

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
HELD WEDNESDAY, SEPTEMBER 24, 2014**

The Board of Trustees met in a regular monthly meeting at 9:30 A.M. in the offices of the District at the Water Pollution Control Plant on Wednesday, September 24, 2014. Present were, President James K. Detzler, Trustee Judith S. Sotir, Trustee Michael C. Funkey, Trustee Albert E. Heriaud, & Trustee Christopher F. Childress. Also present were Attorney Boyd Ingemunson, Manager Thomas F. Muth, Matt Woodin, Chris Morpheu, John Frerich from Walter E. Deuchler and Norma Rodriguez. Also in attendance Leo Pawlowski Sr., from Northeast Neighbors.

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The bills were presented and read. It was moved by Trustee Sotir, that the bills be allowed as read, and that checks be drawn in payment account during the month of August 2014 in the amount of \$2,065,158.11 be ratified and approved. Motion was seconded by Trustee Funkey, put to vote and unanimously carried that the bills be paid as presented.

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It was moved by Trustee Sotir seconded by Trustee Funkey, put to vote and unanimously carried that the Treasurer's Report for August, 2014 be approved as submitted.

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It was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that the minutes of the August 20, 2014 Regular Board Meeting be approved as written, each of the Trustees having received and read copies of said minutes before the meeting.

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With no New Business or Public Comments, It was moved by Trustee Detzler, seconded by Trustee Sotir, put to vote and unanimously carried that the Regular Board Meeting be temporarily adjourned for the Committee of Local Improvements.

The Regular Board Meeting adjourned at 9:35A.M.

In the committee of Local Improvements Manager Muth reported that on 08/28/14 we received the Pre Draft NPDES Permit from the IEPA and it allowed us the ability to review what they are proposing and enable us to make comments. Based on those comments and hopefully the permit will look the way we want it to look. Manager Muth said that there have been significant changes and our compliance schedule is something that we have reviewed and negotiated with the IEPA. Other significant changes were that it was standard for the state to give a five year permit now they have decided to do a three year permit. There will be additional effluent monitoring, total Phosphorous limit, Dissolved Oxygen Limit, Pretreatment Program, CSO Long Term Control Plan Implementation, Fox River Study Group Participation, and Capacity,

Management, Operations and Maintenance (CMOM). There will be additional effluent monitoring that we will have to complete. During this three year permit we are going to have a compliance schedule and initially the phosphorous limit will be one part per million and we are aware that it will be significantly lower in the future.

When the IEPA came to the Fox River WRD and discussed Draft Permits that had already been given to St. Charles, Geneva, Batavia and others they wanted construction complete and to achieve the phosphorous limit within 54 months. Based on the pre draft that we received and the documentation and support information we provided to them we may have 72 months. Thanks to John Frerich and his staff for their help in communicating with the IEPA.

Something new is Dissolved Oxygen Limit. Also the Special Condition in the permit referencing the pretreatment program is now approximately five pages instead of the three we had before. Instead of going to the IEPA for approval authority we now go to Region five in Chicago, the USEPA. We must comply with 40 CF 403.8 (f) (2), we must prepare a slug control plan for each industrial user, we have to update our Pretreatment Program and we have to re-evaluate local limits. They have set a compliance schedule for us to do that. One of our goals this year was to update our pretreatment program and present to the Board. The IEPA wants us to do this within twelve months after our permit is approved. Manager Muth asked the Board to delay the approval of the Ordinance until then.

In the CSO Long Term Control Plan implementation (CSO, LTCP), the IEPA acknowledged that we do not discharge to sensitive areas and they approved our CSO, LTCP. Construction activities during permit cycle include upgrades to existing North facility and construction of New South facility. They recognized that we are going to have a South plant and a North Plant it was clearly defined in the draft permit. They want progress report on the CSO long term control plan implementation. Also, we are required to monitor the Fox River upstream and downstream of CSO during construction. The permit also requires us to participate in the Fox River Study Group. We have already been participating with them for the past twelve years.

The permit requires us to submit our CMOM plan within 12 months. This is something that John Frerich's staff has been doing a great job working with our Field Department. We have been documenting information for years. We have been holding monthly or quarterly meetings with municipalities for many years. Some of the items that have to be included and we have a good handle on are; measure the activities, prove what we are designing is actually cost effective, and document results. We have to have an overflow response plan, a system evaluation plan, report monitor requirements, and have a third party notice plan. We are already complying with these requirements.

With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Detzler, seconded by Trustee Sotir, put to vote and unanimously carried that the Regular Board Meeting reconvene.

The Regular Board Meeting reconvened at 9:45 A.M.

Attorney Boyd Ingemunson addressed the Board with the Attorney's Report. Attorney Ingemunson requested approval of Resolution No. 925, Lease Agreement between Fox Metro Water Reclamation District and three (3) Lessees, namely: David Hopkins, Jim Connell Farms, Inc. and Quintin Wissmiller for certain lands owned by the District in the County of Kendall for farming purposes for the 2015 crop year.

WHEREAS, the Fox Metro Water Reclamation District has heretofore entered into a lease agreement by and between the said Fox Metro Water Reclamation District and three (3) Lessees, namely **David Hopkins, Jim Connell Farms, Inc. and Quintin Wissmiller** for certain lands owned by the District in the County of Kendall for farming purposes for the 2015 crop year, and

WHEREAS, it is in the best interests of Fox Metro Water Reclamation District to enter into lease agreements for the three (3) parcels for the crop year 2015 with the aforesaid Lessees,

NOW THEREFORE, BE IT RESOLVED that the Lease of Farmland Agreements for the crop year 2015 by and between **David Hopkins, Jim Connell Farms, Inc. and Quintin Wissmiller** are fair and reasonable, and

BE IT FURTHER RESOLVED that the President and Secretary of the Fox Metro Water Reclamation District be and the same are hereby authorized to execute said Lease of Farmland Agreements on behalf of the Fox Metro Water Reclamation District.

PASSED by the Board of Trustees of Fox Metro Water Reclamation District this 24th day of September, 2014, by a roll call vote 5 to 0.

Trustee Childress asked if we were spreading. Manager Muth explained that we are leasing. Attorney Ingemunson explained that they are leasing our land and we get to spread on their land. They are given a reduced cash rent rate in order for them to allow us to spread on their land.

It was moved by Trustee Sotir seconded by Trustee Funkey, put to vote and unanimously carried that Resolution No. 925, Lease Agreement by and between the said Fox Metro Water Reclamation District and three (3) Lessees, namely **David Hopkins, Jim Connell Farms, Inc. and Quintin Wissmiller** for certain lands owned by the District in the County of Kendall for farming purposes for the 2015 crop year be approved as written.

8758 Philippe Moreau addressed the Board with the Engineer's Report. Mr. Moreau requested approval of Partial Payment No.3 to Frank Marshall Electric, Inc., in the amount of \$109,854.00 for Service B Upgrades Project. It was moved by Trustee Sotir seconded by Trustee Funkey, put to vote and unanimously carried that payment be made in the amount of \$109,854.00 to Frank Marshall Electric, Inc., for work completed on Service B Upgrade Project.

8759 Philippe Moreau requested approval of Final Payment No. 10 to Whittaker Construction & Excavating for Building K & L Modifications – Interior Improvements in the amount of \$22,821.85. It was moved by Trustee Sotir seconded by Trustee Funkey, put to vote and unanimously carried that payment be made in the amount of \$22,821.85 to Whittaker Construction & Excavating for Building K & L Modifications – Interior Improvements Project.

8760 Philippe Moreau requested approval of Final Payment No.8 to Frank Marshall Electric, Inc., in the amount of \$14,518.10, for North Aurora Pump Station MCC Replacement Project. It was moved by Trustee Sotir seconded by Trustee Funkey, put to vote and unanimously carried that payment be made in the amount of \$14,518.10 to Frank Marshall Electric, Inc., for work completed on North Aurora Pump Station MCC Replacement Project.

8761 Philippe Moreau requested approval of Partial Payment No. 1 to R.J. O'Neil, Inc., in the amount of \$17,692.20 for the Building P-1 HVAC Renovation. It was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that payment be made in the amount of \$17,692.20 to R.J. O'Neil, Inc., for work completed on the Building P-1 HVAC Renovation Project.

8762 Philippe Moreau requested approval of Partial Payment No. 5 to Mechanical, Inc., in the amount of \$635,067.00 for the Air Main Header Replacement. It was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that payment be made in the amount of \$635,067.00 to Mechanical, Inc., for work completed on the Air Main Header Project.

At this time, Manager Muth addressed the Board with the Manager's Report. Manager Muth presented the Board with an updated Safety Manual and asked for them to review and if they are in agreement, approve said manual at next Board meeting. Manager Muth also thanked the Safety Committee for a job well done in getting this Safety Manual updated. The district has had an outstanding safety record for the last 18 months.

Manager Muth reported to the Board that he, Philippe Moreau and Trustee Sotir attended the IAWA conference. Trustee Sotir said this conference was not as informative as other ones she has attended in the past. Philippe Moreau agreed with Trustee Sotir and added that it was repetitive because there was a lot of discussion

regarding nutrients and nutrient removal or reduction which is what we are doing in our new permit. Also the IEPA and the USEPA is also requesting everything be submitted to them electronically. This helps them in their filing but the problem with submitting everything electronically is that once it is submitted it becomes a permanent record and it is very difficult to remove that record from the database. When things are submitted via paper things can be negotiated. Trustee Sotir said that one of the speakers, Marcia Willhite mentioned many times in many presentations that the IEPA is going to go along with the USEPA. Manager Muth also added that Marcia Willhite mentioned the Fox River Study Group and said she believes that is going to be a model for watersheds throughout the state.

Manager Muth said that there was also a discussion on healthcare reform. He said we currently have a good plan and the federal government is probably going to make us pay a tax on it because is above the median. Jimmie Delgado said that it is not until 2018. many people believe it will get repealed, but in the meantime we have to prepare for it like it is going to happen.

Manager Muth also reported that Abby Clark, a Labor Attorney did a good job at presenting and answering questions.

Manager Muth reported that he started to network with other agencies regarding the Illinois Department of Public health and most of them are aware of the issues. It seems the heart of the issue may be DuPage County started the issues and apparently it had to do with the municipal league pushing hard with the Department of Public Health to make some changes.

Manager Muth also discussed recent personnel changes. With Laurie leaving, her job was posted and we interviewed six employees for that position. Zach Bonesz was the successful candidate. He has been in that department for almost two years. We look forward to seeing him in that management role. Ron Reier and Kyle Werner will be switching jobs. Kyle expressed interest in moving to the plant. He has been in pretreatment for ten years and wanted a change. He feels this would be a huge gain for himself and the District. Ron Reier expressed interest to move out of the crib into the Pretreatment Department. The supervisors are in favor of the change and so are those two individuals. This will be a lateral move for both and are excited about the change. Keith Zollers has been promoted to Field Operations Maintenance Supervisor. He had been in that position for six months and has done a very good job, so he was promoted. His position of Field Operations Maintenance Foreman became available and Lee Berggren who was Operations Foreman bid on the job and was a successful candidate. Next week he will begin his new position. It is a lateral move for him as well but he is excited about his new position. Lee Berggren's position became available and a number of people were interviewed. Dan Haick who was a maintenance mechanic was the successful candidate. He was in Operations for many years and he currently has a Class 3 license. Within the next six months he is required to pass the Class 2 license. He will be a foreman on second and third shift. We did not replace Robert Bergmann. Recently his job was posted and we did not get any interest from any of the current employees so

we advertised the job. We received 117 applications. Staff interviewed 15 candidates and Brett Hake was hired for this position. We lost an operations apprentice last April and Kevin Boedewig will be hired to fill that position. They will begin employment once the background check and drug test come back successfully.

At 10:00 A.M. a Public Hearing was held for Preliminary Environmental Impact Determination for the Phase 2 Improvements. With no questions or comments from the Trustees and no comments from the public, Trustee Detzler closed the Public Hearing.

Chris Morphey reported on the Economic Incentive Program. He said Mike Petersen, the electrical foreman has been working on replacing some of the things ComEd suggested such as lights and motion sensors. He is also researching LED fixtures to see and street lights to see how many hours we can get out of them. These fixtures will be designed into the South Plant.

Manager Muth reported that we curtailed a week ago. It required us to run and operate our engine generators for one hour. There were some reservations about running them because we have a relay switch that needs replacement. We curtailed 1400 and they requested 1300 which means we complied. Trustee Childress said this is good news but the bad news is that the Appellate Court may reverse the decision that says that it may be illegal to operate these sorts of plants. This is sponsored by the suppliers who don't want this because if there is no incentive for curtailment then you have to go to the market to buy the power at the time which is at an all time peak. They filed a law suit saying that it is illegal to operate these sorts of plants. Basically what they are saying is that curtailment companies don't have the right in state to be able to offer these type of plans because they are not a supplier.

Jimmie Delgado reported that financials are good.

With no other business to come before the Board, it was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that this meeting be adjourned, there being no Executive Session this month.

The Meeting adjourned at 10:20 A.M