

**MINUTES OF A MEETING OF THE
DU PAGE WATER COMMISSION
HELD ON THURSDAY, FEBRUARY 13, 2003
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

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

Commissioners in attendance: E. Chaplin, J. Janicik, W. Mueller, N. Pollock, A. Poole, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Also in attendance: J. Holzwart, R. Martin, E. Nawrocki, R. Skiba, D. Eckmann (AB&H) and M. Burkland (H&K).

PUBLIC COMMENTS – No public comments

Commissioner Wilcox moved to approve the Minutes of the January 9, 2003 meeting of the DuPage Water Commission. Seconded by Commissioner Tolentino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The Treasurer's Report for the month of January 2003 showed receipts of \$6,655,148.16, disbursements of \$3,926,122.01 and a cash and investment balance of \$202,641,379.27.

Commissioner Pollock moved to accept the January 2003 Treasurer's Report. Seconded by Commissioner Chaplin and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Administration Committee – Report by Commissioner Thorn

Although the Administration Committee did not have a quorum, Commissioners Chaplin and Thorn reviewed the items listed on the Committee agenda. Chairman Vondra advised that a DuPage Water Commission shell bill is presently pending with the state legislature. Commissioners Chaplin and Thorn discussed whether legislative changes were needed in order for the Commission to serve the communities of Batavia, Geneva, North Aurora, St. Charles, or Bartlett, whether legislative changes should be requested to increase the maximum compensation to be paid for serving as Commissioner, and the possibility of switching from the Commission's current SEP/IRA pension plan to the Illinois Municipal Retirement Fund (IMRF).

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Commissioner Wilcox moved to approve in principle the concept of converting the Commission's pension program to IMRF with the understanding that the increase in pension expense for fiscal year 2003/04 will not exceed an additional \$70,000. This amount is included in the draft budget. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote.

Ayes: E. Chaplin, J. Janicik, W. Mueller, N. Pollock, A. Poole, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

Commissioner Thorn moved to request legislation increasing the maximum compensation to be paid for serving as Commissioner to \$10,000 per year. Seconded by Commissioner Wilcox and approved by a Voice Vote.

Majority voted aye, with Commissioners Poole and Wilcox voting nay. Motion carried.

Commissioner Thorn moved to request legislation allowing an additional \$1,000 per year in compensation to be paid for serving as Committee Chairperson. Seconded by Commissioner Tolentino and approved by a Voice Vote.

Majority voted aye, with Commissioner Poole voting nay. Motion carried.

Engineering Committee – Report by Commissioner Wilcox

The Engineering Committee reviewed a change order in the amount of \$32,981.11 and recommended approval of Resolution R-3-03 during the Omnibus Vote Agenda.

The Engineering Committee reviewed progress payments in the amount of \$624,119.18 and recommended approval as part of the Accounts Payable, subject to submission of all contractually required documentation.

The Engineering Committee reviewed a final payment in the total amount of \$73,691.50 and recommended approval as part of the Accounts Payable, subject to submission of all contractually required documentation.

The Engineering Committee continued its discussion regarding service to Batavia, Geneva, North Aurora, St. Charles, and Bartlett. It was recommended that staff prepare a task order allowing Alvord, Burdick & Howson to subcontract with Rempe Sharpe to provide data on the Kane County communities they represent.

Finance Committee – Report by Commissioner Poole

Although the Finance Committee did not have a quorum, Commissioners Janicik and Poole reviewed the items listed on the Committee agenda. Commissioners Janicik and

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Poole reviewed the Treasurer's Report, the January financial statements and the Accounts Payable.

Commissioners Janicik and Poole reviewed the fiscal year 2003-04 tentative draft budget. Commissioner Janicik moved to distribute the Tentative Draft Management Budget for Fiscal Year 2003 – 2004 to the Commission's customer utilities. Seconded by Commissioner Wilcox and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioners Janicik and Poole discussed the selection of a financial advisor, recommending that staff contact the firms that submitted proposals and request a 60 day extension on their proposals.

Commissioner Mueller noted that even though the Commission approved the five year capital improvement plan which assumed a \$0.05 increase in the water rate in years 2 through 5, the increase is not binding and he intends to review the proposed increase in each of the subsequent years.

OMNIBUS AGENDA

Commissioner Wilcox moved to adopt the items listed on the Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Tolentino and unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, J. Janicik, W. Mueller, N. Pollock, A. Poole, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

Item 1. Ordinance O-1-03: Ordinance of the DuPage Water Commission, Counties of DuPage, Cook and Will, Illinois, Abating the 2002 Tax Levy for \$93,970,000 General Obligation Water Refunding Bonds, Series 2001, of the Commission – "Omnibus Vote"

Item 2. Resolution R-2-03: A Resolution Approving a First Amendment to Task Order No. 5 Under the Master Engineering Agreement with Alvord, Burdick & Howson, L.L.C. – "Omnibus Vote"

Item 3. Resolution R-3-03: A Resolution Approving Certain Contract Change Orders at the February 13, 2003 DuPage Water Commission Meeting – "Omnibus Vote"

Item 4. Resolution R-4-03: A Resolution Awarding the Janitorial Service Contract – "Omnibus Vote"

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- Item 5. Resolution R-5-03: A Resolution Approving and Authorizing the Execution of a Professional Service Agreement Between DuPage Water Commission and Consoer Townsend Envirodyne Engineers, Inc. for a Vulnerability Assessment and Emergency Response Plan – “Omnibus Vote”

NEW BUSINESS

Commissioner Pollock moved to suspend the purchasing procedures of the Commission's By-Laws and approve Purchase Order No. 7334 in the amount of \$43,125.00 to Electric Machinery. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, J. Janicik, W. Mueller, N. Pollock, A. Poole, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

Commissioner Wilcox moved to suspend the purchasing procedures of the Commission's By-Laws and approve Purchase Order No. 7335 in the amount of \$16,267.00 to Flowserve. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, J. Janicik, W. Mueller, N. Pollock, A. Poole, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

ACCOUNTS PAYABLE

Commissioner Wilcox moved to approve the Accounts Payable in the amount of \$3,977,267.51 subject to submission of all contractually required documentation. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, J. Janicik, W. Mueller, N. Pollock, A. Poole, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

PUBLIC COMMENTS

Phil Modaff, Village of Woodridge, questioned the reason for going into executive session.

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Commissioner Wilcox moved to go into Executive Session to discuss pending, probable or imminent litigation pursuant to 5 ILCS 120/2(c) (11). Seconded by Commissioner Tolentino and unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, J. Janicik, W. Mueller, N. Pollock, A. Poole, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

The Commission went into Executive Session at 8:13 P.M.

Commissioner Wilcox moved to come out of Executive Session at 8:34 P.M. Seconded by Commissioner Thorn and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Wilcox moved to adjourn the meeting at 8:35 P.M. Seconded by Commissioner Thorn and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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