



**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
OF FOX METRO WATER RECLAMATION DISTRICT  
HELD WEDNESDAY APRIL 18, 2018**

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, March 28, 2018. Present were, Trustee Judith S. Sotir, Trustee Michael C. Funkey, Trustee Christopher F. Childress, and Trustee David Krahn. Also present were Attorney Gregg Ingemunson, Manager Thomas F. Muth, District Engineer Philippe Moreau, John Frerich from Walter E. Deuchler & Associates, Human Resources Coordinator Patrick Divine, Maintenance Supervisor Chris Morphey, and Norma Rodriguez.

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The bills were presented and read. It was moved by Trustee Funkey that the bills be allowed as read, ratify and approve the checks drawn during the month of March 2018 in the amount of \$3,647,178.74. Motion was seconded by Trustee Childress put to vote and unanimously carried that the bills be paid as presented.

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It was moved by Trustee Funkey seconded by Trustee Childress, put to vote and unanimously carried that the Treasurer's Report for March, 2018 be approved as submitted.


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It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and unanimously carried that the minutes of the March 28, 2018 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 Trustee Sotir congratulated the Fox Metro employees who celebrated birthdays in the month of April. Manager Muth introduced to the Board, Anna Aguirre and David Penna who celebrate their 5 year anniversaries with Fox Metro.

Manager Muth also introduced Jim Wade who was recently promoted to Instrumentation Tech II.

Manager Muth introduced Miguel Vazquez and gave him recognition for his artistic talents. Some of Miguel's art work is displayed in different areas of the plant. Trustee Sotir stated she was very impressed with his work when she first saw it and was amazed by his talent and hopes he can continue displaying his talent throughout the District. Trustee Funkey said when the new O&M building is



complete, perhaps he can paint a mural in the entry. Miguel was very appreciative of his recognition and said he is happy to contribute and welcomes the challenge.

Manager Muth also recognized Engineering and Field Supervisor Keith Zollers who was awarded the Golden Manhole Award by the Illinois Water Environment Association. This award is given to an individual being professional and going above and beyond with the collection system and pumping stations. Manager Muth stated he is proud of Keith and his staff for the wonderful work that they have done and continue doing. The District has had two very large rain events and the system is working great thanks to their efforts.

10246

With no other Public Comments, it was moved by Trustee Funkey, seconded by Trustee Childress, 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 9:45A.M.


In the Committee of Local Improvements Manager Muth gave a presentation to the Board regarding the newly acquired former AT&T/Avalon Property. The presentation will include discussion regarding the Solar Array area, environmental issues, Avaya obligations and Fox Metro obligations. Manager Muth will also be discussing the current leases, the terms and violations.

The presentation included a solar array area layout along with exhibits submitted by GRNE who is the engineer for Shine on this project. Manager Muth said as new property owners, there are approximately 17 acres that the District has the responsibility to clean by cutting dead trees and bushes as well as clearing out debris in the area. The district has received some good quotes from contractors and currently management is in the process of making a decision.

Discussed were the environmental issues including Avaya obligations CAMU Maintenance and monitoring of wells. Some of the environmental action items for Avaya are to secure wells and replace well caps, proper abandonment in the future and asphalt cap repair and maintenance. Lengthy discussion ensued.

10247

At 10:00 A.M. Manager Muth opened and read aloud bids received for 2018 Compact Utility Tractor with Loader as follows: AHW, LLC – Total Bid \$34,121.84; Martin Implement Sales, Inc., – Total Bid \$32,853.00; DeKane Equipment– Total Bid \$29,000.00. It was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that the three bids received be submitted to staff for review and determine which vehicle has met all the required specifications for the vehicle.



Manager Muth continued with his presentation and discussed Fox Metro's Environmental Action items, pursue the IEPA approval of solar project, get keys to CAMU area gate locks and send to Avaya, ensure Avaya follows through on asphalt cap obligations and request Avaya records.

Manager Muth gave an overview of the terms of the leases with the current tenants and he discussed the current violations. The violations include occupying property outside of their leased area, unauthorized alternations and improvements, they have been changing the grade, filling, building new roadways and construction pads. Other violations are unpermitted use of property to store containers and have a sub-tenant. There are possible obstruction of access to environmental monitoring wells and security gate is left open. Lengthy discussion ensued regarding environmental risks and the specific violations of the leases committed by the tenants. Images were displayed of damages at the property caused by the tenants that are in violation of their lease and pose environmental risks. Manager Muth said staff will meet with the tenants, ATMI and Paschen to establish lease boundaries and require lease compliance.

10248 With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that the Regular Board Meeting reconvene.

The Regular Board Meeting reconvened at 10:38 A.M.

10249 Attorney Ingemunson addressed the Board with the Attorney's Report. Attorney Ingemunson presented Resolution No. 958, Annexation Gremercy Square, to the Board for their approval. It was moved by Trustee Funkey, seconded by Trustee Krahn, put to vote and unanimously carried that Resolution No. 958, adopting Ordinance No. 872, Annexation of Gremercy Square, be approved as written.

PASSED by the Board of Trustees of Fox Metro Water Reclamation District this 18<sup>th</sup>. Day of April, 2018 by a roll call vote of 4 to 0.

10250 It was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that Attorney Ingemunson revise the Annexation Petition Form to specify the purpose of the property being annexed.

10251 Mr. John Frerich addressed the Board with the Engineer's Report and updates on Construction projects. Mr. Frerich requested approval of Partial Payment No. 28 to River City Construction, Inc., in the amount of \$2,793,624.72 for South Waste Water Treatment Facility Project. It was moved by Trustee Funkey seconded by Trustee Childress, put to vote and unanimously carried that payment be made in the amount of \$2,793,624.72 to River City Construction, Inc., for work completed on South Waste Water Treatment Facility Project.



10252

Mr. Frerich requested approval of Partial Payment No. 15 to Whittaker Construction, Inc., in the amount of \$136,791.00 for Building G Improvements Project. It was moved by Trustee Funkey seconded by Trustee Childress, put to vote and unanimously carried that payment be made in the amount of \$136,791.00 to Whittaker Construction, Inc., for work completed on Building G Improvements Project.

10253

Mr. Frerich requested approval of Partial Payments No. 12 to R.C. Wegman Construction, in the amount of \$55,830.00 for Building W Water System Improvements Project. It was moved by Trustee Funkey seconded by Trustee Childress put to vote and unanimously carried that payment be made in the amount of \$55,830.00 to R.C. Wegman Construction, for work completed on Building W Water System Improvements Project.

10254

Mr. Frerich requested approval of Partial Payments No. 2 to LAI Limited, in the amount of \$19,857.00 for Chlorination Improvements – Contract 2 Project. It was moved by Trustee Funkey seconded by Trustee Childress, put to vote and unanimously carried that payment be made in the amount of \$19,857.00 to LAI Limited, for work completed on Chlorination Improvements – Contract 2 Project.

10255

Mr. Frerich requested approval of Partial Payments No. 5 to Whittaker Construction, Inc., in the amount of \$4,946.40 for North Plant Improvement Project. It was moved by Trustee Funkey seconded by Trustee Childress, put to vote and unanimously carried that payment be made in the amount of \$4,946.40 to Whittaker Construction, Inc., for work completed on North Plant Improvement Project.


10256

Mr. Frerich requested approval of Partial Payments No. 4 to Dhame Mechanical, in the amount of \$72,540.00 for Chlorination Improvements – Contract 3 Project. It was moved by Trustee Funkey seconded by Trustee Childress, put to vote and unanimously carried that payment be made in the amount of \$72,540.00 to Dahme Mechanical, for work completed on Chlorination Improvements – Contract 3 Project.

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Mr. Frerich requested approval of Partial Payments No. 4 to Lite Construction, Inc., in the amount of \$18,382.50 for Building K RAS Wet Well Improvements Project. It was moved by Trustee Funkey seconded by Trustee Childress, put to vote and unanimously carried that payment be made in the amount of \$18,382.50 to Lite Construction, Inc., for work completed Building K RAS Wet Well Improvements Project.

In the Manager's Report Trustee Childress addressed the Board regarding the Solar Project. He advised that the final order has been approved with the Illinois Commerce Commission. They have not defined how many REC's will be received for a single access tracker versus a fixed tilt panel array, which will affect the price. Shine and GRNE have come back with a variable table of what the District's price



will be with either one of the options. Trustee Childress said he would prefer a single access tracker because it allows the District to obtain more Kilowatt hours than a fixed tilt. The price would be approximately \$03.5 cents or as low as \$.02 cents.

Trustee Childress advised that in the final order it was allowed more than two Megawatt solar fields to be located on the same property. He believes this would be the best option for the District. Lengthy discussion ensued regarding the current tenants of the property the future use of the property and building a two or a four Megawatt field. Trustee Childress said right now he would recommend to sign for a two Megawatt field and evaluate the rest. All Board Members were in agreement to get authorization for Shine to build up to four MW fields, build two and evaluate the rest.

10258

At this time it was moved by Trustee Funkey, seconded by Trustee Childress put to vote and unanimously carried authorizing Shine to build up to four Megawatt Solar Field, build two MW and evaluate the rest.

Trustee Sotir said another issue that needs to be addressed immediately is the tenant's violations on the property. Trustee Funkey stated between now and the next Board Meeting Attorney Ingemunson should review all the leases and be able to answer questions the Board may have regarding the violations. Attorney Ingemunson said he would review the leases and discuss them with the Board and answer any questions they may have.


In the next item in the Manager's Report, Manager Muth is seeking tentative approval of the Fiscal Year 2018/2019 budget to hold a Public Hearing on May 23, 2018 at 10:00 A.M. at the Board of Trustees Meeting to discuss the Budget and Appropriations Ordinance.

10259

It was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that the Tentative Budget be approved for the purpose of review by the Board and hold a Public Hearing on May 23, 2018 at 10:00 A.M. at the Board of Trustees Meeting. A memo was prepare which highlighted expected revenues and expenditures for the various departments for the fiscal year 2018/2019

Manager Muth advised the Board that the One Day Clean Up event held on April 7, 2018 was a success. Volunteers were able to fill two 30 yard dumpsters with trash, 27 tires and other miscellaneous large items. The District collected 40 pounds of expired medication. This event was held at the Cole Center in Aurora and there was great participation from Fox Metro's staff friends and family. Human Resources Coordinator, Pat Divine chaired the event.

Manager Muth reported that the Fox River Study Group went to the USEPA and Cindy Skurland who is the Chair from the Sierra Club and Sanjay Soyot Director



from the IEPA, Manager Muth and a representative from Fox River WRD were present at this meeting. As part of our permit process, the USEPA has the final say on what the special conditions would be specifically for our phosphorus limit. After a 30 minute discussion the USEPA said one part per million on annual average was acceptable to them. Sanjay from the IEPA thought that was a major accomplishment that annual average was agreed. The USEPA has a caveat, if the Fox River Study Group's model gets approved and finalized, then whatever numbers come out of that model is what they are going to expect out of the waste water treatment plants in the future. This is something that the Group has been trying to accomplish since 2002, to help the health of the river.

Manager Muth advised the Board that the District has been approached by East Aurora High School to form a collaboration with them to help educate students regarding wastewater. They would require ten learning sessions over a two-year period. They are searching for Grant funds to be able to accomplish this.

Trustee Funkey suggested contacting all the high schools in the Fox Metro District and offer the same collaboration. Manager Muth said that was a great idea and suggested to start small and build a curriculum.

Trustee Funkey said there is a piece legislation to make the position of Board Trustee be elected. He advised that he and Trustee Childress met with Linda Holmes with Stephanie Kifowit on the phone regarding the method a Trustee is replaced on the Board and suggested to them they did not think this was a good idea to have a Board Trustee because the Board position has never been political. After conversations and emails, Linda Holmes said she would review and consider the proposal of the process submitted by Trustee Childress where Trustee vacancies would be announced, applications would be received and reviewed by the Board and a recommendation would be made to the Legislators for the appointment of a candidate and then they would make the decision. Trustee Funkey said as trustees they have an obligation to determine what is best for the District and the Board does not believe it is in the best interest of the District to have an elected Board. Lengthy discussion ensued regarding the Board's recommendation what the process should be when there is a vacancy for a Trustee and issues with Senate Bill 2830.

With no New Business to come before the Board, it was moved by Trustee Funkey, seconded by Trustee Krahn, put to vote and unanimously carried that this meeting be adjourned.

No Executive Meeting this month

Meeting adjourned at 12:47 P.M.