director Maney reported that the District's current NPDES permit expires on March 31, 2010. The District is waiting to see the proposed new permit conditions from the Illinois Environmental Protection Agency (IEPA) and is hopeful that the new permit does not include cyanide or zinc limits. There will be a comment period before the permit is finalized.

The District is waiting for a response from the City of Wheaton regarding the Intergovernmental Agreement submitted to them. Attorney Ritzman was asked if he could help speed the response of the City by contacting the City's Attorney directly.

Director Maney summarized the anticipated breakdown of eligible and ineligible costs associated with the American Recovery and Reinvestment Act (ARRA) loans.

The Director of Finance for the City of Wheaton resigned which may impact the transition of billings to the City.

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 submitted a written report, and then she summarized recent public relations actions and planned actions for the next few months regarding the Southside Interceptor Sewer Project.

The Draft November 2009 Financial Statements were reviewed, and it was discussed that it would be helpful to have final versions by the Board Meetings. Executive Director Maney indicated that staff would strive to achieve that goal.

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

ROLL CALL VOTE:

Cleve Carney
Robert A. Hesterman
Jeffrey R. Walker

MOTION CARRIED

7. REVIEW CUSTOMER COMMENTS

None

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8. STATUS OF SOUTHSIDE INTERCEPTOR SEWER PROJECT

IEPA is reviewing the bid package submitted. It is expected that a response will be received before the end of December 2009.

The District requested an accelerated review of the second submittal from DuPage County Department of Environmental Concerns (DEC) so that the work is not delayed.

Commonwealth Edison has just one overhead line remaining to be moved. Two of the remaining easements have no known problems, and we are simply attempting to obtain final signatures. The Church property closing is scheduled for January 21, 2009.

9. STATUS OF PRELIMINARY PLANT IMPROVEMENTS PROJECT

IEPA is reviewing the bid package submitted. It is expected that a response will be received before the end of December 2009.

Commonwealth Edison will provide the District with a modified estimate for design engineering and construction work to modify the power supply and some of the transformers on the plant site.

10. TRANSITION PLANNING

Operations Director Steve Bollweg presented the current analysis of alternatives for early notification of retirements to aid in transition planning. It was suggested that it might be helpful to check with Downers Grove Sanitary District to see what they are doing as it relates to transitional health insurance for retirements between ages 55 and 62.

11. APPROVE TENTATIVE ORDINANCE AMENDING BUDGET AND APPROPRIATION ORDINANCE

Based on the anticipated changes in cash flow requirements, the existing Fiscal Year 2010 Budget needs to be amended. To amend the budget, a public notice needs to be placed and a public hearing needs to be scheduled.

A brief discussion of the changes was presented, and a copy of the tentative Ordinance No. 522 was distributed for review. The main reasons for changes in the budget are the purchase of the Matthew Church property, the unexpected funding of both projects by ARRA monies, and the construction of the Darling Street Sewer Extension.

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There is no change in monthly rates proposed for this amendment. However, with the influx of ARRA monies, the cash flow between the funds is affected, and some additional line items need to be added to the budget. In addition, adjustments to the electrical supply modifications are included.

Trustee Walker moved and Trustee Carney seconded that a public notice be placed and that a public hearing be scheduled for January 13, 2009 at 9:00am regarding budget and appropriation modifications.

ROLL CALL VOTE:

Cleve Carney
Robert A. Hesterman
Jeffrey R. Walker

MOTION CARRIED

12. APPROVE CONTRACT FOR TURBINE BLOWER DESIGN

Executive Director Maney mentioned that a proposal had been received from McDonough Associates for final design services for turbine blowers, and there was a need to discuss some portions of the submittal before the contract was signed. Trustee Walker moved and Trustee Carney seconded the approval of a contract with McDonough and Associates for up to a maximum of \$55,400 for the final design of turbine blowers.

ROLL CALL VOTE:

Cleve Carney
Robert A. Hesterman
Jeffrey R. Walker

MOTION CARRIED

13. APPROVE FIRM TO FINANCE THE PURCHASE OF GABLES PROPERTY

Proposals were received from four firms for financing the purchase the 1425 Gables property. However, the District is awaiting legal opinion as to whether or not the District can use its existing debt certificate for the purchase. If it is determined that the District will need to use a new financing source, the most desirable proposal was submitted by West Suburban Bank.

Trustee Walker moved and Trustee Carney seconded approving entering into a contract

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for financing the purchase of 1425 Gables, Wheaton, Illinois with West Suburban Bank subject to a legal determination as to whether or not the financing is needed.

ROLL CALL VOTE:

Cleve Carney
Robert A. Hesterman
Jeffrey R. Walker

MOTION CARRIED

14. APPROVE FY 2009 AUDIT

The Fiscal Year 2009 Audit was distributed and discussed. In addition, a review was conducted on the Letter to Management with suggestions for consideration in procedural accounting matters.

Trustee Carney moved and Trustee Walker seconded the approval of the Fiscal Year 2009 Audit.

ROLL CALL VOTE:

Cleve Carney
Robert A. Hesterman
Jeffrey R. Walker

MOTION CARRIED

15. APPROVE SECTION 125 PLAN REGARDING AFLAC AND R-5-10 REGARDING IMRF FORM 6.72

The District wants to offer Aflac insurance as an optional benefit to District employees. The cost of the premium would be fully covered by the employees. To offer Aflac, the District needs to structure an IRS Code Section 125 Plan, without a Flexible Spending Option. To avoid affecting the gross wages employees report to Illinois Municipal Retirement Fund (IMRF), the District needs to pass a resolution, comparable to IMRF Form 6.72.

Trustee Walker moved and Trustee Carney seconded the approval of Section 125 Plan, without a Flexible Spending Option, for health, life, and Aflac insurances, to be effective February 1, 2010, and the approval of Resolution R-5-10 which allows gross wages to be reported to IMRF.

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MOTION CARRIED

ADJOURNMENT

There being no further business to come before the Board, Trustee Walker moved and Trustee Carney seconded that the Board Meeting be adjourned at 10:34 am.

ROLL CALL VOTE:

Robert A. Hesterman
Jeffrey R. Walker
Cleve Carney

MOTION CARRIED

CLERK