

JOURNAL OF THE (1452nd) MEETING OF THE
BOARD OF TRUSTEES
THE METROPOLITAN ST. LOUIS SEWER DISTRICT
November 8, 2007 – 4:00 P.M.

The Trustees of the District met in Room 109 at 2350 Market on the above date.
Present at meeting:

Board of Trustees

D. B. Rosenberg, Chair
J. H. Goffstein, Vice Chair
E. Harshman
D. J. Hayes
C. Karam
J. H. Buford

Staff Members

J. L. Theerman, Executive Director
R. E. Hayman, General Counsel
K. J. Tyminski, Secretary-Treasurer
T. A. Bellville, Asst. Director of Finance
B. L. Hoelscher, Director of Engineering
J. C. Sprague, Director of Operations

Also present were Mr. Tom Sullivan, 35 N. Central; Shameka Watts, KPMG; John Coffman, AARP/Consumer's Council; Robert Murray, KSEG&G; Diana Vuylsteke, Bryan-Cave/MIEC; Karen Vangyia, KPMG; Phil Sutin, Post-Dispatch; Philomen Simms, Acorn; John Pitz, Acorn; Tom Ratzki, Black & Veatch; Nina Welters, Plaza Square; Ed Sweet, Parsons; Jeff Rensing, Oates Associates; Richard Ellis, Acorn; Sheralynn Williams, Block Units; Rose Stephens, Block Units; John Gianoulakis, KSEG&G; Henrietta Parran, Acorn; Barbara Jones, Urban League; Jesse Todd, Acorn, Doris Baltimore, Acorn; Leon Ashford, Acorn; Alicia DeShasler, Oates Associates; Lisa Langeneckert, MEG; Norman Seay, Federation of Block Units; Mary Harrison, Acorn; Valerie Scott, TWC; Clarence Harmon, TWC; Jim Coll, Jacobs; Jeff O'Dow, Acorn; Deborah Lomax, Acorn; Bently Green, CH2M Hill; Robert Bella, HDR; Jon Bergenthal, Jacobs; Lynn Oldham, Acorn; Benita Jones, Acorn; Willie Dawson, Acorn; Matthew M., Acorn; Lisa Stewart, Acorn; Pamela Talley, Acorn; Kermond Taylor, Acorn; Mattie Moore, 2nd Ward; Kim Jamison, AFSLME; Tim Embree, City of St. Louis; Marion Dotson, Acorn; Rob Kuenzel, RJN; Ruth Meyer, Acorn; Bob Welsch, FMSM; John Schilling, Black & Veatch; Bill Clark, H & S; Burke Wasson, Call Newspaper; Vicki LaRose, CDI; Lucy Crews; Acorn; Ken Calvert, Fairfax W. Belle; Davis Moore, Block Units; Mark Kollitz, Woolpert; Steve Brown, Asst. Director of Human Resources; Carole Willis, MSD Finance; Risha Collins, MSD Account Associate; Bill Ehrhard; MSD Program Manager; Kyna Iman, MSD; John Lodderhose, Asst. Director of Engineering; Lance LeComb, Public Affairs Specialist; Barbara Mohn, Director of Information Systems; Mike Grace, Manager of Risk Management; Gene Rhodes, Audit Administrator; Debbie Johnson, Public Affairs; Marie Collins, Asst. Director of Engineering, and Pam Bell, Secretary to the Executive Director.

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Mr. David Rosenberg opened the meeting pursuant to notice and call.

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Motion made by Mr. Buford, seconded by Mr. Karam, that the Board go into closed session to discuss confidential or privileged matters under §610.021(1), RSMO 1988 SUPP.; leasing, purchase or sale of real estate under §610.021(2); personnel actions under §610.021(3).

Motion passed – 4 ayes, no nays

Poll taken:	J. Goffstein	aye	C. Karam	aye
	D. Rosenberg	aye	J. Buford	aye

During closed session the Board had discussion regarding confidential, legal, or privileged matters under § 610.021 (1) RSMO 1988 SUPP.; leasing, purchase or sale of real estate under §610.021(2); personnel actions under §610.021(3). No votes were taken.

Motion made by Mr. Buford, seconded by Mr. Karam, to reconvene into open session.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	D. Rosenberg	aye	J. Buford	aye
	C. Karam	aye	E. Harshman	aye

Mses. Joyce-Hayes and Harshman arrived during closed session.

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Upon motion made by Ms. Harshman, seconded by Ms. Joyce-Hayes, the Journal of the October 11, 2007 meeting was approved by unanimous voice vote.

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The Chair reported that MSD is committed to protecting the environment and managing stormwater issues on behalf of our St. Louis community. While carrying out these important duties, MSD is also aware that it has a concurrent obligation to protect the household budgets of ratepayers - especially the budgets of ratepayers on low or fixed incomes. Balancing these responsibilities can be difficult, but MSD has worked very hard for many years to find the right approach. Given the pressure MSD is under from the Environmental Protection Agency and the State of Missouri, and the demands of managing the 4th largest sewer system in the United States, this balance is becoming harder to achieve. However, moving forward with a focus on this balance will always be a top priority for MSD.

Since March 2007, MSD's Rate Commission has been considering a series of proposed rate increases that will fund ongoing infrastructure improvements that must be made to the St. Louis area's sewer system. Continued progress on these improvements is critical in ensuring continued compliance with state and federal clean water regulations. EPA has already filed lawsuits against numerous cities across the United States over compliance with these

regulations. In fact, along with the State of Missouri, EPA filed such a lawsuit against MSD in June 2007. The legal actions taken against other cities have resulted in settlements that have price tags measuring in the billions of dollars. There is no disagreement that local progress on clean water efforts must continue. However, there is disagreement on how quickly this work can be completed without overwhelming local household budgets that are already under pressure from rising food and gas prices, and other local infrastructure needs.

Rate changes that were to be considered at tonight's Board meeting are in direct response to precedents EPA has set across the country. However, over the past few weeks, numerous community groups that had not previously voiced their opinions on the rate changes approached MSD. Given the pointed interest these groups have shown, and their strong disagreement with how the rate changes have been structured, MSD is delaying the vote on final approval. Items originally on tonight's agenda that pertained to rates have been removed and will not be voted on at this meeting. Delaying the vote will allow additional viewpoints to be taken into consideration, and ensure the voice of the public is fully heard in MSD's rate setting process.

Any individual that wishes to speak during tonight's public comment period should fill out a blue comment card, which can be obtained at the sign-in desk just outside the door of this room. If any member of the audience wishes to speak this evening and has not yet filled out the blue comment card, we would ask that they do so now.

If a large group sharing a common opinion is present tonight, we ask that they designate 2 to 3 individuals to represent their collective viewpoint. We also ask each person to keep their remarks under 5 minutes. Such an approach will help ensure we are able to move through tonight's agenda, while allowing everyone an opportunity to speak.

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Mr. Karam reported that the Program Management Committee met on November 1, 2007 at 11:30 a.m. The meeting was attended by trustees Karam, Rosenberg, and Joyce-Hayes.

The minutes of the October 2, 2007 meeting were approved.

A public meeting was held on October 30, 2007 to discuss the three projects being added to the Capital Program per Resolution No. 2739. There were no public comments. The report from this public hearing will be entered into the record later this meeting.

Staff then presented and discussed the agenda items to be introduced tonight. There was a detailed discussion regarding the following items:

Item 29 – FF-15 Phase II – This is the first project that J & J Boring has served as a prime contract. However, they have served as a tunneling subcontractor for District projects for over 15 years.

Item 32 – Girard Place Storm Sewer – The low bidder on this project, XL Contracting, was found non-responsive to the MWBE requirements. The second low bid of Southern Ditching and Excavating was \$11,500 higher than the bid by XL. With the difference in bids being less than the \$30,000 allowed by policy, staff is requesting that the bid of Southern Ditching be accepted so this stormwater project can move forward.

Item 34 – Lower Meramec Baumgartner Lagoon Closure – This appropriation will provide additional funds to close this lagoon by March 31, 2009 as required by State Administrative Order. Now that the lagoons are drained, actual sludge quantities can be calculated. Contract estimates were obtained by trying to estimate sludge quantities in an active 20-foot deep aerated lagoon. The costs for additional sludge quantities will be paid for at the unit price obtained during competitive bidding.

Item 35 – Missouri River Bonfils Phase VI – The project is being funded by a sanitary only OMCI subdistrict and will repair private laterals that are a source of high stormwater infiltration.

Staff will also monitor the effectiveness of these repairs to see if they can cost-effectively be used in other areas of the District. The Committee requested that staff review if funds from this OMCI subdistrict could be transferred for stormwater purposes.

Item 44 – Sewer Use Ordinance – The ordinance makes changes to the District's Sewer Use Ordinance to bring it into compliance with required local discharge limits. Per the Committee's request, staff will notify the stakeholders of this process when this ordinance is introduced by the Board and when it is scheduled to be adopted.

Finally, staff reviewed the status of Development Review/Permitting Customer Service Improvements. All short-term actions have been completed and long-term actions will be in place by Spring 2008. Staff plans on reporting on the status of this process to the Committee again in March.

The meeting was adjourned at 1:10 p.m.

The next meeting will be scheduled prior to the December 2007 Board Meeting.

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Mr. Rosenberg reported that the Finance Committee met at 3 p.m. on November 8, 2007. In attendance were Trustees Buford, Goffstein, and Rosenberg.

At this meeting, Ms. Vicki Taylor-Edwards discussed the contract renewals for employee benefits. She noted that the District is self-insured for group health and uses the United Health Care network for physicians and hospitals and also for administrative support services and stop loss coverage. The District reviewed six medical plan carriers including that of UHC and the District's Executive Committee recommends the retention of United Healthcare for this coverage. This is item #51 on the agenda.

Changes are being recommended for both the Dental Insurance coverage and for Group Life and Accidental Death and Dismemberment insurance. Both lines of coverage are being changed due to obtaining a lower cost from a different carrier. In the case of dental insurance, which is item #38 on the agenda, six proposals were reviewed and the recommended carrier is United Healthcare, and for Group Life & ADD coverage, four proposals were received and the recommended carrier is Fort Dearborn Life Insurance Company. This is item #39 on the agenda. Contract extensions are being recommended for both the Employee Assistance Program provider, BJC and for the Group Long-Term disability provider, Reliance Standard. These are items #52 and #53 on this agenda. Staff also recommended that a new

contract be awarded to Tri-Star Benefits to administer the District's Section 125 flexible benefit plan. There were four responders to the request for proposal and it was felt that the incumbent Tri-Star was the best candidate when total cost and experience were considered. This is item #40 on the agenda.

The Finance Committee voted to recommend these items.

Mr. Tyminski briefly discussed the performance of the Employees' Pension Plan investments, noting that they were in the top 10 percent as compared with other municipal plans for the 3rd quarter ending September 30th. He also indicated that item #54 on the agenda represents the codification of various existing resolutions and the Committee recommends its approval.

Mr. Tyminski said that the District had competitively bid a short-term loan for the Wellston sub-district. This loan would allow the District to begin construction of the Ferguson-Salerno project that would benefit Ms. Crawley and Mr. Gladney. The low bidder was UMB bank at an interest rate of 3.70%. There were six bidders with the high being 7%.

The Chair opened the floor to additional discussion on the Rate proposals. It was noted that additional organizations such as Acorn, AARP, School Districts, and Hospitals have voiced concern about the rate increase. The ordinances associated with these increases have been pulled from the agenda to allow for a better understanding of the concerns, potential remedies and the legal nuisances. The District staff, in an effort to raise public awareness, placed 49 advertisements in 15 area newspapers. The District also conducted 121 community outreach engagements.

The meeting adjourned at 3:18pm.

This concludes the report of the Finance Committee

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There was no report of the Executive Director.

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Mr. Sullivan protested the number of closed sessions the District held in the past year. Mr. Rosenberg indicated that last month Mr. Sullivan complimented the District for not having a closed session. Mr. Sullivan asked who made the decision postpone the rate hike and was the Rate Commission notified in writing. Mr. Sullivan questioned if the Baumgartner Lagoon closure appropriation would be audited by Ernst & Young. He questioned if a legal opinion was necessary regarding the pilot sanitary sewer project and the blanket ordinance for easement acquisition. He raised general questions regarding the Wackenhut contract and the contract for Broker Services to sell 2000 Hampton. He concluded by discussing the Sewer Use ordinance and pointing out that industries have tried to circumvent the District's testing procedures in prior years.

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Mr. Coffman of AARP thanked the Board for delaying the rate ordinances and indicated that a 64% increase is of great concern to their organization. AARP does not object to the size of the program but feels it should be financed on a debt basis with a 50/50 allocation between debt and equity.

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Ms. Mary Harrison addressed the Board and also thanked them for delaying the rate increase. She pointed out that a 64% increase would be extremely burdensome to individuals in lower salary brackets. She urged the District to consider debt financing for the program. Ms. Joyce-Hayes pointed out that the District would be implementing an enhanced low-income assistance program.

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Ms. Simms addressed the Board and indicated that she was concerned about the percentage increase in the rates. She believes that the public should have input on how these projects are to be financed and the District should put the issue to a vote. Mr. Rosenberg indicated that the report was prepared by an independent group, the Rate Commission and they recommended a pay-as-you-go approach. Ms. Joyce-Hayes indicated that the District is currently seeking members for the Rate Commission and the Acorn organization would make a good member.

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Mr. Norman Seay thanked the Board for delaying the rate increase and that his organization which is the Federation of Block Units is against such a large rate increase.

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Ms. Henrietta Parran indicated that she was sad to hear that the District is seeking a 64% rate increase. In her extensive working career, she had never received a pay increase over 8% and felt that such a large increase should have public input. She also addressed a billing problem and noted that the sewers are not regularly cleaned in her area. Mr. Rosenberg indicated that the District has been deficient in some of its cleaning efforts and that's what the rate increase is for.

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Mr. Jesse Todd addressed the Board and noted he's a committee person from the 18th Ward. He feels that the rate increase should be put on the ballot and that the Rate Commission should be elected. He felt that there was not a lot of confidence in the community

for the District and that a decrease should be considered, not an increase. Mr. Rosenberg noted that the rate implementation is being delayed and that given the magnitude of the construction program, there will be an increase in the rate.

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Ms. Risha Collins an employee of MSD approached the Board and asked the Board to reconsider the change of security guard services. She noted that employees feel safe with the current guards and expressed concern that a new guard service would not provide the same level of security.

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Mr. Richard Ellis addressed the Board and requested that as an Acorn board member, the rate hike be delayed and that a bond election be held.

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Mr. Tyminski reported that a public hearing on the supplemental CIRP program was held and that transcripts are available from the office of the Secretary-Treasurer.

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CONSENT AGENDA

Mr. Karam requested that Proposed Ordinance Number 48-08 be voted on separately.

ADOPTION OF PROPOSED ORD. NO. 45-08 (ORDINANCE NO. 12531) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1217 WITH VOLZ INCORPORATED FOR GENERAL SERVICES AGREEMENT-SURVEYING SERVICES (2008031) FOR THE SURVEYING SERVICES INCLUDING LAND SURVEYS, PROPERTY STRIP MAPS, EASEMENTS, AND OTHER GENERAL SURVEYING SERVICES.

ADOPTION OF PROPOSED ORD. NO. 46-08 (ORDINANCE NO. 12532) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1218 WITH THE STERLING COMPANY FOR GENERAL SERVICES AGREEMENT-SURVEYING SERVICES (2008032) FOR SURVEYING SERVICES INCLUDING LAND SURVEYS, PROPERTY STRIP MAPS, EASEMENTS, AND OTHER GENERAL SURVEYING SERVICES.

ADOPTION OF PROPOSED ORD. 47-08 (ORDINANCE NO. 12533) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1219 WITH

FERGUSON SURVEYING, LLC FOR GENERAL SERVICES AGREEMENT-SURVEYING SERVICES (2008033) FOR THE SURVEYING SERVICES INCLUDING LAND SURVEYS, PROPERTY STRIP MAPS, EASEMENTS, AND OTHER GENERAL SURVEYING SERVICES.

ADOPTION OF PROPOSED ORD. NO. 49-08 (ORDINANCE NO. 12535) APPROPRIATING \$262,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF SEWER IMPROVEMENTS IN ST. LOUIS CITY PARKS PHASE IV (2007169) IN THE CITIES OF ST. LOUIS AND UNIVERSITY CITY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT NO. E-1221 WITH OATES ASSOCIATES, INC. FOR THE AFORESAID ENGINEERING SERVICES.

ADOPTION OF PROPOSED ORD. NO. 50-08 (ORDINANCE NO. 12536) APPROPRIATING \$222,000.00 FROM THE OPERATION, MAINTENANCE, AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR ENGINEERING SERVICES FOR THE DESIGN OF DEER CREEK WATERSHED STORM SEWER IMPROVEMENTS (2007242), IN THE CITIES OF KIRKWOOD, LADUE AND CREVE COEUR, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1222 WITH KOWELMAN ENGINEERING, INC. FOR THE AFORESAID ENGINEERING SERVICES.

ADOPTION OF PROPOSED ORD. NO. 51-08 (ORDINANCE NO. 12537) APPROPRIATING \$295,000.00 FROM THE OPERATION, MAINTENANCE, AND CONSTRUCTION IMPROVEMENT FUND OF COLDWATER CREEK TO BE USED FOR ENGINEERING SERVICES FOR THE DESIGN OF COLDWATER CREEK WATERSHED STORM SEWER IMPROVEMENTS (2007241), IN THE CITIES OF OVERLAND AND FLORISSANT, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1223 WITH CIVIL DESIGN, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Plan Approval

Harrison Ave #1375 Storm Sewer Improvements (2006142)

This project, located in Florissant, Missouri, is to Alleviate rear yard and basement flooding of homes on the north side of Harrison St., east of Aubuchon St. This project is in the Fiscal Year 2008 Budget and the estimated construction cost is \$83,000.

Frederick Lane Storm Sewer Improvements (2006056)

This project, located in West of Berry Road and South of Manchester Road in the municipality of Glendale, Missouri, is to eliminate street and residential property flooding in the Frederick Lane subdivision. This project is in the fiscal Year 2006 Budget and the estimated construction cost is \$330,000.

Avignon Court #1685 Storm Sewer (2006130)

This project, located in Warson Woods, is to alleviate yard and basement flooding at #1685 Avignon Court. This project is in the Fiscal Year 2008 Budget and the estimated construction cost is \$54,000.

Missouri River Bonfils Infiltration and Inflow Correction Phase VI (Lateral Sewer) (97040D)

This project, located in parts of Bridgeton and Hazelwood, Phase VI, is a pilot program to determine the effectiveness of rehabilitating service laterals and connections in order to eliminate infiltration. Phase VI consists of the rehabilitation of service laterals at 166 locations and post construction flow monitoring and analysis. This project is in the Fiscal Year 2008 Budget and the estimated construction cost is \$3,000,000.

Upper Maline Trunk Sanitary Relief Phase III Section A (90080A)

This project, located in unincorporated St. Louis County and the City of Jennings, is to alleviate basement backups and overcharged sanitary sewers. This project is in the Fiscal Year 2008 Budget and the estimated construction cost is \$5,570,000.

Marbendale-Lemp Sanitary Facilities Consolidation (2001139)

This project, located in the City of Kirkwood, will replace five pump stations with one duplex pump station and install approximately 4,100 feet of 8-inch diameter gravity and approximately 1,000 feet of 6-inch diameter force main sanitary sewers. This project is in the Fiscal Year 2008 Budget and the estimated construction cost is \$2,284,000.

Kortwright – North of Sherrell and O’Day Storm Improvement (2005050)

This project, located in the City of Rock Hill is to alleviate yard flooding and house flooding due to inadequate sinkholes. This project is in the Fiscal Year 2008 Budget and the estimated construction cost is \$765,000.

CSO - Interceptor & Outfall Modifications Phase II (BP-012, BP-038) (2003053B6)

This project, located in City of St. Louis, is to comply with Environmental Protection Agency requirements for control of combined sewer overflows. This project is in the Fiscal Year 2006 Budget and the estimated construction cost is \$379,000.

Manchester & Missouri Avenue Storm Sewer Phase I (85071A)

This project, located in North of Manchester Road and West of Lindbergh Boulevard in the municipality of Kirkwood, Missouri, is to eliminate street and residential property flooding on Missouri Avenue. This project is in the fiscal Year 2006 Budget and the estimated construction cost is \$180,000.

Motion made by Mr. Buford, seconded by Ms. Joyce-Hayes, that the Consent Agenda be adopted.

Motion passed – 6 ayes, no nays

<p>Poll taken:</p> <p>J. Goffstein</p> <p>D. Rosenberg</p> <p>E. Harshman</p>	<p>aye</p> <p>aye</p> <p>aye</p>	<p>J. Buford</p> <p>D. Joyce-Hayes</p> <p>C. Karam</p>	<p>aye</p> <p>aye</p> <p>aye</p>
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ADOPTION OF PROPOSED ORD. NO. 48-08 (ORDINANCE NO. 12534) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1220 WITH SABUR SURVEYING, INC. FOR GENERAL SERVICES AGREEMENT -SURVEYING SERVICES (2008034) FOR THE SURVEYING SERVICES INCLUDING LAND SURVEYS, PROPERTY STRIP MAPS, EASEMENTS, AND OTHER GENERAL SURVEYING SERVICES.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 48-08 be adopted.

Motion passed – 5 ayes, no nays, 1 abstain

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	abstain

The Chair declared the Consent Agenda adopted and proposed Ord. Nos. 45-08, 46-08, 47-08, 48-08, 49-08, 50-08, and 51-08, and were assigned Ordinance Nos. 12531, 12532, 12533, 12534, 12535, 12536, and 12537.

UNFINISHED BUSINESS

Ordinances

None

Resolutions

None

NEW BUSINESS

Ordinances

INTRODUCTION OF PROPOSED ORD. NO. 59-08 APPROPRIATING \$3,500,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN FF-08 FEE FEE CREEK SANITARY RELIEF (89137), IN THE CITY OF MARYLAND HEIGHTS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH GERSHENSON CONST. CO., INC. FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 59-08 was presented and read. The work to be done under this contract consists of the construction of approximately 8,393 lineal feet of pipe sewers

varying in size from 8-inches to 24-inches in diameter and appurtenances. The purpose of this project is to alleviate basement backups due to overcharged sanitary sewers. This project will also eliminate one bypass. This project is scheduled to be completed in 510 days.

Motion made by Ms. Joyce-Hayes, seconded by Ms. Harshman that proposed Ord. No. 59-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 60-08 APPROPRIATING \$34,000.00 FROM THE OPERATION, MAINTENANCE, AND CONSTRUCTION IMPROVEMENT FUND OF UNIVERSITY CITY TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF BRIAR COURT NO. 8011 STORM SEWER (2006132), IN THE CITY OF UNIVERSITY CITY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH HEARTLAND CONSTRUCTION & EXCAVATING FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 60-08 was presented and read. The work to be done under this contract consists of the construction of approximately 200 lineal feet of 12-inch storm sewer and appurtenances. The purpose of this project is to eliminate rear yard flooding and water entering basement. This project is scheduled to be completed in 30 days.

Motion by Mr. Buford, seconded by Ms. Harshman that proposed Ord. No. 60-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 61-08 APPROPRIATING \$115,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN LINDBERGH/WARSON PUMP STATION ELIMINATION (P-706) (2006081), IN THE CITY OF CREVE COEUR, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH HEARTLAND CONSTRUCTION & EXCAVATING FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 61-08 was presented and read. The work to be done under this contract consists of the construction of approximately 513 lineal feet of pipe sewers 8-inches in diameter and appurtenances. The purpose of this project is to eliminate a deteriorated pump station. This project is scheduled to be completed in 90 days.

Motion by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 61-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 62-08 APPROPRIATING \$3,150,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN FF - 15 MCKELVEY/R.R. TO ADIE SANITARY RELIEF - PHASE II (89157A), IN THE CITY OF MARYLAND HEIGHTS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH J & J BORING, INC. FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 62-08 was presented and read. The work to be done under this contract consists of the construction of approximately 1,759 lineal feet of pipe sewers 42-inches in diameter and appurtenances. This construction is the first phase of a multiple phase sanitary sewer improvement program that will lead to the removal of five constructed SSOs. The purpose of this project is to alleviate property loss and damage due to basement backups and overloaded sanitary sewers. This project is scheduled to be completed in 270 days.

Motion by Mr. Buford, seconded by Mr. Rosenberg that proposed Ord. No. 62-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 63-08 APPROPRIATING \$280,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN FREDERICK LANE STORM SEWER IMPROVEMENTS (2006056), IN THE CITY OF GLENDALE, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH K.J.U. INC. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 63-08 was presented and read. The work to be done under this contract consists of the construction of approximately 1,257 lineal feet of pipe sewers varying in size from 12-inches to 18-inches in diameter and appurtenances. The purpose of this project is to eliminate street and residential property flooding in the Frederick Lane Subdivision. This project is scheduled to be completed in 60 days.

Motion by Mr. Karam, seconded by Ms. Joyce-Hayes that proposed Ord. No. 63-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 64-08 APPROPRIATING \$330,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN GARDEN LANE STORM SEWER PHASE II (2005074), IN THE CITY OF KIRKWOOD, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH GERSHENSON CONSTRUCTION CO., INC. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 64-08 was presented and read. The work to be done under this contract consists of the construction of approximately 1,135 lineal feet of pipe sewers varying in size from 12-inches to 42-inches in diameter and appurtenances. The purpose of this project is to alleviate yard and street flooding. This project is scheduled to be completed in 120 days.

Motion by Mr. Karam, seconded by Mr. Rosenberg that proposed Ord. No. 64-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 65-08 APPROPRIATING \$372,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN GIRARD PLACE NO. 149 STORM SEWER IMPROVEMENTS (89052), IN THE CITY OF KIRKWOOD, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH SOUTHERN DITCHING & EXCAVATING COMPANY FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 65-08 was presented and read. The work to be done under this contract consists of the construction of approximately 1,550 lineal feet of pipe sewers varying in size from 12-inches to 36-inches in diameter and appurtenances. The purpose of this project is to alleviate yard flooding. This project is scheduled to be completed in 120 days.

Motion by Mr. Karam, seconded by Ms. Joyce-Hayes that proposed Ord. No. 65-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 66-08 APPROPRIATING \$5,900,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN UPPER MALINE TRUNK SANITARY RELIEF PHASE III SECTION A (90080A), IN UNINCORPORATED ST. LOUIS COUNTY AND THE CITIES OF FERGUSON AND JENNINGS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH PURLER-CANNON-SCHULTE, INC. FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 66-08 was presented and read. The work to be done under this contract consists of the construction of approximately 5,400 lineal feet of pipe sewers varying in size from 8-inches to 66-inches in diameter and appurtenances. This construction is the first phase of a three-phase capital improvement project. The purpose of this project is to alleviate basement backups, overcharged sewer mains, and provide for the elimination of one constructed SSO and allow for the future elimination of seven more constructed SSOs. This project is scheduled to be completed in 527 days.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 66-08 be introduced.

Motion passed – 5 ayes, no nays, 1 abstain

Poll taken:	J. Goffstein	abstain	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 67-08 MAKING A SUPPLEMENTAL APPROPRIATION OF \$1,450,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ADDITIONAL COSTS INCURRED IN THE LOWER MERAMEC RIVER IMPROVEMENTS – BAUMGARTNER LAGOON CLOSURE (95066N) CONSTRUCTION PROJECT.

Proposed Ord. No. 67-08 was presented and read. The work to be done under this contract consists of the removal and disposal of biosolids from the Baumgartner lagoon. This project includes demolition and removal of aeration equipment and piping, process piping, utilities and structures, and ancillary facilities. This project is scheduled to be completed in 390 days.

Motion by Mr. Buford, seconded by Ms. Joyce-Hayes that proposed Ord. No. 67-08 be introduced.

Motion passed – 5 ayes, no nays, 1 abstain

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	abstain

INTRODUCTION OF PROPOSED ORD. NO. 68-08 APPROPRIATING \$3,000,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF MISSOURI RIVER BONFILS FOR A SANITARY SEWER PILOT PROGRAM TO MEASURE AND REDUCE INFLOW THROUGH MISSOURI RIVER BONFILS INFILTRATION AND INFLOW CORRECTION PHASE VI (LATERAL SEWER REHABILITATION) (97040D) IN THE CITIES OF BRIDGETON AND HAZELWOOD, MISSOURI.

Proposed Ord. No. 68-08 was presented and read. This project is the sixth and final phase of a multi-phased project to clean, televise and monitor existing sanitary sewers in order to reduce inflow by rehabilitating problematic reaches. Phase VI is a pilot program to determine the effectiveness of rehabilitating service laterals and connections in order to eliminate infiltration. Phase VI consists of the rehabilitation of service laterals and post construction flow monitoring and analysis. 166 individual locations have been identified. 25 or more could be added as additional agreements are signed. This project is scheduled to be completed in 90 days.

Motion by Mr. Karam, seconded by Mr. Rosenberg that proposed Ord. No. 68-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 69-08 APPROPRIATING \$1,200,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR EASEMENT ACQUISITION FOR COMBINED/SANITARY PROJECTS (FY2008) (2005115) THROUGHOUT THE ENTIRE DISTRICT.

Proposed Ord. No. 69-08 was presented and read. This ordinance appropriates funds for staff to acquire necessary easement rights in order to construct combined and sanitary sewer projects related to the CIRP.

Motion by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 69-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 70-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 1 OF CONTRACT E-1199 WITH GEORGE BUTLER ASSOCIATES, INC. FOR GENERAL SERVICES AGREEMENT-SEWER AND CHANNEL DESIGN (2007037).

Proposed Ord. No. 70-08 was presented and read. This ordinance authorizes the District to enter into Amendment No. 1 with George Butler Associates, Inc. for the design of

various projects in the CIP and the Operations budgets. This project consists of the design of small sanitary, combined, storm sewer, and treatment plant projects as needed throughout the District. Projects will be issued by letter agreement per individual scopes of services. George Butler Associates, Inc. was previously chosen as lead consultant through the regular consultant review and selection process. The original solicitation was for one year with one option year. This contract amendment for \$140,000 is included in the FY2008 Engineering Department's Operating Budget and results in a final contract amount of \$280,000. This will be the only amendment for this contract. The project will be competitively selected in FY2009.

Motion by Mr. Karam, seconded by Mr. Rosenberg that proposed Ord. No. 70-08 be introduced.

Motion passed – 5 ayes, no nays, 1 abstain

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	abstain
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 71-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH UNITED HEALTHCARE DENTAL FOR DENTAL PLAN BENEFITS FOR THE DISTRICT'S EMPLOYEES AND FAMILY MEMBERS.

Proposed Ord. No. 71-08 was presented and read. During the renewal process for the new plan year commencing February 1, 2008, the Executive Committee reviewed information requested by Gallagher Benefits Services, Inc. from six (6) dental plan carriers. Based on the information that was received, the recommendations of Gallagher Benefits Services, Inc. and the financial advantages of various options, the Committee elected to transfer the coverage to United Healthcare Dental, effective 2/1/08.

Motion by Mr. Buford, seconded by Mr. Karam that proposed Ord. No. 71-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 72-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH FORT DEARBORN LIFE INSURANCE COMPANY, A WHOLLY-OWNED SUBSIDIARY OF HEALTH CARE SERVICES CORPORATION, FOR THE DISTRICT'S EMPLOYEE GROUP LIFE AND ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE.

Proposed Ord. No. 72-08 was presented and read. During the renewal process for the new plan year commencing February 1, 2008, the Executive Committee reviewed information requested by Gallagher Benefits Services, Inc. from four (4) life insurance carriers. Based on the information that was received, the recommendations of Gallagher Benefits

Services, Inc. and the financial advantages of various options, the Committee elected to transfer the coverage to Fort Dearborn Life Insurance Company, a wholly-owned subsidiary of Health Care Services Corporation, effective 2/1/08.

Motion by Mr. Karam, seconded by Mr. Rosenberg that proposed Ord. No. 72-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 73-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND THE SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH TRI-STAR BENEFIT SYSTEMS, INC. TO ADMINISTER THE DISTRICT'S FLEXIBLE BENEFIT PLAN AND PRESCRIPTION EYEWEAR PLAN.

Proposed Ord. No. 73-08 was presented and read. The District offers a Flexible Benefit Plan as prescribed under Section 125 of the Internal Revenue Code, which allows employees to make pre-tax contributions to reimbursement accounts to pay for qualifying expenses such as childcare or non-reimbursed health care expenses. In addition, the District has a program that reimburses District employees for prescription eyewear up to \$100 per fiscal year.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 73-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 74-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH THE WACKENHUT CORPORATION WHEREBY THE WACKENHUT CORPORATION WILL PROVIDE SECURITY FOR THE DISTRICT'S HEADQUARTERS BUILDING, DISTRICT EMPLOYEES AND THROUGHOUT THE DISTRICT AS NEEDED.

Proposed Ord. No. 74-08 was presented and read. An RFP was sent to eighteen companies and advertised in local newspapers. The District received four responses. After reviewing the proposals and based on oral interviews the RFP committee recommends The Wackenhut Corporation to provide security guard services.

Motion by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 74-08 be introduced.

Motion passed – 4 ayes, 1 nays, 1 abstain

Poll taken:	J. Goffstein	abstain	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	nay

INTRODUCTION OF PROPOSED ORD. NO. 75-08 AUTHORIZING A TAX AND REVENUE ANTICIPATION NOTE IN CONNECTION WITH THE FINANCING OF CAPITAL IMPROVEMENTS IN SUBDISTRICT NO. SEVEN OF THE RIVER DES PERES WATERSHED (WELLSTON AREA) OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

Proposed Ord. No. 75-08 was presented and read. The Wellston OMCI fund has an available balance of approximately \$175,000. The Ferguson Salerno Stormwater project that is to be funded from the Wellston OMCI fund has an estimated cost of \$328,000. The Wellston OMCI fund will generate approximately \$38,000 in ad valorem tax revenue that will be billed by the St. Louis County Collector in November 2007. The remaining funds will come from the stormwater Revenue Fund which will have a new impervious charge that is to go into effect on March 1, 2008. The Stormwater Revenue fund will also derive revenues from the Wastewater subsidy and interest income in the current fiscal year. The bank to provide funding will be chosen through a competitive process in mid-November and the construction bids will be received in early December 2007.

Motion by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 75-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION OF PROPOSED ORD. NO. 77-08 REPEALING AND SUPERSEDING ORDINANCE NO. 8472, ADOPTED AUGUST 14, 1991, AND ENACTING IN LIEU THEREOF AN ORDINANCE REGULATING THE USE OF RESIDENTIAL AND NON-RESIDENTIAL, PUBLIC AND PRIVATE SEWERS, DRAINS, AND WASTEWATER PRETREATMENT AND TREATMENT SYSTEMS AND THE DISCHARGE OF WATERS AND WASTES INTO THE DISTRICT'S SYSTEM; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Proposed Ord. No. 77-08 was presented and read. This action will repeal Ordinance No. 8472 and adopt a new sewer use ordinance. Board introduction and adoption of this revised sewer use ordinance will enable the District to meet current regulatory requirements. Many regulations have been promulgated since Ordinance No. 8472 was adopted that affect the District and its pretreatment program. New local discharge limits also are included in the proposed ordinance. The Missouri Department of Natural Resources requires periodic recalculation of local discharge limits. In addition, other issues have arisen during that time which are addressed in the proposed revised sewer use ordinance. The District organized a stakeholders group to provide input and feedback on the proposed revised sewer use ordinance. The group consisted of representatives from local industries, environmental organizations, and other public and government agencies. The group's members have reviewed the proposed revised sewer use ordinance, and their comments have been incorporated. The MDNR has approved the new limits and the proposed ordinance.

Motion by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 77-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 78-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER TO SUBORDINATE CERTAIN RIGHTS ALONG PORTIONS OF AN EASEMENT OWNED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT, AND RECORDED IN DEED BOOK 16214, PAGE 2143 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI TO THE ST. LOUIS COUNTY DEPARTMENT OF HIGHWAYS AND TRAFFIC FOR THE PURPOSE OF OPERATING AND MAINTAINING A PUBLIC ROADWAY KNOWN AS WINGS CORPORATE DRIVE LOCATED IN A SUBDIVISION KNOWN AS EAST KROENUNG ESTATES, AS RECORDED IN PLAT BOOK 11, PAGE 11 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 78-08 was presented and read. The District has been requested to subordinate its rights to portions of an easement to the St. Louis County Department of Highways and Traffic to operate and maintain a roadway.

Motion by Mr. Rosenberg, seconded by Mr. Karam that proposed Ord. No. 78-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 78-08.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 78-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

The Chair declared proposed Ord. No. 78-08 adopted and it was assigned Ordinance No. 12538.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 79-08 VACATING A PORTION OF A FIFTEEN-FOOT (15') WIDE TO A THIRTY-FOOT (30') WIDE VARIABLE WIDTH EASEMENT LOCATED IN LOT 8 OF THE SOUTH LINDBERGH BUSINESS CENTER ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 286, PAGES 16 THRU 18 OF THE ST. LOUIS COUNTY, CITY OF GREEN PARK, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 79-08 was presented and read. The District has been requested to vacate easements not occupied by sewers after sewers were removed. The

District has no future use for these easements to be vacated. The District did not pay for the easements on the commercial site.

Motion by Mr. Rosenberg, seconded by Mr. Karam that proposed Ord. No. 79-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 79-08.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 79-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

The Chair declared proposed Ord. No. 79-08 adopted and it was assigned Ordinance No. 12539.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 80-08 VACATING A PORTION OF A ONE HUNDRED TWENTY-FOUR FEET (124') WIDE EASEMENT WITH A TWENTY-FOOT (20') WIDE PORTION TO REMAIN IN PART OF LOT 'A' OF AFSHARI ESTATES PLAT 13 CONDOMINIUM AND COMMERCIAL LOTS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 193, PAGE 54 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 80-08 was presented and read. The District has been requested to vacate its rights to portions of an existing 124-foot (124') wide easement and in such a manner as will provide a twenty-foot (20') wide easement to remain in use over the existing 8-inch PVC sanitary sewer. The District has no future use for the existing easement in this commercial/residential property and did not pay for the easement to be vacated.

Motion by Mr. Rosenberg, seconded by Mr. Karam that proposed Ord. No. 80-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 80-08.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 80-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

The Chair declared proposed Ord. No. 80-08 adopted and it was assigned Ordinance No. 12540.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 81-08 VACATING A TEN-FOOT (10') WIDE EASEMENT LOCATED IN LOT 4, PART OF LOT 5 AND PART OF LOT 6 OF FOXBOROUGH PLAT ONE SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 119, PAGE 1 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF MARYLAND HEIGHTS, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 81-08 was presented and read. The District has been requested to vacate its rights to two (2) five-foot (5') wide easements along the common property line between Lots 4 and 5 of Foxborough Plat One after a lot consolidation by the owner. The District did not pay for the easement being vacated and it has no future use for this residential easement.

Motion by Mr. Rosenberg, seconded by Mr. Karam that proposed Ord. No. 81-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 81-08.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 81-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

The Chair declared proposed Ord. No. 81-08 adopted and it was assigned Ordinance No. 12541.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 82-08 VACATING EASEMENTS OR PORTIONS OF EASEMENTS OF VARIOUS WIDTHS IN LOTS 2 AND 3 OF "THE HOME DEPOT OF ELLISVILLE" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 348, PAGE 317 AND IN "ELLISVILLE TOWNE CENTRE PHASE TWO EASEMENT PLAT" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 324, PAGE 53 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 82-08 was presented and read. The District has been requested to vacate its rights to portions of an existing 124-foot (124') wide easement and in such a manner as will provide a twenty-foot (20') wide easement to remain in use over the existing 8-inch PVC sanitary sewer. The District has no future use for the existing easement in this commercial/residential property and did not pay for the easement to be vacated.

Motion by Mr. Rosenberg, seconded by Mr. Karam that proposed Ord. No. 82-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 82-08.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed

Ord. No. 82-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	J. Buford	aye
	D. Rosenberg	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	C. Karam	aye

The Chair declared proposed Ord. No. 82-08 adopted and it was assigned Ordinance No. 12542.

Resolutions

ADOPTION OF RESOLUTION NO. 2748 WHEREAS, SUBDISTRICT NO. 2003144 (KEHRS MILL TRAILS SUBDIVISION SANITARY SEWERS) (2003144), WAS ESTABLISHED ON PETITION BY ORDINANCE NO. 12196, ADOPTED MAY 11, 2006.

Resolution No. 2748 was presented and read. This special tax bill subdistrict was established by Ordinance No. 12196 on May 11, 2006 and consists of 97 properties in the Kehrs Mill Trails Subdivision using individual septic tanks. The estimated total probable cost of the project is \$2,500,000. The average tax bill for a typical residential lot is estimated to be approximately \$25,800 and the interest rate utilizing State Revolving Loan funds is 3.0% per annum if tax bills are paid by annual installments not exceeding ten (10). The second or last required public hearing for this project is tentatively scheduled for Wednesday, December 5, 2007 at 7:00 p.m. at Marquette High School, 2351 Clarkson Road, Chesterfield, MO 63017. At the close of the hearing, the property owners will be given the opportunity to vote by signed ballot on whether or not to proceed further with the project. A public hearing report will be submitted at the regular January Board of Trustees meeting.

Motion made by Mr. Rosenberg, seconded by Mr. Karam that Resolution No. 2748 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2744, WHEREAS ORDINANCE NO. 12153, ADOPTED JANUARY 12, 2006, AUTHORIZED THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH UNITED HEALTHCARE OF THE MIDWEST, INC. WHEREBY UNITED HEALTHCARE OF THE MIDWEST, INC. WOULD PROVIDE ADMINISTRATIVE SERVICES AND STOP LOSS COVERAGE FOR THE DISTRICT'S SELF-INSURED HEALTH PLAN FOR DISTRICT EMPLOYEES AND FAMILY MEMBERS.

Resolution No. 2744 was presented and read. During the renewal process for the new plan year commencing February 1, 2008, the Executive Committee reviewed information requested by Gallagher Benefits Services, Inc. from six (6) medical plan carriers including the incumbent, United Healthcare Insurance Company. Based on the information that was received, the recommendations of Gallagher Benefits Services, Inc., and the financial advantages of various options, the Committee elected to exercise its option to renew the current agreement for an additional year.

Motion made by Ms. Harshman, seconded by Mr. Rosenberg that Resolution No. 2744 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2745, ORDINANCE NO. 12371, ADOPTED JANUARY 11, 2007, AUTHORIZED THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH BJC EMPLOYEE ASSISTANCE PROGRAM WHEREBY BJC EMPLOYEE ASSISTANCE PROGRAM WOULD PROVIDE EMPLOYEE ASSISTANCE PROGRAM (E.A.P.) SERVICES FOR DISTRICT EMPLOYEES.

Resolution No. 2745 was presented and read. The current plan year price agreement with BJC Employee Assistance is due to expire January 31, 2008. This action authorizes MSD to exercise its option to renew the agreement for an additional year.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that Resolution No. 2745 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2746 WHEREAS ORDINANCE NO. 12369, ADOPTED JANUARY 11, 2007, AUTHORIZED THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH RELIANCE STANDARD WHEREBY RELIANCE STANDARD WOULD PROVIDE LONG-TERM DISABILITY INSURANCE COVERAGE FOR DISTRICT EMPLOYEES.

Resolution No. 2746 was presented and read. The current plan year agreement with Reliance Standard is due to expire January 31, 2008. This action authorizes MSD to exercise its option to renew the agreement effective 2/1/08.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that Resolution No. 2746 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2749 WHEREAS, THIS RESOLUTION WILL SUPERSEDE RESOLUTION NO. 2563 THAT WAS ADOPTED ON JUNE 10, 2004 AND ESTABLISHES THE EMPLOYEES' PENSION PLAN ASSET ALLOCATION MIX, RESOLUTION NO. 2193 THAT WAS ADOPTED ON AUGUST 10, 1995 AND DOCUMENTS THE PROXY VOTING POLICY FOR THE INVESTMENT MANAGERS SERVING THE EMPLOYEES' PENSION PLAN, AND RESOLUTION NO. 2177 THAT WAS ADOPTED ON APRIL 20, 1995 AND DOCUMENTS THE BROKERAGE GUIDELINES FOR THE INVESTMENT MANAGERS SERVING THE EMPLOYEES' PENSION PLAN.

Resolution No. 2749 was presented and read. This resolution codifies or consolidates various resolutions that govern the investment policy, asset allocation mix for the Employees' Pension Plan, brokerage issues, and proxy voting.

Motion made by Ms. Harshman, seconded by Mr. Rosenberg that Resolution No. 2749 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2747 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO OSCAR A. HEMMER FOR HIS 25 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM JULY 12, 1982, TO HIS RETIREMENT EFFECTIVE NOVEMBER 1, 2007.

Resolution No. 2747 was presented and read.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that Resolution No. 2747 be adopted.

Motion passed – voice vote; 6 ayes, no nays

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Upon motion made Ms. Joyce-Hayes, seconded by Mr. Buford, and unanimously passed, the meeting adjourned at 6:05 p.m.

Secretary-Treasurer