

MINUTES
Of the
SOUTH LYONS TOWNSHIP SANITARY DISTRICT
Board Meeting
THURSDAY, DECEMBER 17, 2009

CALL TO ORDER:

The Board of Trustees of the South Lyons Township Sanitary District met in a regularly scheduled meeting at **4:30.m. on THURSDAY, DECEMBER 17, 2009** at the District offices. Trustee Peck called the meeting to order, Trustee Anderson called the roll:

Present: Trustees Peck, Finn, and Anderson
Also present: Treasurer Linda Bugielski, Superintendent Chris Breakey, Attorney Ed King, Engineer Tom Heuer
Absent:

OMNIBUS VOTE AGENDA

- A. Approval of the NOVEMBER 5, 2009 Regular Board Meeting Minutes
- B. Approval of the NOVEMBER 12, 2009 Special Board Meeting Minutes
- C. Approval of the Treasurer's Report for NOVEMBER, 2009
- D. Approval of Corporate & Sewer Warrants NOVEMBER 15, 2009
- E. Approval of Corporate & Sewer Warrants NOVEMBER 30, 2009
- F. Approval of General Ledger Adjustments NOVEMBER 30, 2009

Mr. Finn indicated that the Treasurer's Report showed 2009 twice whereas 2008 should have been reflected in the second column. Mr. Breakey requested that the minutes be tabled to the next meeting as he has a rebuttal to some of the things that were said at the last meeting. Mr. King explained that the minutes are accurate as to what was said, and if he has a rebuttal, he may present that.

A MOTION BY TRUSTEE PECK AND SECONDED BY TRUSTEE FINN TO APPROVE THE OMNIBUS AGENDA, ITEM A THROUGH F WITH THE CORRECTION TO THE TREASURER'S REPORT TO REFLECT 2008 IN THE SECOND COLUMN WAS UNANIMOUSLY ACCEPTED BY ROLL CALL

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

CITIZENS COMMENTS: NONE

TREASURER'S REPORT

Investment Policy: Linda informed the board that our auditors have given their approval on the Investment Policy and advised that we receive Financial Data on a yearly basis on any Agency we do business with.

Tax Levy: Linda presented the Tax Levy to the Board with no increase.

Personnel Booklet: Mr. Finn questioned why Linda put together a booklet that Mr. Peck asked her to. Linda explained that the purpose of the book was not to defer them from their decision in hiring a Personnel Firm, but to give the trustees information on what was presently available. Mr. Finn felt that no trustee has the right to ask an employee to do something for them. Linda said that she would do the same for any of the trustees, if they had asked her to type up or assemble information for them. Mr. Finn objected that the board made a decision to hire a personnel company and people continue to fight that decision. Mr. Peck indicated he had a right to continue to voice his objection and he had asked Linda to assemble it for him and also for the other trustees feeling this booklet would be helpful to all of the trustees. Attorney King indicated that this booklet was not a waste of time, since this is something that will have to be given to an HR company when they come in. He advised the board

that they should not leave employees in the position where they need board approval every time a trustee asks an employee to do something for them.

ON A MOTION BY TRUSTEE FINN AND SECONDED BY TRUSTEE ANDERSON TO HAVE LINDA OR MARY COMPILE A LIST OF INFORMATION ON WHAT WE ARE LOOKING FOR AND CONTACT THE PERSONNEL COMPANIES IN ORDER TO GET A QUOTE.

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

SUPERINTENDENT'S REPORT:

Mr. Breakey's report was presented in writing and his verbal report was deferred in order to move on.

ATTORNEY'S REPORT

A. FOIA OFFICER:

ON A MOTION BY TRUSTEE PECK AND SECONDED BY TRUSTEE ANDERSON TRUSTEE FINN WAS APPOINTED AS THE FOIA OFFICER FOR THE DISTRICT.

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

ENGINEER'S REPORT

Mr. Finn objected that he received an email indicating addresses of work that was going to be done when he understood that only certain commercial areas to be done. Mr. King said that he recommended that Tom approach Bailey and ask if he had any problem with continuing. Mr. King indicated he was not aware that it was going to be just Commercial, but that a list of addresses were going to be submitted. Mr. Heuer indicated that it would include parkways and behind the curbs and no cross cuts. He said that since they did not complete the area around Dansher Park, that had to be done before anything else can be approached. Mr. Finn said that he thought the board had decided no and because some people disagree with that decision that it was brought up again. Mr. Heuer indicated that he was asking for direction and was just relaying the contractors request to the trustees. Mr. Finn understood that the decision was made not to do homes and just commercial areas. Mr. Peck, when asked, had said he understood that we would do homes just in the parkway too. Mr. Heuer asked the board to explain to him exactly what they want to be relayed back to the contractor.

ON A MOTION BY TRUSTEE PECK AND SECONDED BY TRUSTEE ANDERSON THAT THE CONTRACTOR DO THE AREAS AND BEHIND BAKERS SQUARE AND ANY COMMERCIAL AREAS THAT ARE NOT AFFECTED BY PLOWING WAS UNANIMOUSLY ACCEPTED.

A. CONTACTOR CHANGE ORDER:

Mr. Finn asked how we can control paying out huge amounts of money and receiving our reimbursements before paying out. It was explained that we are liable to pay the contractor and are dependent on receiving the money in return from the IEPA. The first payout, as explained by the IEPA usually takes longer the first time. After this second request, we will know if that is true or not. Mr. Finn asked about the change to asphalt on the driveway aprons and wondered if we were saving money. Mr. Heuer indicated that changing from concrete to asphalt will save us money, but not a tremendous amount. Mr. Heuer indicated that the change in expense has not been deducted yet and will show up. Mr. Heuer indicated that we will have another change order in relationship to the Contaminated Soil. This cost will have to show as an allowable expense that will be put into the loan. As of today it was approved by Waste Management and we are just waiting to find out what day they are coming in to dispose

of it. Mr. King read a letter sent to the City of Countryside regarding the city of Countryside's responsibility to remove the contaminated soil which the district is picking up the bill for and we are no longer will pay for the total cost of the disposal for any future contaminated soil found during our project. He asked the board's permission to send the letter to the City, which the Trustees approved.

Mr. Anderson brought up the letter from the IEPA changing the length of the contract. Mr. King explained that the contract was extended, not shortened because we started later then anticipated. He said that through a conversation with IEPA, that if we run into a problem where we need to extend our contract, it would not be a problem, we could just send them a letter explaining the circumstances and an adjustment will be made.

Mr. Anderson inquired if all details with the Village of LaGrange have been covered so that we do not run into the same problems we have had with the City of Countryside. Mr. King explained that we will work out any problems with LaGrange before the Spring work resumes.

ON A MOTION BY TRUSTEE PECK AND SECONDED BY TRUSTEE FINN TO ACCEPT THE CHANGE ORDER AS PRESENTED WAS APPROVED BY ROLL CALL:

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

B. DISBURSEMENT #2

ON A MOTION BY TRUSTEE PECK AND SECONDED BY TRUSTEE FINN THE REQUEST FOR LOAN DISBURSEMENT #2 FOR \$673,313.12 BE APPROVED FOR PAYMENT WAS ACCEPTED BY ROLL CALL VOTE:

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

OLD BUSINESS

A. TAX LEVY: Mr. Finn asked why it doesn't indicate anywhere on the Tax Levy that we are not increasing the Levy.

ON A MOTION BY TRUSTEE ANDERSON AND SECONDED BY TRUSTEE FINN THAT A COVER LETTER BE ATTACHED TO THE TAX LEVY INDICATING THAT THERE IS NO INCREASE WAS ACCEPTED BY ROLL CALL VOTE.

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

ON A MOTION BY TRUSTEE FINN AND SECONDED BY TRUSTEE PECK THAT ORDINANCE 2009-6 THE 2009 TAX LEVY WITH A 0% INCREASE WAS ACCEPTED BY ROLL CALL VOTE.

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

Mr. Anderson mentioned that he had approached Linda about replacing the copier that we have in the office. There was discussion on leasing a copier versus buying a new one. Linda was asked to look into the cost of both options.

ON A MOTION BY TRUSTEE PECK AND SECONDED BY TRUSTEE ANDERSON TO HAVE LINDA CHECK INTO THE COST OF PURCHASING OR THE LEASING OF A NEW COPY MACHINE WAS APPROVED BY ROLL CALL VOTE:

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

B. INVESTMENT POLICY

ON A MOTION BY TRUSTEE FINN AND SECONDED BY TRUSTEE PECK TO ACCEPT THE INVESTMENT POLICY AS PRESENTED WAS ACCEPTED BY ROLL CALL VOTE:

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

NEW BUSINESS

A. CHANGE IN PERSONNEL POLICY:

ON A MOTION BY TRUSTEE FINN AND SECONDED BY TRUSTEE PECK TO ALLOW MARY TO HAVE ALL BENEFITS AS A FULL TIME EMPLOYEE RETRO FROM HER DATE OF HIRE AND VACATION BENEFITS BASED ON TOTAL HOURS FROM THE PREVIOUS YEAR:

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

ADJOURNMENT

ON A MOTION BY TRUSTEE PECK AND SECONDED BY TRUSTEE ANDERSON, THERE BEING NO FURTHER BUSINESS TO DISCUSS, TO ADJOURN THE REGULAR MEETING OF THE BOARD OF TRUSTEES WAS UNANIMOUSLY ACCEPTED BY A ROLL CALL VOTE:

AYES: TRUSTEES PECK, FINN & ANDERSON

NAYS: NONE

ABSENT: NONE

Meeting adjourned at 6:15 p.m



LOUIS ANDERSON, Trustee/Clerk