

GLENBARD WASTEWATER AUTHORITY

Executive Oversight Committee

Minutes

Thursday, April 15, 2010

**Meeting will be held in the Community Room at the Lombard Village Hall,
255 E. Wilson Avenue, Lombard, IL**

Members Present:

Michelle Thorsell	Trustee, Village of Glen Ellyn
William Mueller	President, Village of Lombard
Philip Hartweg	Trustee, Village of Glen Ellyn
Greg Gron	Trustee, Village of Lombard
Steven Jones	Manager, Village of Glen Ellyn
Tim Sexton	Finance Director, Village of Lombard
Joe Caracci	Public Works Director, Village of Glen Ellyn
Carl Goldsmith	Public Works Director, Village of Lombard

Others Present:

Erik Lanphier	Wastewater Manager, GWA
Rick Freeman	Sr. Plant Electrician/Electronics Technician, GWA
David Goodalis	Sr. Plant Operator, GWA
Gayle Lendabarker	Administrative Secretary, GWA
Jon Batek	Finance Director, Village of Glen Ellyn
Larry Noller	Assistant Finance Director, Village of Glen Ellyn

1. Call to Order at 5:35 p.m.
2. Roll Call: Ms. Thorsell, Mr. Mueller, Mr. Gron, Mr. Jones, Mr. Sexton, Mr. Caracci and Mr. Goldsmith, answered "Present". Mr. Hulseberg was excused. Mr. Hartweg arrived at approximately 5:45 p.m.
3. Public Comment
4. Consent Agenda

Mr. Mueller motioned and Mr. Jones seconded the MOTION that the following items on the Consent Agenda be approved. Ms. Thorsell, Mr. Mueller, Mr. Jones, Mr. Gron, Mr. Sexton, Mr. Caracci and Mr. Goldsmith individually responded "Aye" during a roll vote. The motion carried.

- 4.1 Minutes from the March 11, 2010 EOC Meeting
- 4.2 Minutes from the March 11, 2010 Executive Session
- 4.3 Vouchers previously reviewed by Trustee Hartweg

4.4 Anaerobic Digester Project Change Order #6

The contractor for the Anaerobic Digester Project has submitted change order number Six (6) which contains a total of six (6) different projects that were successfully completed. All change orders have been reviewed and recommended by our Project Engineers (Strand) and deemed necessary and appropriate by GWA. Itemized descriptions of the projects included in Change Order No. 6 have been provided to you as an attachment.

Motion to approve Change Order No. 6 for the Anaerobic Digester Project which results in a total net increase of the contract in the amount of \$78,196 for a revised contract amount of \$7,532,389.

4.5 ADS Contract Extension for Third Year of Three Year Contract

Currently there are only six (6) meters remaining that are fifteen (15) year old ADS meters that are not capable of producing an accurate SCADA signal due to the age of the technology. The current technology being offered by ADS is an all in one meter that utilizes the same measuring system that our SCADA computer utilizes to track our current real time data. The ADS technicians have done a fabulous job of maintaining these older meters and it is time to move forward with the 3rd and final year of the three year plan.

Motion the EOC to approve the third (3rd) year of the three (3) year service contract proposal in the amount of \$108,144 to ADS Environmental from account 270-520981.

Motion the EOC to approve the third (3rd) year of the three (3) year replacement plan for the ADS flow meters for \$72,300 from account 40-580120.

4.6 Contract Award – Sodium Thiosulfate

The NPDES permit issued to the Lombard CSO facility in 1994 instituted a chlorine residual limit of 4.0 mg/l and a new permit issued in 2001 went even further with a limit of .75 mg/l. The Lombard CSO Facility Improvements Project, began in 2002 and completed in early 2004, included the addition of new chlorination and dechlorination equipment. Prior to the NPDES regulations, Liquid Sodium Hypochlorite was used to chlorinate with no chlorine residual limit in place. In order to meet the new permit requirement and allow for adequate disinfection time, Liquid Sodium Thiosulfate was introduced to the treatment process to dechlorinate prior to discharge. GWA distributed four (4) bid packets and received one (1) back. After speaking with the one chemical supplier who submitted a bid, Thatcher Chemical of Montana, we came to terms that would work for GWA and hold Thatcher Chemical responsible to the contract delivery specifications. Thatcher Chemical has agreed to match the current suppliers' price including delivery.

Motion EOC to award a three year contract to Thatcher Chemical of Montana, Salt Lake City, Utah for the purchase and delivery of Liquid Sodium Thiosulfate at \$1.57 per gallon/delivered with the amount expensed to FY2011 O&M Budget 271 530440.

- 4.7** Western DuPage Landscaping Contract Renewal Second Year of Three Year Contract.

Attached you will find the Tabulation sheets for the April 10, 2009 Request for Proposal (RFP) openings for Landscape Maintenance Services. Nine (9) pre-certified agencies were sent the RFP. Of these, five (5) responded with proposals ranging from a high of \$40,374.00 to a low of \$21,192.00 for annual services.

Motion EOC to award the second (2nd) year of a three-year contract for landscape services to Western DuPage Services, Inc. of Naperville, IL in the amount of \$21,922 with the costs expensed to the FY2011 O&M Budget, Building and Grounds Maintenance line items 270-520971 (Main Plant), 271-520970 (CSO), 274-520970 (St. Charles L.S.) and 275-520970 (Valley View L.S.).

- 4.8** Biosolids Hauling Contract Renewal for Fourth Year of Five Year Contract

The fourth year terms have changed based on the Consumer Price Index (CPI) to \$18.95 per cubic yard hauled. This represents a 3.05% increase over last year's approved hauling rate.

Motion EOC to award the fourth (4th) year of a five (5) year contract for reuse of bio-solids to Stewart Spreading, Inc. of Sheridan, Illinois, at a fourth-year rate of \$18.95 per cubic yard hauled to be expensed to O&M account 270-521150.

- 4.9** Natural Gas Purchasing Agreement Contract Renewal

GWA currently has a Natural Gas Purchasing Agreement with Proliance Energy, LLC of Indianapolis, IN. The Agreement calls for Proliance to act as GWA's sole Agent for the purchase of natural gas and the management of transported gas into GWA's Nicor Account. The Agreement calls for GWA's Natural Gas Supply to the Glenbard Plant through Nicor's existing Account 3-33-03-9500 to continue to be provided under ProLiance's Disciplined Purchase Strategy. O&M Budget Account 270 521202 is utilized to budget for this expense item.

Motion renewal of the existing terms of supply and management of GWA's Natural Gas usage by ProLiance Energy LLC of Indianapolis, IN for Nicor Account 3-33-03-9500.

There was a discussion regarding the future use of Methane gas as a fuel for the boilers used in the wastewater treatment process in an effort to become more environmentally friendly. Mr. Lanphier explained that once the cover on digester #3 is replaced that GWA will have the ability to retain higher levels of methane for use as boiler fuel and not have to burn the methane as waste gas as it currently being done.

5. Digester Project Mediation and Legal Fees

The GWA and our legal counsel, Strand Engineers and WBCI feel that to begin resolution to the Liquidated Damages that have accrued and the Claim on RFP #25 it is in all of our best interests to start with mediation and if resolution cannot be had between the Owner (GWA) and the Contractor (WBCI) then proceeding through the legal system will be our last alternative. GWA is requesting the EOC approve \$15,000 to be utilized from account 270-520700 Professional Legal Services for costs associated with legal counsel and services provided by the mediator. The recommended cost allocation was submitted by GWA's attorney Dirk Price, Ancel-Diamond-Glink.

Motion to approve funding in the amount of \$15,000 to be spent on mediation process associated with the closeout of the Anaerobic Digester Project with Williams Brothers Construction Incorporated. Funds will be expensed for both mediator and Village/GWA legal representation

There was a discussion regarding whether or not the existing or FY2011 O&M budget Legal Services line item held enough funds to cover the expenses. It was explained that the funds allocated for this line item each year covers the expenses incurred by legal counsel for attending board meetings and miscellaneous issues over the course of the fiscal year.

Mr. Jones asked if there was any indication as to how many meetings the mediation might take. Mr. Caracci indicated that Derke Price, GWA's legal counsel, hoped that the matter would involve a single meeting to give both parties an indication how things might proceed in a court of law and to reach an agreement based on the indicator.

Mr. Lanphier indicated the contractor has requested a face-to-face meeting at the last monthly status meeting in an effort to see if a resolution can be reached before resorting to mediation. Mr. Jones asked if this meeting would include legal counsel. Mr. Lanphier indicated it would be owner to contractor. Mr. Jones asked if there was any degree of risk involved in a meeting of this nature. Mr. Lanphier advised that nothing could be agreed to formally but at least both parties could come to terms.

Mr. Caracci indicated he was expecting the contractor to come to GWA with an offer and if the offer is within the realm of what was discussed at the March Executive session meeting, GWA would be in a position to accept the offer without going to mediation.

There was discussion concerning the cost seeming high to several Committee members. Mr. Caracci explained that the cost was a little high and anticipates the actual costs being somewhere around the \$10,000 to \$12,000 range and would like to have enough funds approved and avoid the prospect of coming back to the Committee to ask for additional funds.

Mr. Jones moved and Mr. Caracci seconded the motion: The members individually responded “Aye” during a roll vote. The motion carried.

6. FY11 Draft Budget

The FY 2011 GWA Draft Budget was provided to the EOC for review on March 11, 2010. The EOC was asked to make final comments for revisions by March 31, 2010. Comments were received and the final changes were distributed to all EOC members to insert into the Final Draft Budget. GWA recommends the approval to present the Final Draft Budget to the board at the scheduled Annual Board Meeting to be held immediately following the April 15, 2010 EOC meeting.

Motion the EOC recommend to the GWA Board for approval the proposed FY11 Annual Budget for the Operation, Maintenance and Capital Improvements for all GWA Facilities for a total amount of \$9,474,600.

There was a brief discussion as to the whether the all the concerns the staff from the Village of Lombard had been addressed. Mr. Sexton indicated they had been.

Mr. Jones indicated that the number budgeted for health insurance will most likely be decreased as the Village of Glen Ellyn staff is still working with its plan administrators to find cost saving measures that would prevent a double-digit increase over the previous year's costs. A brief discussion followed concerning how the health insurance and MICA (the liability insurance carrier) is calculated for GWA and if there were any major claims that would be impacting the need for such a large increase in the health insurance.

Mr. Mueller moved and Mr. Jones seconded the motion: The members individually responded “Aye” during a roll vote. The motion carried.

7. Other Business

7.1 George W. Burke Safety Award

Mr. Lanphier advised the Committee that GWA had been awarded the George W. Burke Safety Award and explained that the award is presented through the national Water Environment Federation via the Central States Water Environment Federation, which consists of Illinois, Wisconsin and Michigan. The award will be presented at the CSWEA annual conference on May 13, 2010.

8. Next EOC Meeting – The next regularly scheduled EOC Meeting will be on **Thursday, May 13, 2010 at 8:00 a.m. at the Glenbard Plant.**

EOC Meeting/April 2010
Minutes

Mr. Goldsmith moved to adjourn the April 15, 2010 EOC Meeting and Mr. Jones seconded the motion. The members responded unanimously to a verbal call of “Aye”. The motion carried. The meeting adjourned at 5:50 p.m.

Submitted by:

Gayle A. Lendabarker
GWA Administrative Secretary