



the meeting Attorney Jackson stated that the District was in receipt of a signed Agreement and a letter of credit from homeowner Daniel Asher. General Manager Dorn stated that Jon Shabica of Shabica & Associates, Inc. was present at the meeting and was representing two of the homeowners, Sharon Grossinger and Maryclaire Collins. General Manager Dorn then introduced Mr. Shabica. Mr. Shabica stated that he was delivering a signed agreement with a letter of credit from homeowner Sharon Grossinger and was confident that by the end of the meeting the signed agreement and letter of credit from Maryclaire Collins would be submitted. Mr. Shabica applauded Attorney Jackson and District Staff, particularly Sharon Thieszen, Special Projects Coordinator, for their hard work in structuring the Agreement with each of the homeowners and their attorneys, and stated that it was a real pleasure working with both of them.

President Pierce stated that the District could wait until the end of the business day for receipt of all three of the Homeowners Agreements and Letter of Credit and that if something were to go wrong the District had the option to approve each individual plan separately. The Corps had indicated earlier that the project could go forward with a combination of the Corps plan and the LPP. Trustee Paxton inquired about the differences between the two design plans. Mr. Shabica gave a brief explanation of both design plans and the overall detail of each.

President Pierce stated that he wanted to compliment both Staff and Attorney Jackson for their efforts in getting the job done. President Pierce stated that this project was a good example of cooperation and that a great deal of time and effort was spent by all parties to get to this point. It was recommended that the Agreement with the Property Owners on the S8 Interceptor Protection Project be approved.

It was moved by Trustee Swarhout and seconded by Trustee Drew to approve the Agreement with Property Owners on the S8 Interceptor Protection Project.

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

B. Presented Engineering Agreement Amendment.

1. AECOM, Inc., Services Agreement for Hydrogeological Consulting Services at NSSD Zion Township Landfill, Contract Amendment No. 7, Increase of \$10,200.00.

General Manager Dorn stated that this Contract Amendment was for continued support for the 5-year landfill permit renewal, including flow map preparation for the Annual Report and response to comments regarding Cell B monitoring plan for the Zion Township Landfill. General Manager Dorn asked for Board approval of Contract Amendment No. 7, an Increase of \$10,200.00.

It was moved by Trustee Drew and seconded by Trustee Paxton to approve the Engineering Agreement Amendment No. 7, AECOM, Inc., Service Agreement for Hydrogeological Consulting Services at NSSD Zion Township Landfill, an Increase of \$10,200.00.

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

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

A. Presented 2011 IMRF Employer Contribution Rate.

Assistant General Manager Miller presented the 2011 employer contribution rates, which are based on the actuarially calculated required contribution (ARC). Assistant General Manager Miller stated that this rate is a preliminary rate and subject to change. Assistant General Manager Miller stated that the rate was less than last year. Assistant General Manager Miller stated this item was informational only and no action was required.

B. Presented Investment Policy Revisions.

Assistant General Manager Miller stated that this Investment Policy has been discussed at several past Board meetings and the purpose of this policy is to protect the District and taxpayers to ensure that all monies are invested in the most safe and equitable manner. Assistant General Manager Miller summarized what the revisions to the investment policy will provide:

- Allows Board the option to assign management of District funds to professional managers;
- Provides greater internal control of investments;

- Specifies bond requirements;
- Provides for specific collateralization guidelines and acceptable collateral instruments; and
- Allows for District participation in IMET.

Trustee Paxton inquired whether this revision of the Investment Policy has resolved the collateralization problems with the First Midwest Bank. Assistant General Manager Miller stated that it has and asked for Board approval.

It was moved by Trustee Paxton and seconded by Trustee Drew that Investment Policy Revisions be approved as presented.

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 the following Construction Change Orders.
  1. C.O. No. 3, MCC Ventilation Improvements, Total Mechanical, Inc., Increase of 21 Calendar Days for Substantial and Final Completion.

It was moved by Trustee Swarthout and seconded by Trustee Paxton to approve C.O. No. 3, MCC Ventilation Improvements, Total Mechanical, Inc., an Increase of 21 Calendar Days for Substantial and Final Completion.

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

2. C.O. No. 6, Sludge Screen Project, Camosy Construction, Increase of \$813.00 and 20 Calendar Days for Final Completion.

It was moved by Trustee Swarthout and seconded by Trustee Paxton to approve C.O. No. 6, Camosy Construction, an Increase of \$813.00 and 20 Calendar Days for Final Completion.

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

- B. Presented Emergency Authorization Request.
  1. EAR-11-01, Chilled Water Piping Repair, \$32,000.00.

Director of Engineering Services Gupta reported that the chilled water line for chiller AC-2 which serves air handling for the east laboratories in the Administration Building has a leak. Due to the leak, the north chiller is not operational; which leaves only one of the two required chillers able to provide cooling to the lab. Location of the leak has been identified as being in the underground piping for AC-2, outside the Administration Building. This work will include excavating the buried pipe, replacement of damaged pipe, and backfilling of excavated trench. The normal bidding process would delay work until July, thereby risking having inadequate cooling or no cooling for the east lab area during the peak of summer. Director of Engineering Services Gupta asked for Board approval of the Emergency Authorization in order to get the problem fixed now.

It was moved by Trustee Drew and seconded by Trustee Swarthout to approve EAR-11-01, Chilled Water Piping Repair, in the amount of \$32,000.00.

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

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

- A. Bid Waiver Request.
  1. BW-190, Service Contract for Hydrogen Sulfide & Odor Control within Wastewater Conveyance System between PS4 & Gurnee STP.

Director of Laboratory Services Robinson reported that this Bid Waiver Request is for the service contract for hydrogen sulfide and odor control within the wastewater conveyance system between the North

Chicago Pump Station (PS4) and the Gurnee Sewage Treatment Plant, for the period from 5/25/10 through 5/24/13 in accordance with Siemens proposal dated 5/7/10.

It was moved by Trustee Drew and seconded by Trustee Paxton to approve BW-190, Service Contract for Hydrogen Sulfide & Odor Control within Wastewater Conveyance System between PS4 & Gurnee STP.

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

B. Presented Sulfate Surcharge Program Annual Review (04/01/09-03/31/10).

Director of Laboratory Services Robinson gave a brief overview of the Sulfate Surcharge Program for the past year. Director of Laboratory Services Robinson proposes that the District maintain the sulfate surcharge rate at \$0.23 per pound of sulfate based upon the current treatment program being continued through the first quarter of 2011. This rate is based upon the chemical usage for 2009-2010 with no chemical price increase during the next year for our contract with Siemens. Siemens has agreed to extend the service contract for hydrogen sulfide and odor control with the District for a 36 month period. Director of Laboratory Services Robinson stated that there is no action required on this, it is information only.

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

Director of Laboratory Services Robinson reported that all Significant Industrial Users are in compliance with their Discharge Control Document limits at this time.

Director of Laboratory Services Robinson reported that the District determined that Emergent Industries, located at 1081 S. Northpoint Dr., Waukegan, failed to notify of the start-up of the Federally-regulated Metal Molding and Casting operation. The facility was issued an Administrative Violation and penalty for the failure. The company was located on the lakefront and discontinued operation there and moved into the new facility without notifying the District. Trustee Drew stated that he thought the company was still operating at the lakefront property. Director of Laboratory Services Robinson stated that he would have Staff look further into this since they were under the impression the operation on the lakefront property had ceased. Trustee Pierce stated the District needs to keep up on this firm and ensure that they obtain the proper permits, etc.

D. Presented Audit of Commercial & Industrial Connection Permits.

Director of Laboratory Services Robinson reported that the Compliance Department has completed an initial audit of the Industrial/Commercial connection permits looking at each discharger's permitted Population Equivalents (PE) vs. current PE being discharged. The initial audit revealed that 18 out of approximately 75 industrial clients evaluated were currently discharging in excess of their permits by >15 PE. Also, 3 out of approximately 250 commercial accounts were exceeding their permitted values by >15 PE.

Director of Laboratory Services Robinson stated that in an effort to develop a consistent methodology by which the District can determine industrial and commercial facilities' compliance with the Ordinance, the Compliance Department is looking at a 2-phase approach. This 2-phase approach entails determining if the facility was in operation prior to 1983, the year in which the Ordinance changed from a capital surcharge system to the present method of assessing sewer connection fees and facilities. If the facility was in operation prior to 1983, and would therefore have participated in the capital surcharge program, they will be assigned a calculated PE baseline derived from 1999/2000 flow and loadings data, as those are the earliest years for which reliable data can be retrieved. This calculated baseline PE will then be compared to their current PE (based on the average last two years of flow and/or loading data) to determine if additional permitting is required. For those facilities permitted to discharge after 1983, their permitted PE (the sum of all permits acquired for the property) will be compared to their current PE. The current PE baseline will be calculated by averaging the last two-years of flow and/or loadings data. The facilities current PE will then be compared to their permitted PE to determine if additional permitting is needed. After these assessments are complete the Compliance Department will have a more definitive proposal or plan in place to present to the Board at the June meeting. There is no action required at this time.

Director of Operations Division Sowma gave the Operations Division report as follows:

- A. Presented Bid Summary.
  - 1. Bid No. 1317, Providing Industrial/Commercial Cleaning and On-Site Inspection/Monitoring Services at Various NSSD Locations – GSF USA, Inc.

It was moved by Trustee Drew and seconded by Trustee Paxton to award Bid. No. 1317, Providing Industrial/Commercial Cleaning and On-Site Inspection/Monitoring Services at Various NSSD Locations – GSF USA, Inc. for a three year contract.

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

Director of Operations Sowma indicated that by combining the security and cleaning functions, the District will realize a savings of approximately \$300,000 over the next three years, while gaining approximately 10,000 additional manhours per year of on-site staffing by cleaning personnel vs. security personnel. It is hoped that combining the cleaning and security functions at the plants will aid in the overall cleanliness of the facilities.

There was no report requiring Board action for the Technology Services Division.

Attorney Gregory Jackson gave the Attorney Report as follows:

- A. Presented Removal of Encroachments – Cell B East.

Attorney Jackson stated that he would like this item held over to the Executive Session due to possible contemplated litigation.

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

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

- A. Personnel.
  - 1. Agreement with Service Employees Local No. 73.
  - 2. Staffing.
- B. Real Estate.
  - 1. Potential Sale/Lease of Portion of F-11 Forcemain.

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

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

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 9, 2010 at 9:30 A.M. at the District Office of the Raymond E. Anderson Complex in Gurnee.

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PRESIDENT

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SECRETARY