

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, NOVEMBER 9, 2006
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Vice Chairman Mueller at 7:30 P.M.

Commissioners in attendance: E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak, G. Wilcox, and D. Zeilenga

Commissioners Absent: T. Feltes, W. Maio, and L. Rathje

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

PUBLIC COMMENTS

Richard Furstenau, Naperville City Councilman, offered the following suggestions for the use of Commission reserves:

- Payoff the outstanding general obligation bonds
- Return the revenue monies back to the customers

Mr. Furstenau further stated that he did not want to see these funds being used for anything other than water-related purposes.

APPROVAL OF MINUTES

Commissioner Hartwig moved to approve the Minutes of the October 12, 2006 Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Wilcox and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Chaplin moved to approve the Minutes of the October 12, 2006 Executive Session of the DuPage Water Commission. Seconded by Commissioner Ferraro 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 October 2006 which showed receipts of \$7,353,593.00, disbursements of \$4,394,497.00, and a cash and investment balance of \$140,735,106.00.

Commissioner Chaplin moved to accept the October 2006 Treasurer's Report. Seconded by Commissioner Hartwig and unanimously approved by a Voice Vote.

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All voted aye. Motion carried.

COMMITTEE REPORTS

Administration Committee

No meeting

Engineering & Construction Committee – Reported by Commissioner Wilcox

Commissioner Wilcox reported that the Engineering Committee discussed and recommended for approval Resolution Nos. R-38-06, R-40-06, and R-41-06.

Finance Committee – Reported by Commissioner Poole

Commissioner Poole reported that the Finance Committee reviewed and recommended for approval the Accounts Payable. Commissioner Poole also noted that the Commission's unrestricted reserves are approximately \$100M.

CHAIRMAN'S REPORT

None

MAJORITY OMNIBUS VOTE AGENDA

None

SUPER/SPECIAL MAJORITY OMNIBUS VOTE AGENDA

Commissioner Murphy moved to adopt the items listed on the Super/Special Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures.
Seconded by Commissioner Ferraro and unanimously approved by a Roll Call Vote:

Super/Special Majority Omnibus Vote

Ayes: E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Murphy, A. Poole, J. Vrdolyak, G. Wilcox, D. Zeilenga, and W. Mueller

Nays: None

Absent: T. Feltes, W. Maio, and L. Rathje

Item 1: Resolution No. R-37-06: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-7/05 at the November 9, 2006, DuPage Water Commission Meeting—
“Super/Special Majority Omnibus Vote”

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- Item 2: Resolution No. R-38-06: A Resolution Directing Advertisement for Bids on a Contract for the Replacement of Valve Stem Risers (Contract VSR-1/06)—“Super/Special Majority Omnibus Vote”
- Item 3: Resolution No. R-39-06: A Resolution Approving and Authorizing the Execution of a Contract between the DuPage Water Commission and Brunzell Associates, LTD. for Professional Engineering Services—“Super/Special Majority Omnibus Vote”
- Item 4: Resolution No. R-40-06: A Resolution Approving and Ratifying Certain Task Orders under a Master Contract with Consoer Townsend Envirodyne Engineers, Inc. at the November 9, 2006, DuPage Water Commission Meeting—“Super/Special Majority Omnibus Vote”
- Item 5: Resolution No. R-41-06: A Resolution Approving and Ratifying Certain Work Authorization Orders under Quick Response Contract QRE-2/04 at the November 9, 2006, DuPage Water Commission Meeting—“Super/Special Majority Omnibus Vote”
- Item 6: Resolution No. R-42-06: A Resolution Directing Advertisement for Bids on a Contract for Quick Response Electrical Work (Contract QRE-3/06)—“Super/Special Majority Omnibus Vote”
- Item 7: Resolution No. R-43-06: A Resolution Approving and Authorizing the Execution of a Master Contract with EN Engineering, LLC for Professional Engineering Services—“Super/Special Majority Omnibus Vote”
- Item 8: Resolution No. R-44-06: A Resolution Approving and Ratifying Certain Task Orders under a Master Contract with Greeley and Hansen LLC at the November 9, 2006, DuPage Water Commission Meeting—“Super/Special Majority Omnibus Vote”

OLD BUSINESS

General Manager Martin informed the Board that a meeting was held on October 30th with all of the customer utilities regarding the Commission's long-term financial plan. General Manager Martin also advised that staff will be providing its recommendations for the plan at the December meeting.

Commissioner Wilcox moved to remove from the table the approval of Task Order No. 13 from Resolution No. R-30-06: A Resolution Approving and Ratifying Certain Task Orders under a Master Contract with Consoer Townsend Envirodyne Engineers, Inc., at the September 14, 2006, DuPage Water Commission Meeting, subject to receipt of the sum of \$15,000 to cover the costs to be incurred by the Commission preliminary to the consideration of a Water Purchase and Sale Contract between the Commission and the Bensenville Park District. Seconded by Commissioner Chaplin and unanimously approved by a Voice Vote.

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All voted aye. Motion carried.

After discovering that the Commissioners either had not received, or had not had an opportunity to review and analyze, the various legal opinions concerning Bensenville Park District's request to become a Subsequent Customer of the Commission, it was the consensus of the Commissioners to defer action on the Park District's request until such opinions could be thoroughly evaluated and the General Manager verified whether reports that the Park District would be withdrawing its request were true.

Commissioner Hartwig moved to table the approval of Task Order No. 13 from Resolution No. R-30-06: A Resolution Approving and Ratifying Certain Task Orders under a Master Contract with Consoer Townsend Envirodyne Engineers, Inc., at the September 14, 2006, DuPage Water Commission Meeting, subject to receipt of the sum of \$15,000 to cover the costs to be incurred by the Commission preliminary to the consideration of a Water Purchase and Sale Contract between the Commission and the Bensenville Park District. Seconded by Commissioner Murphy and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

For the same reasons the approval of Task Order No. 13 was re-tabled, it was the consensus of the Board not to take any action on the proposed authorization of Virchow Krause & Company, LLP to estimate the Capital Cost Recovery Charge for Bensenville Park District.

NEW BUSINESS

None

ACCOUNTS PAYABLE

Commissioner Ferraro moved to approve the Accounts Payable in the amount of \$7,251.13 subject to submission of all contractually required documentation. Seconded by Commissioner Vrdolyak and unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Murphy, A. Poole, J. Vrdolyak, G. Wilcox, D. Zeilenga, and W. Mueller

Nays: None

Absent: T. Feltes, W. Maio, and L. Rathje

EXECUTIVE SESSION

None

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Commissioner Chaplin moved to adjourn the meeting at 7:45 P.M. Seconded by Commissioner Zeilenga and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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