

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, MAY 8, 2008
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Rathje at 7:35 P.M.

Commissioners in attendance: E. Chaplin, L. Hartwig, G. Mathews, W. Murphy, A. Poole, F. Saverino, G. Wilcox, and L. Rathje

Commissioners Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

Also in attendance: Treasurer R. Thorn, R. Martin, R. M. Richter, M. Crowley, C. Johnson, T. McGhee, R. C. Bostick, F. Frelka, and E. Kazmierczak

Chairman Rathje presented Joseph Mox, a Senior Technician in the Pipeline Department, with a 15 year anniversary recognition certificate.

PUBLIC COMMENTS

Laurel Bowen, 829 Clyde Drive, Downers Grove, Illinois, read from a prepared statement that was distributed to all Commissioners at the meeting, noting her concerns with Commissioner absences and the proposed electrical back up generation projects.

In regards to Ms. Bowen's comments with respect to Commissioner absences, the Commissioners strongly objected to Ms. Bowen's misinformed characterizations of the reasons for those absences, adding that the most distorted characterization was directed at a long-serving Commissioner with the finest attendance record.

In regards to Ms. Bowen's comments with respect to the back up generation projects, Commissioner Hartwig noted that staff and the Board had spent well over one year investigating and evaluating various alternatives for minimizing disruptions to the water supply during electrical power outages. Commissioner Hartwig also objected to Ms. Bowen's implication that the Board was not being objective or reasonable in making its determination to proceed with the back up generation projects.

APPROVAL OF MINUTES

Commissioner Poole moved to approve the Minutes of the April 10, 2008 Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

TREASURER'S REPORT

Treasurer Thorn presented the Treasurer's Report for the month of April 2008 which showed receipts of \$5,632,288.00, disbursements of \$4,759,567.00, and a cash and investment balance of \$81,212,762.00.

Commissioner Mathews moved to accept the April 2008 Treasurer's Report. Seconded by Commissioner Wilcox and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Administration Committee – Reported by Commissioner Hartwig

Commissioner Hartwig reported that the Administration Committee reviewed and recommended for approval Resolution No. R-25-08, which would codify and incorporate the April 10, 2008, amendment to the Commission's Tuition Reimbursement Policy (limiting reimbursement to \$4,000.00 per employee per fiscal year) into the Personnel Manual.

Engineering & Construction Committee – Reported by Commissioner Wilcox

Although there was no meeting due to lack of a quorum, Commissioner Wilcox reported the Committee members present discussed the Village of Woodridge's request to use a portion of the Commission's excess property at Tank Site #4 for material and equipment storage. Commissioner Wilcox added that it was the consensus of the Committee members present that staff move forward with negotiating an intergovernmental agreement with Woodridge that could serve as a model for other potential users of excess Commission property. General Manager Martin noted that, upon completion of the negotiations, the proposed agreement would be presented to the Board for further review and consideration.

Finance Committee – Reported by Commissioner Poole

Although there was no meeting due to lack of a quorum, Commissioner Poole reported that the Finance Committee reviewed and recommended for approval all items listed on the Finance Committee agenda. With respect to the proposed Vehicle Replacement Program, Commissioner Poole noted that he discussed the matter with Naperville's Fleet Management Consultant and the Commission's proposed policy was more restrictive than Naperville's.

After General Manager Martin confirmed for Commissioner Chaplin that he would delay replacing his Commission vehicle until the proposed policy standards for replacement were satisfied, Commissioner Mathews moved to adopt the Vehicle Replacement Program as set forth in the Financial Administrator's memorandum to the General

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Manger dated March 31, 2008, and included in the May Board Meeting materials.
Seconded by Commissioner Hartwig and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Wilcox cautioned that the policy should serve only as a guideline and each circumstance depends upon the issues involved.

After Commissioner Chaplin inquired as to whether there were any policies in place to ensure vehicles are being properly maintained, General Manager Martin advised that vehicle maintenance is part of the Asset Management Program and Staff Attorney Crowley advised that employee regulations regarding the proper use and maintenance of Commission vehicles are contained within the Personnel Manual.

In response to Commissioner Chaplin's question concerning the purchasing procedures for Commission vehicles, Staff Attorney Crowley advised that so long as the purchase was included in the Management Budget Ordinance adopted the Board, the Commission received at least two sealed proposals for purchases in excess of \$20,000.00, and the price did not exceed the amount budgeted, further Board approval would not be required. General Manager Martin added that a tabulation of all such quotations received would be provided to the Board.

CHAIRMAN'S REPORT

None

MAJORITY OMNIBUS VOTE AGENDA

Commissioner Murphy requested that Resolution No. R-25-08 be removed from the Majority Omnibus Vote Agenda for separate consideration.

Commissioner Murphy moved to adopt Resolution No. R-22-08: A Resolution Appointing Authorized Broker/Dealers of Securities. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Majority Omnibus Vote

Ayes: L. Chaplin, L. Hartwig, G. Mathews, W. Murphy, A. Poole, F. Saverino, G. Wilcox, and L. Rathje

Nays: None

Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

Commissioner Hartwig moved to adopt Resolution No. R-25-08: A Resolution Amending the Personnel Manual. Seconded by Commissioner Chaplin and failed for lack of an approving majority.

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Ayes: L. Chaplin, L. Hartwig, G. Mathews, A. Poole, F. Saverino, and G. Wilcox

Nays: W. Murphy and L. Rathje

Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

SUPER/SPECIAL MAJORITY OMNIBUS VOTE AGENDA

Commissioner Chaplin requested that Resolution Nos. R-26-08 and R-27-08 be removed from the Majority Omnibus Vote Agenda for separate consideration, and Chairman Rathje requested that Resolution Nos. R-23-08 and R-24-08 be removed from the Majority Omnibus Vote Agenda for separate consideration.

Commissioner Hartwig moved to adopt Resolution No. R-23-08: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-7/05 at the May 8, 2008, DuPage Water Commission Meeting. Seconded by Commissioner Poole and unanimously approved by a Roll Call Vote:

Ayes: L. Chaplin, L. Hartwig, G. Mathews, W. Murphy, A. Poole, F. Saverino, G. Wilcox, and L. Rathje

Nays: None

Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

Commissioner Murphy moved to adopt Resolution No. R-24-08: A Resolution Approving and Ratifying Certain Contract Change Orders at the May 8, 2008, DuPage Water Commission Meeting. Seconded by Commissioner Mathews and unanimously approved by a Roll Call Vote:

Ayes: L. Chaplin, L. Hartwig, G. Mathews, W. Murphy, A. Poole, F. Saverino, G. Wilcox, and L. Rathje

Nays: None

Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

Commissioner Mathews moved to adopt Resolution No. R-26-08: A Resolution Directing Advertisement for Bids on a Contract for the Construction of Electrical Generation Facility and Office/Garage Expansion for the DuPage Pumping Station. Seconded by Commissioner Poole.

Before the vote was called, Commissioner Wilcox inquired why Resolution No. R-26-08 was listed under the Super/Special Majority Vote when the Commission would not be awarding the contract but only directing its advertisement. Staff Attorney Crowley explained that, in accordance with past practice, the Resolution was listed under the Super/Special Majority Vote on the theory that if the project could not garner the special

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majority vote required for an award, then why proceed with advertisement. After Commissioner Wilcox noted that opinions might change depending upon the amount of the bids received, the motion was approved by a Roll Call Vote:

Ayes: L. Hartwig, G. Mathews, W. Murphy, A. Poole, F. Saverino, G. Wilcox, and L. Rathje

Nays: E. Chaplin

Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

Commissioner Murphy moved to adopt Resolution No. R-27-08: A Resolution Approving and Authorizing the Execution of a SafetyLogic Access Agreement between the DuPage Water Commission and Safetylogic.com, Inc. for Access to MSDS Management and Online Employee Training Applications. Seconded by Commissioner Poole.

Before the vote was called, Commissioner Chaplin requested a list of the approximately 600 chemicals involved and asked for an explanation of the material safety data sheets (MSDS) management services to be provided by Safetylogic.com, Inc. Safety Coordinator Bostick advised that the company will not only provide web based access to images of each manufacturer's MSDS's, which often vary in form, but also re-key the data sheets into a uniform format for ease of locating relevant information and for text searching. In addition, Safety Coordinator Bostick advised that the company will provide the 30-year archive of MSDS's required by OSHA, automatic updates associated with any formula changes, and the ability to generate labels containing the required PPE, proper use, and emergency response instructions for chemicals that may be transferred into temporary containers during work processes. After Staff Attorney Crowley confirmed for Commissioner Wilcox that the contract did not relate to professional services within the meaning of the Commission's By-Laws, and Safety Coordinator Bostick advised that the requested list of chemicals would be provided, the motion was unanimously approved by a Roll Call Vote:

Ayes: L. Chaplin, L. Hartwig, G. Mathews, W. Murphy, A. Poole, F. Saverino, G. Wilcox, and L. Rathje

Nays: None

Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

OLD BUSINESS

Commissioner Chaplin asked when the report on the Water Conservation meeting would be provided to the Board. General Manager Martin apologized for the delay and noted that the report would be provided shortly.

NEW BUSINESS

Commissioner Murphy moved to suspend the purchasing procedures of the Commission's By-Laws and approve Purchase Order No. 10633 in the amount of \$42,968.00 to Joliet Junior College. Seconded by Commissioner Mathews.

After General Manager Martin advised that there was a mathematical error in the dollar amount listed for Purchase Order Number 10633, Commissioner Murphy amended his motion, with the consent of the seconder, to reference the correct dollar amount of \$49,798.00.

Before the vote was called, Safety Coordinator Bostick advised, in response to Commissioner Chaplin's question, that the employees participating in the safety training at Joliet Junior College would be split into two groups, with one group attending during the day on Tuesdays and the other group attending during the day on Thursdays.

There being no further discussion, the amended motion to suspend the purchasing procedures of the Commission's By-Laws and approve Purchase Order No. 10633 in the amount of \$49,798.00 to Joliet Junior College was unanimously approved by a Roll Call Vote:

Ayes: L. Chaplin, L. Hartwig, G. Mathews, W. Murphy, A. Poole, F. Saverino, G. Wilcox, and L. Rathje

Nays: None

Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

Before moving to the next Agenda item, Commissioner Wilcox informed the Board that he had contacted DuPage County Board Chairman Robert Schillerstrom and asked not to be reappointed to serve another term on the Board due to work obligations. Commissioner Wilcox advised, however, that he will continue serving as a Board member until a new Commissioner is appointed to replace him.

ACCOUNTS PAYABLE

Commissioner Hartwig moved to approve the Accounts Payable in the amount of \$4,047.00 subject to submission of all contractually required documentation. Seconded by Commissioner Murphy.

Before the vote was called, Commissioner Chaplin questioned the large cost for office supplies, noting that with a \$3,600.00 expenditure in April, a \$1,600.00 expenditure in May seemed unusual. After General Manager Martin noted he would have to get back to her with an answer, Commissioner Chaplin questioned the uniform expenditures. After General Manager Martin explained that the expenditures represented the last, or close to last, purchases of the new flame resistant, NFPA 70E compliant work wear approved by the Board, the motion was unanimously approved by a Roll Call Vote:

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Ayes: L. Chaplin, L. Hartwig, G. Mathews, W. Murphy, A. Poole, F. Saverino, G. Wilcox, and L. Rathje

Nays: None

Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

EXECUTIVE SESSION

Commissioner Murphy moved to go into Executive Session to discuss matters related to personnel pursuant to 5 ILCS 120/2(c)(1) and (2). Seconded by Commissioner Poole and unanimously approved by a Roll Call Vote:

Ayes: L. Chaplin, L. Hartwig, G. Mathews, W. Murphy, A. Poole, F. Saverino, G. Wilcox, and L. Rathje

Nays: None

Absent: W. Maio, W. Mueller, J. Vrdolyak, and D. Zeilenga

The Board went into Executive Session at 8:20 P.M.

Commissioner Wilcox moved to come out of Executive Session at 8:58 P.M. Seconded by Commissioner Chaplin and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Wilcox moved to adjourn the meeting at 9:00 P.M. Seconded by Commissioner Chaplin and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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