

**MINUTES OF A MEETING OF THE  
ADMINISTRATION COMMITTEE  
OF THE DuPAGE WATER COMMISSION  
HELD ON APRIL 10, 2008**

The meeting was called to order at 7:00 P.M. at the Commission's office located at 600 East Butterfield Road, Elmhurst, Illinois.

Committee members in attendance: E. Chaplin, W. Murphy, D. Zeilenga, and L. Hartwig

Committee members absent: L. Rathje (*ex officio*)

Also in attendance: R. Martin and M. Crowley

Commissioner Murphy moved to approve the Minutes of the July 12, 2007, Administration Committee meeting. Seconded by Commissioner Zeilenga and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

With respect to the review of the Commission's Tuition Reimbursement Policy, General Manager Martin started the discussion by noting former Chairman Vondra had instructed the General Manager that implementation of the policy did not require Board approval. Staff Attorney Crowley advised that even though former Chairman Vondra felt the policy was within the "inherent" authority of the General Manager, the Board approved the Personnel Manual, which provides that the General Manager has final authority over all aspects of employees' employment relationship with the Commission subject only to general policies adopted by the Commission, and the Board approved the funds expended under the program in its budget approvals. In response to Commissioner Zeilenga's question, the Staff Attorney noted that the program was highlighted in each year's draft budget notes since the program's inception in 2005, and that \$46,000 in tuition reimbursement was proposed to be included in the FY 08/09 budget under Account 6133—Professional Development.

Commissioner Chaplin commented that she did not have a problem with offering a tuition reimbursement program to Commission employees but the total amount to be reimbursed to any single employee in any given year should be limited, reimbursement should not cover 100% of any single class, and the Board should approve the courses eligible for reimbursement, especially in relation to correlation with job duties and for all graduate studies. Commissioner Zeilenga commented that although he did not want to micro-manage the General Manager, he did want to cap the annual amount of reimbursement that could be made available to any single employee.

Commissioner Zeilenga moved to recommend to the Board to amend the Tuition Reimbursement Policy to limit reimbursement to \$2,000.00 per employee per fiscal year. Seconded by Commissioner Chaplin.

General Manager Martin explained that the Manager of Water Operations was the only employee using the program to obtain a degree, noting that the other employee(s) to be allocated budgeted funds were taking only a few courses, and that the proposed FY

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08/09 budget for the courses the Manager of Water Operations would be taking was about the same as in the prior fiscal year.

After discussion concerning the schools various employees had been attending, it was the consensus of the Committee that so long as there was an annual per employee limit on the maximum amount of reimbursement available under the program, there was no need to add other conditions such as limiting reimbursement to equivalent public school rates, to something less than full course cost, etc.

Commissioner Murphy did not agree that an annual per employee limit was needed, questioning whether any purpose was served by making employees artificially spread their course load over a period of years when the same amount of Commission dollars would be spent in the end.

After discussion concerning the appropriateness of the proposed \$2,000.00 per employee per fiscal year cap, agreement that classes currently in session would be exempt from the cap, and Commissioner Chaplin requested that future budgets contain a separate line item for the program as opposed to having the program included within the budget for Account 6133—Professional Development, Commissioner Zeilenga agreed to amend his motion, with the consent of the seconder, to change the recommended cap from \$2,000.00 per employee per fiscal year to \$4,000.00 per employee per fiscal year.

Commissioner Zeilenga's amended motion to recommend to the Board to amend the Tuition Reimbursement Policy to limit reimbursement to \$4,000.00 per employee per fiscal year was approved by a Roll Call Vote:

Ayes: L. Chaplin, D. Zeilenga, and L. Hartwig

Nays: W. Murphy

Absent: L. Rathje

In connection with several e-mails sent by the General Manager concerning the proposed FY 08/09 budget, Commissioner Chaplin questioned the propriety of the communications under the Open Meetings Act. Staff Attorney Crowley advised that the e-mail communications at issue did not violate the Open Meetings Act. The communications involved one-on-one e-mail solicitations of information from the General Manager by individual Commissioners, and the General Manager's responses to those e-mails (copied to all Commissioners). According to the Staff Attorney, there was no discussion, deliberation, or decision-making among the Commissioners nor any intent to subvert the policy of the Open Meetings Act.

Staff Attorney Crowley did remind the Committee that to avoid any potential for an Open Meetings Act violation, and all appearance of impropriety, Commissioners should:

- Avoid chat rooms

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- Avoid all e-mail discussion on Commission matters with a majority of a quorum (i.e., a total of four or more members of the Board of Commissioners or two/three or more members of a committee, remembering that Chairman Rathje is a non-voting member of all committees).
- Avoid replying to anyone other than the original sender if e-mail is used to distribute information (in other words, do not "Reply to All").

There being no further discussion, Commissioner Murphy moved to adjourn the meeting at 7:30 P.M. Seconded by Commissioner Zeilenga and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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