

- Check Nos. 144993 through 145000, Check Nos. 145037 through 145084,
 Check Nos. 145086 through 145091, Check Nos. 145093 through 145269,
 Check Nos. 145277 through 145317.
 Void Check Nos. 145085 and 145092.
- E. Financial Report, March 2009.
 - F. Hearing Summary, April 14, 2009.
 - G. FY09 Uncollectible Accounts Receivable – Industrial.
 - H. 2008 EAV, Tax Rates & Extension Summary.
 - I. Worker’s Compensation Audit for Policy Year 12/15/07-12/15/08.
 - J. Water Shutoff Extension Agreements.
 - 1. 1507 Glen Flora, Waukegan.
 - 2. 4201 Bluebird Avenue, Zion.
 - K. Distribution List for Landlord Information.
 - L. Economic Assistance Referrals.
 - M. FY09 Year-End Inventory Results.
 - N. Spare Parts for Sludge Recycling Facility Dryer Sludge Distributors.
 - O. Annexation Ordinance.
 - 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.

ANNEXATION ORDINANCE

WHEREAS, the property hereinafter described is contiguous to the North Shore Sanitary District, and

WHEREAS, said property is not within the corporate limits of any sanitary district, and

WHEREAS, within the meaning of 70 ILCS 2305/28, the NORTH SHORE SANITARY DISTRICT has power to annex the territory hereinafter described by the passage of an ordinance to that effect, and

WHEREAS, it is in the best interests of the citizens of the NORTH SHORE SANITARY DISTRICT to annex the property hereinafter described.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE NORTH SHORE SANITARY DISTRICT AS FOLLOWS:

SECTION 1: That the property hereinafter described to-wit:

LOT 5 IN “JACOBSEN ACRES”, BEING A SUBDIVISION IN PART OF THE S.E. ¼ OF THE S.E. ¼ OF SECTION 23, TOWNSHIP 44 NORTH, RANGE 11 EAST OF THE 3RD P.M. ACCORDING TO THE PLAT THEREOF RECORDED JUNE 18, 1956 AS DOCUMENT 912328, IN BOOK 1454 OF RECORDS, PAGE 22, IN LAKE COUNTY, ILLINOIS.

be and the same is hereby annexed to the North Shore Sanitary District.

SECTION 2: If the property herein described was the subject of a sewer service agreement, that agreement is terminated as of the effective date of this Ordinance.

SECTION 3: That a certified copy of this Ordinance, together with a map of the annexed territory shall be filed with the County Clerk of Lake County, Illinois.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

- P. Correspondence.
 - 1. 04/16/09 letter from NSSD to following State Legislators regarding '09 North Suburban Capital Hearing.
 - i. Representative Karen May.

- ii. Representative Kathy Ryg.
 - iii. Representative Eddie Washington.
 - iv. Representative John Bradley.
 - v. Representative Julie Hamos.
 - vi. Representative Elaine Nekritz.
- Q. Press Articles.
- 1. Lake County News Sun.
 - i. 'Now's time for fans to get in the game', 04/10/09.
 - ii. 'Play the name game', 04/10/09.
 - iii. 'NSSD requests stimulus funds to repair forcemain', 04/20/09.
 - iv. 'Slow-moving redevelopment plans', 04/23/09.
 - v. 'Bean pushes probe of toxins in drinking water', 04/24/09.
 - vi. 'Garrett calls for Clean Water Commission', 04/24/09.
 - vii. 'It's all for nothing', Talk of the County, 04/28/09.
 - 2. Zion-Benton News.
 - i. 'Sure signs of spring', 04/09/09.
 - ii. 'Name That Team!', 04/16/09.
- R. 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.

It was moved by Trustee Paxton and seconded by Trustee Drew that the items under the Consent Agenda be approved.

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

General Manager Dorn gave the Management Report as follows:

A. Presented Adoption of FY10 Capital Improvement Plan.

General Manager Dorn reported that the FY10 Capital Improvement Plan had previously been distributed to the Board members for review. General Manager Dorn gave a brief overview of the FY10 Capital Improvement Plan and asked the Board to adopt the FY10 Capital Improvement Plan.

It was moved by Trustee Paxton and seconded by Trustee Drew to Adopt the FY10 Capital Improvement Plan.

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

B. Presented Engineering Agreement.

- 1. Donohue & Associates, Inc., Facilities Planning for Waukegan Effluent Forcemain F3 Rehabilitation for consideration under American Recovery & Reinvestment Act of 2009, \$30,000.00.

General Manager Dorn reported that 22 projects of the District were submitted to the IEPA for consideration for the stimulus money. The District had met all deadlines for submittal for consideration of these projects. General Manager Dorn stated that when the draft comprehensive project list was published by IEPA, 11 of the projects that the District had submitted were not on the list. A call was placed to the IEPA and the District was told that there was no money left and that the projects went on a first come, first serve basis and that there was basically a zero chance of receiving any stimulus money. The IEPA admitted that they were overwhelmed by the requests which far exceeded the amount of stimulus money allocated. Subsequent interventions were made on behalf of the District by Trustee Pierce and State Representative Karen May directly to Doug Scott, Director of IEPA. As a result, the District was advised to concentrate on one or two projects that could be ready for construction in a short timeframe for any chance to obtain stimulus funding.

General Manager Dorn stated that the Waukegan F3 Forcemain Project was the best candidate following this recommended approach. General Manager Dorn stated that approximately 6,000 feet of the 54-inch diameter forcemain contains a substantial number of distressed pipe and the cost to repair these sections of this pipe, would be approximately 14 million dollars, of which 10 million dollars could be considered for stimulus funding under the guidelines established by IEPA. General Manager Dorn stated that this project does have urgency since final effluent would need to be discharged from the Waukegan STP to Lake Michigan in the event of a pipe failure.

Trustees Pierce and Swarthout were upset to hear that there was no stimulus money available. Trustee Pierce reiterated that he had called the IEPA and spoke with Director Doug Scott and presented the District's position on the F3 Forcemain dilemma. The IEPA does realize the urgency of repair of this forcemain. President Swarthout thanked Trustee Pierce for his efforts in this matter. General Manager Dorn asked for Board approval to contract with Donohue & Associates, Inc. to aid in preparation of the loan application package required to be submitted as part of the IEPA stimulus funding process.

It was moved by Trustee Paxton and seconded by Trustee Drew to approve Engineering Agreement with Donohue & Associates, Inc., Facilities Planning for Waukegan Effluent Forcemain F3 Rehabilitation for consideration under American Recovery & Reinvestment Act of 2009, in the amount of \$30,000.00.

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

C. Presented Engineering Amendment.

1. AECOM, Inc., Services Agreement for Hydrogeological Consulting Services at NSSD Zion Township Landfill, Contract Amendment No. 4, Increase of \$18,500.00.

It was moved by Trustee Pierce and seconded by Trustee Paxton to approve Contract Amendment No. 4 with AECOM, Inc., for Services Agreement for Hydrogeological Consulting Services at NSSD Zion Township Landfill, an Increase of \$18,500.00.

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

D. Presented Lease of NSSD Property to Mariani Landscape, Inc.

General Manager Dorn stated that this item was also listed under Executive Session in case there were any issues that warranted moving into Executive Session to discuss. If not, this agenda item could be addressed now. General Manager Dorn stated that the District drafted a proposed five year lease for the NSSD property previously leased by Mariani Landscape, Inc. The initial annual rent for the lease period beginning January 1, 2009 has been established at \$2,606.65 in accordance with terms of the proposed lease (original annual rent of \$2,000.00 adjusted for change in CPI, Chicago Urban from January 1997 to November 2008). The rent would be adjusted upward by CPI on an annual basis. The lease of the premises would be only for storage of equipment and parking of vehicles. General Manager Dorn asked for Board approval for Lease of NSSD Property to Mariani Landscape, Inc.

It was moved by Trustee Pierce and seconded by Trustee Drew to approve the Lease of NSSD Property to Mariani Landscape, Inc for a Five Year Term adjusted annually.

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

A. Presented Request for Water Shutoff Extension.

1. Adeline Jay Geo-Karis/Illinois Beach State Park.

It was moved by Trustee Paxton and seconded by Trustee Drew to approve the Request for Water Shutoff Extension of 60 Days for Adeline Jay Geo-Karis/Illinois Beach State Park.

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

B. Presented Identity Theft Prevention Program.

It was moved by Trustee Drew and seconded by Trustee Pierce to approve the Identify Theft Prevention Program.

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

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

- A. Presented Sewer Permit Transfer/Refund.
 - 1. Permit No. 27111-S, 1545 Frolic Avenue, Waukegan.

Director of Engineering Services Gupta reported that on May 30, 2008, North Shore Sanitary District Permit No. 27111-S was issued for 1545 Frolic Avenue, Waukegan, IL. Mr. Dale Boyd paid \$1,364 for this permit. The property is owned by Mr. Fred Gust, who was present at the meeting. Mr. Boyd did not build on this property, and subsequently gave the permit to Mr. Gust for holding the lot for him. Mr. Gust has written a letter to the General Manager requesting to transfer this permit to another lot, or to obtain a refund for this permit.

General Manager Dorn stated that our Ordinance prohibits transferring a permit to another property and only allows for a refund if certain conditions are met. These conditions include: 1) Where the connection cannot be constructed on the property for which a connection permit has been obtained, or 2) Where classification of connection has changed from the issued permit classification. In such cases, the appropriate permit shall be obtained for the revised classification and all applicable permit fees paid prior to the connection being made.

It was the General Manager's recommendation that the District not allow a transfer of this permit to another property. Trustee Drew suggested that we refund and void the current permit only when Mr. Gust applies for a new permit for another property. A brief discussion followed on this matter.

It was moved by Trustee Drew and seconded by Trustee Paxton to approve a voidance and refund of Permit No. 27111-S, 1545 Frolic Avenue, Waukegan, refundable only when an application is made by Mr. Gust for a new permit for another property.

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

- B. Presented Pre-Annexation Agreement.
 - 1. No. 442, Submitted by Waukegan Park District, for approximately 138 acres for recreational use located immediately west of Green Bay Road and between Wadsworth and Yorkhouse Roads, in the City of Waukegan.

It was moved by Trustee Drew and seconded by Trustee Paxton to approve Pre-Annexation Agreement No. 442, Submitted by Waukegan Park District, for approximately 138 acres for recreational use located immediately west of Green Bay Road and between Wadsworth and Yorkhouse Roads, in the City of Waukegan.

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 Bid Waiver Request.
 - 1. BW-179, Service Contract for Hydrogen Sulfide & Odor Control with Wastewater Conveyance System between PS4 & Gurnee STP.

It was moved by Trustee Paxton and seconded by Trustee Drew to approve Bid Waiver, BW-179, Service Contract for Hydrogen Sulfide & Odor Control with Wastewater Conveyance System between PS4 & Gurnee STP.

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

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

Director of Laboratory Services Robinson reported that Lambent Technologies, Gurnee would soon be back in compliance after review of their last six months of data. Dynapar of Gurnee had a mercury violation and the facility investigated the source and cited historical contamination as the potential cause. In an effort to remove the contamination, Dynapar may hire a company to flush and clean the facility's internal sanitary sewer lines. Director of Laboratory Services Robinson reported that Abbott Laboratories was issued a \$250.00 penalty for failing to immediately notify the District of a spill to their pretreatment system that required special containment or handling.

Director of Laboratory Services Robinson reported that Emco Company had approached the District about taking contaminated storm water from their site generated from their parking lots and paved areas. Emco Company has not been able to meet their permit limits for storm water and has asked the District if we would accept their storm water. The District will not accept storm water in accordance with its Ordinance. Director of Laboratory Services Robinson stated that a meeting was set with representative from the IEPA, a representative from the Attorney General's Office and Emco Company to take place at 1:30 today. The District is firm on the decision to not accept storm water; rather the District proactively seeks opportunities to reduce infiltration and inflow from the sanitary sewer system.

Director of Technology Services Russo gave the Technology Division report as follows:

A. Presented Bid Waiver Request.

1. BW-178, Oracle Annual Database License & Support Contract, \$31,963.74.

It was moved by Trustee Drew and seconded by Trustee Pierce to approve Bid Waiver, BW-178, Oracle Annual Database License & Support Contract in the amount of \$31,963.74.

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

Attorney Greg Jackson gave the Attorney Report as follows:

A. Water Pollution Control Loan Program Ordinance Authorizing Loan Agreement with the North Shore Sanitary District.

Attorney Jackson reported that this Ordinance was required by IEPA as part of the stimulus money Loan Application for the repair of the F3 Forcemain.

It was moved by Trustee Paxton and seconded by Trustee Pierce to approve the Water Pollution Control Loan Ordinance Authorizing Loan Agreement with the North Shore Sanitary District.

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, June 10, 2009 at 9:30 A.M. at the District Office of the Raymond E. Anderson Complex in Gurnee.

PRESIDENT

SECRETARY