

April 15, 2009

Minutes of the regular meeting of the Board of Trustees of the North Shore Sanitary District held on Wednesday, April 15, 2009, at 9:30 A.M. at the District Office of the Raymond E. Anderson Complex located in Gurnee, IL.

The meeting was opened with the Pledge of Allegiance.

On roll call, the following Trustees were present:

James E. Swarthout, President
Stephen J. Drew, Vice President
John R. Paxton, Treasurer
Daniel M. Pierce

Trustee Wroten was absent.

Staff members present were General Manager Brian Dorn, Assistant General Manager Dave Miller, Attorney Greg Jackson, Director of Engineering Services Jai Gupta, Director of Laboratory Services Joe Robinson, Director of Operations Gary Sowma, and Director of Technology Services Pete Russo.

There were no comments from the public.

President Swarthout presented the Consent Agenda, as follows:

- A. Approval of the Minutes of the Meeting held on March 25, 2009.
- B. Approval of the Minutes of the Executive Session held on March 25, 2009.
- C. Consideration of Bills.
Wastewater Treatment Fund \$1,426,071.38.
Check Nos. 144770 through 144775, Check Nos. 144827 through 144992,
Check Nos. 145001 through 145036.
- D. Financial Report, February 2009.
- E. Hearing Summary, March 10, 2009.
- F. Water Shut-off Schedule Spring 2009.
- G. 2009 North Suburban Capital Program Hearing with NSSD Testimony.
- H. Correspondence.
 1. 03/27/09 letter from Senator Richard Durbin to President Swarthout regarding American Recovery and Reinvestment Act.
 2. 03/27/09 email from NSSD to Warren Township Supervisor Simpson regarding Key Lime Cove appraisal issue.
 3. 03/27/09 letter from NSSD to Ms. Romero regarding Board action at 03/25/09 Board Meeting.
 4. 03/27/09 letter from NSSD to Mr. Bobby Man regarding Board action at 03/25/09 Board Meeting.
- I. Press Articles.
 1. Lake County News Sun.
 - i. 'Laurel Editorial', Darts & Laurels, 03/13/09.
 - ii. 'Lake Michigan water levels threatened', 03/21/09.
 - iii. 'NSSD hires consultant to run Zion sludge plant', 03/28-29/09.
 - iv. 'Sludge plant', Talk of the County, 04/04-05/09.
 2. The New York Times.
 - i. 'Major League Hopes Pinned on the Minors', 04/05/09.
- J. Thank You Card.
 1. Shining Shamrocks 4-H Club.
- K. Authorize Payroll and Finance Department to issue District checks to meet expenses where necessary for payroll and to avoid interest and/or penalties before the next Board Meeting.

Assistant General Manager requested that in the Consent Agenda under Item C - Consideration of Bills that all items be approved with the exception of check numbers 145012 and 145036.

It was moved by Trustee Paxton and seconded by Trustee Drew that the items under the Consent Agenda be approved with the exception of check numbers 145012 and 145036 under Item C - Consideration of Bills.

On roll call, all Trustees present voted "Aye". Motion declared carried.

General Manager Dorn gave the Management Report as follows:

- A. Presented Consulting Services Agreement.
 - 1. Cagwood Consulting.

It was moved by Trustee Drew and seconded by Trustee Pierce to approve Consulting Services Agreement with Cagwood Consulting.

On roll call, three Trustees present voted "Aye". One Trustee present voted "Nay". Motion declared carried.

- B. Presented Engineering Agreement Amendments.
 - 1. Baxter Woodman Consulting Engineers, Clavey Road STP Service Water System Replacement, Contract Amendment No. 1, Increase of \$3,622.00.

It was moved by Trustee Drew and seconded by Trustee Pierce to approve Engineering Agreement Amendment No. 1, Baxter Woodman Engineers, Clavey Road STP Service Water System Replacement, an Increase of \$3,622.00.

On roll call, all Trustees present voted "Aye". Motion declared carried.

- 2. AECOM, Inc., Melter Air Permit Compliance Support, Contract Amendment No. 9, Increase of \$5,000.00.

It was moved by Trustee Paxton and seconded by Trustee Drew to approve Contract Amendment No. 9 with AECOM, Inc., for Melter Air Permit Compliance Support, an Increase of \$5,000.00.

On roll call, all Trustees present voted "Aye". Motion declared carried.

Assistant General Manager Miller gave the Administration Division report as follows:

- A. Presented Insurance Renewal, West Insurance Agency.
 - 1. Property/Casualty Insurance Renewal.
 - 2. Life, Medical & Dental Renewal.
 - 3. Cobra & IMRF Insurance Continuation Rates.

Assistant General Manager Miller stated that Brad West, Ed Shultis and Jason Koperly were present from West Insurance and would give the Board a brief overview of all the above insurance renewals which were included in the board packet.

Mr. Brad West presented the Property/Casualty renewal.

It was moved by Trustee Paxton and seconded by Trustee Drew to approve the renewal of the Property/Casualty Insurance as recommended by West Insurance.

On roll call, all Trustees present voted "Aye". Motion declared carried.

Mr. Ed Shultis of West Insurance then presented the Life, Medical and Dental renewal along with the COBRA and IMRF continuation quotations.

It was moved by Trustee Paxton and seconded by Trustee Drew to renew the Life, Medical and Dental Insurance along with the COBRA and IMRF Insurance renewals as recommended by West Insurance.

On roll call, all Trustees present voted "Aye". Motion declared carried.

B. Presented Landlord Information.

Assistant General Manager Miller reported that this item was for information purposes only and no action was needed. Trustee Paxton recommended distributing the information to local Board of Realtors and Chamber of Commerce, and suggested that staff also contact former Trustee Mark Hawn to obtain additional landlord contact information. General Manager Dorn stated that this information would also be put on the District's website.

C. Presented Request for New Delinquent Account Payment Agreement.

1. Mary Arden, 1632 Ferry Street, Waukegan.

Trustee Drew stated that we have already given Mrs. Arden two chances and recommends moving forward with the termination process and denying her request.

It was moved by Trustee Drew and seconded by Trustee Paxton to Deny the Request for New Delinquent Account Payment Agreement for Mary Arden, 1632 Ferry Street, Waukegan.

On roll call, all Trustees present voted "Aye". Motion declared carried.

D. Presented the following Bid Summary.

1. Bid No. 1302, Road Light Inspections and Maintenance, Engineered Services Inc., d/b/a/ Powerlink Electric, \$44,331.00.

It was moved by Trustee Drew and seconded by Trustee Paxton to award Bid No. 1302, Road Light Inspections and Maintenance to Engineered Services Inc. d/b/a/ Powerlink Electric in the amount of \$44,331.00, for a three year contract.

On roll call, all Trustees present voted "Aye". Motion declared carried.

E. Presented Bid Amendment.

1. Bid No. 1273, Industrial/Commercial Cleaning and On-Site Inspection Services, Perfect Cleaning, Inc., Increase of \$5,460.00.

It was moved by Trustee Paxton and seconded by Trustee Pierce to award Perfect Cleaning Inc. the additional services to their current three year contract for the remaining contract period of May 1, 2009 through May 31, 2010 for the Sludge Recycling Facility, an Increase of \$5,460.00.

On roll call, all Trustees present voted "Aye". Motion declared carried.

F. Presented ICMA-RC Payroll Deduction Roth IRA Proposal.

It was moved by Trustee Pierce and seconded by Trustee Paxton to approve the ICMA-RC Payroll Deduction Roth IRA Proposal.

On roll call, all Trustees present voted "Aye". Motion declared carried.

G. Presented Consideration of Bills for Sempra Energy Solutions.

Assistant General Manager Miller stated that he recommends discussing this item at a later time in the meeting following Executive Session.

Director of Engineering Services Gupta gave the Engineering Division report as follows:

A. Presented Bid Waiver Request.

1. BW-177, Replacement Nozzle Plates in Dryer at Sludge Recycling Facility, 23,500.00 € (approximately \$32,000.00).

It was moved by Trustee Paxton and seconded by Trustee Drew to approve Bid Waiver, BW-177, Replacement Nozzle Plates in Dryer at Sludge Recycling Facility, 23,500.00 €(approximately \$32,000.00).

On roll call, all Trustees present voted "Aye". Motion declared carried.

B. Presented Bid Summary.

1. FY2010 through FY2012 Sludge Cake Hauling Contract, T&W Edmier Corp. of Elmhurst, IL in the amount of \$1,299,925.50.

It was moved by Trustee Paxton and seconded by Trustee Drew to approve FY2010 through FY2012 Sludge Cake Hauling Contract to T&W Edmier Corp. of Elmhurst, IL in the amount of \$1,299,925.00.

On roll call, all Trustees present voted "Aye". Motion declared carried.

C. Presented the following Construction Change Orders.

1. C.O. No. 7, Providing Services for the Screening , Dispatching and Locating of Utilities in Response to JULIE One-Call Tickets, Adesta, LLC, Increase of \$45,489.06.

It was moved by Trustee Paxton and seconded by Trustee Drew to approve C.O. No. 7, Providing Services for the Screening, Dispatching and Locating of Utilities in Response to JULIE One-Call Tickets, Adesta, LLC, an Increase of \$45,489.06.

On roll call, all Trustees present voted "Aye". Motion declared carried.

2. C.O. No. 2, Clavey Road Pump #6 Addition and 36" Air Line Replacement, Rawson Contractors, Inc., Decrease of \$10,743.12.

It was moved by Trustee Paxton and seconded by Trustee Drew to approve C.O. No. 2, Clavey Road Pump #6 Addition and 36" Air Line Replacement, Rawson Contractors, Inc., a Decrease of \$10,743.12.

On roll call, all Trustees present voted "Aye". Motion declared carried.

D. Presented Emergency Authorization Report.

1. EAR-09-02, Evaluation and Repairs of Boilers in the Administration Building, \$40,720.00.

It was moved by Trustee Drew and seconded by Trustee Pierce to approve Emergency Authorization Report, EAR-09-02, Evaluation and Repair of Boilers in the Administration Building, \$40,720.00.

On roll call, all Trustees present voted "Aye". Motion declared carried.

E. Presented Pre-Annexation Agreement.

1. No. 441, Submitted by William B. and Patricia Nealis, for approximately 1 acre for residential use located on Bradley Road south of State Highway 176 and north of Interstate Highway 94, in unincorporated Lake County.

It was moved by Trustee Paxton and seconded by Trustee Drew to approve Pre-Annexation Agreement No, 441, Submitted by William B. and Patricia Nealis, for approximately 1 acre for residential use located on Bradley Road south of State Highway 176 and north of Interstate Highway 94, in unincorporated Lake County.

On roll call, all Trustees present voted "Aye". Motion declared carried.

Director of Laboratory Services Robinson gave the Laboratory Division report as follows:

- A. Presented Current Status of Significant Industrial Wastewater Violation(s) in the Service Area of the NSSD.

Director of Laboratory Services Robinson reported that there are no changes or updates since the last meeting.

Attorney Greg Jackson gave the Attorney Report as follows:

- A. First Addendum to Agreement Regarding Trumpet Park and Third Amendment to Real Estate Contract.

Attorney Jackson reported that this item would be discussed in Executive Session.

It was moved by Trustee Paxton and seconded by Trustee Drew to move into Executive Session to discuss:

- A. Threatened Litigation.
 - 1. Sempra Energy Solutions.
- B. Real Estate.
 - 1. City of Zion Trumpet Technology Park.

On roll call, all Trustees present voted "Aye". Motion declared carried.

It was moved by Trustee Paxton and seconded by Trustee Drew to end the Executive Session and resume the regular meeting.

On roll call, all Trustees present voted "Aye". Motion declared carried.

It was moved by Trustee Paxton and seconded by Trustee Pierce to approve First Addendum to Agreement Regarding Trumpet Park and Third Amendment to Real Estate Contract.

On roll call, all Trustees present voted "Aye". Motion declared carried.

It was moved by Trustee Drew and seconded by Trustee Paxton to approve Resolution of the Network Transmission Increases Billing Issue as outlined in 4/8/09 document.

On roll call, all Trustees present voted "Aye". Motion declared carried.

It was moved by Trustee Pierce and seconded by Trustee Drew to approve Check Numbers 145012 and 145036 for Sempra Energy Solutions.

On roll call, all Trustees present voted "Aye". Motion declared carried.

There being no further business to come before the Board, on motion duly made, seconded and unanimously passed, the meeting was then and there adjourned until the next regular meeting to be held on Wednesday, May 13, 2009 at 9:30 A.M. at the District Office of the Raymond E. Anderson Complex in Gurnee.

PRESIDENT

SECRETARY