

VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Ray Matchett, Jr.
Steve Smith
Mike Blaies
Mathew Trout
Dean Pruett
Elizabeth Niebruegge

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Tony Funderburg

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Stanley Donald

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

October 13, 2014

NOTICE

MEETING OF THE PUBLIC WORKS COMMITTEE Trash/Water/Sewer (Pruett/Matchett/Blaies)

A Public Works Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, on **Wednesday, October 15, 2014, at 6:00 p.m.**

PUBLIC WORKS COMMITTEE MEETING AGENDA

- I. Items To Be Reviewed
 - A. Old Business
 1. Approval of September 10, 2014 Minutes
 2. Sewer Project/Phase 1B
 3. Sewer issues
 4. Water Main Extension along Rentchler Road
 5. Countryside Lane annexations
 6. Time limit on tap on fees purchased but not used
 7. GIS Implementation
 8. Payment Service Network Service
 9. Sewer backups on Sunset Drive
 10. SLM water issues
 - B. New Business
 1. Rhutasel Water Tower painting agreement
 2. IEPA Compliance Commitment Agreement
 - C. General Concerns
 - D. Public Participation
 - E. Adjourn

At said Committee Meeting, the Village Board of Trustees may vote on whether or not to hold an Executive Session to discuss potential litigation, [5 ILCS, 120/2 - (c)(11)]; the selection of a person to fill a public office [5 ILCS, 120/2 - (c) (3)] personnel [5 ILCS, 120/2 - (c) (1)]; or real estate transactions [5 ILCS, 120/2 - (c) (5)].

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PUBLIC WORKS COMMITTEE MEETING
Trash/Water/Sewer
(Pruett/Matchett/Blaies)
Wednesday, October 15, 2014 at 6:00 p.m.

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Weilmuenster Law Group, P.C

The Public Works Committee Meeting was called to order at 6:00 p.m. on Wednesday, October 15, 2014, by Chairman Dean Pruett. Members present were Chairman Dean Pruett, Trustee Ray Matchett, Trustee Mike Blaies (absent), Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Elizabeth Niebruegge, Trustee Matt Trout, Trustee Steve Smith, Public Works Director John Tolan, Village Administrator and Office Manager Julie Polson. Guest present: Janet Baechle.

A. OLD BUSINESS:

1. Approval of September 10, 2014 minutes: Trustee Ray Matchett motioned to approve the September 10, 2014 minutes and Trustee Dean Pruett seconded the motion. All voting yea, the motion carried.
2. Sewer project: Village Administrator Tony Funderburg advised we have turned this over to Attorney Manion. He has been in contact with Helms' attorney and said there is some positive movement on this.
3. Sewer issues: Public Works Director John Tolan said Gary Schaefer put in a new sewer line and we installed check valves. Office Manager Julie Polson advised the insurance company has settled with the claimants and is paying the claims. She will provide everyone with a copy of the report detailing the amounts paid once it is received.
4. Water main extension along Rentchler Road: We have not heard anything new.
5. Countryside Lane annexations: Tony advised the EPA has the construction permit and advised there is a 40-day turn around on them. He also said there is a slight issue with the road. When Tim Pruett was working on the permit, he found out Smithton maintains the road but they were hired by Belleville to do that. Tony said Belleville states that none of that is their road. Tony said Belleville needs to understand we are annexing properties and taking over ownership and maintenance of the road. He said Smithton is happy to give it to us.
6. Time limit on tap on fees purchased but not used: We will make sure this gets into the approved code. Item can be taken off the agenda.
7. GIS Implementation: John said Shane has the electric system ready to go. We are moving along on this project.

Water/Sewer Committee Meeting
Wednesday, October 15, 2014
Page 1 of 3

8. Payment Service Network Service: Tony said this is a great system for the short term. We would still like to explore a billing system that works better with PSN. For example our customers cannot look at their bill online. Item can be taken off the agenda.
9. Sewer Backups – Sunset Dr. Apts.: See item #3 above. Item can be taken off the agenda.
10. SLM Water Issues: John explained SLM has switched over to free residuals. For about the last week, the chlorine level has been way down. This is due to SLM losing their chlorine feed for a couple of days. John said they switched over to chloramine today. He is not sure what is going on but intends to find out at the next FSH meeting.

Trustee Pruett asked about our annual fire hydrant inspection and John confirmed that is what we are doing right now.

B. NEW BUSINESS:

1. Rhutasel Water Tower Painting Agreement: John said Rhutasel will be responsible for preparing the bidding and contract documents for the interior and exterior repair of the water tower. They are going to hire a consultant who will climb the tower to monitor the work. The estimated costs are \$8,000 for the bid process which includes document preparation and evaluation. There is also a \$22,000 charge which includes the cost of a consultant who will come out and climb the tower to monitor the work. John said we need that to ensure the work is done correctly. This project won't be done until spring.
2. IEPA Compliance Commitment Agreement: John said we had two samples come back with high THM levels which placed us in violation. John responded to the EPA's violation notice and provided steps to alleviate the problem (see attached notice). John said the problem is the SAVE line is not used very much and the water is not getting turned over enough. He found out in July everyone had high TLMs and was not aware of that. He believes SLM's problems are a contributing factor to our issues.

Tony was contacted by a resident on Schiermeier Road who would like our water. Tony said it only makes sense if we can get some other residents to come in as well. John said there are about 6 – 8 homes that this would affect. Tony asked the committee if they think this is a worthwhile project. We would not be able to do this in this year's budget. The committee agreed to have Tony/John contact the other residents to see if they would be interested in receiving our water.

John advised the committee of several issues. The west plant lift station needs to be repaired. John budgeted \$17,000 and Haier Plumbing said the work will cost from \$15,000 - \$20,000. The incubator that is used for EPA testing went out and the cost to replace it is \$2,700 - \$2,800. The N. Edison lift station pump ate a 2 x 4 chunk of wood which will cost about \$1,000 to repair.

- C. **GENERAL CONCERNS:** John reported Jesse is working on the hydrant flushing and testing. John reported on other water and sewer repairs.
- D. **PUBLIC PARTICIPATION:** None.
- E. **ADJOURN:** *Trustee Ray Matchett motioned to adjourn at 6:27 p.m. and Trustee Dean Pruett seconded the motion. All voting aye, the motion carried.*


Julie Polson,
Office Manager

VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
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PUBLIC WORKS COMMITTEE MEETING
Trash/Water/Sewer
(Pruett/Matchett/Blaies)

Wednesday, September 10, 2014 at 6:00 p.m.

VILLAGE ADMINISTRATOR
Tony Funderburg

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Stanley Donald

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

The Public Works Committee Meeting was called to order at 6:00 p.m. on Wednesday, September 10, 2014, by Chairman Dean Pruet. Members present were Chairman Dean Pruet, Trustee Ray Matchett, Trustee Mike Blaies, Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Elizabeth Niebruegge, Trustee Matt Trout, Trustee Steve Smith, Public Works Director John Tolan and Office Manager Julie Polson. Guest present: Janet Baechle.

A. OLD BUSINESS:

1. Approval of August 13, 2014 minutes: Trustee Ray Matchett motioned to approve the August 13, 2014 minutes and Trustee Mike Blaies seconded the motion. All voting yea, the motion carried.
2. Sewer project: Mayor Speiser advised Matt and Fred Helms were called but no response was received. Seth believes we should set a deadline and proceed from there.
3. Sewer issues: John does not have any at this time.
4. Water main extension along Rentchler Road: We have not heard anything new.
5. Countryside Lane annexations: John said Rhutasel is working on the design of the water lines. Julie advised Attorney Manion has a much simpler annexation agreement. Once Julie receives that, she will mail out the paperwork to the homeowners.
6. Time limit on tap on fees purchased but not used: Julie will check to see if a time limit was put in the proposed code.
7. GIS Implementation: John said they have found some old plans. Once the work load lightens up, he is going to get started on this project.
8. Payment Service Network Service: Julie said we don't have PSN active yet on the website but customers can call them directly and pay their utility bill. Once our new website is up and we receive the register to accept payments, we can get that started in the office.
9. Sewer Backups – Sunset Dr. Apts.: John advised Gary Schaefer is going to put in a new sewer line from his apartment building to the manhole. John advised he had a subsequent backup in his portion of the line. John did advise the claims adjuster that Gary Schaefer knew there was a problem and didn't call us until the next day.

Water/Sewer Committee Meeting
Wednesday, September 10, 2014
Page 1 of 2

The claims adjuster said the claims are going to be settled but they will be negotiating some of those costs down claimed by the residents.

John reported Mr. Fischer called him about re-grading and seeding where we installed the new sewer line. He looked at the areas Mr. Fischer was concerned about and there is a hole by the manhole on State St. Mr. Fischer said there were a couple of areas where the sewer line was exposed. John did not see any exposed line. We will fix the hole since it is in the right-of-way. Mayor Speiser also spoke to Mr. Fischer and advised him not to take any dirt out until the spring, and that once we fixed the hole, and re-grade the dirt, he is on his own.

B. NEW BUSINESS: John advised the committee about another problem the SLM plant might be experiencing. He stated there are no issues with the water at this time. On September 15th, we'll be switching over to free residual and will have that information in the Freeburg Tribune. John also advised he will flush the fire hydrants in September – October. He reported that FSH is looking at an interconnect with Illinois American Water in both Smithton and Freeburg. The Freeburg interconnect will be out on Jefferson Road. This would only be used on an emergency basis. He said EPA has given a big approval on this! John talked to FSH about letting Brian Schenewerk tap onto their line and they agreed. John believes they are more favorable to hooking people onto that line which would allow us to eventually abandon our old one. Lastly, John reported the water and sewer taps are complete at O'Reillys. All our utilities will be in there shortly.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Mike Blaies motioned to adjourn at 6:15 p.m. and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.*


Julie Polson,
Office Manager



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

RECEIVED

DIVISION OF PUBLIC WATER SUPPLIES
TELEPHONE 217/782-1724/FAX 217/782-0075

OCT 10 2014

Timothy W Pruett
Rhutasel and Associates, Inc.
4 Industrial Dr., P.O. Box 97
Freeburg, IL 62243

Project Received Date: 10/2/2014
Fee Paid:
Facility Number: IL1630600
Letter Mail Date: 10/8/2014

LOG NUMBER: 2015-0345 - 0

Facility FREEBURG

Title: Country Side Lane Waterline Extension

PLEASE REFER TO THE ABOVE LOG NUMBER IN ANY CORRESPONDENCE CONCERNING THIS PROJECT. PLEASE DIRECT ANY RESPONSE TO THE PERMIT SECTION.

Your Application for Construction Permit package has been received and is ready for detailed review by permit section engineers.

At this time there is a 40 day turn around time for issuance of permits. This 40 day time period includes the date of receipt. Please hold calls until after this period has elapsed.

Public Water Supply forms are available on the I.E.P.A. web site (www.epa.state.il.us). One original and one copy of every form and sealed plans are required.

DCC: cdb

CC: SETH SPEISER
VILLAGE OF FREEBURG
14 SOUTHGATE CENTER
FREEBURG, IL 62243



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PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

RECEIVED

OCT 09 2014

217-785-0561

October 7, 2014

CERTIFIED MAIL #7011 1150 0001 0860 2669
RETURN RECEIPT REQUESTED

Seth Speiser
14 Southgate Center
Freeburg, IL 62243

**Re: Proposed Compliance Commitment Agreement
Violation Notice: W-2014-00042
FREEBURG, IL1630600**

Dear Mr. Speiser:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the proposed Compliance Commitment Agreement ("CCA") terms submitted by Freeburg in a letter dated September 16, 2014, in response to the Violation Notice dated August 4, 2014. Pursuant to the authority vested in the Illinois EPA under Section 31(a)(7)(i) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(7)(i), attached to this letter is a proposed CCA, which contains terms and conditions that the Illinois EPA has determined are necessary in order for you to attain compliance with the Act and Illinois Pollution Control Board Regulations [and conditions of Permit, if applicable].

Pursuant to Section 31(a)(7.5) of the Act, 415, ILCS 5/31(a)(7.5), **within 30 days of your receipt of this proposed CCA**, Freeburg or its duly authorized representative must either (1) agree to and sign the proposed CCA, and submit the signed and dated CCA by certified mail to Illinois EPA Bureau of Water, Mary Reed, MC #19, 1021 North Grand Ave East, Springfield, IL 62702; or (2) notify the Illinois EPA by certified mail that you reject the proposed CCA.

The proposed CCA shall only become effective upon your timely submittal of the signed CCA as discussed above, and upon final execution by the Illinois EPA. Failure by you to execute and submit the proposed CCA within 30 days of receipt shall be deemed a rejection of the CCA by operation of law. Upon timely receipt of the signed CCA, the Illinois EPA will send you a fully executed copy of the CCA for your records.

In addition, the proposed CCA is not subject to amendment or modification prior to execution by you and the Illinois EPA. Any amendment or modification to the proposed CCA by Respondent prior to execution by you and the Illinois EPA shall be deemed a rejection of the proposed CCA by operation of law. The proposed CCA may only be amended subsequent to its effective date, in writing, and by mutual agreement between the Illinois EPA and you.

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60123 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5800
2009 Mall St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
2309 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312) 814-6026

Questions regarding this matter should be directed to Illinois EPA, Bureau of Water, Mary Reed at 217/785-0561. Written communications should be directed to Illinois EPA – DPWS, Attn: MARY REED, MC #19, 1021 North Grand Ave East, Springfield, IL 62702.

Sincerely,

A handwritten signature in black ink, appearing to read "W. David McMillan". The signature is fluid and cursive, with the first name "W." and the last name "McMillan" clearly legible.

W. David McMillan
Manager, Division of Public Water Supplies
Bureau of Water

Attachments

cc: Tony Funderburg
Freeburg Bottle Recipient
John Tolan

BOW ID: W163060004

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:)
)
FREEBURG)
FREEBURG, ST CLAIR COUNTY, IL)
IL1630600)
)
)
) ILLINOIS EPA VN W-2014-00042
) BUREAU OF WATER
)

COMPLIANCE COMMITMENT AGREEMENT

I. Jurisdiction

1. This Compliance Commitment Agreement (“CCA”) is entered into voluntarily by the Illinois Environmental Protection Agency (“Illinois EPA”) and (“Respondent”) (collectively, the “Parties”) under the authority vested in the Illinois EPA pursuant to Section 31(a)(7)(i) of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31(a)(7)(i).

II. Allegation of Violations

2. Respondent owns [and/or operates] a community surface water purchase system in Freeburg, St Clair County, Illinois.
3. Pursuant to Violation Notice (“VN”) W-2014-00042 issued on August 4, 2014, the Illinois EPA contends that Respondent has violated the following provisions of the Act and Illinois Pollution Control Board (“Board”) Regulations [and Permit, if applicable]:
 - a) Stage 2 - Total Trihalomethanes - The MCL is 0.080 mg/L. The 2014Q3 locational running annual average at S2HT1-3001 SAVE RD was 0.100 mg/L. Section 18 of the Act 415 ILCS 5/18,35 Ill. Adm. Code 611.312(b)(2)(A)

III. Compliance Activities

4. On September 18, 2014, the Illinois EPA received Respondent's response to VN W-2014-00042, which included proposed terms for a CCA. The Illinois EPA has reviewed Respondent's proposed CCA terms, as well as considered whether any additional terms and conditions are necessary to attain compliance with the alleged violations cited in the VN.
5. Respondent agrees to undertake and complete the following actions, which the Illinois EPA has determined are necessary to attain compliance with the allegations contained in VN W-2014-00042:
 - a) The Illinois EPA acknowledges that on September 29, 2014 Freeburg implemented a flushing program. In conjunction with the flushing program Freeburg will draw down the water level in the SAVE standpipe to get a substantial turnover of water. Freeburg will keep a log flushing activities that will be available for review by the Illinois EPA.
 - b) The Illinois EPA acknowledges that on September 22, 2014 Freeburg lowered the operating range of the SAVE standpipe.
 - c) Freeburg shall continue collecting 2 quarterly DBP samples in the distribution system. The sample results will be submitted to the Illinois EPA by the 10th of the month following the end of the quarterly monitoring, specifically January 10, 2015, April 10, 2015, July 10, 2015, and October 10, 2015.
 - e) Once all violations are corrected, Freeburg must submit a certification (or a statement) of compliance. You may submit the attached "Illinois EPA Compliance Statement" or other similar writing to satisfy the statement of compliance by October 10, 2015.

IV. Terms and Conditions

6. Respondent shall comply with all provisions of this CCA, including, but not limited to, any appendices to this CCA and all documents incorporated by reference into this CCA. Pursuant to Section 31(a)(10) of the Act, 415 ILCS 5/31(a)(10), if Respondent complies with the terms of this CCA, the Illinois EPA shall not refer the alleged violations that are the subject of this CCA, as described in Section II above, to the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violations occurred. Successful completion of this CCA or an amended CCA shall be a factor to be weighed, in favor of the Respondent, by the Office of the Illinois Attorney General in determining whether to file a complaint on its own motion for the violations cited in VN W-2014-00042.
7. This CCA is solely intended to address the violations alleged in Illinois EPA VN W-2014-00042. The Illinois EPA reserves and this CCA is without prejudice to, all rights of the Illinois EPA against Respondent with respect to noncompliance with any term of this CCA, as well as to all other matters. Nothing in this CCA is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the Illinois EPA may have against Respondent, or any other person as defined by Section 3.315 of the Act, 415 ILCS 5/3.315. This CCA in no way affects the responsibilities of Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act, and the Board Regulations [and Permit, if applicable].
8. Pursuant to Section 42(k) of the Act, 415 ILCS 5/42(k), in addition to any other remedy or penalty that may apply, whether civil or criminal, Respondent shall be liable for an additional civil penalty of \$2,000 for violation of any of the terms or conditions of this CCA.
9. This CCA shall apply to and be binding upon the Illinois EPA, and on Respondent and Respondent's officers, directors, employees, agents, successors, assigns, heirs, trustees, receivers, and upon all persons, including but not limited to contractors and consultants, acting on behalf of Respondent, as well as upon subsequent purchasers of Respondent's community surface water purchase system in Freeburg, St Clair County, Illinois.
10. In any action by the Illinois EPA to enforce the terms of this CCA, Respondent consents to and agrees not to contest the authority or jurisdiction of the Illinois EPA to enter into or enforce this CCA, and agrees not to contest the validity of this CCA or its terms and conditions.

11. This CCA shall only become effective:
- a) If, within 30 days of receipt, Respondent executes this CCA and submits it, via certified mail, to Illinois EPA, Bureau of Water, Mary Reed, MC #19, 1021 North Grand Ave East, Springfield, IL 62702. If Respondent fails to execute and submit this CCA within 30 days of receipt, via certified mail, this CCA shall be deemed rejected by operation of law; and
 - b) Upon execution by all Parties.
12. Pursuant to Section 31(a)(7.5) of the Act, 415 ILCS 5/31(a)(7.5), this CCA shall not be amended or modified prior to execution by the Parties. Any amendment or modification to this CCA by Respondent prior to execution by all Parties shall be considered a rejection of the CCA by operation of law. This CCA may only be amended subsequent to its effective date, in writing, and by mutual agreement between the Illinois EPA and Respondent's signatory to this CCA, Respondent's legal representative, or Respondent's agent.

AGREED:

FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY:

BY: _____

W. David McMillan
Manager, Division of Public Water Supplies
Bureau of Water

DATE: _____

FOR RESPONDENT:

BY: _____

Seth Speiser
Official Custodian, Freeburg

DATE: _____

Illinois EPA Compliance Statement

You are required to state that you have returned to compliance with the Act and the regulations that were the subject of the violation notice (VN) (415 ILCS 5/31). The owner of the facility must acknowledge compliance and/or that all compliance commitment agreement (CCA) interim measures/events have been successfully completed and compliance has been achieved.

Please complete, sign, and return.

I _____ (*print name*), hereby certify that all violations addressed in Violation Notice (VN) number _____ have been addressed and that compliance was achieved on _____ (*date*).

Signature

Title

Telephone Number

Date

Be sure to retain copies of this document for your files. Should you need additional notification forms, please contact this office at (217)785-0561. Return this completed form to:

Illinois Environmental Protection Agency
Compliance Assurance Section #19
Bureau of Water
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

"Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Agency,.....related to or required by this Act, a regulation adopted under this Act, any federal law or regulation for which the Agency has responsibility, or any permit, term, or condition thereof, commits a Class 4 felony..." (415 ILCS 5/44(h) (8))