

MINUTES OF THE REGULAR MEETING, WEDNESDAY, June 15, 2011

The Board of Trustees of the Sanitary District of Decatur, Illinois met in regular session June 15, 2011 at 5:32 pm at the District's office, 501 Dipper Lane. Present for the meeting were board members Dan Smallwood, Jim Gresham, Dana Miller and Lee Slider. Also present were Monte Cherry, Executive Director; Tim Kluge, Technical Director; Don Miller, Project Manager and Kent Newton, Director of Administration. In addition were Ed Flynn, General Counsel for the District; Erick Hubbard and Stephen Clevenger of Featherstun, Gaumer, Postlewait, Stocks, Flynn and Hubbard; Chuck Hunsinger and Kurt Cassidy of BGM; Jerry Schaffer of SKS Engineering, Cindy Luedke, Connie Barker, Tammy Boose, Lawrence Slem, Deena Bowman and Ed Booth representing the Village of Argenta; Jeff Grider, Bob Millington Ron Grider, Cheryl Quandt and James Jankowicz representing the Argenta Sanitary District and employees Sam Bruce and Neal Johnson.

Mr. Smallwood opened the Regular Meeting by requesting public comments.

There were no Public Comments

12365 Mr. Gresham moved that the items on the Consent Agenda including minutes of the regular meeting held on 5/25/2011 and closed meeting held on 5/25/2011; payroll and checks as submitted; Easements for the 2011 Trestle Improvement Project, Resolution 11-03 Prevailing Wage and 11-04 Surplus Property and Pretreatment Permit - Transport Service Company be approved and issued; that the President, Clerk, Executive Director and Director of Administration be authorized and directed to take all actions required to execute the items on the consent agenda and that the closed session minutes from 5/25/2011 not be made public without additional board approval. Motion seconded by Mr. Slider. Motion carried unanimously.

12366 Mr. Slider moved that the board go into closed session for the purpose of discussing personnel matters as provided by the Open Meetings Act: Sec 2c-11. Pending or probable litigation. Motion seconded by Ms. Miller. Motion carried unanimously.

12367 Upon returning to open session Mr. Slider moved that the Board continue the meeting to 5:30 PM on Wednesday, June 22, 2011. The meeting will be held at the District Administration Building located at 501 Dipper Lane, Decatur, IL 62522 Motion seconded by Ms. Miller. Motion carried unanimously.

The meeting was continued at 7:25

12368 At 5:38 pm on June 22, 2011, Mr. Gresham moved that the Board reconvene the June 15, 2011 meeting. Motion seconded by Ms. Miller. Motion carried unanimously. Those present were board members Dan Smallwood, Jim Gresham, Dana Miller and Lee Slider. Also present were Monte Cherry, Executive Director; Tim Kluge, Technical Director; Don Miller, Project Manager and Kent Newton, Director of Administration. In addition were Ed Flynn, General Counsel for the District; Erick Hubbard of Featherstun, Gaumer, Postlewait, Stocks, Flynn and Hubbard; Chuck Hunsinger and Kurt Cassidy of BGM; and employees Sam Bruce and Neal Johnson.

Mr. Cherry reviewed the Executive Director's report that was included in the packet.

Mr. Cherry reviewed a PowerPoint presentation that provided an overview of the proposed performance benchmarks for the staff.

Mr. Cherry reported that Kent Newton had passed the fourth part of the five requirements to receive the Government Finance Officer Association's Certified Government Finance Officer designation.

During his report on the monthly Labor Management meeting, Mr. Cherry discussed his continued opposition to allowing union employees to wear shorts at work. Mr. Smallwood concurred with the current policy that requires long pants.

Mr. Cherry presented a professional service agreement for an expert witness.

12369 Mr. Slider moved that the Sanitary District of Decatur retain Mr. Roger Woodhull as an expert witness to assist in the defense of the claim for differing site conditions by Dawn Inc. on the Argenta Sewer Contract and that his compensation be set at \$185.00 per hour plus expenses. Motion seconded by Ms. Miller. There was a brief discussion about Mr. Woodhull's qualifications which Mr. Flynn indicated would make Mr. Woodhull a valuable member of the defense team. Motion carried unanimously.

Mr. Miller began the Engineering Director's Report with a review of both the Construction and Design Reports and the staff reports included in the packet.

Mr. Miller presented four Change Orders.

12370 Mr. Gresham moved that the Sanitary District of Decatur accept change order #2 to the Argenta Collection System project with Dawn Companies, Inc.; with no change in contract cost and no change in contract time; and that the Executive Director be authorized and directed to accept said change order. Motion seconded by Mr. Slider. Motion Carried unanimously.

12371 Ms. Miller moved that the Sanitary District of Decatur accept, change order #5 to the South Sludge lagoons Remediation Project – Phase 1 with Beyers Construction, increasing the overall contract amount by \$33,129.5 to an adjusted contract amount of \$3,242,005.20; with no increase in overall contract time; and that the Executive Director be authorized and directed to accept said change order. Motion seconded by Mr. Gresham. Motion Carried unanimously.

12372 Mr. Gresham moved that the Sanitary District of Decatur accept change order #1 to the 2010 Primary Clarifier #3 Rehabilitation project with DPS Equipment, decreasing the overall contract amount by (\$8,892.64) to an adjusted contract amount of \$376,332.36 with no increase in overall contract time; and that the Executive Director be authorized and directed to accept said change order. Motion seconded by Mr. Slider. Motion Carried unanimously.

12373 Mr. Slider moved that the Sanitary District of Decatur accept change order #4 to the KMART pump station and force main project with Burdick Plumbing and Heating, increasing the overall contract amount by \$576.64 to \$448,571.71 with no increase in contract time; and that the Executive Director be authorized and directed to accept said change order. Motion seconded by Ms. Miller. Motion Carried unanimously.

Mr. Miller proceeded with two contract awards.

12374 Mr. Slider moved that the Sanitary District of Decatur award Odle Inc from Muncie, IN the lowest responsive, responsible bidder the contract for the 2011 Clarifier Painting project in the amount of \$161,800.00 and that the President and Clerk be authorized and directed to execute said contract. Motion seconded by Ms. Miller. Motion Carried unanimously.

12375 Mr. Slider moved that the Sanitary District of Decatur award King-Lar Roofing, Inc from Decatur IL the lowest responsive, responsible bidder the contract for the 2011 Roof Replacement and Rehabilitation project in the amount of \$49,180.00 and that the President and Clerk be authorized and directed to execute said contract. Motion seconded by Ms. Miller. Motion Carried unanimously.

Mr. Kluge presented the Technical Director's Report by reviewing the Operations and Pretreatment Report included in the packet. Mr. Kluge reported that the District had violated the fecal coliform limit for the second time this year. He stated that the operations and laboratory staff were researching the reason.

Mr. Kluge proceeded with two contract awards

12376 Mr. Slider moved that the Sanitary District of Decatur award J&B Waste Applications, Inc the lowest responsive, responsible bidder the contract for the South Sludge Lagoon Remediation project in the amount of \$907,313.38 and that the President and Clerk be authorized and directed to execute said contract. Motion seconded by Ms. Miller. Motion Carried unanimously.

12377 Mr. Gresham moved that the Sanitary District of Decatur enter into a professional services contract with HDR Engineering, Inc. for "Preparation of Documents and Supporting Efforts for Nickel Criteria Adjustment" at a not to exceed amount of \$14,456.88 on an actual cost reimbursable basis, and that the President and Clerk be authorized and directed to execute said contract. Motion seconded by Ms Miller. Motion Carried unanimously.

Mr. Newton reviewed the Director of Administration Report that was included in the packet. Mr. Newton discussed the need to change the District's current investment strategy to begin to get better returns while still keeping the safety of principal as the main objective.

Mr. Newton concluded with a review of the Closed Session Minutes

12378 Mr. Gresham moved that the minutes of the closed sessions held 6/16/10, 10/15/10, 3/16/11 and 4/20/11 be made public and closed sessions held 10/25/00 and 8/20/03, 10/20/10, 11/17/10 and 12/15/10 not be made public without board approval. Motion Seconded by Mr. Slider. Motion carried unanimously.

There were no Trustee comments

There was no report from the Attorney.

12379 Mr. Gresham moved that the board go into closed session for the purpose of discussing pending or probable litigation as provided by the Open Meetings Act: Sec 2c-11, Motion seconded by Ms. Miller. Motion carried unanimously.

12380 Upon returning to open session Ms. Miller moved that the board adjourn. Motion seconded by Mr. Slider. Motion carried unanimously.

The board adjourned at 7:25pm.

Clerk