

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, JANUARY 20, 2022
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Zay at 6:35 P.M.

Commissioners in attendance in person: J. Broda, J. Fennell, P. Gustin, D. Novotny, J. Pruy, K. Rush, F. Saverino, P. Suess. J. Zay

Commissioners in attendance via Microsoft Teams: D. Bouckaert

Commissioners Absent: R. Gans, J. Healy, and D. Russo

Also in attendance in person: T. McGhee, C. Johnson, C. Peterson, A. Stark, D. Cuvalo, and P. Luetkehans of Luetkehans, Brady, Garner & Armstrong LLC.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Commissioner Gustin moved to approve the Minutes of the November 18, 2021 Rescheduled Administration Committee Meeting, the Minutes of the November 18, 2021 Engineering & Construction Committee Meeting, the Minutes of the December 16, 2021 Finance Committee Meeting, the Minutes of the December 16, 2021 Regular Commission Meeting and the Minutes of the December 16, 2021 Executive Session Meeting of the DuPage Water Commission. Seconded by Commissioner Saverino and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, P. Gustin, D. Novotny, J. Pruy, K. Rush, F. Saverino, P. Suess, and J. Zay

Nays: None

Absent: R. Gans, J. Healy and D. Russo

TREASURER'S REPORT

Financial Administrator Peterson presented the December 2021 Treasurer's Report consisting of 13 pages with pages 1 and 2 containing a summary of the report.

Financial Administrator Peterson pointed out the \$214.6 million of cash and investments on page 4, which reflected an increase of about 2.3 million from the previous month. Financial Administrator Peterson also pointed out the schedule of investments on pages 5 through 11 totaling \$178.4 million and the market yield on the total portfolio showed 0.94% which had decreased from the prior month. On page 12, the statement of cash flows showed an increase in cash and investments by about \$6.2 million and operating activities increased by approximately \$5.6 million. On page 13, the monthly cash/operating report showed that the Commission has met all recommended reserve balances.

Commissioner Pruyne moved to accept the December 2021 Treasurer's Report. Seconded by Commissioner Gustin and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, P. Gustin, D. Novotny, J. Pruyne, K. Rush, F. Saverino, P. Suess, and J. Zay

Nays: None

Absent: R. Gans, J. Healy and D. Russo

COMMITTEE REPORTS

Finance Committee – Meeting Cancelled

Commissioner Suess moved to adopt item number 2 under the Finance Report section of the Agenda pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Gustin and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, P. Gustin, D. Novotny, J. Pruyne, K. Rush, F. Saverino, P. Suess, and J. Zay

Nays: None

Absent: R. Gans, J. Healy and D. Russo

Item 2: Resolution No. R-6-22: A Resolution Appointing an Authorized Agent for the Illinois Municipal Retirement Fund

Administration Committee – Meeting Cancelled

Commissioner Rush moved to adopt item numbers 2 and 3 under the Administration Report section of the Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Gustin.

Commissioner Suess shared concerns regarding approval of the consulting agreement with John J. Millner and Associates, Inc. and noted he would not be voting in favor of.

Chairman Zay noted that it was his suggestion to renew Mr. Millner's contract due to increased interactions with Mr. Millner over the past 4-5 months. Chairman Zay reassured Board members of the importance of a consultant representing the Commission's best interest in Springfield as he continues to keep close watch over ongoing issues such as the lead service line replacement as well as new legislature relating to potential new customer expansion outside the county limits and possible changes to the Illinois Water Act of 1985. Commissioner Pruyn noted that he would be in favor of renewing Mr. Millner's contract but requested that the Commission review Mr. Millner's annual fees for next renewal and adjust accordingly, if needed. With no further discussion and after Chairman Zay requested that item numbers 2 and 3 be removed from the Omnibus Vote Agenda for separate consideration, the motion to adopt Resolution No. R-1-22: A Resolution Suspending the Purchasing Procedures and Authorizing the Execution of a Consulting Agreement with IT Savvy LLC for IT Network Managed Services at the January 20, 2022 DuPage Water Commission Meeting in an annual amount of \$63,779.04 was unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, P. Gustin, D. Novotny, J. Pruyn, K. Rush, F. Saverino, P. Suess, and J. Zay

Nays: None

Absent: R. Gans, J. Healy and D. Russo

Commissioner Rush moved to approve Authorize Chairman Zay to enter into a Consulting Agreement with John J. Millner and Associates, Inc., subject to negotiation of acceptable terms, in an amount not to exceed \$40,000.00. Seconded by Commissioner Gustin and was approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, P. Gustin, D. Novotny, J. Pruyn, K. Rush, F. Saverino, and J. Zay

Nays: P. Suess

Absent: R. Gans, J. Healy and D. Russo

Engineering & Construction Committee – Meeting Cancelled

Commissioner Fennell moved to adopt item numbers 2 through 7 under the Engineering & Construction Report section of the Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Gustin and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, P. Gustin, D. Novotny, J. Pruyn, K. Rush, F. Saverino, P. Suess, and J. Zay

Nays: None

Minutes of the 1/20/2022 Commission Meeting

Absent: R. Gans, J. Healy and D. Russo

- Item 2: Resolution No. R-2-22: A Resolution Approving a First Amendment to Task Order No. 2 Under a Master Contract with Baxter & Woodman, Inc. at the January 20, 2022 DuPage Water Commission Meeting (additional amount of \$18,700.00 for a revised cost not-to exceed \$61,000.00)
- Item 3: Resolution No. R-3-22: A Resolution Approving a First Amendment to Task Order No. 1 Under a Master Contract with Carollo Engineers at the January 20, 2022 DuPage Water Commission Meeting (additional amount of \$130,181.00 for a revised cost not-to-exceed \$1,013,615.00)
- Item 4: Resolution No. R-4-22: A Resolution Suspending Purchasing Procedures and Authorizing the Interim Manager of Water Operations and forthcoming General Manager to Purchase Material and Labor Service for the Commission's High Lift Pump Bearing System's at a cost not-to-exceed \$100,000.00 from Kingsbury Inc.
- Item 5: Resolution No. R-5-22: A Resolution Directing Advertisement for Bids on a Contract for 36-Month Maintenance, Parts and Repair Service for Large Water Pumps (no cost for this action)
- Item 6: Resolution No, R-7-22: A Resolution Directing Advertisement for Bids on a Contract for 36-Month Maintenance, Parts and Repair Service for Large Electric Motors (no cost for this action)
- Item 7: Request for Board Action – To Authorize the Interim Manager of Water Operations to Execute an Electrical Supply Agreement with an Electric Power Supplier that is most favorable to the DuPage Water Commission

ACCOUNTS PAYABLE

Commissioner Gustin moved to approve the Accounts Payable in the amount of \$8,372,898.63 subject to submission of all contractually required documentation, for invoices that have been received and to approve the Accounts Payable in the amount of \$1,135,875.00 subject to submission of all contractually required documentation, for invoices that have not yet been received but have been estimated. Seconded by Commissioner Broda and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, P. Gustin, D. Novotny, J. Pruyne, K. Rush, F. Saverino, P. Suess, and J. Zay

Nays: None

Absent: R. Gans, J. Healy and D. Russo

CHAIRMAN'S REPORT

Appointment of Interim Manager of Water Operations

Commissioner Saverino moved to appoint Terrance McGhee as Interim Manager of Water Operations of the DuPage Water Commission. Seconded by Commissioner Pruyn and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, P. Gustin, D. Novotny, J. Pruyn, K. Rush, F. Saverino, P. Suess, and J. Zay

Nays: None

Absent: R. Gans, J. Healy and D. Russo

Chairman Zay and members of the Board thanked Interim Manager of Water Operations McGhee for his assistance during the transition until a permanent General Manager is hired.

Chairman Zay asked Board members to lift the employee hiring freeze that was put in place at the last meeting. After Interim Manager of Water Operations McGhee explained that three positions need to be filled to help with the transition period, it was the consensus of the Board to lift the employee hiring freeze.

Next, Chairman Zay reported that he had attended a Zoom meeting the night before with representatives from the towns of Oswego, Montgomery and Oswego, along with Commissioners Suess and Pruyn, Interim Manager of Water Operations McGhee, and Attorney Luetkehans. The purpose of the meeting was to provide a status update as well as discuss next steps. Part of the discussion included the possibility of creating a seventh district which would encompass any future Commission customers outside the DuPage County limits. The seventh district representation would follow the same process as the Commission's current districts with one elected municipal representative and one county appointed representative. Chairman Zay noted that all three towns seemed receptive and very anxious to begin preparing legislation to create the new district. Next steps would be for the lawyers to start negotiations. Commissioner Suess agreed stating that he felt all three towns were comfortable with establishing a seventh district for new customers outside the DuPage County limits and for the Commission to begin developing a more formalized letter or agreement that both parties could adopt. Attorney Luetkehans stated that legislative language had been presented from the towns which had been consistent with the discussion at the Zoom meeting. Attorney Luetkehans noted that if the Board is ready to move forward, then he would begin drafting legislation. Chairman Zay added that he spoke to Chairman Cronin and had received a positive response and that he would discuss the topic at the next County legislative committee meeting. The consensus from the Commissioners was to move forward.

Chairman Zay then pointed out the many employees that had, and will be, retiring during the ongoing pandemic noting that when its safe for larger groups to gather that he would like to bring all the retirees back for a proper celebration.

Commissioner Suess asked for any updates regarding the Village of Romeoville. Chairman Zay replied no new developments but that he did suggest to Romeoville that they resubmit their questions to allow the Commission to prepare solid answers. Interim Manager of Water Operations McGhee noted that in going through the General Manager's office, he did find a general route study and hydraulic analysis, but that a more in-depth evaluation would be needed to find out exactly what the Commission's capabilities are as well as any potential negative impacts.

Lastly, Interim Manager of Water Operations McGhee reported on the renewal of the Commission's electrical contract stating that he and Operations Supervisor Weed had met with the Commission's electrical consultant and the anticipated increase would be around 35%. The consultant had advised that the time to lock in the best rate would be sometime in mid-February.

OMNIBUS VOTE REQUIRING MAJORITY VOTE

None

OMNIBUS VOTE REQUIRING SUPER-MAJORITY OR SPECIAL MAJORITY VOTE

None

OLD BUSINESS

None

NEW BUSINESS

None

EXECUTIVE SESSION

None

GENERAL MANAGER'S APPOINTMENT

Commissioner Gustin moved to allow the Chairman to present an offer to the General Manager candidate that the Board reached consensus on in Executive Session. Said offer is subject to formal approval by the County Board and Board of Commissioners. Second by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

With no further discussion, Commissioner Gustin moved to adjourn the meeting at 7:00 P.M. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.