

South Suburban Joint Action Water Agency

Minutes of April 25th, 2013 Regular Meeting

A public notice of the regular meeting was posted in the Markham City Hall on April 23rd, 2013. The regular meeting of April 25th, 2013 was held in the city council chambers of the Markham, Illinois City Hall and called to order by Agency Chairman Webb of Markham and the Pledge of Allegiance was recited at 3:08 p.m.

The roll call of agency directors by Agency Secretary Stillman recognized Directors: Webb, Markham; Stephens, Midlothian; Kitching, Alsip; Nesbit, Harvey; Peloquin, Blue Island; Carter, Robbins. Absent: Denson, Calumet Park. A legal quorum was declared.

A motion was offered by Director Kitching of Midlothian to approve the minutes of the special board meeting of March 7th, 2013. The motion was seconded by Director Peloquin of Blue Island

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

A motion was offered by Director Kitching of Alsip to approve the executive session minutes of the special board meeting of March 7th, 2013. The motion was seconded by Director Peloquin of Blue Island.

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

A motion was offered by Director Peloquin of Blue Island to amend the agenda to take Item 8 (Agency Chairman Comments) out of order to accommodate the possible late arrival of Director Denson and his inclusion in Item 6 (Executive Session) and Item 7 (Potential Action on Executive Session Items). The motion was seconded by Director Kitching of Alsip.

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

Agency Chairman Webb stated there were no Agency Chairman comments.

Program Manager Brett Postl stated he had several items he would discuss in Executive Session but no Program Manager Report to discuss.

Agency Secretary Stillman discussed several items of concern for the Agency. Agency Secretary Stillman stated a Statement of Economic Interest was to be filed by May 1st by each of the officers of the Agency. Agency Secretary Stillman stated the individuals who have yet to do so were contacted individually. Agency Secretary Stillman stated the scheduled regular agency meeting in May would be the first with newly appointed officers of the agency. Agency Secretary Stillman stated by-laws and ordinances would

be necessary to appoint new members. Agency Secretary Stillman stated it would be vital for the Agency to develop a plan for the introduction of these new members. Agency Secretary Stillman expressed the necessity of the program manager and himself receiving any direction/commentary on introducing new members to the SSJAWA. Agency Secretary Stillman stated the Directors would need to start developing a policy for the Agency to negotiation with potential customers. Agency Secretary Stillman recommended to Agency Chairman Webb the appointment of a specific member to that task. Agency Secretary Stillman opened the floor to Dave Schutter for discussion of the audit of the SSJAWA.

Dave Schutter stated the close of the fiscal year was approaching and the selection of an auditor is necessary. Dave Schutter requested direction from the board on the process for the selection of an auditor. Dave Schutter stated an auditor needed at the next SSJAWA Board meeting. A motion was offered by Director Peloquin of Blue Island to direct the Financial Advisor to provide three auditor proposals for the Board to choose from at the next agency board meeting. The motion was seconded by Director Kitching of Alsip.

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

Dave Schutter stated the action was sufficient direction by the Board. Agency Secretary Stillman stated he had no further comments.

Agency Treasurer Stephens provided the Treasurer's report and referenced the letters he submitted for the Directors packet. Agency Treasurer Stephens stated Program Manager Postl advised March 2013 invoices from Odelson & Sterk, LTD included work not approved/directed by the SSJAWA Board in the total of \$934.44. Agency Treasurer Stephens recommended approval of the payment of the specified work. Agency Treasurer Stephens recommended a subtraction of \$60,000.00 payment to Postl-Yore of both February and March 2013 based on the Boards prior decision to freeze payment unless the Board motions to approve that specific payment. Agency Treasurer Stephens recommended payments for February 2013 invoices in the amount of \$193,255.24 which is total of invoices minus the \$60,000 Postl-Yore Payment. Agency Treasurer Stephens recommended payments for March 2013 invoices in the amount of \$53,612 which is total of invoices minus the \$60,000 Postl-Yore payment. Agency Treasurer Stephens stated the March 2013 recommended payment included the work done by Odelson & Sterk, LTD because Agency Treasurer Stephens believed the work to be directed by the Board. Director Peloquin of Blue Island stated the work done by Odelson & Sterk, LTD was not at the direction of the Board but was at the direction of Director Peloquin to facilitate negotiations. A motion was offered by Director Peloquin of Blue Island to approve payment of the specific work in the total of \$934.44 by Odelson and Sterk, LTD. The motion was seconded by Director Stephens of Midlothian.

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

Program Manager Postl requested Agency Chairman Webb permit him to speak on payment to Postl-Yore. Program Manager Postl stated the Board determined but did not take action on suspension of payment for 60 days. Program Manager Postl stated 60 days had passed and the Treasurer consider

payment to Postl-Yore for March 2013 in his recommendation. Director Kitching stated payment was suspended until negotiations were concluded. Director Peloquin stated work had been done by Postl-Yore although not in full scale of contractual obligations. Director Peloquin stated some portion of payment should be made. Director Kitching of Alsip stated significant progress has been made and the contractual obligation with Postl-Yore requires payment and some payment should be made. Director Kitching of Alsip stated Postl-Yore has not stopped working despite suspended payment and this signifies good faith. Program Manager Postl-Yore stated despite contractual obligations to pay his company in full, Postl-Yore has lowered payment previously for SSJAWA. Director Peloquin requested clarification from Program Manager Postl on the lowered payment. Program Manager Postl confirmed the lowered payment from \$75,000.00 by 25% was \$60,000.00. A motion was offered by Director Peloquin to pay \$45,000.00 now and until the Board has the proposal for a final agreement to be initiated. The motion was seconded by Director Kitching of Alsip.

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

Agency Treasurer Stephens stated the \$45,000.00 to Postl-Yore would be paid. Agency Treasurer Stephens stated payment of the remaining February and March invoices needed to be made. Payment for February 2013 by SSJAWA would total \$53,612.00 and March 2013 by SSJAWA would total \$193,255.24. A motion was offered by Director Stephens of Midlothian to approve the monthly agency financial obligations/disbursements as permitted by Treasurer Stephens's amended recommendation. The motion was seconded by Director Peloquin of Blue Island.

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

Director Peloquin asked that Treasurer Bilotto of Blue Island be permitted to attend executive session per Mayor-elect Vargas' request in order to facilitate the transition to new agency officers. Agency Secretary Stillman stated the invitation into executive session is at the discretion of the board.

A motion was offered by Director Peloquin that City Treasurer of City of Blue Island be permitted to attend the executive session of SSJAWA at the request of the Mayor-elect of Blue Island. The motion was seconded by Director Stephens of Midlothian.

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

Agency Secretary Stillman clarified purposes of Executive Session: purchase/lease of real property, potential/pending litigation, and appointment of specific employee of the SSJAWA. A motion was offered by Director Peloquin of Blue Island to convene in executive session. The motion was seconded by Director Kitching of Alsip.

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

Directors convened in executive session at 3:35 p.m.

A motion was offered by Director Peloquin of Blue Island to return to open session. The motion was seconded by Director Kitching of Alsip.

Motion Voice Vote:

Motion approved: 6 ayes/ 0 nays/ 0 abstain/ 1 absent

The Directors reconvened in open session at 4:40 p.m.

The Board of Directors then opened the floor to public comments. No public comments were offered.

A motion was offered by Director Peloquin of Blue Island and seconded by Director Kitching of Alsip to adjourn the SSJWA regular board meeting.

Motion Voice Vote:

Motion approved: 6 ayes/0 nays/0 abstain/1 absent

The SSJAWA regular board meeting of April 25th, 2013 was adjourned at 4:41 p.m.