

## **MINUTES OF THE REGULAR MEETING, WEDNESDAY, JANUARY 18, 2012**

The Board of Trustees of the Sanitary District of Decatur, Illinois met in regular session January 18, 2012 at 5:35 pm at the District's office, 501 Dipper Lane. Present for the meeting were board members Dan Smallwood, Jim Gresham, Dana Miller Rob Jacobsen 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; and Chuck Hunsinger and Curt Cassidy of BGM.

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

There were no Public Comments

**12433** Ms. Miller moved that the items on the Consent Agenda including minutes of the regular meeting held on 12/21/11 and payroll and checks as submitted be accepted, 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. Motion seconded by Mr. Slider. Motion carried unanimously.

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

Mr. Cherry presented a request by Tenaska to extend the existing Memorandum of Understanding (MoU). Mr. Jacobsen questioned the need and purpose for extending the MoU. Mr. Flynn agreed that the MoU had "no teeth" and that circumstances had changed since the original MoU was approved to the point that any final agreement with Tenaska would be significantly different than outlined in the MoU.

**12434** Mr. Slider moved that the Sanitary District of Decatur approve amendment no. 5 to the Memorandum of Understanding, dated 12/21/2005 (amended 11/08, 12/10, and 2/11), between Christian County Generation, L.L.C., and the Sanitary District, as presented to the Board, extending the effective date to September 1, 2012 and that the President and assistant clerk be authorized and directed to execute said amendment. The motion did not receive a second.

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 and two contracts

- 12435** Mr. Jacobsen moved that the Sanitary District of Decatur accept change order #12 to the to the Oreana Collection System project with Otto-Baum, increasing the contract amount by \$42,430.99 to an adjusted contract amount of \$5,730,090.90; with no increase in contract time; and that the Executive Director be authorized and directed to accept said change order. Motion seconded by Mr. Gresham. Motion Carried unanimously.
- 12436** Ms. Miller moved that the Sanitary District of Decatur accept change order #13 FINAL to the to the Oreana Collection System project with Otto-Baum, increasing the contract amount by \$43,405.26 to an adjusted contract amount of \$5,773,496.16; with no increase in the 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.
- 12437** Mr. Jacobsen moved that the Sanitary District of Decatur accept change order #9 to the to the Argenta Collection System; increasing the contract amount by \$3,871.38 to an adjusted contract amount of \$6,101,341.23; 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. There was a question about Field Order #33. Mr. Miller explained that the additional expense would be paid by the Argenta Sanitary District. Motion Carried unanimously.
- 12438** Mr. Gresham moved that the Sanitary District of Decatur accept change order #2 to the 2011 Trestle Improvements Project with Engineering and Construction Innovations; increasing the contract amount by \$1,866.36 to a new contract amount of \$2,716,541.34 with no change 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.
- 12439** Mr. Jacobsen moved that the Sanitary District of Decatur enter into the professional services agreement with Clark Dietz Engineers for the 2012 Energy Savings and Grants Projects in the actual cost, not to exceed amount of \$32,080.00; and that the President and Clerk be authorized and directed to accept said agreement. Motion seconded by Mr. Slider. Motion Carried unanimously.
- 12440** Mr. Jacobsen moved that the Sanitary District of Decatur enter into the 2011 Blower Replacement Installation contract with Leander Construction, Inc. the lowest responsive, responsible bidder, in the amount of \$409,000.00 dollars; with a completion date of May 15, 2012; and that the President and Clerk be authorized and directed to execute said contract. Motion seconded by Ms. Miller. Mr. Miller explained the total project cost was increasing but still supported a ROI of 2-3 years. Motion Carried unanimously.

Mr. Kluge presented the Technical Director's Report by reviewing the Operations and Pretreatment Report included in the packet. Mr. Kluge pointed out an abnormally high total suspended solids reading on December 15 that was due to Sanitary District collection system maintenance and the installation of some new piping.

Mr. Kluge presented one contract amendment and two contracts

**12441** Mr. Gresham moved that the Sanitary District of Decatur approve Amendment No. 1 to the June 7, 2011 contract for professional services with Donohue & Associates, Inc. for design of Anaerobic Digester Complex Improvements, removing design of digester mixing facilities and other work as described in the amended contract Scope of Services that the contract amount be revised to a not to exceed amount of \$118,359.10 on an actual cost reimbursement basis and that the President and Clerk be authorized and directed to accept said contract amendment. Motion seconded by Mr. Slider. Motion Carried unanimously.

**12442** Mr. Jacobsen moved that the Sanitary District of Decatur approve a contract for professional services with Donohue & Associates, Inc. to prepare an IEPA-approvable Facilities Plan Amendment Report for replacing anaerobic digester mixing systems and other improvements in accordance with the Scope of Services described in the contract on an actual cost reimbursement basis with a not to exceed amount of \$11,880.00 and that the President and Clerk be authorized and directed to accept said contract. Motion seconded by Ms Miller. Motion Carried unanimously.

**12443** Mr. Jacobsen moved that the Sanitary District of Decatur approve a contract for professional services with Donohue & Associates, Inc. for design of Anaerobic Digester Complex Improvements – Digester Mixing System in accordance with the Scope of Services described in the contract on an actual cost reimbursement basis with a not to exceed amount of \$176,100.00 and that the President and Clerk be authorized and directed to accept 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 presented the personnel policies.

**12444** Mr. Jacobsen moved that the Board approve the Vacation Leave, Sick Leave, IMRF pension Plan and Retirement Policies, which have been reviewed by the District's Policy Review Committee and the District's Attorney, effective immediately. Motion seconded by Ms. Miller. Motion Carried unanimously.

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Mr. Flynn informed the Board of the next steps in the arbitration process with Dawn Companies and the status of a claim by a home owner concerning some trees.

There were no comments from the Public

There were no Trustee Comments

**12432** Mr. Jacobsen moved that the board adjourn. Motion seconded by Mr. Slider. Motion carried unanimously.

The board adjourned at 6:30 pm.

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Clerk