

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
HELD WEDNESDAY, JANUARY 18, 2017**

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, January 18, 2016. Present were, Trustee 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, Philippe Moreau, Manager Thomas F. Muth, John Frerich from Walter E. Deuchler, Controller Jimmie Delgado, Human Resources Coordinator Patrick Divine, Maintenance Supervisor, Chris Morphey, Maintenance Software Tech Dan Rivera, Field Services Manager Matt Woodin, and Norma Rodriguez.

9239

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 December, 2016 in the amount of \$4,741,597.96 be ratified and approved. Motion was seconded by Trustee Funkey, put to vote and unanimously carried that the bills be paid as presented.

9240

It was moved by Trustee Sotir seconded by Trustee Funkey, put to vote and unanimously carried that the Treasurer's Report for December, 2016 be approved as submitted.

9241


It was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that the minutes of the December 16, 2016 Regular Board Meeting be approved as written, each of the Trustees having received and read copies of said minutes before the meeting.

In Public Comments, resident of Oswego, Jan Alexander asked to speak in front of the Board. Trustee Detzler said the Board would listen but would not give a response at this Board Meeting. Ms. Alexander said she spoke with Trustee Detzler approximately one year ago regarding a reduction in the Fox Metro bill for low income senior residents of Oswego. She wanted to follow up and read a letter she formally wrote to the Board. Trustee Detzler advised Ms. Alexander the Board would take her request under consideration.

9242

With no other 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 9:40A.M.



Manager Muth addressed the Board with the Committee of Local Improvements and introduced Jim Savio from Sikich who reviewed with the Board the Annual Financial Audit for the fiscal year May 31, 2016 and 2015. Mr. Savio said the District adopted GASB Statement No. 68, Accounting and Financial Reporting for Pensions, and GASB Statement No. 71, Pension Transition for Contributions Made Subsequent to the Measurement Date, which established standards for measuring and recognizing liabilities, deferred inflows and outflows of resources, and expenses.

After considerable review, Mr. Savio reported that the District had no material deficiencies, there were no issues with our accounting and we have no material adjustments.

9243

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 Ingemunson addressed the Board with the Attorney's Report. Attorney Ingemunson shared a letter he sent to Dan Kramer and advised the Board he is waiting for a response.

9244

Mr. Philippe Moreau addressed the Board with the Engineer's Report. Mr. Moreau requested approval of Partial Payment No. 13 to River City Construction, Inc., in the amount of \$2,424,967.19 for South Waste Water Treatment Facility 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 \$2,424,967.19 to River City Construction, Inc., for work completed on South Waste Water Treatment Facility Project.

9245

Mr. Moreau requested approval of Partial Payment No. 10 to Steve Spiess Construction, Inc., in the amount of \$72,757.30, for Waubonsie Interceptor River Crossing 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 \$72,757.30 to Steve Spiess Construction, Inc., for work completed on the Waubonsie Interceptor River Crossing Project.

9246

Mr. Moreau requested approval of Partial Payment No. 5 to Lite Construction, Inc., in the amount of \$21,977.10 for Building P-1 Remodel Phase 4 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 \$21,977.10 to Lite Construction, Inc., for work completed on Building P-1 Remodel Phase 4 Project

9247

Mr. Moreau requested approval of Partial Payment No. 4 to River City Construction, Inc., in the amount of \$35,309.70 for Clarifiers D5 and H4 – Mechanism Installation 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 \$35,309.70 to River City Construction, Inc., for work completed on Clarifiers D5 and H4 – Mechanism Installation Project.

9248

In the Manager's Report Manager he requested authorization to seek bids for the Construction of the Odor Control at Building "K" Project to be opened at 10:00 A.M., February 22, 2017 at the Board of Trustees Meeting. It was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried to seek bids for the Construction of Odor Control at Building "K" Project with a bid opening at 10:00 A.M., February 22, 2017 at the Board of Trustees Meeting.


Manager Muth advised the Board that after the last month's Board Meeting the District received a Notice of Violation from the IEPA.

River City has a NPDES Permit for Construction Site Activities. During site inspections by the IEPA and Kendall County on July 20, 2016 and November 2, 2016 it was determined that River City (RCC) failed to comply with the Permit. Deficiencies were found in sediment and erosion control measures and the site contributed to storm water violations. Manager Muth explained that RCC has encountered some difficult conditions at the new bar screen and grit building B-3. RCC has excavated the rock at a depth of about 40 feet below normal elevation.

During the process of drilling the anchor bolts an additional 35 ft depth a pressurized aquifer was encountered. This produced a significant flow into the bottom of the excavation. Drilling the anchors to that depth had to be suspended. Considering that over 200 anchors would have been drilled into the pressurized aquifer, the constant flow of over 3,000 gallons per hour of water into the excavated area now had to be addressed.

The new challenges were unforeseen by the owner or engineer and now solutions would need to be found. The water from the pressurized aquifer is clean and clear but once mixed with natural limestone dust, generated by excavation and drilling activities, produced a solids laden water that needed treatment prior to off-site discharge.

River City constructed a treatment train which successfully cleaned the water from the B-3 construction area except during intensive rain events. After a rain event the discharge off-site did not meet water quality standards and the contractor was sited. In each instance of non-compliance RCC tried a different method to clean the water, trying in good faith to meet discharge standards.



As it stands, the contractor is formulating a response to the Notice of Violation which will be reviewed by the District, Deuchlers and Attorney Ingenmunson prior to submittal to the IEPA.

After a second IEPA inspection in November, the District worked with RCC to create an Industrial Pretreatment discharge permit. The contractor would be allowed in some situations to pump the water from the B-3 excavation into our interceptor for treatment. This was a plan to alleviate further non-compliance issues.


John Frerich added that the violation did not occur during normal daily conditions on the site. The issue only occurred when there was significant rain. The difficulty is that the contractor has been installing and inputting what they feel best management practices and they won't know if it works until it rains and see if it works. They have followed the NPDES guidelines and they have self-reported their own discharge which is required. The contractor actually hired a full time employee to go around the site to maintain and manage erosion control. Mr. Frerich advised the Board that the Contractor has been going to great lengths to make sure everything is done correctly.

Trustee Sotir asked if Fox Metro's lab was doing any monitoring. Manager Muth said they were. He said that a protocol has been set where the lab is monitoring the contractor's discharge to see how they are doing and to report the results to the IEPA.

Trustee Childress inquired where the liability lies with this issue. Manager Muth said the liability is on Fox Metro and the Contractor River City. Once the report is completed Fox Metro's attorney will review it. The report will be submitted to the IEPA and will request a face to face meeting with them.

Trustee Funkey said Fox Metro is accountable with the IEPA but inquired as to the accountability between the Contractor and Fox Metro. Manager Muth said there were unknown conditions that contributed to this issue. Philippe Moreau said there was a pressurized aquifer that was unknown so there is some liability on Fox Metro.

At 10:00 A.M., Manager Muth opened and read aloud bids received for Building W Improvements Project as follows: Lite Construction – Total Bid \$2,370,789.00; River City Construction, LLC – Total Bid \$2,735,000.00; Boller Construction, Inc., - Total Bid \$2,639,600.00; Whitaker Construction & Excavating, Inc., – Total Bid \$2,319,150.00; RC Wegmann Construction Co. – Total Bid \$2,229,000.00; Manusos General Contracting, Inc., – Total Bid \$2,592,000.00; Alan Mack & Sons, Inc., - Total Bid \$2,762,870.00; Laub Construction – Total Bid \$2,946,000.00; Martan Construction, Inc., - Total Bid \$2,772,700.00. The Engineer's estimate for this project was \$2,700,000.00; It was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that the low bid of RC Wegmann Construction, Co., be accepted for \$2,229,000.00 and the bid of Whitaker



Construction for \$2,319,150.00 be held pending specification review by Fox Metro Water Reclamation District and Walter E. Deuchler Engineering Staff.

Manager Muth continued with the Manager's Report and introduced an Engineer from River City Construction to answer any questions the Board may have with regard to the Violation Notice. Manager Muth said there is a collaborative effort between the contractor and Fox Metro to get this matter resolved. Trustee Funkey said his concern is the relationship with the contractor and unforeseen situations like the pressurized aquifer which caused the problem. He said the contractor had the opportunity to visit the site before the bid and asked who pays for the fines when something like this is discovered. Manager Muth said nobody expected, including the geologists that completed a study for Fox Metro that there would be a pressurized aquifer in the rock. Mr. John Frerich said that particular location is the cause of the necessary issuance of the Non Compliance Violation. If we did not have that condition, the contractor would have been able to maintain the storm water erosion control for the rest of this site and that is the issue that we are trying to address which hindered some of the other conditions that occurred.


Trustee Sotir asked if there were any fines involved with the violation. Manager Muth said potentially there could be but that is why there is going to be every possible effort made to meet and discuss the issue with the IEPA.

Trustee Funkey asked what Fox Metro's exposure to the general contractor and the contractor price and what possible expense is Fox Metro going to incur. Manager Muth said it is all being scrutinized and is being moved through the proper channels to try and make the exposure to the District as least as possible. Trustee Funkey asked if there was any idea what the amount of the correction might be. Manager Muth said they had an idea but it is not finalized yet and would bring that number as soon as it has been reconciled.

The next item in the Manager's Report Manager Muth introduced Dan Rivera, Chairman for the Safety Committee. Dan said Fox Metro's Safety Committee consists of twelve representatives from management and labor who meet once a month. Dan gave the safety summary for 2016.

Dan gave a breakdown of accidents for the year. There were a total of 13 reported accidents, 6 were OSHA reportable. There were three work days lost. There were three modified work day accidents which means the employee worked but was given lighter tasks.

Dan said the committee keeps track of accidents per month. He reported that May was the highest with 5 accidents that month, followed by January with 4 accidents. Dan reported that there were a total of 13 accidents in 2016 and he outlined the location, the type of accident and what building each accident occurred. All employees have had different types of training to try and avoid accidents such as



fire extinguisher training, ergonomics training and started a more profound lockout tag-out procedures.

Dan reported that the majority of the Safety Committee members obtained their OSHA 10-hour General Industry Certification. This year every member attended every meeting if the member could not make the meeting they would send a representative from their department to attend.

Dan concluded by saying 2016 was a challenging year for the District regarding accidents and injuries. Fox Metro had 6 OSHA Recordable accidents in 2016 compared to 2015 where the District had zero. The majority of the injuries were caused by incorrect body mechanics.

Dan said the goals for 2017 is to have zero accidents for the year. Will address safety concerns that were brought up in OSHA 10 hour course. Will provide a wellness program and have an on-site ergonomic audit and continue to stay proactive.

Trustee Childress inquired if there was a key metrics on accidents per industry. Dan said OSHA has a Standard Industry Code and Fox Metro's is 3.3 OSHA recordable accidents per year and we were at 1 which is below the standard for our industry.


Trustee Funkey asked when the South Plant is complete, how many additional employees are going to be needed. Manager Muth said that is currently being evaluated and starting to gear up the work force to help the District get to that level. Trustee Funkey asked if the employees at the South Plant are going to be doing the same tasks they are doing at the North Plant. Manager Muth said a lot of the new plants are built to operate by technology so minimal work force is needed. He said some of the biggest changes will be understanding the technology that is utilized to run the plant.

Chris Morphey explained to the Board that in working with the design of the South plant and the consulting engineer, safety was taken into account to minimize accidents. Cranes and monitoring of air quality are incorporated into the design of the plant to improve the safety of employees.

Trustee Sotir asked if the Plant is utilizing SCADA reporting and historical data to be able to find ways of making it more effective. Manager Muth said it absolutely was and the South Plant will be designed and equipped with the highest and latest technology.


The next topic in the Managers Report Manager Muth discussed the 2016 Goals.

Plant Goals

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1. Meet or Exceed all NPDES Permit Requirements – 2,700 samples/analysis were performed as part of our NPDES Permit and all 2,700 analysis performed met permit requirements.
 2. Complete Building J & Chlorination Improvements – This project has been completed.
 3. O & M Building Renovation – Over the last 10 months we have gone from renovation of existing building to now remove and replace.
 - have reviewed 3 additional alternatives and next month will discuss to seek approval for Phase 1 construction and to proceed with the design of the O&M Facility.
 4. Expand Technological Capabilities - Building K was upgraded. The K lead operator has a working computer with selective internet service and e-mail capability. Four large monitors looking at various process units at a time.
 - An app is being utilized on the iPhone that communicates the status of all equipment so Operations/Maintenance and Electrical are communicating more effectively.
 - The use of D.O. Probes and Thermo Mass flow meters has been expanded in the aeration tanks
 - More efficient software is being utilized by Pretreatment to oversee the 800 FSE.
 - End of the day summaries are now emailed by automation and electrical Districtwide.
 5. Injury Free Work Force – This was discussed earlier in the meeting
 6. Air Quality Improvement Project – This is out to bid and expected to be completed at the peak of odor season.
 7. Green Initiative – Completed a project at North Avenue Pumping Station
 - Involved Fox Metro staff and City of Aurora staff members
 8. Complete the design and commence construction of Building “G” renovation Project – This project has begun with Whitaker Construction.

Administrative Goals

1. Completed Phase III and IV of Building “P” Improvements



2. Team Train – Continue to hold monthly meetings with each department. Human Resource Coordinator, Pat Divine makes sure meetings have agenda's and tasks to discuss. Employees in many of the departments now take turns running the meetings. Most Employees have a positive attitude towards these meetings and the results show.

3. Effectively clean and maintain sewers to minimize complaints – Have cleaned and televised 1/7th of the District owned sewers. More importantly the IGA's with other communities has trigged a more aggressive cleaning and televising of municipal owned sewers. This positively impacts the treatment plant with less load of grit and debris during high flow and fewer sewer backups Districtwide.

4. Start up and train three lab members with the new ICP/MS Instrument – Randy said this was far more difficult than expected but mission has been accomplished.

5. Fulfill the new IEPA & USEPA Capacity, Management, Operations, and Maintenance standards – Report has been submitted to IEPA in a timely manner and a job well done by Deuchlers and District Staff.

Strategic Goals


1. Monitor the construction of the South Plant – weekly meetings, presenting progress reports, updating on upcoming projects and maintain good communication with contractor.

2. Continue collaboration to improve the environment –

- Fox Metro was present at 10 medication take back events
- Collected approximately 3,200 LBS of medication
- Involving more District Employees in environmental groups such as FREP, Fox River Study Group and Fox Valley Operators and the Conservation Foundation
- Have booths at Aurora Green Fest
- Promoting Plant Tours
- Sci-Tech Project

3. Develop a Succession Plan – Succession Plan has begun

The next item Manager Muth discussed with the Board was the Travel Policy. He provided the Board with a draft for their review and said action needs to be taken at next month's Board meeting.



Chris Morphey reported the Plant is running good, there was 1.3 inches of rain and there were no incidents.

Manger Muth said the waste water is at a temperature where testing should begin for a Biological Phosphorus removal experiment in the aeration tanks to see how effectively the Plant can continue to nitrify.

Jimmie Delgado reported money coming in, expecting payment from IEPA soon. Billing Department doing a good job in collecting on delinquent accounts.

Trustee Childress asked Jimmie to research what other municipalities are doing with regard to senior discounts. That information will be used to provide Ms. Alexander with a response to her request. She is asking for assistance for 120 residents in Oswego but Fox Metro serves 7 municipalities.

With no New 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.

The Regular Board Meeting adjourned at 11:30 A.M