

**Lake in the Hills Sanitary District  
Board of Trustees Regular Meeting Minutes  
October 11, 2018**

**Roll Call:**

The regular meeting was called to order by President Hansen at 7:00 pm at the Sanitary District offices located at 515 Plum Street. Roll call was answered by President Eric Hansen, Trustee Terry Easler and Trustee Cheryl Kehoe. Also present were District Manager Rick Forner, Robert Doeringsfeld on behalf of District Engineer Peter Kolb, District Attorney Ann Williams and District Treasurer/Clerk Karen Thompson

**Approval of Minutes:**

Motion was made by Trustee Kehoe and seconded by Trustee Easler to approve the Minutes of the Regular Board Meeting of September 13, 2018 as presented. On a roll call vote, President Hansen, Trustee Easler and Trustee Kehoe voted aye.

**Public Comments:**

Joseph Greenwood of Blackberry Court in Lake in the Hills was in attendance. He indicated that he is still committed to attending our meetings and he apologized for missing last month's meeting.

**Consent Agenda:**

- A. Change Order No. 7 for Sludge Management Project under contract with Synagro Central LLC.
- B. Approval of Letter of Engagement from Applied Technologies, Inc. for Professional Services, District Engineer.
- C. Approval of Task Order from Applied Technologies, Inc. for the replacement of the rear entrance pavement at the Water Pollution Control Facility.
- D. Approval of Task Order from Applied Technologies, Inc. for the upgrades to the Beach Lift Station
- ~~E. Approval of Task Order from Applied Technologies for the assessment of the Water Pollution Control Facility electrical distribution.~~

District Manager recommended that we remove Item E from the Consent Agenda because the District Engineers are not yet prepared to present that task order.

Motion was made by Trustee Easler and seconded by Trustee Kehoe to remove item E and approve the remaining Consent Agenda items (Items A – D). On a roll call vote President Hansen and Trustees Easler and Kehoe voted aye.

**Specific Agenda:**

None.

### **Accountant's Report:**

District Treasurer presented copies of the September 2018 Treasurer reports. She stated that funds were transferred out of our accounts at Illinois State Bank and Home State Bank and transferred into our O&M account at First National Bank where the funds are more liquid and earn a better interest rate. This is the reason for the sharp reduction in the balances from the beginning of September to the end of September. She further stated that expenditures were very high in September on the O&M side. This is primarily due to the two large payments made to contractors for both the Digester #4 and Blower projects. She further stated that, as noted on the Governmental Funds report, we did receive some property tax distributions in September. According to the County's schedule, we will receive three more before finalized. She further pointed out that during September we did not pay IMRF because our internet was down. By the time the internet was fixed it was too late to date this payment in September. Therefore, next month this expenditure will be higher because it will include both the September and October payments to IMRF.

Motion was made by Trustee Easler seconded by Trustee Kehoe to approve the September 2018 Treasurer Reports. On a roll call vote President Hansen and Trustees Easler and Kehoe voted aye.

### **Approval of Bills:**

District Treasurer presented a list of bills for approval. As mentioned previously, she pointed out that under the Recurring Bills report there was no payment made to IMRF. Additionally, she highlighted some of the atypical or larger invoices. She further commented that the Attorney's invoice contained some fees for the recovery of the earnest money. Those fees have been listed separately on the report. She also stated that she has copies of the bills if anybody wanted to see any detail.

A motion was made by Trustee Easler and seconded by Trustee Kehoe to approve the List of Bills as presented for payment totaling \$ 276,941.88 with \$ 11,225.24 from the General Corporate Fund, \$ 159,107.89 from the Operations and Maintenance Fund, \$ 50,115.00 from the Construction Fund and \$ 56,493.75 from the Bond and Interest Fund.

The motion passed after a roll call vote; President Hansen and Trustees Easler and Kehoe voted aye. (A copy of the bills approved will be kept with the Board Meeting documents)

### **Manager's Report:**

District Manager presented a written copy of the September 2018 Managers Report and provided a verbal recap of some items.

He stated that due to a storm on September 25<sup>th</sup> we were without power on all of our lift stations at the same time. He commended staff for using secondary power and generators to keep everything flowing. As a result, payroll will be a little higher because of the overtime hours worked by staff. He further elaborated, that the plant was without power for about 12 hours overall. We did run out of fuel in the plant generator which resulted in the plant being totally without power for about 10 minutes. He further commented that the internet and phones were down for 2 1/2 days. He has met with Comcast to come up with backup programs so this does not happen again.

Flows were almost three times the average for September. In fact, one day we treated over 9 million gallons. The plant handled this well.

We were down on the televising in September. This is because the staff member who handles this was out of the office for a few weeks with the birth of his son.

The Digester #4 project is about 1 ½ weeks behind, but they have been working extra to get caught up. The next step is to put the aeration equipment in and start backfilling the tank. Hoping that this will start next week.

The last two blowers have been delivered and installed. At this point, they are going thru the start up operation of those blowers. Within the next month this should all be finalized.

The barium and phosphorus testing was finished up last week. Those samples are at the lab. Should have the results back from the lab next week so the Engineer can finish that report.

The liner has been placed in the pipe between Oak and Willow Streets. Next week they will start with the manhole rehab project which should take a couple of days.

President Hansen expressed his concerns about having the internet and phone down and is skeptical whether Comcast's wireless solution will work flawlessly. District Manager provided detail regarding his communication with Comcast and indicated that we now have a designated representative at Comcast who we can contact directly if needed.

Motion was made by Trustee Kehoe, seconded by Trustee Easler to approve the Manager's report as presented. On a roll call vote President Hansen, Trustee Easler and Trustee Kehoe voted aye.

#### **Engineer's Report:**

Robert Doeringsfeld from Applied Technologies provided a written report and a verbal recap. He indicated that on September 28<sup>th</sup> they met with District Manager and former District Engineer Brett Postl to gather information and coordinate the transition efforts. They also brought two of their electrical engineers to the meeting. This is in preparation for the future electrical evaluation project. Five projects were prioritized during this meeting including the rear entrance drive rehabilitation, the beach lift station revitalization, the electrical system evaluation, the Richard Taylor Park bypass and the wash water pumps.

He provided further information regarding the two task orders that were on tonight's consent agenda (18-01 & 18-02). He also provided details on both the processes involved, the schedule and the subcontractors/consultants that would be working on these projects.

They will begin to work on putting together a task order for the electrical system evaluation as they have received the plan that contains the most recent additions to the plant.

They will also start looking at the wash water pumps replacement and will also be looking at doing an assessment for the replacement value of the District's building and structures. The assessment is something that our insurance company has requested.

Trustee Easler questioned whether the Beach Lift Station rehab would have above ground or below ground structures. Engineer Doeringsfeld indicated that this is still in discussion and has not yet been decided. He further stated that the main plan for this rehab project is to change it from a dry can lift station to a submersible station. District Manager further elaborated that this is for OSHA requirements related to confined spaces. On the submersibles, everything is up above and more easily accessible. He

further stated that we will have to coordinate with the Village regarding whether the structure will be above or below ground as they may have some input with regard to the aesthetics.

Trustee Easler also had some questions regarding the electrical project. Engineer Doeringsfeld indicated that they haven't looked at this yet, therefore, he does not have a lot of details. District Manager further indicated that one goal is to upgrade the service coming in the plant so that we don't have an issue like we had a few years ago. Engineer Doeringsfeld further indicated that they will have their electrical engineers evaluate and provide solutions.

**Attorney's Report:**

District Attorney introduced Attorney Andrew Acker from Storino Ramello & Durkin. He has been handling the litigation for the recovery of the earnest money. He provided the Board with his background and indicated that he has spent a number of hours reviewing all of the materials and case law related to this transaction. He indicated that this is a complicated and unusual case. The question is whether a valid contract was formed and that is what makes for a good lawsuit. He further believes that before you enter litigation, you should weigh the costs. He also believes that the other party is interested in settling this issue and there is an opportunity for the District to negotiate that. He is looking for the Board's authority for him to negotiate a reduced settlement. If that cannot be accomplished, he has no problem proceeding with the litigation.

All Board members expressed their interest in allowing Attorney Acker to try to negotiate a settlement. Attorney Acker and District Attorney further commented that before any settlement would be finalized it would be presented to the Board for their approval.

District Attorney further stated that Attorney Acker was the one who suggested that we go back to the Court and work with the State's Attorney to resolve the issue of the propriety of the seating of the Trustees. That left us in a position where we are more solid so we won't have vulnerabilities there. Some of the expenditures that we allocated toward the recovery of the earnest money were to mitigate this risk.

District Attorney provided an update on the County's RFQ for an analysis of the District. She indicated that the County has received responses back. She spoke with the County Administrator regarding this and he said he would provide an update regarding how they will proceed with the selection process. District Attorney has some questions and issues to discuss with President Hansen regarding how he would like the District to be involved. She believes it will be a group decision, but does not have a lot of detail at this time. She will keep the Board apprised.

Lastly, the District Attorney thanked the Engineering firm for working with her to prepare their final agreement.

**Unfinished Business:**

None.

**New Business:**

None.

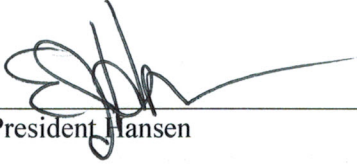
**Adjournment:**

Respectfully Submitted,



Karen Thompson,  
District Clerk

APPROVED this 8<sup>th</sup> day of November, 2018.



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President Hansen