



**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
HELD WEDNESDAY OCTOBER 19, 2022**

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, October 19, 2022. Present were, Trustee Judith S. Sotir (via phone), Trustee Michael Funkey, Trustee Christopher Childress, Trustee Dave Krahn and Trustee Randall H. Brown. Also present were Attorney Gregg Ingemunson, District Manager Thomas F. Muth, Assistant District Manager Karen Clementi, Regulatory Manager, Tim Rubis, Project Engineer, Drew Zeipen, IT Supervisor, Dan Vargas, Controller, Linnea Scherer and Norma Rodriguez.

11034

The bills were presented and read. It was moved by Trustee Childress that the bills that have been presented and paid during the month of September 2022 be approved in the amount of \$2,814,707.41. Motion was seconded by Trustee Krahn, put to vote and unanimously carried that the bills be paid as presented.

11035


It was moved by Trustee Childress seconded by Trustee Krahn put to vote and unanimously carried that the Treasurer's Report for September 2022 be approved as submitted.

11036

In reviewing the minutes of September 14, 2022 Board Meeting, Trustee Funkey noticed an error in the way Motion 11032 was written and it should be revised. It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote, and unanimously carried to correct Motion 11032 to read as follows: Revise Section (b) of Section 2-80, Officers Designated, is amended to read, "The Officers of the Board of Trustees shall be the five Trustees."

11037

It was moved by Trustee Childress seconded by Trustee Krahn, put to vote, and the Motion was unanimously carried that the minutes of the September 14, 2022 Regular Board meeting be approved once Motion 11032 is amended as listed above. Each of the Trustees having received and read copies of said minutes before the meeting.



In Public Comments, Trustee Funkey on behalf of the Board congratulated all of the employees who celebrated birthdays in the month of October.

Manager Muth introduced Mike Banser to the Board and congratulated him for his 35 years of service at the District. The Board thanked him for his contribution and dedication to the District.

Mr. Banser is also the Union Representative in today's Board Meeting.


Manager Muth introduced Dale Wagner to the Board and congratulated him for his 25 years of service at the District and also for his recent promotion to Operations Supervisor and receiving his Class 1 Operations License. Over the past 25 years at the District, Dale has worked in the Maintenance Department, Operations Department, Electric Department and Pretreatment. The Board congratulated Dale for his accomplishments and thanked him for his dedication to the District over the 25 years.

This month's Fox Pride Award recipient is Lab Chemist, Sue Glavan. Regulatory Manger, Tim Rubis introduced Sue and said Sue recently graduated from the Aurora Chamber of Commerce Leadership Academy Program. She is also enrolled in the three-year program with the Illinois Public Service Institute. Sue has been assisting the Lab Supervisor with scheduling, training and mentoring of all the new hires in the Lab. Most recently, Sue wrote an article that was published in the Water Environment Federation Magazine. For these reasons and her continued dedication to the District, she is this month's Fox Pride recipient. Sue thanked Dale Wagner, Eric Hutt, Jim Wade and Dan Rivera who provided the information she needed for her article.

With no other Public Comments, it was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and unanimously carried that the Regular Board Meeting be temporarily adjourned for the Committee of Local Improvements.

The Regular Board Meeting temporarily adjourned at 9:45 A.M.

In the Committee of Local Improvements, Karen Clementi introduced, Shawn Ajazi and Arnie Schramel from Progressive Energy. They gave



a presentation regarding Inflation Reduction Act and Impacts on Solar Project #2 arrays for the North and South Field. Mr. Ajazi stated approximately eight weeks ago the Inflation Reduction Act was passed which was a \$370 billion Act towards green energy investment for green-house gas, clean electricity tax credits, manufacturing tax credits and green infrastructure. Mr. Ajazi gave a breakdown of where those \$370 billion will be spent. The combined investments are aimed at putting the U.S. on a path to roughly 40% emissions reduction by 2030.


The Labor Energy Partnership, a joint project of the Energy Futures (EFI) and the AFL-CIO, has analyzed the Inflation Reduction Act and concluded that it would add nearly 1.5 million jobs and \$250 billion to the economy by 2030.

The investment of nearly \$370 billion in energy security and climate change programs over the next decade will aim to incentivize further renewable energy development, increase electric vehicle (EV) adoption, encourage energy efficiency, and even target emissions from oil and gas infrastructure and agricultural sector.

The question is how does Fox Metro benefit? Previously, under the Future Energy Jobs Act (Solar Project #1) the investment Tax Credit was not eligible to be used by Government entities because of the tax exemption status. Having a third party come in and own, operate, and maintain the project allowed through a Power Purchase Agreement made the most economical sense.

With the passing of the Inflation Reduction Act, Governmental entities, like Fox Metro, are now eligible to receive a one-time payment up to 40% of the total project cost. This changes the value metrics of how the project would be paid back under a Direct Purchase option in addition to remain eligible for other Illinois incentives through the Climate and Equitable Jobs Act (CEJA).

Mr. Ajazi explained that under a standard cash purchase, the investment tax credit would be 30%, the ComEd Smart Inverter Rate would be \$250/kW, the Solar Renewable Energy Credits (SREC's) for the North field would be \$47.33 and for \$53.11 for the South Field.



The North Field is considered a Brownfield because of the environmental aspects that occurs on that property. With the North Field Fox Metro would be able to obtain an additional 10% accelerator on the investment tax credit, would be able to keep the ComEd Smart Inverter Rebate of \$250/kW and the Solar Renewable Energy Credits (SREC's) would be able to be bid in at \$63.63. This is not a guarantee because it is an open lottery of the project and what the SREC's value would be.

The main benefit would be the Investment Tax Credit which was not eligible under the Future Energy Jobs Act, but now is an opportunity to receive and be refunded back by the IRS in the first year, paid back by ComEd from the Smart Inverter Rebate on the first year and the SREC's would be paid out over 7 years and true up in year 15.

Arnie Schramel continued with the presentation and gave a solar options summary. He presented three options for Fox Metro purchase incentive and cash flow and explained them in detail. The options included Brownfield incentives, Standard incentives and Power Purchase incentives. He reviewed the initial investment, the net cash flow after first 12 months, percentage of investment returned in first 12 months, breakeven on initial investment and positive cash flow over twenty-five years for the three options presented. Based on the current metrics, increased incentives for Brownfield, and the one-time Investment Tax Credit payment, Progressive recommends that Fox Metro buy the solar project #2 arrays from SimpleRay who will engineer, permit, construct, and energize the field. This means the District will invest approximately \$5M and would recuperate the \$5M investment in year 5 from cash flow.

At 10:00 A.M. Manager Muth opened and read aloud bids received for the Orchard Road Generator Replacement Project as follows: Excel Electric Inc., – Total Bid \$512,750.00; JJ Henderson – Total Bid \$1,200,000.00; Newcastle Electric – Total Bid \$500,000.00; T R I – R Systems – Total Bid \$632,000.00; Powerlink Electric – Total Bid \$523,924.00; Kelso Burnett – Total Bid \$575,500.00 - The Engineer's Estimate for this project is \$962,000.00. After Discussion, it was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and unanimously carried to accept the bid from Newcastle, for \$500,000.00 and hold the bid from Excel for \$512,750.00 pending specification



review and approval by Fox Metro Water Reclamation District and Engineering Staff.

Mr. Schramel continued with his presentation and gave the Board his recommendations and next steps for Solar Field #2. He said it was his recommendation to Fox Metro to direct purchase the Solar arrays (North and South) from SimpleRay. The next steps would be to send over the Cash Purchase Agreement from SimpleRay to Fox Metro's attorney for review, finalize the Agreement Letter with Avaya and present for signature. Progressive would initiate discussion with GRNE on the following: Site Maintenance of Solar Field #1 to be taken over by Fox Metro, Modifying the Leased Premise to only reflect the dimensions of the Solar Field and documentation on what was presented to access under the railway. Karen said the difference this time is that the District will now be owning, operating and maintaining the Solar Field. SimpleRay will still be involved but they are just going to build it instead of them owning it, operating and maintaining it. Discussion ensued and Mr. Schramel addressed all of the Boards concerns and answered all their questions in detail.

11040

After discussion the Board agreed that this is a good opportunity for the District and a Motion was made to approve this project. It was moved by Trustee Sotir, seconded by Trustee Brown, Trustee Childress abstained, put to vote and unanimously carried to approve the recommendation of Progressive Energy to enter into Solar Field #2 in the manner that was described in their presentation.


11041

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

The regular Board Meeting reconvened at 10:20 A.M.

11042

Attorney Gregg Ingemunson addressed the Board with the Attorney Report. He presented for approval Ordinance 912 and Resolution 997 authorizing an Annexation with Brahler LLC of 7.4 acres located in the City of Aurora. It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and unanimously carried to approve



Ordinance 912 and Resolution 997 authorizing an Annexation with Brahler LLC of 7.4 acres located in the City of Aurora.

11043

Attorney Ingemunson presented for approval Resolution 998, Intergovernmental Agreement between Fox Metro and City of Aurora for the investigation and repair of combined and separate sewers at various locations. It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and unanimously carried to approve Resolution 998 authorizing the Intergovernmental Agreement between Fox Metro and City of Aurora for the investigation and repair of combined and separate sewers at various locations pending review by the District's Attorney.


11044

Attorney Ingemunson presented Resolution 999, Intergovernmental Agreement with DuPage County regarding the American Rescue Plan Act Funds. It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and unanimously carried to approve Resolution 999 authorizing the Intergovernmental Agreement with DuPage County regarding the American Rescue Plan Act Funds.

11045

Attorney Ingemunson presented the Board for their approval the Farm License Agreements between Fox Metro Water Reclamation District and (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 2023 crop year. It was moved by Trustee Childress, seconded by Trustee Brown, put to vote and unanimously carried based on the approval of the District's attorney, the Farm License Agreements between Fox Metro Water Reclamation District and (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 2023 crop year be approved as written.

Mr. Drew Zeipen addressed the Board with the Engineer's Report. He requested Partial Payment No. 12 to Whittaker Construction in the amount of \$748,945.10 for the North Aurora Pumping Station Improvements Project. Mr. Zeipen reported shoring has been removed from the site and building concrete work is complete. CMU and masonry activities continued the past month, and waterproofing was performed. Bypass pumping was performed to install temporary sewer piping for the 42" influent pipe and manhole installation.



Mr. Zeipen requested approval of Partial Payment No. 11 to Williams Brothers Construction in the amount of \$852,772.92 for the Digester Complex Improvements (DCM-4) Project. He reported Digester M5 lid erection was completed, the tank was filled and pressure tested, and painting/coatings are being completed. The new flare was put into service and the old flare is now abandoned. New subbase and pavement were installed on the access drive into the plant near the DCM-4 building. Digester gas piping, electrical work, and mechanical piping work all continued within the new DCM-4 building and existing M1 space.

Mr. Zeipen requested approval of Partial Payment No. 5 to Vissering Construction in the amount of \$340,626.24 for the 111th Street Pump Station Project. He reported that the underground work continued by the mechanical contractor, Tobin Brothers. Frank Marshall Electric was onsite to install the ComEd electrical service line coming into the lift station. The Control Building slab was poured; CMU and masonry activities to commence shortly.

Mr. Zeipen requested approval of Partial Payment No. 4 to Williams Brothers Construction, Inc., in the amount of \$72,179.89 for the H3, H4 & H5 Valve Vault Improvements Project. He reported that the Contractor is still awaiting the knife gate valves from the supplier. The new ship date is the end of the month. Concrete lid demolition was performed by Williams Brothers to expose the vault piping.

Mr. Zeipen requested approval of Partial Payment No. 3 to Whittaker Construction in the amount of \$81,949.45 for the H1 & H2 Grout Replacement Project. He reported that 104 CY of grout was placed in Clarifier H1. New pressure reducing valve caps were installed, and the clarifier arm was adjusted. New rubber was installed on the mechanism arm and the Clarifier is now back in service.

Mr. Zeipen discussed the Planning and Design Projects: Oswego Lift Station HVAC Replacement – Design is approximately 95% complete. The District would like to request to advertise to bid at the next Board Meeting.

The Bar Screen Replacement Preliminary Study – Project is proceeding as planned. Hydraulic modeling has been completed in order to size the screens. Equipment requests are out to vendors to see which



manufacturers can meet the District's needs. Technical Memorandum #1 is almost complete and ready for review.

The P1 Office Renovations – Project is proceeding as planned – The District staff has been coordinating the furniture selection, finalizing the room layouts with CCA, and window bid package is getting ready to be sent to window contractors.

69” Original Interceptor Inspection – Project is proceeding as planned - The District has contracted with RJN Group and Red Zone to perform a sanitary sewer inspector of the 69” original interceptor. This multi-sensor inspection was completed and includes CCTV data as well as sonar data. RJN will prepare a technical memorandum based on the data reviewed.


Collins Road 36” Sewer Extension – New project that is being coordinated with Kendall County – Kendall County and Oswego are performing a road extension project. As a result of this project, the District is coordinating with Kendall County and their Engineer's HR Green, to include a sewer extension project prior to the new road way being installed.

11046

After discussion, it was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and unanimously carried that the Engineer's Report be approved as published and payments be made as requested.

Manager Muth addressed the Board with the Manager's Report. The first item discussed was approval of Health Insurance Renewal. Dave Stumm and Dave Enk from Stumm Insurance joined the meeting via phone. One year ago, staff recommended a triple option for employees with Blue Cross Blue Shield with an HMO, PPO and HSA. This program has been working well so far and the Insurance Committee has met a few times through the year. A survey was sent out to the employees to get their feedback regarding the insurance and find out what they like and do not like about the insurance. Staff's recommendation is to renew the triple option again and there are some enhancements and those were sent to the Board prior to the meeting.

Management was able to negotiate the “grandfathered” HSA plan out of the union contract earlier this year. Sunset date of 12/31/2022 for all 22



members of this old plan. Estimated savings to the District is \$106,420.00.


Stumm insurance locked in a 9.5% rate cap for 2023 with Blue Cross Blue Shield last year before the District signed the 2022 contract with them. Stumm was able to negotiate the rate down to a 2.4% increase for 2023. MetLife had already locked in the District's dental and vision rates for 2022 and 2023. It should be noted that health insurance costs nationwide have been increasing 6-10% annually over the past several years. The District's 2022 monthly spend is almost \$100.00 less per member than in 2018 without correcting for health insurance inflation.

Trustee Funkey stated he attended the last Insurance Committee Meeting and he was impressed by Stumm's presentation especially the way they have managed to hold down the renewal cost. Fox Metro was expecting a 9.5% increase on the renewal and it is down to 2.4%.

Karen advised the Board that HMO members do not have a telehealth option while the HSA and PPO members do have a telehealth option automatically included in their respective plans. Stumm Insurance recommended an option called "healthiest you" Core option that costs \$8.00 per eligible employee per month. This would be an estimated additional cost to Fox Metro of \$9,200.00 per year with some unknown amount offset at next year's increase. Trustee Sotir said this is a minimal cost for the service the employees will receive.

Dave Enk stated that there were two levels of the Healthiest You program. There is an \$8.00 version and a \$16.00 version. The \$16.00 version includes coverage for Dermatology, Physical Therapy and mental health services without a co-payment. He asked which coverage was Fox Metro interested in getting for their employees.

Trustee Funkey stated that in the Insurance Committee Meeting only the \$8.00 version was discussed. Karen stated that staff's recommendation is to try the \$8.00 version for this year and if employees are heavily using it, the \$16.00 version can be considered for next year but will wait and see if the \$8.00 version is getting the employees what they need and Trustee Funkey concurred.




Trustee Childress asked Mr. Stumm if he could get an evaluation from Blue Cross Blue Shield regarding how much has been paid out in Psychology services to see if the \$16.00 version would be a worthwhile option. Karen stated that one of the things staff wanted to ascertain with the survey was how much the employees using the insurance and approximately 50% of employees do not use it very often. The District offers the employees an Employee Assistant Program that offers mental health services under the HMO. Where staff really sees the need is for those instances in the middle of the night when a child is ill or if they are on vacation and need medical assistance and the \$8.00 version will cover that. Discussion ensued

Karen said the Insurance Committee evaluated employee concerns with the various plans and discussed a path forward, in priority order as follows:

- The #1 employee issue has been dissatisfaction with the vision insurance. Staff would like the Board to consider adding back the previous vision coverage of a maximum of \$450.00 per year per person and drop the MetLife vision insurance coverage. The estimated additional cost to Fox Metro would be \$30,000.00 per year.
- Provide the basic \$8.00 version of “Healthiest You” program for employees.
- Stumm has recommended some additional accident and critical illness insurance protection, similar to AFLAC but at a much less expensive cost. 2023 Premiums for approximately 300 members would be \$21,000.00. Discussion ensued and Mr. Stumm explained in detail the specifics of the short term and long-term disability of this benefit. This would be in addition to what the District currently offers its employees. After discussion, Trustee Childress said he would not oppose offering this benefit to the employees but this would be a voluntary option and the employee would be responsible to pay for the cost of this benefit and Trustee Krahn concurred.

Trustee Sotir stated that the Insurance Committee discussed the Healthiest You option made a lot of sense and it would not cost the District a lot of money and is something the employees would be able to use. The option



similar to AFLAC the Committee felt that the District should deal with one thing at a time and see how things work and possibly push this option to the future. She likes Trustee Childress' idea that if an employee can opt in this program if they want to but, the employee will have to pay for it.

11047

It was moved by Trustee Sotir, seconded by Trustee Childress, put to vote and unanimously carried to approve the Health Insurance renewal based on recommendation of Staff.

Manager Muth requested an Executive Session be held to discuss personnel, and related matters.

11048

It was moved by Trustee Brown, seconded by Trustee Krahn, put to vote and unanimously carried that at the conclusion of New Business of today's meeting, we will temporarily adjourn for an Executive Session.

The Regular Board Meeting temporarily adjourned for Executive Session at 11:12 A.M.


11049

It was moved by Trustee Childress seconded by Trustee Brown put to vote and unanimously carried that the Executive Session be adjourned and resume the Regular Board Meeting.

Regular Board Meeting reconvened at 11:53 A.M.

No decisions were made in Executive Session.

Trustee Sotir stated that when she attended the IAWA Conference in Peoria one of the main focus was the issue of PFAS and it discussed in depth. Some of the early discussions that Fox Metro staff and the Board was Phosphorous and there is no current definitive mitigation methodology that she can see out there. Given that PFAS is so pervasive and it is in items from Teflon to fire retardant foam not to mention our own bodies, this is going to be very costly for the District in the future. She believes that it is important for the District that the Board Meeting Minutes contain that Fox Metro has been working on this proactively and has its own science team that is proactively studying this issue from both the mitigation side, and the financial cost that the District will ultimately have to incur.



Trustee Funkey said that at the IAWA conference no one seemed to know what the solution is going to be with regard to PFAS. He added that the best part of the meeting, for the Trustees was the Trustee's Round table, which was on the last day and stated that Trustee Sotir did an excellent job in highlighting Fox Metro and its accomplishments in the last few years.

Manager Muth said there will be a continued discussion regarding PFAS at next month's Board Meeting to give the Board an update, present staff's findings and what staff's proposals and recommendations are with regard to this issue.

11050

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

Meeting adjourned at 12:00 P.M.

R -549