



**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
HELD WEDNESDAY FEBRUARY 23, 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, February 23, 2022. Present were, Trustee Judith S. Sotir, Trustee Michael Funkey Trustee Christopher F. Childress, Trustee Dave Krahn, and Trustee Randall H. Brown. Also present were Attorney Gregg Ingemunson (via phone), District Manager Thomas F. Muth, Assistant District Manager Karen Clementi, Human Resources Coordinator, Patrick Divine, Regulatory Manager, Tim Rubis, Controller, Linnea Scherer, Michael Ott from Strand Engineering, Interim Plant Manager, Joel Ilseman Norma Rodriguez and Adam Wynn.

10938

The bills were presented and read. It was moved by Trustee Funkey that the bills that have been presented and paid during the month of January, 2022 be approved in the amount of \$1,483,975.99. Motion was seconded by Trustee Childress, put to vote and unanimously carried that the bills be paid as presented.

10939

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

10940

It was moved by Trustee Funkey, seconded by Trustee Childress, put to vote, and the Motion was unanimously carried that the minutes of the January 19, 2022 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 on behalf of the Board congratulated all of the employees who celebrated birthdays in the month of January.

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Operations Supervisor, Joel Ilseman introduced Jim Wade who is February's Fox Pride Award winner. Jim is an Automation Technician and has been with the District since 2005 and in the Instrumentation Department for approximately four years. Jim has been instrumental in the last two years in repairing and updating the HVAC system throughout the Plant. He has also been key in updating the gas monitoring equipment. Jim is currently taking classes to improve his skills in HVAC systems. He is very committed to the District and to his job.

Manager Muth introduced Operator, Adam Wynn, the delegate who is representing the Union at today's Board Meeting.


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 temporarily adjourned at 9:37 A.M.

In the Committee of Local Improvements, Safety & Asset Management Coordinator Dan Rivera reported on Fox Metro's safety history statistics. He said Joel Ilseman, James Wade and Adam Wynn, who are present at today's Board meeting are part of Fox Metro's Safety Committee.

Dan continued with his report and explained that OSHA has a recordable incident rate and that is based off the District employee's hours and accidents. Dan explained the method OSHA calculates the standardized incident rates. A breakdown was given of the total accidents for the year. There was a total of 6 reported accidents in 2021 and 3 of those accidents were OSHA Recordable.

There was a total of 2 work day lost due to accidents. There were zero modified work days lost which means the employee worked but was given lighter tasks. The Safety Committee keeps track of accidents per month and Dan described the types, locations and months the accidents occurred.



Mr. Rivera explained the U.S. Bureau of Labor Statistics five-year average as of July 2020. The local Government (all categories) had an average of 2 total recordable cases, and cases with days away from work, restriction, or transfer were 1.5. Fox Metro was below the industry standard in 2020.


Mr. Rivera gave an overview of 2021. He said every six months he does a safety audit of all the buildings at the Plant and conducts a mock OSHA inspection. The safety audit was to focus on any immediate safety concerns. Main focuses were hazard communications, safety data sheets (SDS), lockout tagout (LOTO), and fixed ladders inventory.

Safety training was conducted in 2021. The training consisted of fire drills, CPR/AED and First Aid Training. There are total of 22 employees that completed the training and it consisted of rescue team members, electricians and volunteers. There is at least one employee in every department in the District that is CPR/AED & First Aid Certified. There was also hands-on fire extinguisher training and the semi-annual confined space rescue team training.

Mr. Rivera conducted a full site PPE and confined space equipment Audit. He catalogs the brand, condition, date of manufacture, serial/model numbers and assures that all equipment is organized in the new Operations and Maintenance Shop.

Mr. Rivera completed an ERP (Emergency Response Plan) for all occupied buildings. The plan includes: fire emergency, tornado-severe thunderstorm, health emergency, and active shooter response. He also implemented an accident investigation procedure. This include finding the root cause, implement any safety measure to reduce relatable incidents, insure proper PPE and procedures were used, and documentation was created.

Mr. Rivera gave a detailed overview of the safety goals that were completed in 2021: Conducted a full site PPE Inspection, created Emergency Response Plan for District staffed buildings, updated the electrical hazard classification. He also reviewed the safety goals for 2022. The goals are to update the Safety and Data Sheets, creating contractor/vendor safety and accountability, conduct a



lockout/tagout audit and create an electrical emergency response plan for all buildings.

Trustee Sotir said this would be a great report to present at the IAWA Meetings. Mr. Rivera's Safety Program and how he developed it through the years is phenomenal and she encouraged him to present at those meetings.

Trustee Funkey inquired how often OSHA inspects the Plant. Mr. Rivera advised him that there are no regular scheduled OSHA inspections. OSHA conducts inspections and investigations when there is an OSHA reportable accident. The District is under OSHA but it is monitored by the Illinois Department of Labor.

Trustee Sotir thanked Mr. Rivera and the Safety Committee. It takes a lot of effort to develop the safety plan on a regular basis, being proactive and keep all of the District employees safe.

The next item in the Committee of Local Improvements, Karen Clementi reviewed with the Board the first year of solar plant energy production results. She thanked Shawn at Progressive for providing the information presented today. The solar field has produced approximately 3,850,494 kWh's, saved the District \$133,018.00 and estimated to save \$210,000.00 in the next year. This solar field generates 20% of energy production at both the North and South Plants. Also, all of the efforts made by the District's Electrical team through the ComEd energy saving plan has helped reduce energy consumption. The environmental impacts of this equals to 3,343 acres of U.S. forests in one year or 103,423 incandescent lamps to LED or 6,657,958 miles driven by an average passenger vehicle or 3,016,073 pounds of coal burned. Karen said this information will be uploaded on the District's website and on the Fox Metro's Facebook page.

Trustee Sotir inquired the status of the second Solar Field. Manager Muth said staff is currently in the process of meeting with AVAYA to discuss access to the asphalted area of the property because they are responsible for maintaining it. Staff has to work with AVAYA on a collaborate effort to determine where the second solar field will be placed in order for them to have access to the

asphalted area. Karen added that staff has been working with Progressive and Simple Ray with alternative locations for the second solar field in case AVAYA does not authorize the proposed location.

Trustee Funkey inquired if the process for the second solar field was going to be the same as the first one. Trustee Childress said it would be very similar. He said the Illinois Power Authority changed the rules a bit but not significant because this is behind the meter and the changes were minimum. There will be a Lease and Power Purchase Agreement just like the first solar field and Gregg Ingemunson has been assisting in the process.

10942


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 Committee of Local Improvements adjourn and the Regular Board Meeting reconvene.

The regular meeting reconvened at 10:00 A.M.

10943

At 10:00 A.M. Manager Muth opened and read aloud bids received for the 111th Street Pumping Station Project as follows: Manusos General Contracting, Inc., – Total Bid \$3,443,000.00; Integral Construction, Inc., – Total Bid \$3,132,000.00; Williams Brothers Construction – Total Bid \$3,314,000.00; IHC Construction Companies, LLC – Total Bid \$3,629,000.00; Joseph J. Henderson and Son, Inc., - Total Bid - \$3,917,000.00; Vissering Construction Company – Total Bid \$3,227,000.00 The Engineer’s Estimate for this project is \$3,350,000. After Discussion, it was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried to accept the bid from Integral Construction, Inc., for \$3,132,000.00 and the bid from Vissering Construction Company for \$3,227,000.00 be held pending specification review and approval by Fox Metro Water Reclamation District and Engineering Staff.

Attorney Gregg Ingemunson addressed the Board with the Attorney’s Report. He presented a Quit Claim Deed for the 111th Street Pumping Station to the Board for approval. Attorney



Ingemunson has reviewed same and Fox Metro staff has verified that the Legal Description coincides with the one acre parcel the District is acquiring.

Attorney Ingemunson requested approval of a Temporary Construction Easement with Pulte. The District has been working with Pulte to build an access road from 111th Street through the District's pumping station site. Currently it is just a gravel road and it is not going to hold the weight for the construction equipment that will be utilizing the road. Pulte also wants to use that access road to bring all of their construction equipment to their Dell Webb project. Because the District owns the pumping station property where the access road will be built, Pulte needs the District's permission to travel that piece of property for the next six years to build out their site. Manager Muth said Pulte will help financially with the construction of the access road. Staff is working to complete the Temporary Construction Easement based on District's terms and conditions.


Trustee Funkey asked what will happen to the temporary access road after Pulte completes the Dell Webb phase Manager Muth said Pulte will no longer need the access road so the temporary easement will be null and void. Trustee Brown asked if Mr. Hammond could prohibit the use of the access road. Manager Muth said no because Fox Metro has been granted a permanent access easement from 111th Street to the pumping station site.

10944

Manager Muth requested approval of the Temporary Construction Easement based on District staff and Attorney Ingemunson's review. It was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried to approve the request of Temporary Construction Easement with Pulte that is being completed subject to review and approval by District staff and Attorney Ingemunson.

10945

Attorney Ingemunson requested approval of Resolution No. 992 and Ordinance No. 907 for Annexation of with LPC Ferry Road I, LP by LPC Ferry Road I GP, LLC located in the City of Aurora, 9.25 acres. it was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that Resolution No.



992 and Ordinance No. 907 for Annexation of with LPC Ferry Road I, LP by LPC Ferry Road I GP, LLC located in the City of Aurora, 9.25 acres be approved as written.

Manager Muth addressed the Board with the Engineer's Report. He reported that the Orchard Rd. pumping station is substantially complete, and requested to reduce the retainage to 5% and payment to Marshall Electric \$16,027.90.


Manager Muth requested Partial Payment No. 4 to Whittaker Construction in the amount of \$173,697.50 for the North Aurora Pumping Station Improvements Project. Deep excavation continued, dewatering pumps, temporary piping installed underneath the bike path, stair tower was installed, retaining wall was completed, access drive was scraped and CA-6 was placed, hauling continued.

Manager Muth requested approval of Partial Payment No. 3 to Williams Brothers Construction in the amount of \$122,015.02 for the Digester Complex Improvements (DCM-4) Project. The project is going well, they are working on the foundation walls, the interior of the building was backfilled with stone and underground plumbing was performed. Light fixtures and Plug Valves were delivered to the site for storage.

Manager Muth updated the Board on the H3/H4/H5 Vault Improvement Project. A kickoff meeting was held, shop drawing submittals are in progress. Work to begin when valves arrive on site, approximately in the summer.

Manager Muth reviewed with the Board the following upcoming planning and design projects.

- A. Arrowhead Industrial Park – A task order was awarded to Fehr Graham to prepare a preliminary engineering report for conceptually providing sanitary sewer service to an unsewered business park in unincorporated Wheatland Township


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- B. Underground Storage Tank – A task order was awarded to Fehr Graham to prepare a letter for submittal to the IEPA outlining the District’s approach for closing the incident.
 - C. H1 and H2 Grout Replacement – A task order was awarded to Fehr Graham to provide design and bidding services for floor grout replacement on the existing clarifiers
 - D. Orchard Road Generator Replacement – Staff requested a proposal from CDM Smith to replace the 20+ year old aging generator at Orchard Road Lift Station.
 - E. Farnsworth Pump Station Improvements – Staff went on a site visit with Strand and Associates to assess the Farnsworth Pump Station. Strand to provide a proposal for improvements.

10946

It was moved by Trustee Funkey, seconded by Trustee Childress, 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. A memo was submitted to the Trustees regarding financial investment options. He explained the District has money on reserve right now and it is currently getting a very small return in interest at the local bank. What has transpired over the last three years is that the District’s revenue has been consistent and expenditures have been less based on the timeline being extended on capital improvement projects. Staff feels the fiduciary responsibility is to go to the marketplace and find an investment company that can do better than the local bank.

Trustee Sotir said she feels this is the right time for the District to do this. When it comes to bonds, the District is paying a very low interest rate so its alright to delay payment on those. Trustee Childress inquired that based on the information he has, inquired why wouldn’t the District pay down the loans? Karen responded we are unsure whether the IEPA loans can be paid before maturity. Discussion ensued regarding any options to pay off the




IEPA loans early, the value in investing in different types of banks and investment options.

Manager Muth said staff is not asking to take all of the money out of the local bank to invest it, but asked the Board to authorize an amount they are comfortable with in order to gain some interest that the District is not currently receiving at the bank.

Trustee Funkey said the Board has a fiduciary duty to invest these funds wisely and safely. The way he interprets the memo received from Manager Muth is that the District is receiving very little interest at the local bank. He recalls in the recent past, the District made an additional payment into the IMRF Pension Plan and received a substantial benefit and it was in excess of what some of investment companies were paying. He said the future is unsure but believes there must be some other municipalities in the State that are in the same situation as Fox Metro. He inquired if the Illinois Municipal League has been contacted to see if there is anything available through the State. He added that it would be a safe investment and a benefit to the State to provide some vehicle in order for Fox Metro to re-invest this money in the State and the District. Linnea said this is something Meeder Investment Management would be able to do. They can research different investment options for the District. She added that currently the District is overfunded for IMRF and she is not sure of the maximum percentage limit the District can overfund.

Linnea said with regard with taking the money out of the local bank, this provides people in the community a lot more benefit because if the District can get more money by investing outside the local bank, the District will have more money to fund its own projects and possibly reduce user fees. Trustee Childress inquired if staff has reached out to the District's local bank. Linnea said she recently found out that the local bank dropped the 20 basis points to 15 basis points without notifying the District. Discussion ensued regarding Meeder consulting fees and how they were chosen as the District's investment firm. Trustee Childress asked staff to research what other local municipalities are doing. Discussion ensued regarding specifics of what the investment process will be.



Trustee Funkey asked for a comparison of securities between where the District is now and where it is projected to be, what the guarantee is and who signs on the guarantee. Trustee Childress inquired regarding the FDIC insurance for a CD. Linnea explained the process in detail.


Trustee Childress applauded staff for researching different investment opportunities because this is good for the District. Discussion ensued

Trustee Sotir suggested having Meeder Investment Management come in and meet with the Board and give an overview to ensure that everyone understands the process. Trustee Funkey suggested bringing in Sikich because they conduct and sign off on the Audits for the District. Manager Muth said Sikich may not be able to give the District a recommendation because they are not a financial agency but they may be able to provide information as to what is standard in the industry.

Trustee Childress inquired if the District had an Investment Policy and does it state that it has to be backed by an insurance company. Linnea confirmed that the District has an Investment Policy and it follows the Illinois required listings which is also in the District's Audit Report. The Investment Policy will be updated and Meeder will help with that process. Discussion ensued regarding the different avenues that have been discussed with Meeder regarding investments and payment of loans.

Karen thanked Linnea for her hard work on this project. She has been very busy with different projects over the last year and she has done a fantastic job with this monumental task.

The next item discussed was a meeting with Sugar Grove Representatives on February 9, 2022. Sugar Grove Village President, Jennifer Konen, wanted to know more about Fox Metro and reached out to Trustee Childress. Manager Muth, Karen Clementi and Trustee Childress met with her and her staff and gave a presentation. Manager Muth said it was a very good meeting, Ms. Konen is very involved with new development and



she had many questions regarding the handling of Crown Development in the future. There was a very good discussion regarding Crown wanting to develop the site north of Waubonsie College. Crown reached out to Fox Metro for a meeting, Manager Muth and Karen Clementi met with them last Friday.


Trustee Childress said the Meeting with Jennifer Konen and her staff went very well and believes she was very appreciative of the information she received and the update of how the Districts operates.

Trustee Childress stated with the proposed Crown Development north of Waubonsee College, it brings for discussion the Waubonsie loan the District currently has, how those funds can be disbursed and if there is an opportunity to help Sugar Grove grow by repaying that loan. Manager Muth said the meeting he and Karen had with Crown was preliminary and once the District receives formal notification, he will bring it to the Board for discussion. Trustee Funkey stated that is an important part of the discussion will be what Crown intends to do with the property because the plans have been modified from their original they had some years ago. Their plans now include a lifestyle community with housing, businesses and restaurants not just industrial use. Discussion ensued regarding service areas

Manager Muth advised the Board that the District will be participating in the Annual CSO Public Information Meeting at the City of Aurora. Manager Muth and Karen Clementi will give a presentation on February 28, 2022 at 5:00 P.M. This is a requirement per the NEPDES permit. The City of Aurora and Fox Metro will collaborate in the presentation. The presentation will include Fox Metro's Long-Term Control Plan, Pollution Prevention Plan and Public Notification Plan.

Manager Muth requested Executive Session to discuss personnel, Union Negotiations and other related matters.

There being no further business to come before the Board, it was moved by Trustee Funkey, seconded by Trustee Brown, put to



vote and unanimously carried that the Regular Board Meeting adjourn temporarily for Executive Session.

The Regular Board Meeting temporarily adjourned for Executive Session at 11:09 A.M

10948

It was moved by Trustee Funkey 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 11:29A.M.

No decisions were made in Executive Session

10949

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

Meeting adjourned at 11:31A.M.

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