

JOURNAL OF THE (1460th) MEETING OF THE
BOARD OF TRUSTEES
THE METROPOLITAN ST. LOUIS SEWER DISTRICT
June 12, 2008 – 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

E. F. Harshman, Chair
J. H. Goffstein, Vice Chair
D. J. Hayes
J. H. Buford
R. T. Berry
G. T. Feldhaus

Staff Members

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

Also present were Mr. Tom Sullivan, 35 N. Central; Doug Lambert, Geotechnology; Tom Ratzki, Black & Veatch; Jim Coll, Jacobs; Tom Curran, Piper Jaffray; Ron Steinkamp, Jefferson Wells; Kevin Cahill, Edward Jones; Sue Oefeleen, McGriff; Miranda Duncan, St. Louis County; Jon Omgig, AMEC; Lance LeComb, Public Affairs Specialist; Michelle Simmons, Accounts Receivable Manager; Laura Joiner, Accounts Receivable Supervisor; Barb Mohn, Director of Information Systems; Dennis Simon, MSD; Mike Grace, Manager of Risk Management; Debbie Johnson, Public Affairs; Marie Collins, Asst. Director of Engineering, and Pam Bell, Secretary to the Executive Director.

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Ms. Harshman opened the meeting pursuant to notice and call.

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Motion made by Mr. Goffstein, seconded by Mr. Feldhaus, that the Board go into closed session to discuss confidential or privileged matters under §610.021(1), RSMO 1988 SUPP.; personnel actions under §610.021(3).

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Hayes	aye
	E. Harshman	aye	R. Berry	aye
	J. Buford	aye	G. Feldhaus	aye

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

Motion made by Mr. Buford, seconded by Ms. Joyce-Hayes, to reconvene into open session.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	R. Berry	aye	E. Harshman	aye
	J. Buford	aye	G. Feldhaus	aye

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Upon motion made by Mr. Goffstein, seconded by Mr. Feldhaus, the Journals of the May 8, 2008 and May 23, 2008 meetings were approved by unanimous voice vote.

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The Chair had no comments.

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Mr. Feldhaus reported that the Finance Committee met on June 10, 2008, in attendance was Trustee Harshman, at this meeting the District's Financial Advisor and Secretary Treasurer gave a presentation on the upcoming financings for the District. He indicated that the District would be borrowing \$40 million through the Missouri SRF fund with monies to be received in October 2008. He also explained what steps needed to be taken for the District to borrow based on a successful August election. Based on discussion it was the consensus of staff, board and financial advisors that a negotiated technique would best serve the District at this point.

Ms. Zimmerman updated the committee on the District's financial condition through April 30, 2008. She noted that total assets of the District increased \$70 million due to increased capital spending. She indicated there would be a budget transfer of \$1 million to cover the District's post retirement employee benefits on the June Board of Trustees agenda.

Ms. Zimmerman explained that there are two resolutions before the Board at the June meeting. The first deals with setting the District's minimum guideline of 125% of the Federal Government poverty level. The second resolution on the Board agenda deals with the exercise of the next year's option to provide lockbox collection services to the District. There was a consensus with the committee to move forward with both resolutions.

Mr. Tyminski concluded by indicating the District is in the process of reviewing the proposals for firms to serve as the Pension Investment Consultant for the next five years. A proposal will be brought to the Board by August 2008.

Meeting adjourned at 8:57 a.m.

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Mr. Berry reported that the Audit Committee met on June 12, 2008 at 3:00 p.m. The meeting was chaired by Trustee Bob Berry, with Trustees Buford and Joyce-Hayes and staff in attendance.

The Status of the Internal Audits for 2008 was presented by Karen Vangyia of KPMG. Ms. Vangyia also presented the Procurement Audit and the Medical and Pharmacy Claims Audit.

The Procurement Audit revealed several areas where improvements could be made. The District Staff has already addressed these issues and has taken the steps necessary to implement new procedures. The Medical & Pharmacy claims review showed there were no significant audit issues.

The Audit Committee went into closed session and the meeting ended at 3:56pm

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Ms. Joyce-Hayes reported that the Program Management Committee met on June 3, 2008 at 7:15 a.m. The meeting was attended by trustees Joyce-Hayes and Harshman.

The minutes of the April 29, 2008 meeting were approved.

The agenda items to be introduced tonight were presented and discussed, including a detailed discussion regarding the following items:

Item 50 – Coldwater Treatment Plant Improvements – This ordinance will appropriate an additional \$800,000 for this project. This supplemental appropriation is required to ensure that adequate funding is available to address issues that may arise during construction that were not anticipated or could not have been foreseen during the project design. Construction of this project is about 80% complete with approximately \$13.5 million of work left to be done. This appropriation represents about 5.9% of the balance of the work to be completed.

Item 54 – Stormwater Infrastructure Replacement – This ordinance will appropriate \$3 million for small infrastructure replacement projects on the stormwater system for Fiscal Year 2009. Contracting is done primarily through the purchasing group with a few contracts requiring Board approval throughout the year. Last year, 64 projects were completed within an average project cost of \$15,000.

Item 55 – Lower Meramec River Lift Station – This action will correct an inappropriate ordinance reference in a previous ordinance. There is no resulting change in overall program costs.

Item 71 – Resolution Declaring Surplus Property – This resolution declares a property surplus in preparation to transferring title to an adjacent property owner. The property is land-locked and has no value to the District.

The meeting was adjourned at 8:00 a.m.

The next meeting is scheduled for Tuesday, July 1, 2008 at 7:30 a.m.

Prior to the meeting, a public hearing was held to describe minor changes to the FY2009 Capital Program consisting mostly of additional carry-over projects and additional contingency projects. There were no comments from the public.

Mr. Buford reported that the Stakeholder Relations Committee met on May 23, 2008 at the District's headquarters. The meeting was called to order at 7:30 a.m. In attendance were Trustees James Buford, Gerald Feldhaus, Robert Berry and staff.

The first item on the agenda was a discussion regarding the District's insurance renewal. Ms. Vicki Taylor Edwards, Director of Human Resources, discussed the District's Insurance renewal for Facility Pollution and Water Backup coverage. Currently, both coverages are provided by AIG, and staff is recommending the contracts be awarded to Steadfast Insurance Company, due to the considerable savings to the District. This is being brought to the full Board for consideration under Item Nos. 68 and 69 on tonight's agenda.

Next was a discussion regarding the Compensation Plan. Ms. Edwards proposed making modifications to this plan to increase "C" Schedule pay ranges by 2% for professional positions, based on market averages. She also proposed deleting the top two ranges in this schedule due to lack of use. The Committee agreed to forward this to the Board for introduction. This matter is being presented to the Board tonight as Item No. 61 on tonight's agenda.

Ms. Edwards also presented the discussion regarding modifications to the Classification Plan. She explained that the modification being made is for a job title change for Lance LeComb from Public Affairs Specialist to Manager of Public Information. Also, the position of Human Resource Specialist will be re-introduced to the classification plan. The Committee voted to have the classification changes be introduced at tonight's Board meeting, which is Item No. 60 on tonight's agenda..

Mr. Theerman reported on the Stormwater Service Survey. He informed the Committee of staff's recommendation to renew its contract for these services with ETC Institute. He emphasized the District's intent of surveying the public to determine what services are required to meet the stormwater management needs of our broader community. He recommended using the resources remaining with the current contract to focus on stormwater surveys and awarding additional funding to complete the services needed. The Committee voted to move this item to the June Board meeting and appears as Item Nos. 62 and 75 on tonight's agenda.

Finally, Ms. Zimmerman updated the Committee on the Low Income Assistance Program ordinance. She recommended modifying the ordinance language to be more general and comparable with other agencies. She also proposed that the new language use the Heath and Human Services (HHS) percentage of 125% as a minimum guideline. The Committee voted favorably for the language revision and this proposed ordinance is Item No. 57 on tonight's agenda.

There being no further business, motion to adjourn was made by Mr. Buford. The meeting adjourned at 8:30 a.m.

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Mr. Theerman called upon Mr. Hoelscher to give a presentation about the status of the District's impervious rate and stormwater efforts. Mr. Hoelscher indicated that his presentation would be divided into several areas. The first is public communications about the impervious area charges, second are the services provided to the public, and the final issue deals with the issues that have arisen since the implementation of the impervious area charge. Mr. Hoelscher pointed out that during the rate setting process, the District purchased 73 news ads and 342 radio spots. Additionally there were 113 print and radio spots. District representatives spoke at 87 outreach meetings and 4,800 letters were sent to community groups and municipal officials. Mr. Hoelscher indicated that the District has also established an appeals process for people who feel the impervious charge was not equitably applied. To date, the District has received 10,700 calls, which represents 2% of its customer base. There have been 322 formal appeals and 80 have reached the final stages. Mr. Hoelscher addressed the services that are to be performed for stormwater operations. He noted that many of the services were regulatory in nature, such as those for water quality, which involves extensive outreach and public communication. The District also investigates all creeks in the area every five years. The District will also be tracking and mapping these complaints. Mr. Hoelscher noted that a new class of customers to the District are the approximately the 6,700 septic tank customers who will only be paying a stormwater bill. The District has faced several issues in dealing with the public. The first, is that the District provides varying service levels throughout the area. This is necessitated by the type and condition of the sewers throughout the St. Louis area. The second issue is that many property owners do not believe that stormwater runs off their property and hence, they should not owe anything.

Ms. Joyce-Hayes asked Mr. Hoelscher to discuss in more detail the appeals process. He responded that it's a four-step process. It starts by having a customer call the customer service representatives. These individuals have been educated in the process and answer a number of basic questions. If a customer is unsatisfied with the response, they may file a formal appeal. Next step is to generate a map of their property. This map is returned to the customer, who gets a chance to review and comment on the billable area. The customer returns the map and comments to the District, who reviews them and makes any appropriate changes. If the customer is still dissatisfied with the charge, it can be further appealed to a staff committee that will make a final determination. The biggest concern that is received in the appeal process is customers who feel they do not owe anything at all. Mr. Berry questioned that of the 3,000 appeals, how many have changed. Mr. Hoelscher indicated that about half have changed.

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Mr. Sullivan addressed the Board and again protested that the District held a closed meeting prior to the Board meeting. He also indicated that he had not received the May 12, 2008 presentation he had requested. Messrs. Theerman and Tyminski indicated that they thought the information had already been provided. Mr. Sullivan citing the additional costs of \$800,000.00 for the Coldwater projects, commented the District should expand their auditing efforts for this type of project. Mr. Tyminski indicated that Rubin Brown had been retained to

audit this type of project. Mr. Sullivan asked what was the total cost of the Lower Meramec WWTP project. Mr. Hoelscher indicated the total cost was approximately \$230M and the information on the website is accurate.

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CONSENT AGENDA

The Board requested that Proposed Ordinance Numbers 158-08, 159-08 and 170-08 be voted on separately.

ADOPTION OF PROPOSED ORD. 151-08 (ORDINANCE NO. 12634) APPROPRIATING \$3,400,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN EVA - WABASH SANITARY RELIEF PHASE I (2001049) PHASE II (2001049A) IN THE CITY OF BERKELEY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH KARSTEN EQUIPMENT CO. FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

ADOPTION OF PROPOSED ORD. NO. 152-08 (ORDINANCE NO. 12635) APPROPRIATING \$460,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PUMP STATION GENERATOR CONSTRUCTION AS PART OF THE LEMAY PUMP STATION NO. 3 (GENERATOR) (2003078C) IN UNINCORPORATED ST. LOUIS COUNTY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH TGB, INC. FOR THE CONSTRUCTION OF THE AFORESAID PUMP STATION GENERATOR.

ADOPTION OF PROPOSED ORD. NO. 153-08 (ORDINANCE NO. 12636) APPROPRIATING \$177,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR STREAMBANK STABILIZATION IN MAGNOLIA AND WAVERTON STORM CHANNEL (DCT5-110) PHASE II (99086A), IN THE CITY OF LADUE, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH IDEAL LANDSCAPE GROUP FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

ADOPTION OF PROPOSED ORD. NO. 154-08 (ORDINANCE NO. 12637) APPROPRIATING \$950,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN BELLEFONTAINE #1 LATERAL SANITARY RELIEF (SKME-315) (2003101) IN THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH XL CONTRACTING, INC. FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

ADOPTION OF PROPOSED ORD. NO. 155-08 (ORDINANCE NO. 12638) APPROPRIATING \$1,100,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN CC-11 AND CC-20 CREVE COEUR CREEK SANITARY RELIEF PHASE II (89130A), IN THE CITIES OF TOWN & COUNTRY AND 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 GERSHENSON CONST. CO., INC. FOR THE AFORESAID CONSTRUCTION.

ADOPTION OF PROPOSED ORD. NO. 156-08 (ORDINANCE NO. 12639) APPROPRIATING \$478,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE COMBINED SEWER SEPARATION AND SANITARY AND STORM SEWER CONSTRUCTION CSO - DROMARA DRIVE SEWER SEPARATION (2003096) IN THE CITY OF LADUE, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH XL CONTRACTING, INC. FOR THE COMBINED SEWER SEPARATION AND CONSTRUCTION OF THE AFORESAID SANITARY AND STORM SEWERS.

ADOPTION OF PROPOSED ORD. NO. 157-08 (ORDINANCE NO. 12640) APPROPRIATING \$8,900,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF MANCHESTER AVENUE COMBINED SEWER RELIEF (2003064); IN THE CITY OF ST. LOUIS MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH BATES UTILITY COMPANY, INC. FOR THE AFORESAID CONSTRUCTION.

ADOPTION OF PROPOSED ORD. NO. 160-08 (ORDINANCE NO. 12643) APPROPRIATING \$960,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR THE POWER SUPPLY IMPROVEMENTS AT VARIOUS SANITARY PUMP STATIONS (2007240) IN ST. LOUIS COUNTY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH R.V. WAGNER, INC., FOR THE CONSTRUCTION OF THE AFORESAID IMPROVEMENTS.

ADOPTION OF PROPOSED ORD. NO. 161-08 (ORDINANCE NO. 12644) MAKING A SUPPLEMENTAL APPROPRIATION OF \$150,000.00 FROM THE SANITARY REPLACEMENT FUND FOR THE REPAIR, REMOVAL, REHABILITATION AND MODIFICATION OF EXISTING SEPARATE SEWER SYSTEM OVERFLOWS AND EQUIPPING WITH MONITORING DEVICES FOR FUTURE REPORTING PURPOSES IN THE SEPARATE SEWER OVERFLOW MODIFICATION AND MONITORING PROGRAM (FY2008) (2006174).

ADOPTION OF PROPOSED ORD. NO. 162-08 (ORDINANCE NO. 12645) APPROPRIATING \$370,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN NORTH FOREST STORM RELIEF (2006148), IN THE CITY OF WEBSTER GROVES, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH DIRTBUSTERS, INC. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

ADOPTION OF PROPOSED ORD. NO. 163-08 (ORDINANCE NO. 12646) MAKING A SUPPLEMENTAL APPROPRIATION OF \$100,000.00 FROM THE EMERGENCY FUND FOR

EMERGENCY SEWER REPAIRS IN EMERGENCY REPAIR #042 – 1106 S. FLORISSANT ROAD (2007249A) IN THE CITY OF FERGUSON, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO AMEND THE EXISTING CONTRACT WITH KARSTEN EQUIPMENT COMPANY FOR THE AFORESAID EMERGENCY REPAIRS.

ADOPTION OF PROPOSED ORD. NO. 164-08 (ORDINANCE NO. 12647) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1225 WITH REAL ESTATE ANALYSTS LIMITED, FOR PROFESSIONAL PROPERTY APPRAISAL SERVICES (2008147).

ADOPTION OF PROPOSED ORD. NO. 165-08 (ORDINANCE NO. 12648) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1226 WITH MUELLER & NEFF REAL ESTATE APPRAISERS & CONSULTANTS, INC., FOR PROFESSIONAL PROPERTY APPRAISAL SERVICES (2008148).

ADOPTION OF PROPOSED ORD. NO. 166-08 (ORDINANCE NO. 12649) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1227 WITH INTEGRA REALTY RESOURCES, FOR PROFESSIONAL PROPERTY APPRAISAL SERVICES (2008149).

ADOPTION OF PROPOSED ORD. 167-08 (ORDINANCE NO. 12650) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1228 WITH PRZADA APPRAISAL SERVICES FOR PROFESSIONAL PROPERTY APPRAISAL SERVICES (2008150).

ADOPTION OF PROPOSED ORD. NO. 168-08 (ORDINANCE NO. 12651) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1229 WITH SUTTON REALTY COMPANY FOR PROFESSIONAL PROPERTY APPRAISAL SERVICES (2008151).

ADOPTION OF PROPOSED ORD. NO. 169-08 (ORDINANCE NO. 12652) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1230 WITH TERRA TECHNOLOGIES OF ST. LOUIS, INC. FOR GENERAL SERVICES AGREEMENT - SEWER AND CHANNEL DESIGN (FY 2008) (STORM) (2008036).

ADOPTION OF PROPOSED ORD. NO. 171-08 (ORDINANCE NO. 12654) DECLARING THE NECESSITY FOR THE ACQUISITION OF EASEMENTS AND LICENSES IN CERTAIN REAL PROPERTY WITHIN THE METROPOLITAN ST. LOUIS SEWER DISTRICT FOR THE PURPOSE OF CONSTRUCTION OF SEWERS AND RELATED APPURTENANCES IN THE PROJECT KNOWN AS REINKE SANITARY RELIEF (SKME-407) (2005064) TO SERVE THE NEEDS OF RESIDENTS OF THE AREA, AND AUTHORIZING THE ACQUISITION OF SAID EASEMENTS AND LICENSES BY PURCHASE OR BY THE INSTITUTION OF CONDEMNATION PROCEEDINGS.

ADOPTION OF PROPOSED ORD. NO. 173-08 (ORDINANCE NO. 12655) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE

METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH CARDINAL POINT PARTNERS, LLC, WHEREBY CARDINAL POINT PARTNERS, LLC WILL PROVIDE FEDERAL LEGISLATIVE SERVICES FOR THE DISTRICT, WITH AN EMERGENCY CLAUSE.

ADOPTION OF PROPOSED ORD. NO. 174-08 (ORDINANCE NO. 12656) AUTHORIZING REPAYMENT OF 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.

ADOPTION OF PROPOSED ORD. 175-08 (ORDINANCE NO. 12657) AUTHORIZING THE CHAIRMAN OF THE BOARD OF TRUSTEES ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH STONE CARLIE AND COMPANY, L.L.C., WHEREBY STONE CARLIE AND COMPANY, L.L.C. WILL SERVE AS THE DISTRICT'S INTERNAL AUDITOR.

ADOPTION OF PROPOSED ORD. NO. 176-08 (ORDINANCE NO. 12658) AUTHORIZING THE CHAIRMAN OF THE BOARD OF TRUSTEES ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH JEFFERSON WELLS, WHEREBY JEFFERSON WELLS WILL SERVE AS THE DISTRICT'S INTERNAL AUDITOR.

ADOPTION OF PROPOSED ORD. NO. 177-08 (ORDINANCE NO. 12659) AUTHORIZING THE CHAIRMAN OF THE BOARD OF TRUSTEES ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH RUBIN BROWN, LLP, WHEREBY RUBIN BROWN, LLP WILL SERVE AS THE DISTRICT'S INTERNAL AUDITOR.

ADOPTION OF PROPOSED ORD. NO. 178-08 (ORDINANCE NO. 12660) MAKING APPROPRIATIONS FOR CURRENT EXPENSES OF THE DISTRICT, THE WASTEWATER REVENUE FUND, THE STORMWATER REVENUE FUND, THE GENERAL FUND, THE REAL PROPERTY IMPROVEMENTS & ALTERATIONS FUND, THE WATER BACKUP INSURANCE & REIMBURSEMENT FUND, THE EMERGENCY FUND, AND THE WASTEWATER REVENUE BOND SERVICE FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009, NOT INCLUDING SUMS HEREBY SET APART FOR AND TRANSFERRED TO SPECIAL FUNDS, AMOUNTING IN THE AGGREGATE TO \$186,478,554.00, WHICH SUM IS HEREBY APPROPRIATED FROM THE GENERAL AND SPECIAL FUNDS NAMED TO PAY INTEREST FALLING DUE ON BONDS ISSUED, THE COSTS OF SUPPORT, OPERATION, AND MAINTENANCE OF THE DISTRICT AND ITS VARIOUS SUBDISTRICTS, AND EMERGENCIES.

ADOPTION OF PROPOSED ORD. NO. 179-08 (ORDINANCE NO. 12661) DETERMINING THE AMOUNT OF TAXES WHICH SHALL BE LEVIED, ASSESSED, AND COLLECTED IN THE YEAR 2008 ON ALL TAXABLE TANGIBLE PROPERTY IN THE DISTRICT WITHIN THE CORPORATE LIMITS OF THE CITY OF ST. LOUIS AND ST. LOUIS COUNTY, RESPECTIVELY, AND IN SUBDISTRICTS WITHIN THE CORPORATE LIMITS OF ST. LOUIS COUNTY AS FOLLOWS: COLDWATER CREEK TRUNK SUBDISTRICT, GRAVOIS CREEK TRUNK SUBDISTRICT, MALINE CREEK TRUNK SUBDISTRICT, WATKINS CREEK TRUNK SUBDISTRICT, SUBDISTRICT NO. 88 (FOUNTAIN CREEK), SUBDISTRICT NO. 89 (LORETTA-JOPLIN), BENEFIT SUBDISTRICT NO. 111 (MARLBOROUGH), SUBDISTRICT NO. 325 (PADDOCK CREEK), SUBDISTRICT NO. 342 (CLAYTON-CENTRAL), SUBDISTRICT NO. 366 (UNIVERSITY CITY BRANCH OF RIVER DES PERES STORMWATER SUBDISTRICT), SUBDISTRICT NO. 367 (DEER CREEK STORMWATER SUBDISTRICT), SUBDISTRICT NO. 369 (SUGAR CREEK), SUBDISTRICT NO. 374 (WEDGEWOOD CREEK),

SUBDISTRICT NO. 376 (BLACK JACK-DELLWOOD CREEK), SUBDISTRICT NO. 380 (UPPER PADDOCK CREEK), SUBDISTRICT NO. 448 (MISSOURI RIVER - BONFILS), SUBDISTRICT NO. 449 (MERAMEC RIVER BASIN - M.S.D. SOUTHWEST), SUBDISTRICT NO. 453 (SHREWSBURY BRANCH OF RIVER DES PERES), SUBDISTRICT NO. 454 (SEMINARY BRANCH OF RIVER DES PERES), SUBDISTRICT NO. 455 (BLACK CREEK), SUBDISTRICT NO. 1 OF THE RIVER DES PERES WATERSHED (CREVE COEUR-FRONTENAC AREA), SUBDISTRICT NO. 4 OF THE RIVER DES PERES WATERSHED (NORTH AFFTON AREA), AND SUBDISTRICT NO. 7 OF THE RIVER DES PERES WATERSHED (WELLSTON AREA), WITH AN EMERGENCY CLAUSE.

ADOPTION OF PROPOSED ORD. NO. 180-08 (ORDINANCE NO. 12662) AWARDED A CONTRACT TO F.M. GLOBAL INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S PRIMARY PROPERTY, BOILER AND MACHINERY INSURANCE COVERAGE FROM JULY 1, 2008 TO JUNE 30, 2009.

ADOPTION OF PROPOSED ORD. NO. 181-08 (ORDINANCE NO. 12663) AWARDED A CONTRACT TO F.M. GLOBAL INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S EXCESS FLOOD INSURANCE COVERAGE FROM JULY 1, 2008 TO JUNE 30, 2009.

ADOPTION OF PROPOSED ORD. NO. 182-08 (ORDINANCE NO. 12664) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO EXECUTE ALL DOCUMENTS NECESSARY IN ORDER TO PROCURE FLOOD INSURANCE FROM THE NATIONAL FLOOD INSURANCE PROGRAM (FEDERAL EMERGENCY MANAGEMENT AGENCY) DURING THE PERIOD OF JULY 1, 2008 TO JUNE 30, 2009, FOR THE BUILDINGS AND CONTENTS AT CERTAIN SPECIFIED DISTRICT LOCATIONS.

ADOPTION OF PROPOSED ORD. NO. 183-08 (ORDINANCE NO. 12665) AWARDED A CONTRACT TO ST. PAUL FIRE & MARINE INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S EXCESS LIABILITY INSURANCE COVERAGE FROM JULY 1, 2008 TO JUNE 30, 2009.

ADOPTION OF PROPOSED ORD. NO. 184-08 (ORDINANCE NO. 12666) AWARDED A CONTRACT TO MIDWEST EMPLOYERS CASUALTY COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S EXCESS WORKERS' COMPENSATION INSURANCE COVERAGE FROM JULY 1, 2008 TO JUNE 30, 2009.

ADOPTION OF PROPOSED ORD. 185-08 (ORDINANCE NO. 12667) AWARDED A CONTRACT TO TRAVELERS CASUALTY AND SURETY INSURANCE COMPANY OF AMERICA (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE PUBLIC OFFICIAL'S FAITHFUL PERFORMANCE BOND FOR THE SECRETARY-TREASURER FOR THE PERIOD JULY 1, 2008 TO JUNE 30, 2009.

ADOPTION OF PROPOSED ORD. NO. 186-08 (ORDINANCE NO. 12668) AWARDED A CONTRACT TO FEDERAL (CHUBB) INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S FIDUCIARY LIABILITY INSURANCE FROM JULY 1, 2008 TO JUNE 30, 2009.

ADOPTION OF PROPOSED ORD. NO. 187-08 (ORDINANCE NO. 12669) AWARDED A CONTRACT TO FEDERAL (CHUBB) INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S COMMERCIAL CRIME INSURANCE COVERAGE FROM JULY 1, 2008 TO JUNE 30, 2009.

ADOPTION OF PROPOSED ORD. NO. 188-08 (ORDINANCE NO. 12670) AWARDED A CONTRACT TO MISSOURI UNDERGROUND STORAGE TANK INSURANCE FUND FOR THE DISTRICT'S UNDERGROUND STORAGE TANK INSURANCE COVERAGE FROM JULY 1, 2008 TO JUNE 30, 2009.

ADOPTION OF PROPOSED ORD. NO. 189-08 (ORDINANCE NO. 12671) AWARDED A CONTRACT TO ST. PAUL FIRE & MARINE INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS OF MISSOURI, INC., AGENT) FOR THE DISTRICT'S COMBINED LIABILITY PROGRAM INSURANCE COVERAGE FROM JULY 1, 2008 TO JUNE 30, 2009.

Plan Approval

Lorenzo Lane Sanitary Sewer Relocation (2001058A)

This project, located in the City of Ladue, is to relocate a portion of the existing sanitary sewer out of the existing stormwater channel, and to alleviate creek erosion and flooding. This project is in the Fiscal Year 2007 Budget and the estimated construction cost is \$299,000.

Maintenance Yard Vehicle Storage Buildings (Mintert and Grand Glaize) (2007271)

This project, located in the Cities of Ferguson and Valley Park, is to provide additional storage space for maintenance vehicles. This project is in the Fiscal Year 2009 Budget and the estimated construction cost is \$1,367,000.

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

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

ADOPTION OF PROPOSED ORD. NO. 158-08 (ORDINANCE NO. 12641) TRANSFERRING FUNDS BY RETURNING \$1,572,000.00 AS APPROPRIATED BY ORDINANCE NO. 12353, ADOPTED DECEMBER 14, 2006, FOR THE MISSOURI RIVER TREATMENT PLANT IMPROVEMENTS (ELECTRICAL SUPPLY) (99076D) TO THE SANITARY REPLACEMENT FUND BALANCE, AND APPROPRIATING \$2,322,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF MISSOURI RIVER TREATMENT PLANT IMPROVEMENTS PHASE II (HEADWORKS) (99076C); IN CITY OF MARYLAND HEIGHTS, MISSOURI.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 158-08 be adopted.

Motion passed – 5 ayes, no nays, 1 abstain

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	abstain	G. Feldhaus	aye

ADOPTION OF PROPOSED ORD. 159-08 APPROPRIATING (ORDINANCE NO. 12642) \$660,000.00 FROM THE STORM REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN LEMAY GARDENS SEPARATE SEWER AREA I/I REDUCTION (2004063) IN UNINCORPORATED ST. LOUIS COUNTY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH XL CONTRACTING, INC. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 159-08 be adopted.

Motion passed – 5 ayes, 1 nay

Poll taken:	J. Goffstein	nay	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

ADOPTION OF PROPOSED ORD. NO. 170-08 (ORDINANCE NO. 12653) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1231 WITH GEOTECHNOLOGY, INC. FOR GENERAL SERVICES AGREEMENT – GEOTECHNICAL SERVICES (FY 2008) (2008037) FOR THE GEOTECHNICAL SERVICES INCLUDING ROCK AND SOIL ANALYSIS, TESTING, EVALUATION OF FOUNDATIONS, SLOPES AND BEDDING AND OTHER GENERAL GEOTECHNICAL SERVICES.

Motion made by Mr. Buford, seconded by Ms. Harshman that proposed Ord. No. 170-08 be adopted.

Motion passed – 4 ayes, no nays, 1 abstain

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	abstain	G. Feldhaus	aye

The Chair declared the Consent Agenda adopted and proposed Ord. Nos. 151-08, 152-08, 153-08, 154-08, 155-08, 156-08, 157-08, 158-08, 159-08, 160-08, 161-08, 162-08, 163-08, 164-08, 165-08, 166-08, 167-08, 168-08, 169-08, 170-08, 171-08, 173-08, 174-08, 175-08, 176-08, 177-08, 178-08, 179-08, 180-08, 181-08, 182-08, 183-08, 184-08, 185-08, 186-08, 187-08, 188-08, and 189-08, and were assigned Ordinance Nos. 12634, 12635, 12636, 12637, 12638, 12639, 12640, 12641, 12642, 12643, 12644, 12645, 12646, 12647, 12648, 12649, 12650, 12651, 12652, 12653, 12654, 12655, 12656, 12657, 12658, 12659, 12660, 12661, 12662, 12663, 12664, 12665, 12666, 12667, 12668, 12669, 12670, and 12671.

Mr. Harshman indicated at the end of the meeting that she would like to reconsider proposed Ordinance No. 173-08, and that her vote should be reflected as an abstention. No other Trustees wished to change their votes.

UNFINISHED BUSINESS

Ordinances

None

Resolutions

None

NEW BUSINESS

Ordinances

INTRODUCTION OF PROPOSED ORD. NO. 193-08 MAKING A SUPPLEMENTAL APPROPRIATION OF \$800,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ADDITIONAL PROJECT COSTS FOR THE CONSTRUCTION OF COLDWATER TREATMENT PLANT IMPROVEMENTS (99077).

Proposed Ord. No. 193-08 was presented and read. The work to be done under this contract consists of the construction of a new headworks building, including pumping and screening equipment, four new primary clarifiers, a sludge and grit pump station, flow spitting facilities, a new blower building, modifications to the existing aeration basins, a new final clarifier, a new sludge thickener, a new maintenance building, carbon absorption odor control system, building demolition, new site grading and piping, electrical and HVAC upgrades, plant controls system, and miscellaneous other plant improvements.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Berry that proposed Ord. No.193-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 194-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH J.H. BERRA CONSTRUCTION COMPANY, INC. FOR THE CONSTRUCTION OF SANITARY SEWERS IN TANQUERAY LANE #4953 SANITARY SEWER REPLACEMENT (INFRASTRUCTURE

REPAIR) (2006184), IN UNINCORPORATED ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 194-08 was presented and read. The work to be done under this contract consists of the construction of approximately 300 lineal feet of pipe sewers 8-inches in diameter and appurtenances. The purpose of this project is to eliminate recurring basement backups in adjacent apartment buildings. This project is scheduled to be completed in 30 days.

Motion by Ms. Joyce-Hayes, seconded by Mr. Berry that proposed Ord. No. 194-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 195-08 APPROPRIATING \$410,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR COMBINED SEWER REPLACEMENT IN THE OXFORD AND BIG BEND COMBINED SEWER REPLACEMENT (INFRASTRUCTURE REPAIR) (2006083), IN THE CITY OF MAPLEWOOD, 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 COMPANY, INC. FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 195-08 was presented and read. The work to be done under this contract consists of the construction of a grit chamber and approximately 484 lineal feet of pipe sewers 18-inches in diameter and appurtenances. The purpose of this project is to remove grit from the existing system that has caused significant operational issues and expense. This project is scheduled to be completed in 120 days.

Motion by Ms. Joyce-Hayes, seconded by Mr. Berry that proposed Ord. No. 195-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 196-08 APPROPRIATING \$96,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN FOOTE - BERRY PARK STORM SEWER (2006139), IN THE CITIES OF WEBSTER GROVES AND 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 HEARTLAND CONSTRUCTION & EXCAVATING FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 196-08 was presented and read. The work to be done under this contract consists of the construction of approximately 440 lineal feet of 12-inch to 24-inch diameter storm sewers and appurtenances. The purpose of this project is to eliminate yard erosion and flooding. This project is scheduled to be completed in 90 days.

Motion by Ms. Joyce-Hayes, seconded by Mr. Berry that proposed Ord. No. 196-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	nay	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 197-08 APPROPRIATING \$3,000,000.00 FROM THE STORMWATER FACILITIES FUND FOR STORMWATER INFRASTRUCTURE REPLACEMENT (FY2009) (2007127).

Proposed Ord. No. 197-08 was presented and read. This project consists of the repair/replacement and construction of inlets, manholes, sewers, and other infrastructure as identified by the Operations and Engineering departments at locations throughout the District.

Motion by Mr. Berry, seconded by Ms. Joyce-Hayes that proposed Ord. No. 197-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 198-08 REPEALING ORDINANCE NO. 12358, ADOPTED DECEMBER 14, 2006, AND ENACTING A NEW ORDINANCE IN LIEU THEREOF ON THE SAME SUBJECT, TO TRANSFER FUNDS FOR CONSTRUCTION OF THE LOWER MERAMEC RIVER SYSTEM IMPROVEMENTS – LIFT STATION (95066L).

Proposed Ord. No. 198-08 was presented and read. This project consists of construction of the Lower Meramec River System Improvements – Lift Station including two 15 mgd base flow pumps, three 40.5 mgd high flow pumps, sump pumps, piping and valves, the pump station building with an elevator, the screening structure building, installation of the screens procured under Contract 95066L1, an odor control biofilter, sewers, site work, and appurtenances.

Motion by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 1986-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	nay	D. Joyce-Hayes	aye
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E. Harshman	aye	J. Buford	aye
R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 199-08 APPROPRIATING \$503,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE FINAL DESIGN OF CSO – JEFFERSON BARRACKS SUBSYSTEM NO. 72 INTERCEPTOR (I-22) SEPARATION (2003076D) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1224 WITH AMEC INFRASTRUCTURE, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 199-08 was presented and read. This project consists of the design and preparation of construction documents for approximately 3,280 feet of 8-inch to 27-inch diameter sanitary sewers, 550 feet of 12-inch to 24-inch storm sewers and appurtenances, and rehabilitating approximately 7,530 feet of existing sewers. This project will provide for the future elimination of one combined sewer overflow and private inflow sources from approximately 36 properties. The preliminary construction cost estimate is \$2,235,000. The design costs are 19% of the estimated construction costs.

Motion by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 199-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 200-08 REPEALING ORDINANCE NO. 12356, AS ADOPTED DECEMBER 14, 2006, AND ENACTING A NEW ORDINANCE IN LIEU THEREOF ESTABLISHING A LOW INCOME ASSISTANCE PROGRAM PROVIDING FOR REDUCED WASTEWATER USER CHARGES AND STORMWATER SERVICE CHARGES TO ELIGIBLE LOW INCOME CUSTOMERS OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

Proposed Ord. No. 200-08 was presented and read. As of March 31, 2008, there were 1,232 customers in the program. Per the District’s 2007 Rate Proposal, the FY08 goal was to have 1,940 enrolled in the program. Having the flexibility to change the income guidelines via policy provides for increased customer eligibility for the District’s Low Income Program.

Motion by Ms. Harshman, seconded by Mr. Berry that proposed Ord. No. 200-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 201-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH JOHN G. HEIMOS, P.C. WHEREBY JOHN G. HEIMOS, P.C. WILL PROVIDE COLLECTION LITIGATION SERVICES FOR THE DISTRICT.

Proposed Ord. No. 201-08 was presented and read. This ordinance authorizes the District to enter into a one-year contract with two optional years with John G. Heimos, PC for collection litigation services for a portion of the District's delinquent monthly sewer bills. Their services would be used to augment our in-house collection efforts to handle the current volume of delinquencies. A commission of 16% would be based on the actual amount of collections made by the firm. The law firm provides these services on accounts in which owner assets have been identified and in which other means of collection (i.e. liens, collection agencies, etc.) have been unsuccessful. John G. Heimos, P.C collected \$1,183,335 on the District's behalf during FY08 through April 30, 2008.

Motion by Ms. Harshman, seconded by Mr. Buford that proposed Ord. No. 201-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 202-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH GUSDORF LAW FIRM, LLC WHEREBY GUSDORF LAW FIRM, LLC WILL PROVIDE COLLECTION LITIGATION SERVICES FOR THE DISTRICT.

Proposed Ord. No. 202-08 was presented and read. This ordinance authorizes the District to enter into a one-year contract with two optional years with John G. Heimos, PC for collection litigation services for a portion of the District's delinquent monthly sewer bills. Their services would be used to augment our in-house collection efforts to handle the current volume of delinquencies. A commission of 16% would be based on the actual amount of collections made by the firm. The law firm provides these services on accounts in which owner assets have been identified and in which other means of collection (i.e. liens, collection agencies, etc.) have been unsuccessful. Gusdorf Law Firm, LLC collected \$896,407 on the District's behalf during FY08 through April 30, 2008.

Motion by Ms. Harshman, seconded by Mr. Feldhaus that proposed Ord. No. 202-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 203-08 REPEALING ORDINANCE NO. 12468, AS ADOPTED JUNE 14, 2007, AND ENACTING A NEW ORDINANCE IN LIEU THEREOF, PRESCRIBING THE CLASSIFICATION PLAN FOR ALL EMPLOYEES IN THE CLASSIFIED SERVICE OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT AND DESIGNATING THOSE CLASSIFICATIONS WHICH ARE ELIGIBLE FOR PAYMENT OF OVERTIME COMPENSATION.

Proposed Ord. No. 203-08 was presented and read. This ordinance revises the Classification Plan amended June 14, 2007

Motion by Mr. Berry, seconded by Mr. Buford that proposed Ord. No. 203-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 204-08 REPEALING ORDINANCE NO. 12467, ADOPTED JUNE 14, 2007 AND ENACTING A NEW ORDINANCE IN LIEU THEREOF, PRESCRIBING A COMPENSATION PLAN FOR ALL CLASSIFIED AND UNCLASSIFIED POSITIONS OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT, EXCEPT THE POSITIONS OF EXECUTIVE DIRECTOR, SECRETARY-TREASURER AND INTERNAL AUDITOR.

Proposed Ord. No. 204-08 was presented and read. This ordinance revises the Compensation Plan amended June 14, 2007

Motion by Mr. Berry, seconded by Mr. Buford that proposed Ord. No. 204-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION OF PROPOSED ORD. NO. 205-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO AMEND THE EXISTING CONTRACT WITH ETC INSTITUTE, WHEREBY ETC INSTITUTE WILL PERFORM CUSTOMER SERVICE SURVEYING FOR THE DISTRICT.

Proposed Ord. No. 205-08 was presented and read. In January 2007, the District approved a contract with the ETC Institute for 2007 customer satisfaction surveying services. In September 2007, the District approved exercising a one-year option on the contract for 2008 customer satisfaction surveying services.

Motion by Mr. Berry, seconded by Mr. Buford that proposed Ord. No. 205-08 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 206-08 VACATING A PORTION OF A TEN-FOOT (10') WIDE EASEMENT LOCATED IN FRONTENAC FOREST ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 65, PAGES 48 AND 49, OF THE ST. LOUIS COUNTY RECORDS, BEING PART OF LOT 29 OF SAID SUBDIVISION IN THE CITY OF FRONTENAC, ST. LOUIS COUNTY, MISSOURI; FOR PROJECT KNOWN AS OAK DRIVE TO BOPP LANE SANITARY RELIEF PHASE II (99104B).

Proposed Ord. No. 206-08 was presented and read. The property owner granted a new easement on this residential property for the Oak Drive to Bopp Lane Sanitary Sewer Relief project which eliminated five (5) SSOs. As a result of the aforementioned project, MSD can vacate these portions of the existing easement originally granted in Plat Book 65, Pages 48-49. As part of the negotiations to acquire the new easement, MSD agreed to recommend this vacation. The District has no future use for this easement and did not pay for this easement.

Motion by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 206-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 206-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Buford that proposed Ord. No. 206-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

The Chair declared proposed Ord. No. 206-08 adopted and it was assigned Ordinance No. 12672.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 207-08 VACATING A PORTION OF A FIFTY-FOOT (50') WIDE EASEMENT LOCATED IN LOT 7 OF BUCKLAND ROAD ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 277, PAGE 88 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF TOWN AND COUNTRY, ST. LOUIS COUNTY, MISSOURI; FOR PROJECT KNOWN AS BUCKLAND ROAD (MASON RD. 2000' S. OF CLAYTON).

Proposed Ord. No. 207-08 was presented and read. The District has been requested to vacate an irregular easement as recorded in Plat Book 277, Page 88. The portion of the easement being vacated was never used by the District. The District has no future use of this residential property easement and did not pay for this easement.

Motion by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 207-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 207-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Buford that proposed Ord. No. 207-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

The Chair declared proposed Ord. No. 207-08 adopted and it was assigned Ordinance No. 12673.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 208-08 VACATING A PORTION OF A TEN-FOOT (10') WIDE EASEMENT LOCATED IN QUESTOVER SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 51, PAGE 83, OF THE ST. LOUIS COUNTY RECORDS, BEING PART OF LOT 4 OF SAID SUBDIVISION IN THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI; FOR PROJECT KNOWN AS OLIVE & QUESTOVER (GREAT SOUTHERN BANK – 12500 OLIVE).

Proposed Ord. No. 208-08 was presented and read. The District has been requested to vacate one ten-foot; (10') easement as recorded in Plat Book 51, Page 83. The easement being vacated was never used by the District. The District has no future use of this residential property easement and did not pay for this easement. This project is a future commercial development.

Motion by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 208-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 208-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Buford that proposed Ord. No. 208-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

The Chair declared proposed Ord. No. 208-08 adopted and it was assigned Ordinance No. 12674.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 209-08 VACATING A TEN-

FOOT (10') WIDE EASEMENT RECORDED IN DEED BOOK 5022, PAGE 338, ALSO A TEN-FOOT (10') WIDE EASEMENT AND TWO FIVE-FOOT (5') WIDE EASEMENTS, ALL OF WHICH ARE LOCATED IN BLOCK 1 OF JAMES EVANS PLACE AMENDED ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 26, PAGE 18 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF BERKELEY, ST. LOUIS COUNTY, MISSOURI; FOR THE PROJECT KNOWN AS JAMES & EVANS (VATTEROTT COLLEGE).

Proposed Ord. No. 209-08 was presented and read. The District has been requested to vacate one ten-foot (10') wide easement as recorded in Plat Book 22, Page 79, Plat Book 26, Page 18, and Deed Book 5022, Page 338, one five-foot (5') wide easement as recorded in Plat Book 22, Page 79 and Plat Book 26, Page 18, and one five-foot (5') wide easement as recorded in Plat Book 26, Page 18. The District has no future use of these industrial property easements and did not pay for these easements.

Motion by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 209-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 209-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Buford that proposed Ord. No. 209-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

The Chair declared proposed Ord. No. 209-08 adopted and it was assigned Ordinance No. 12675.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 210-08 VACATING A PORTION OF A TEN-FOOT (10') WIDE EASEMENT AND TWO FIVE-FOOT (5') WIDE EASEMENTS LOCATED IN WOODLEIGH ESTATES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 137, PAGES 6 AND 7, OF THE ST. LOUIS COUNTY RECORDS, BEING PART OF LOTS 500 AND 501 OF SAID SUBDIVISION IN UNINCORPORATED ST. LOUIS COUNTY, MISSOURI; FOR PROJECT KNOWN AS TELEGRAPH & WITSHIRE MEHLVILLE FIRE PROTECTION DISTRICT.

Proposed Ord. No. 210-08 was presented and read. The District has been requested to vacate two, five-foot; (5') wide easements and one ten-foot (10') wide easement as recorded in Plat Book 137, Pages 6 & 7. The easements being vacated were never used by the District. The District has no future use of these Fire District property easements and did not pay for these easements.

Motion by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 210-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 210-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Buford that proposed Ord. No. 210-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

The Chair declared proposed Ord. No. 210-08 adopted and it was assigned Ordinance No. 12676.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 211-08 AWARDDING A CONTRACT TO STEADFAST INSURANCE COMPANY (MCGRIFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S MAJOR FACILITY POLLUTION LIABILITY INSURANCE FROM JULY 1, 2008 TO JUNE 30, 2009.

Proposed Ord. No. 211-08 was presented and read. This ordinance will authorize the District to enter into a contract with Steadfast Insurance Company from July 1, 2008 to June 30, 2009 for the District's Facility Pollution Liability coverage. This policy provides \$10 million of coverage above a \$500,000 self-insured retention for pollution environmental claims.

Motion by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 211-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 211-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Buford that proposed Ord. No. 211-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

The Chair declared proposed Ord. No. 211-08 adopted and it was assigned Ordinance No. 12677.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 212-08 AWARDDING A CONTRACT TO STEADFAST INSURANCE COMPANY FOR THE DISTRICT'S BLOCKED MAIN AND OVERCHARGED SEWER LINE BACKUP INSURANCE COVERAGE FROM JULY 1, 2008 TO JUNE 30, 2009.

Proposed Ord. No. 212-08 was presented and read. Since 1995 MSD has sponsored an insurance program that compensates customers for damage arising from sewer backups that were caused by blocked sewer mains. This ordinance will authorize the District to enter into a contract with Steadfast Insurance Company from July 1, 2008 to June 30, 2009.

Motion by Ms. Joyce-Hayes, seconded by Mr. Feldhaus that proposed Ord. No. 212-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 212-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Buford that proposed Ord. No. 212-08 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	J. Goffstein	aye	D. Joyce-Hayes	aye
	E. Harshman	aye	J. Buford	aye
	R. Berry	aye	G. Feldhaus	aye

The Chair declared proposed Ord. No. 212-08 adopted and it was assigned Ordinance No. 12678.

Resolutions

ADOPTION OF RESOLUTION NO. 2782 ORDINANCE NO. 11546, ADOPTED JULY 10, 2003, AUTHORIZED THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH ALLIANCE DATA WHEREBY ALLIANCE DATA WOULD PROVIDE CALL CENTER AND BILLING/COLLECTION SERVICES FOR THE DISTRICT.

Resolution No. 2782 was presented and read. This resolution will authorize the District to exercise the third of seven optional years and enter into a contract with Alliance Data for outsourced billing services associated with the District's monthly sewer bills and call center from July 25, 2008 to July 24, 2009.

Motion made by Mr. Feldhaus, seconded by Ms. Harshman that Resolution No. 2782 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2784 THE EXECUTIVE DIRECTOR OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT (DISTRICT) HAS RECOMMENDED TO THE BOARD OF TRUSTEES THAT A CERTAIN PARCEL OF DISTRICT REAL PROPERTY KNOWN AND NUMBERED AS 1457 ROSS AVENUE IN ST. LOUIS COUNTY, MISSOURI, IS NO LONGER NECESSARY OR USEFUL IN THE DISTRICT'S OPERATIONS, AND THEREFORE, SHOULD BE DECLARED AS SURPLUS PROPERTY.

Resolution No. 2784 was presented and read. This resolution declares the property known as 1457 Ross Avenue (County Locator #16042077) as surplus property according to Resolution No. 2016. This determination is based upon the recommendation of the Executive Director.

Motion made by Mr. Feldhaus, seconded by Ms. Harshman that Resolution No. 2784 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2786 ORDINANCE NO. 12432, ADOPTED MAY 10, 2007, AUTHORIZED THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH FIRSTECH PAYMENT PROCESSING SOLUTIONS WHEREBY FIRSTECH PAYMENT PROCESSING SOLUTIONS WILL PROVIDE LOCKBOX SERVICES FOR THE DISTRICT.

Resolution No. 2786 was presented and read. This resolution authorizes the District to exercise the first of two contract option years with Firstech Payment Processing Solutions for lockbox services. Their services process a portion of the District's monthly sewer bill payments and are used to provide an additional payment method to customers for bill payment. Firstech processed 1,878,235 payments totaling \$106,445,730 during FY08 through April 30, 2008.

Motion made by Mr. Feldhaus, seconded by Ms. Harshman that Resolution No. 2786 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2787 TRANSFERRING UNENCUMBERED APPROPRIATED BALANCES TOTALING \$1,000,000.00 FROM CERTAIN CLASSIFICATIONS OF EXPENDITURE WITHIN THE GENERAL FUND TO OTHERS WITHIN THE GENERAL FUND TO MEET THE OPERATING NEEDS OF THE DISTRICT FOR THE REMAINDER OF THE FISCAL YEAR 2007-2008.

Resolution No. 2787 was presented and read. This resolution transfers unencumbered appropriated balances from Operations Personnel Service Accounts (100's) and Utilities Accounts (300's), Engineering Personnel Service Accounts (100's) and Finance Contractual Services Accounts (400's) to Human Resource Personnel Services Accounts (100's) to meet the GASB 45 requirements for Other Post Employment Benefits (OPEB) of the District for the Fiscal Year 2007-2008, said transfer to be made between accounts and in the amounts as indicated in the resolution.

Motion made by Mr. Feldhaus, seconded by Ms. Harshman that Resolution No. 2786 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2788 WHEREAS ORDINANCE NO. 12370, 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 ETC INSTITUTE, WHEREBY ETC INSTITUTE WOULD PERFORM CUSTOMER SERVICE SURVEYING FOR THE DISTRICT.

Resolution No. 2788 was presented and read. This resolution will authorize MSD to exercise the second of two option years and enter into a contract with the ETC Institute to provide customer service surveying services in calendar year 2009.

Motion made by Mr. Feldhaus, seconded by Ms. Harshman that Resolution No. 2788 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2783 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO M. C. BAKER FOR HIS 21 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM JUNE 16, 1986 TO HIS RETIREMENT EFFECTIVE JUNE 1, 2008.

Motion made by Mr. Feldhaus, seconded by Ms. Harshman that Resolution No. 2783 be adopted.

Motion passed – voice vote; 6 ayes, no nays

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Upon motion made Mr. Buford, seconded by Mr. Feldhaus, and unanimously passed, the meeting adjourned at 5:45 p.m.

Secretary-Treasurer