

DuPage Water Commission

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NOTICE IS HEREBY GIVEN THAT THE RESCHEDULED JULY 2004 ADMINISTRATION COMMITTEE MEETING OF THE DU PAGE WATER COMMISSION WILL BE HELD AT 8:30 A.M. ON THURSDAY, JULY 8, 2004, AT ITS OFFICES LISTED BELOW. THE AGENDA FOR THE RESCHEDULED JULY 2004 REGULAR COMMITTEE MEETING IS AS FOLLOWS:

AGENDA

**ADMINISTRATION COMMITTEE
THURSDAY, JULY 8, 2004
8:30 A.M.**

**600 EAST BUTTERFIELD ROAD
ELMHURST, IL 60126**

COMMITTEE MEMBERS

L. Hartwig - Chair
D. Zeilenga
E. Chaplin
W. Murphy

- I. Roll Call
- II. Approval of Minutes of June 10, 2004
- III. Comments on Organizational Chart
- IV. Electronic Meeting Participation Policy
- V. Other

Board/Agendas/Administration/ADM0407.DOC

All visitors must present a valid drivers license or other government-issued photo identification, sign in at the reception area and wear a visitor badge while at the DuPage Pumping Station.

**MINUTES OF A MEETING OF THE
ADMINISTRATION COMMITTEE
OF THE DU PAGE WATER COMMISSION
HELD ON JUNE 10, 2004**

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: L. Hartwig and D. Zeilenga

Committee members absent: R. Benson

Also in attendance: M. Crowley

By unanimous consent, Commissioner Hartwig was appointed Chairman Pro Tem of the June 10, 2004, meeting of the Administration Committee.

Commissioner Zeilenga moved to approve the Minutes of the May 13, 2004 Administration Committee. Seconded by Commissioner Hartwig and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The Committee discussed the establishment of a "Mission Statement" as requested by Commissioner Chaplin. Commissioner Chaplin suggested the organizational mission statement be based upon the mission statement used by City of Naperville's Department of Public Utilities or the following provision from the Water Commission Act of 1985: "[T]o help assure a sufficient and economic supply of a source of water within those county wide areas of this State where, because of a growth in population and proximity to large urban centers, the health, safety and welfare of the residents is threatened by an ever increasing shortage of a continuing, available and adequate source and supply of water on an economically reasonable basis. . . ." An organizational mission statement based upon the Naperville DPU mission statement was preferred by the Committee, and the Staff Attorney was directed to adapt the Naperville model for review by the Committee at the August 2004 meeting.

With respect to Commissioner Chaplin's request that staff periodically issue press releases concerning actions taken, projects completed, projects started, and other items of interest, it was the recommendation of the Administration Committee that it would be more useful for staff to issue a brief statement of the actions taken at each meeting which could be shared with Commission customers, the County, and the press.

In reviewing the organizational chart prepared by the General Manager, the Committee discussed whether it would be more appropriate for the proposed Human Resources/Training Coordinator to report to the General Manager (or the Manager of Water Operations) rather than the Financial Administrator because of the predominantly technical background of Commission personnel, and whether

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the Board should establish/sanction the various positions within the organizational chart and/or the total number of personnel to be employed. The Committee had no concerns with respect to the need for a new Manager of Water Operations and a Human Resources/Training Coordinator, but wanted more information on the other new positions.

With respect to using an executive search firm for the recruitment of the Manager of Water Operations and the Human Resources/Training Coordinator, the Administration Committee will recommend to the Board that The PAR Group – Paul A. Reaume, Ltd. be retained to provide such services in light of the Commission's current circumstance of having new hires in key administrative staff positions.

Commissioner Zeilenga moved to adjourn the meeting at 7:29 P.M. Seconded by Commissioner Hartwig and unanimously approved by a Voice Vote.

All voted aye. Motion carried.


Board/Minutes/Adm0406.doc



DuPage Water Commission

MEMORANDUM

TO: Chairman and Commissioners

FROM: Robert L. Martin, P.E. 
General Manager

DATE: June 25, 2004

SUBJECT: Preventative Maintenance Program

Background

The Commission's distribution system consists of approximately 165 miles of pipelines ranging in size from 90" to 12" in diameter, more than 650 valves, and cathodic protection monitoring stations. The Commission's remote facilities consist of 75 metering stations and 35 remotely-operated valves. As I stated during the interviewing process, my biggest concern with the Waterworks System is the lack of preventative maintenance being performed on the distribution system and remote facilities.

To start the Commission on a sound preventative maintenance program, additional personnel will be required. I have attached for your review and comment a re-organized organizational chart for staffing my proposed preventative maintenance program. Some of the additional personnel needed for the preventative maintenance program have been budgeted for; others have not.

The additional personnel needed for the preventative maintenance program that have been budgeted to cover the areas of pipeline (distribution system) maintenance and the Geographical Information Systems (GIS) Coordinator, which system will support the preventative maintenance program by enabling staff to more easily capture, access, manage, analyze, and integrate maintenance data. The additional personnel needed for the preventative maintenance program that have *not* been budgeted for are described below.

Proposed but Unbudgeted Staffing

Remote Facilities Maintenance (1) *This is a new position that was not included in the FY 2004-05 budget.*

To improve maintenance of the remote facilities, I plan to create a separate two-person remote facilities maintenance crew by reassigning one of the existing instrumentation technicians to the remote facilities maintenance crew and hiring a second crew member. A two-person crew is required for increased productivity and

safety. I chose to re-assign one of the existing instrumentation technicians to this new maintenance crew to better utilize in-house capabilities and expertise.

Remote Instrumentation Technician (1) *This is a vacancy in an existing position that was not included in the FY 2004-05 budget.*

At the present time, there are two instrumentation technicians who are responsible for testing and repairing remote instrumentation. As noted above, I plan to reassign one of the existing technicians to the newly-created remote facilities maintenance crew, leaving a vacancy in the existing two-person remote instrumentation technician crew. This vacancy needs to be filled to accommodate existing workloads and for reasons of safety.

Assistant Operator (1) *This is a staffing increase in an existing position that was not included in the FY 2004-05 budget.*

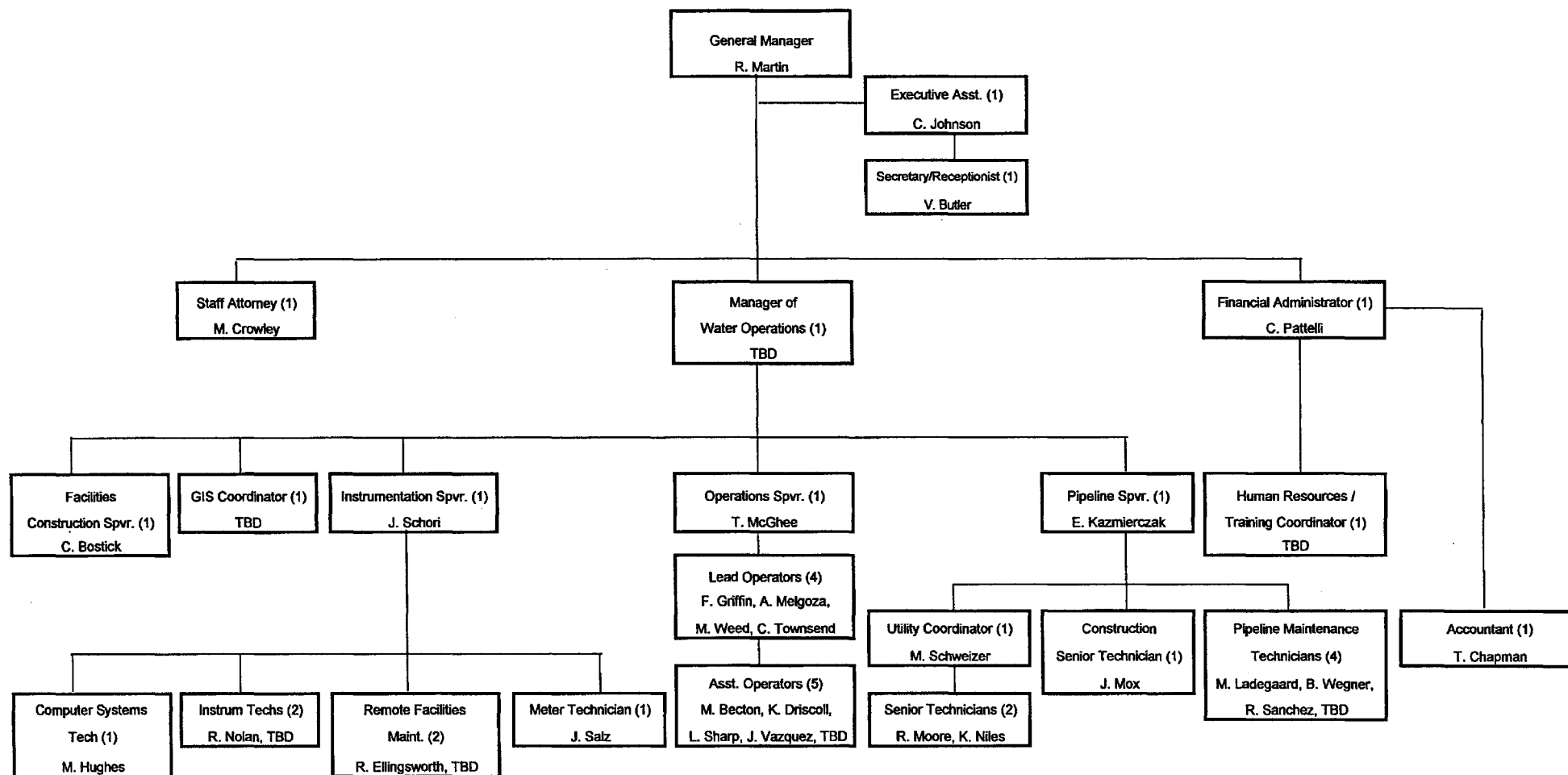
At the present time, there are two operators on duty at all times. The operators are responsible for preventative and corrective maintenance at the DuPage Pumping Station, as well as responding to radio and SCADA inquiries at the control console. During normal business hours (Monday through Friday 07:00 to 15:30), the operators are continually interrupted from their maintenance activities due to the large volume of radio and SCADA inquiries received during these hours. I plan to employ an additional Assistant Operator who will be stationed full-time at the control console during normal business hours, thereby relieving the other two operators from constant interruption and improving productivity and efficiency.

Human Resources Administrator/Training Coordinator (1) *This is a new position that was not included in the FY 2004-05 budget.*

This individual will be responsible for recruiting, safety training, and health insurance matters. In the past, the Financial Administrator handled these functions. However, with the voluminous financial analysis that is currently being performed, it is now necessary to have a separate individual responsible for these matters. Having a separate individual responsible for these matters will also serve as a risk management adjunct to the preventive maintenance program.

Conclusion

The Annual Management Budget for FY 2004-05, approved April 7, 2004, did not include the above-described personnel. To facilitate the personnel reorganization associated with the preventative maintenance program, and in recognition that such reorganization will likely exceed the personnel budget, the factor applied to operating expenses in the Annual Appropriation Ordinance for FY 2004-05 (Ordinance No. O-13-04) approved at the June 10, 2004 Commission meeting was 125% of budget. Thus, the Annual Appropriation Ordinance covered the approximately \$310,000 anticipated budget overrun in personnel costs. This overrun represents approximately 5.5% of the personnel budget and 0.4% of the Commission's operating budget.






DuPage Water Commission

MEMORANDUM

TO: Chairman & Commissioners

FROM: General Manager 

DATE: June 25, 2004

SUBJECT: Electronic Meeting Participation Policy

Late last year, the Administration Committee began considering the formulation of a policy for the Commission regarding telephonic and other electronic means of participation in meetings. In March, consideration of the electronic meeting participation policy was deferred until after the state legislature adjourned so that any legislative enactment in the area could be incorporated into the Committee's recommendations to the full Board. Because the legislature is close to adjournment and there are no active bills pending on the subject, the Administration Committee will once again be considering electronic meeting participation policy issues.

For ease of reference, and due to the extensive turn-over in Board and Committee memberships, I consolidated into a single memorandum a "decision tree" isolating the decisions the Commission will need to make in considering whether to adopt a policy prohibiting, or setting limitations on, electronic participation in Commission meetings.

I. Electronic Participation in Public Meetings.

According to the Commission's legal counsel, Commissioners may participate in Commission meetings by telephone conference or other electronic means under the Open Meetings Act so long as the call is conducted in a manner that complies with the Act's other requirements:

There is nothing within the Open Meetings Act which specifically prohibits conducting a meeting by telephone conference or requires members of a public body to be in each other's physical presence to establish a quorum. *People ex rel. Graf v. Village of Lake Bluff*, 321 Ill. App. 3d 897, 909 (2d Dist. 2001), *citing Freedom Oil Co. v. Illinois Pollution Control Bd.*, 275 Ill. App. 3d 508, 515 (4th Dist. 1995).

Moreover, the "absence of a rule [allowing telephonic participation] does not render [a public body's] authority to conduct meetings by telephone conference invalid." *Freedom Oil Co. v. Illinois Pollution Control Bd.*, 275 Ill. App. 3d at 517. However, the *Freedom Oil* court suggested that if a public body intends to regularly conduct meetings by telephone conference, then the "better practice would dictate it should have rules in

place for the procedures to be followed.” *Freedom Oil Co. v. Illinois Pollution Control Bd.*, 275 Ill. App. 3d at 518.

In keeping with the “better practice” suggestion of the *Freedom Oil* court, the Commission should consider adopting a policy regulating electronic participation in its public meetings. If the Commission decides to adopt a policy allowing electronic participation, then it is essential that the Commissioner participating electronically be able to concurrently hear the substance of the meeting, and that those in attendance at the meeting be able to concurrently hear the electronically participating Commissioner. Other than that, the Commission is currently free to determine its own rules concerning electronic participation.

II. Considerations for the Commission in Formulating an Electronic Meeting Participation Policy.

1. *Should electronic participation in meetings be allowed?* The Commission may allow or prohibit electronic participation. The inactive bills from this year’s session, House Bill 4589 and Senate Bill 3106 (the “2004 Bills”), would have allowed, but not required, electronic participation in meetings of public bodies. Legislation introduced in 2003, Senate Bill 699 (the “2003 Bill”), would have required public bodies to allow electronic participation in meetings.

2. *If electronic participation is allowed, should Commissioners participating electronically be counted in determining whether a quorum is present at the meeting?* The state agencies that have allowed electronic participation by rule count electronic participators in determining meeting quorums. In contrast, several municipalities have adopted regulations providing that electronic participators are not counted toward a quorum. Between those extremes, the 2004 Bills would have counted electronically participating members for quorum purposes except in connection with bond issuances, and the 2003 Bill would have added an additional exception for public hearings.

3. *If electronic participation is allowed, should the allowance exclude certain types of meetings or should Commissioners participating electronically have limited voting rights?* Under the 2003 Bill, members of public bodies participating in a meeting by electronic means would not have been considered for purposes of determining a quorum or voting in connection with public hearings and bond issuances. In addition, if the Governor’s amendatory veto to the 2003 Bill had been accepted by the General Assembly, then electronic participation at all special and emergency meetings would have been prohibited. Under the 2004 Bills, members of public bodies participating in a meeting by electronic means would have been considered for purposes of determining a quorum and voting except in connection with bond issuances.

4. If electronic participation is allowed, should Commissioners be allowed to participate electronically whenever they want? The Illinois agencies that allow electronic participation do not place conditions on when board members may participate electronically. Several municipalities, however, place restrictions on participation, as would have the 2004 and 2003 Bills. For example, under the 2004 Bills a member would be allowed to participate electronically if that member is prevented from physically attending the meeting because of: personal illness or disability; personal employment purposes; official business; and/or family or other emergencies. In addition, distance restrictions have been imposed, such as being 150 miles from the meeting place or, under the 2003 Bill, absence from the territorial limits of the public body for personal reasons, for employment purposes, or for the business of the public body.

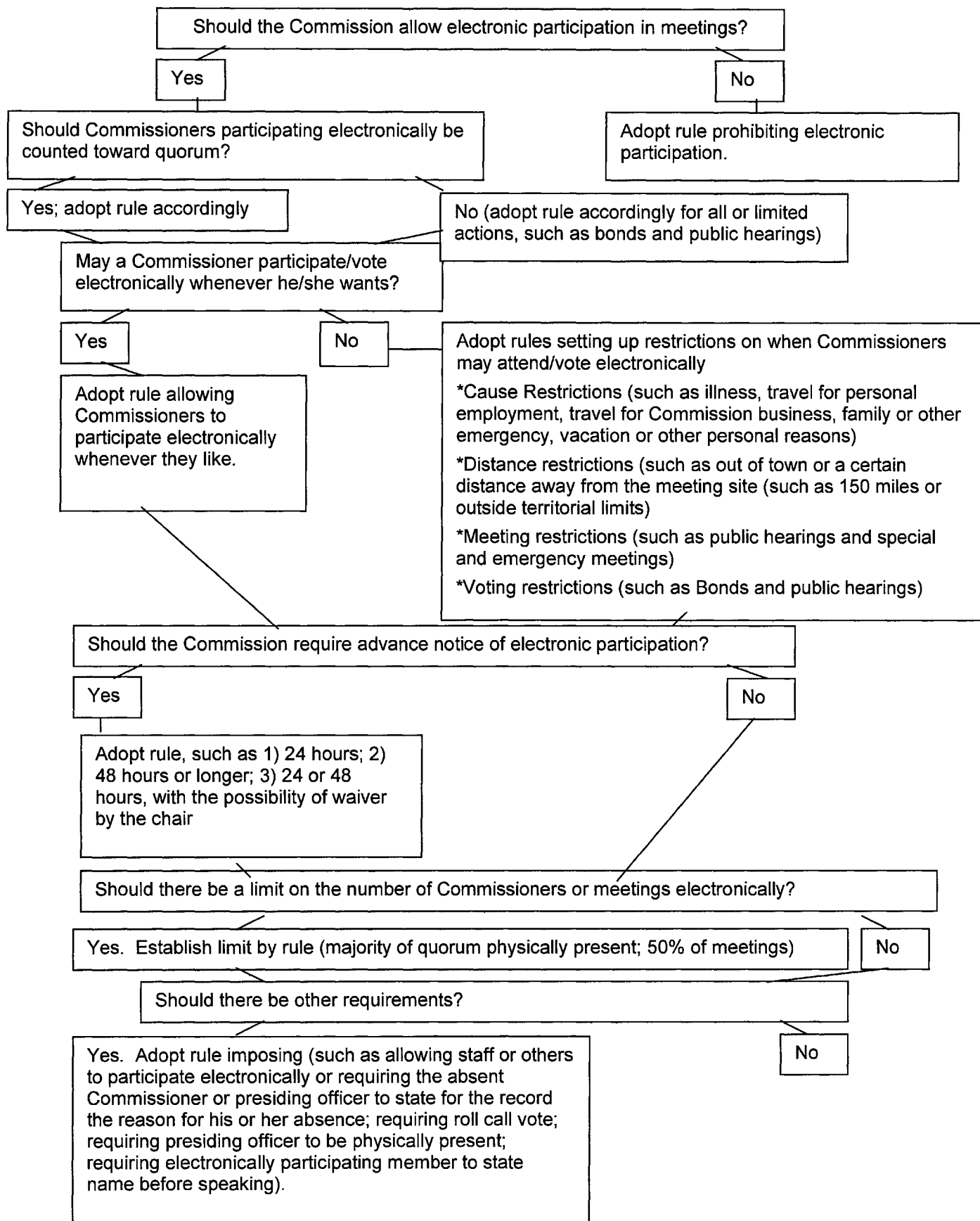
5. If electronic participation is allowed, should the Commission require advance notice of electronic participation? Several municipalities require, and the 2004 and 2003 Bills would have required, electronic participants to provide 48 hours advance notice unless impracticable.

6. If electronic participation is allowed, should there be a limit on the number of Commissioners allowed to participate electronically? Clarendon Hills allows no more than two Commissioners to participate electronically in any meeting. The 2004 and 2003 Bills would have required that a *majority of a quorum* be physically present at the meeting.

7. If electronic participation is allowed, should there be a limit on the number of meetings a Commissioner is allowed to participate in electronically? The 2004 and 2003 Bills would have limited Commissioners to participating in meetings electronically in no more than 50% of the regularly scheduled meetings of the Commission unless a physician's certification was provided.

8. If electronic participation is allowed, should miscellaneous restrictions be imposed? Several municipalities require that if any person is participating electronically in a public meeting, then the record must reflect the reason he or she was unable to attend in person. Other miscellaneous restrictions include: Requiring all votes be taken by roll call when any board member participates electronically; requiring that a different presiding officer (Chair) be designated whenever the officer who would normally preside over a meeting is participating electronically; requiring all members participating electronically to state their name every time they speak; and allowing the corporate authorities to establish rules allowing electronic participation by staff or other individuals. Similarly, the 2004 and 2003 Bills would have required roll call votes whenever a member was participating electronically and required all members participating electronically to state their name every time they spoke.

Electronic Participation in Commission Meetings





DuPage Water Commission

MEMORANDUM

TO: Administration Committee

FROM: Robert L. Martin, P.E.
General Manager

A handwritten signature in black ink, appearing to read 'R. Martin', is written over the printed name and title.

DATE: June 25, 2004

SUBJECT: Draft Mission Statement

At its meeting of June 10, 2004, the Administration Committee discussed the establishment of a "Mission Statement." As directed by the Committee, the Staff Attorney has adapted the mission statement used by City of Naperville's Department of Public Utilities for review by the Committee at its August 2004 meeting.

TO PROVIDE RELIABLE, QUALITY, RESPONSIVE, AND COST-EFFICIENT WATER SERVICES FOR COMMISSION CUSTOMERS IN SUPPORT OF THE HEALTH, WELFARE, AND GROWTH OF DUPAGE COUNTY.