

South Suburban Joint Action Water Agency

Minutes of January 5, 2012 Rescheduled Regular Meeting

A notice of the rescheduled regular meeting and meeting agenda was publicly posted on January 3, 2012 in the city hall of Markham, Illinois.

The January 5, 2011 rescheduled regular meeting was held in the second floor meeting room of the Markham, Illinois City Hall and called to order by Agency Chairman David Webb, Jr. at 10:35 am.

The roll call of agency directors recognized Chairman David Webb, Alternate Director Willie Carter and Alternate Director Donald Nesbit as present and legal quorum was declared.

Additional Present: Brett Postl & Dan Donahue, Postl-Yore & Associates, Inc.; Joe Letke & Dave Schutter, Letke & Associates, Inc.; Chuck Givines, Harvey, Illinois; Wayne Pierce, Stern Brothers and Mayor Don Peloquin & Alderman Mark Patoska of Blue Island, Illinois

A motion was offered by Alternate Director Carter seconded by Alternate Director Nesbit to approve the minutes of the regular meeting of October 27, 2011.

Roll Call: Webb/Markham - Yes Carter/Robbins - Yes Nesbit/Harvey - Yes

Motion approved: 3 yea/ 0 nay/ 0 abstain/ 0 absent

A motion was offered by Alternate Director Carter seconded by Alternate Director Nesbit to approve Resolution 2012-R-1, a resolution extending agency membership to the City of Blue Island, Illinois.

Roll Call: Webb/Markham - Yes Carter/Robbins - Yes Nesbit/Harvey - Yes

Motion approved: 3 yea/ 0 nay/ 0 abstain/ 0 absent

The Director and Alternate Director oaths of office of were administered to Donald Peloquin and Mark Patoska of Blue Island, Illinois.

Chairman Webb welcomed the City of Blue Island represented by Director Peloquin and Alternate Director Patoska to the Agency.

Program Manager Brett Post reported on the program management teams progress and activities in October, November and December. The subjects of additional agency members, agency partnerships with Indiana entities, transmission main routing and materials, treatment plant cost estimates, project financing and legal questions.

Mr. Postl also reported he was contacted by a representative of the Village of Glenwood regarding the SSJAWA purchasing water from a proposed new Joint Action Water Agency headed by Glenwood. Postl recommended the Agency decline discussions with Glenwood as the Glenwood group would likely consist of the current customers of Agency member Harvey and the City of Hammond. The Agency directors concurred.

Director Peloquin suggested the project management team open discussions of agency partnership with multiple Indiana municipalities and also consider transmission main routing along MWRDoGC Right of Way and the Right of Way of an abandoned refinery pipeline between Blue Island and Whiting, Indiana.

A motion was offered by Director Peloquin seconded by Alternate Director Nesbit to direct the project management team to follow up on Director Peloquin's suggestions.

Roll Call: Webb/Markham - Yes
Carter/Robbins - Yes
Nesbit/Harvey - Yes
Peloquin/ Blue Island - Yes
Motion approved: 4 yea/ 0 nay/ 0 abstain/ 0 absent

Agency Counsel/ Acting Secretary Burton Odelson commented on legal issues regarding the rights of utility pipeline installation with respect to the rights of state and municipal governments. Mr. Odelson said definitive legal research would be required but in general units of state and local government can't legally prohibit other units of government from passing through especially with regard to public health or safety.

Agency Treasurer Joseph Letke commented on the importance of Agency members who resell water to adjoining communities bring resale agreements up to date.

Program Manager Dan Donahue informed the Agency Directors the program manager, Agency Counsel and Agency Treasurer would draft a proposed Agency Water Purchase Agreement for use between the Agency and member municipalities and a model

agreement to recommend for use between Agency member and nonmember municipalities.

A motion was offered by Director Peloquin seconded by Alternate Director Carter to establish an Agency membership non-solicitation policy with regard to the current customers of the Oak Lawn, Illinois and Hammond, Indiana Water Systems.

Roll Call: Webb/Markham - Yes
Carter/Robbins - Yes
Nesbit/Harvey - Yes
Peloquin/ Blue Island - Yes

Directors Comments - Chairman Webb informed Agency directors the next regular meeting of the Agency is February 23, 2012 and reminded the directors, unless extended, the Effective Date Period will expire on January 26, 2012 and all Agency members will automatically become Charter Members. Chairman Webb stated he would poll the directors to gauge interest in conducting an meeting before the deadline.

Public Comments - no public comments

Executive Session - none requested

A motion was offered by Director Peloquin seconded by Director Webb to adjourn.

Roll Call: Webb/Markham - Yes
Carter/Robbins - Yes
Nesbit/Harvey - Yes
Peloquin/ Blue Island - Yes

Meeting adjourned at 11:35 am.

The next regular meeting of the South Suburban Joint Action Water Agency is scheduled for February 23, 2012.