



**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
HELD WEDNESDAY, MARCH 22, 2023**

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 22, 2023. Present were Trustee Judith S. Sotir, Trustee Michael Funkey (via video), Trustee Christopher Childress, Trustee Dave Krahn and Trustee Randall H. Brown. Also present were Attorney Gregg Ingemunson, District Manager Karen Clementi, Regulatory Manager Tim Rubis, IT Supervisor Dan Vargas, Controller Linnea Scherer, Human Resources Coordinator Dan Rivera, Plant Manager Joel Ilseman, Asset Management Tech Mike Nilges, Maintenance Mechanic Ryan Johnson, District 5 Board Candidates Thomas Muth and Jeff Humm, Mr. Jason Humm from Hummel Trails, Mr. Vince Rosanova, attorney for Tuscany Station, Mr. Shawn Ajazi from Progressive Energy Solutions and Senior Administrative Assistant, Norma Rodriguez.

11095 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 February 2023 be approved in the amount of \$1,798,336.83. Motion was seconded by Trustee Krahn, put to vote and unanimously carried that the bills be paid as presented.

Controller Linnea Scherer addressed the Board with the Controller's Report. She stated that as of February 1, 2023 the District's cash on hand was \$41,885,958.00. The District's Investment Portfolio was \$15,231,452.00 and that is split primarily between the US Treasury and government agencies. The weighted average yield increased slightly from 3.48% to 3.51%. February's earned income was \$28,148.00 and this is an increase from \$1,157.00 last February. The projected income for March thru May is \$109,025.00 and the projected remaining income for the fiscal year is \$108,038.00.



Ms. Scherer advised the Board that the Departments have submitted their final budgets and she is preparing the Budget Reports to present to the Board in April.

Ms. Scherer said February is a big month of IEPA loan payments. Payments were made in the amount of \$3,027,242.00. The majority of the payment was for the South Plant loan. These loans are paid twice per year and the next installment will be in August. Some of the smaller IEPA loans are also paid twice per year.

Ms. Scherer advised he Board that a check in the amount 2,975,340.00 was paid to Simple Ray for the Solar Field.

Lastly, a note has been added to all bills advising the users of the rate increase of 5% to \$7.50 per thousand gallons beginning June 1, 2023.

11096 It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and the Motion was unanimously carried that the Controller’s Report for February 2023 be approved as submitted.

11097 Trustee Funkey stated he would like to change the word “sewers” to “composition” on Page 3 of the Meeting Minutes. It was moved by Trustee Childress seconded by Trustee Brown, put to vote, and the Motion was unanimously carried that the minutes of the February 22, 2023 Regular Board meeting be approved after reflecting the change stated above. 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 March.

The Board congratulated Mike Ortiz on his 20th anniversary with at the District. The Board thanked Mike for his good work and service at the District.

The Board Congratulated Tom Tate, Ben Humm, Jeremy Mathre, Andrew Orosco and Jeff Severson on their 10th anniversary at the District.

The Board also congratulated Controller Linnea Sherer on her 5th anniversary at the District.



Mr. Dan Rivera introduced March's Fox Pride recipient Mike Nilges who has been at the District for five years and is part of the Safety Asset Management Team. He oversees the District's computerized maintenance software and this is what the Field and Plant use for preventative maintenance asset management. Mr. Nilges began this role in 2019 and has been a great asset to the department. He has also taken over the Safety Department.

Plant Manager, Joel Ilseman introduced Maintenance Mechanic, Ryan Johnson who is the Union representative at today's Board Meeting. Mr. Ilseman said Mr. Johnson began his career at the District in 1999 as an Operator and has been in the Maintenance Department since 2003. Mr. Ilseman said Ryan always has a great attitude, is a very valuable and one of the most experienced Maintenance Mechanics at the plant. He and the Board thanked Ryan for his work and dedication to the District.

Manager Clementi introduced Mr. Shawn Ajazi from Progressive Energy Solutions. Mr. Ajazi advised the Board that on February 27, 2023 Fox Metro received its designation as a USEPA Green Power Partner and presented a plaque to the Board. He explained that the designation provides the use of the Green Power Partner mark on the website, social media, marketing materials and can also issue a press release for the designation. Mr. Ajazi said this award is for the solar plant that is fully energized reducing the carbon footprint and supporting clean green energy. This is a testament to the activities that Fox Metro is doing for green focused initiatives and they are looking to see new designations that EPA has under new projects that are currently under development and discussion. Manager Clementi thanked Mr. Ajazi for all his help with this project.

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

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

In the Committee of Local Improvements, HR and Safety Supervisor Dan Rivera gave the 2022 Annual Safety Report. He explained that OSHA has a recordable incident rate and that is based off the District employee's hours



and accidents. He explained the method OSHA calculates the standardized incident rates. A breakdown was given of accidents for the year. There was a total of 6 accidents reported and 2 were OSHA reportable. There were 224 lost days due to an employee severely injured his knee shoveling snow. There was one modified work day lost, which means the employee worked but was given lighter tasks. Mr. Rivera said the Safety Committee keeps track of accidents per month and in 2022 there were 3 accidents in January, 1 accident in June and 1 accident in September. Dan outlined in detail the location, type of accident and at which building each accident occurred.

Mr. Rivera reviewed the Industry OSHA Standards and outlined how Fox Metro compares. Dan has not received the 2022 standards so he will be using standards from 2021. He said he looks at the Fox Metro's North American Industry Classification Code. Mr. Rivera stated the standard recordable injury cases for the industry in a year is 1.4 and Fox Metro had 3 in 2021. He said to note that Fox Metro is a very big wastewater facility and the 1.4 standard can also apply to a facility of 4 employees. Trustee Childress said he does not agree with the way the average is calculated and stated that it should be calculated by work hours. The cases with days away from work, job restriction, or transfer, the industry is 1.3, Fox Metro had 2. The standard days away from work is 1.3 and Fox Metro had 31. Standard other recordable cases is 0 and Fox Metro had 0.

Mr. Rivera said that overall 2022 was a quiet year safety wise. The Safety Committee is trying improve Building N, which is the centrifuge building. The second floor has two overhead doors, and in the Spring, Summer and Fall staff likes to keep the doors open for air circulation. In the past staff installs barricades to notify employees to avoid the area near the garage door but if someone falls on that barricade it will not prevent them from falling. Staff has now installed a net instead and it is rated to stop a forklift if needed and the Operators can open that door without any concerns.

Plant employees conduct approximately 120 confined spaces on a yearly basis and MSA gas meters are very important to staff. Staff has purchased 4 new MSA gas meters to replace the 4 old Dragger gas meters that are approximately twelve years old and not working properly and that is dangerous for the employees. The Safety Committee and Automation Department worked together and found out the MSA gas meters were the



best fit for the plant. They are efficient, durable, water resistant and work better.

Mr. Rivera gave an overview of 2022 training. He said one of the training seminars conducted was De-Escalating Conflict. It was noted after COVID that a lot of people were coming into the facility angry and Management needed to figure out how to de-escalate that kind of environment. This seminar was offered to all employees because conflict can happen anywhere. It could be employee with employee or citizen to employee and a solution was needed to deal with this calmly and professionally. Billing has done a great job implementing the skills they learned in the seminar.

Trench training was also performed. The employees learned about soil types, how deep to dig to work on a pipe and how to properly maintain the integrity of the soil to avoid and prevent a cave in. 15 employees from the Maintenance, Electrical and Field Departments participated in this training.

There was Flagger training by DOT. Fox Metro hauls biosolids and sometimes a skid-steer is utilized to clean the road. Staff needs to insure the safety of the skid-steer and they need to know how to flag traffic properly.

Also, a new on-line portal was implemented to help Mr. Rivera and Mr. Nilges coordinate training with employees that work different shifts at the plant. Trustee Sotir inquired where the training material is received from. Mr. Rivera said the platform the training material is being obtained from has approximately 160 different types of training available to the District. He said there is not a set schedule but he and Mr. Nilges conduct different training depending on the season. Trustee Sotir inquired if a record is being kept of which employees have received training and when a new individual begins employment at Fox Metro, does staff know what type of training they need. Mr. Rivera said he and staff have a record of all the classes each employee at the District is taking, has completed as well as what additional training classes they need.

Mr. Rivera said the Safety Committee goals for 2023 are the Lockout Tagout Program Audit. This is to ensure that the equipment is deactivated before any employee works on it to prevent accidents. Staff also looks at



the procedures to check if OSHA has changed their standards regarding Lockout Tagout to stay current. Only properly trained personnel is allowed to perform Lockout Tagout. Inventory is performed of all Lockout Tagout equipment to make sure everything is current and replace any equipment that is damaged.

The Safety Committee assisted the Electrical Department with creating an Electrical Emergency Response Plan. This was developed in response to incidents that occurred in 2021 where a couple of buildings at the plant lost power in the middle of the night. Operations at that time had a very difficult time understanding the procedure of how to start the equipment back up. Mr. Rivera and Electrical Supervisor Kevin Boedewig worked together in creating the Electrical Emergency Response procedures when a building loses power.

The safety goals for 2023 are to provide First Aid/CPR Training to employees and this is conducted every two years. Will also conduct Active Shooter Training (ALICE) by the Kendall County Sheriff's Department. This training was conducted in 2019 but Fox Metro has hired many new employees since then therefore, a new training class is necessary.

Another goal is to update the Workers Compensation procedures. The Human Resources Coordinator retired a few months ago and staff wants to make sure everything is done correctly and find easier ways to do things with regard to Workman's Compensation.

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 the Motion was unanimously carried that the Committee of Local Improvements adjourn and the Regular Board Meeting reconvene.

The regular Board Meeting reconvened at 10:05 A.M.

Attorney Gregg Ingemunson addressed the Board and Requested approval Ordinance 914 and Resolution 1002 for Annexation of Goran Ilijevski and Sharon Hess property located at 7S581 Vaughn Rd., Aurora, IL. It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and the Motion was unanimously carried to approve Ordinance

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914 and Resolution 1002 for Annexation of Goran Ilijevski and Sharon Hess property located at 7S581 Vaughn Rd., Aurora, IL.

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Attorney Ingemunson requested approval of Resolution No. 1003 Agreement between Fox Metro and Ag-Tech for Biosolids. It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and the Motion was unanimously carried to approve Resolution No. 1003 Agreement between Fox Metro and Ag-Tech for Biosolids.

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Attorney Ingemunson requested tentative approval of Ordinance 916 and Resolution 1004 Abby Properties, LLC (Tuscany Station) Annexation Agreement and set Public Hearing for 10:00 A.M., April 19, 2023 at the Board of Trustee's Meeting. It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and the Motion was unanimously carried to tentatively approve Ordinance 916 and Resolution 1004 Abby Properties, LLC (Tuscany Station) Annexation Agreement and set Public Hearing for 10:00 A.M., April 19, 2023 at the Board of Trustee's meeting.

11103

Attorney Ingemunson requested tentative approval of Ordinance 917 and Resolution 1005 ASF TAP IL. II, LLC (Hummel Trails) Annexation Agreement and set a Public Hearing for 10:00 A.M., April 19, 2023 at the Board of Trustee's Meeting. It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and the Motion was unanimously carried to tentatively approve Ordinance 917 and Resolution 1005 ASF TAP IL. II, LLC (Hummel Trails) Annexation Agreement and set a Public Hearing for 10:00 A.M., April 19, 2023 at the Board of Trustee's Meeting.

Attorney Ingemunson discussed the Local Government Efficiency Act. He said researched this and it is his legal opinion that this act does not apply to Fox Metro because Fox Metro does not levy taxes. It would only apply if Fox Metro levied taxes in the future.

Manager Clementi addressed the Board with the Construction Project's Report. She requested Partial Payment No. 17 to Whittaker Construction in the amount of \$319,152.09 for the North Aurora Pumping Station Improvements Project. The project is 85% complete. Pay request reviewed by Strand & Associates.



Manager Clementi requested approval of Partial Payment No. 16 to Williams Brothers Construction in the amount of \$180,573.41 for the Digester Complex Improvements (DCM-4) Project. The project is 76% complete. Pay request reviewed by CDM Smith.

Manger Clementi requested approval of Partial Payment No. 10 to Vissering Construction in the amount of \$175,560.81 for the 111th Street Pump Station Project. The project is 74% complete. Pay Request reviewed by Trotter and Associates.

Manager Clementi requested approval of Partial Payment No. 9 to Williams Brothers Construction, Inc., in the amount of \$28,696.77 for the H3, H4 & H5 Valve Vault Improvements Project. Project is 89% complete. Pay request reviewed by CDM Smith.

Manager Clementi requested approval of Partial Payment No. 2 to Simple Ray Solar, in the amount of \$2,975,340.00 for the Solar Farm Project. Project is 60% complete.

Recently, a kick off meeting was conducted and Simple Ray Solar wants to install the pilings before Winter and anticipating going live by the end of the year.

It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote and the Motion was unanimously carried that the Construction Project Report be approved as published and payments be made as requested.

Manager Clementi addressed the Board with the Manager's Report and requested authorization to seek bids on the collection system properties landscaping and mowing contract to be opened at 10:00 A.M., on April 19, 2023 at the Board of Trustees Meeting. The Board authorized staff to seek bids on the collection system properties landscaping and moving contract. Attorney Ingemunson stated a Motion was not needed because by law the District needs to go out to bid.

Trustee Funkey inquired the status of the seeding project of natural plantings in the different areas of the District discussed a few years ago that would eliminate the need to mow. He also inquired if natural plantings could also be placed in the areas that staff is seeking bids for a

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contract to mow. Manager Clementi said that would depend on the properties. She said some properties at the District do have natural plantings in them but some of the other properties are located in town and there are weed Ordinances that the District needs to adhere to. With regard to some of the other areas, the front of the properties is mowed and the back of the property has natural plantings.

Trustee Funkey said it was his understanding that the natural plantings were going to increase every year and the main plant was going to contain mostly natural planting. Manager Clementi said staff has done a lot natural planting at the plant but has not increased it since COVID. There were also a couple of employees that were in charge of the planting project and they are no longer at the District. Trustees Funkey and Childress said that it might be a good idea to revisit this project and involve the existing employees. Manager Clementi said that this was a good idea but noted that it takes approximately three years for any kind of prairie plantings to get minimally established. Trustee Funkey stated that it would eliminate a lot of expense. Manager Clementi confirmed that it would save expenses but the prairie plantings would still need to be mowed at least once or twice a year. Discussion ensued.

Manager Clementi requested authorization to seek bids on the Oswego Pump Station HVAC Replacement Project to be opened at 10:00 A.M., on April 19, 2023 at the Board of Trustees Meeting. Attorney Ingemunson stated a Motion was not needed because by law the District needs to go out to bid.

Continuing with the Manager's report, Mr. Tim Rubis advised the Board that the annual CSO Public Notification meeting was held jointly with the City of Aurora on February 23, 2023. This meeting is a requirement per Fox Metro's NPDES permit and all documentation has been submitted to the IEPA.

The next item discussed was PFAS testing results and IAWA presentation. Mr. Rubis said he did receive the fourth quarter results and they were similar to third quarter. He should be receiving the first quarter results for this year soon. He will give a more detail presentation once more data is received.



Manager Clementi said she and Trustee Sotir attended the IAWA conference last week and PFAS was a very hot topic. Trustee Sotir said the biggest presentation was from the State of Maine where they reported that since 2019 they have banned septic waste and biosolids disposal in landfills and banned all land application programs. The State of Maine is actually shipping this material to Canada by necessity and because they are shipping this material, they have had a 40% to 60% increase in costs. One part of the presentation showed that in Maine raw sewage was being applied on their fields and this is why they banned the pumpers and the biosolids which are totally different things, one of them is a fertilizer and the other one is raw waste.

Trustee Funkey said the topic of PFAS is in the press a lot lately and the phrase is “Forever Chemicals”. He said that he thinks that the majority of the product Fox Metro receives at the plant comes from industrial customers. If that is the case, should and could Fox Metro refuse to accept that product. Manager Clementi said what staff would like to do is that once the lab situation is resolved, is to test all of Fox Metro’s industrial sources to make sure that no one is sending those materials to us. If we receive a new industry, Fox Metro would require testing right away. Also, if there is an existing industrial source, staff will work with them to reduce or eliminate their PFAS input and staff is actively working as a committee on this.

Trustee Childress inquired what the highest sources of PFAS are. Mr. Rubis said the highest sources are chemicals that repel grease and water like clothing treatments, waterproof clothing, cardboard packaging, fast food packaging, scotch guard, some shampoos, conditioners, deodorants, metal finishers, non-stick cookware and toilet paper.

Trustee Sotir said the problem with this is that there is no solution and unlike phosphorus which is natural and there is an identified solution, PFAS has hundreds of compounds that can be affected. This is a man-made product and currently there is no way of eradicating it and the cost to do it is going to be phenomenal compared to phosphorus because there are so many identifiable compounds that can be addressed. The issue right now is how is Fox Metro going to deal with this, what are the options and this needs to be looked at as a long-term issue. Manager Clementi said another thing that is going to be required is source control. One of the big topics at the IAWA conference was landfill leachate which is



loaded with PFAS and Fox Metro currently does not take leachate, but a lot of facilities do. There may be a time that someone may come and petition the Board for Fox Metro to accept leachate and staff's recommendation is to deny that request. Discussion ensued.

Continuing with the Manager's Report, there was conversation regarding a possible open house for the new O&M Building. Trustee Funkey stated in reviewing the minutes from the last Board Meeting, one thing that stood out to him was the concerns Manager Clementi had regarding the security of the building and plant. At that time, he thought it was a great idea to have an open house but he believes the Board should rethink this and if they still want to have one, it should be a virtual open house. Trustee Funkey stated he believes Manager Clementi made a very good point regarding security with everything that is going on in the world today and he does not believe an open house is necessary. Trustee Sotir said that the open house does not have to be open to the public but open to the employees and Public Works employees of other municipalities. Trustee Sotir said that as long as the people that are attending can be identified, there should be no problem. Trustee Krahn said having attendees RSVP would take care of that issue. Trustee Funkey questioned if it was worth the effort and investment to have an open house because there may not be many people that will be interested in attending. It is a great building and facility especially the fact that the staff has preserved some of the character of the plant and reiterated that an extensive virtual tour would be better. Trustee Sotir said she was thinking of just having an internal open house just for the employees and some other municipal employees. Trustee Childress suggested perhaps just having an employee recognition summer picnic. Manager Clementi said staff has brought in most of the public works groups through when the building was first completed. Trustee Funkey said he is in favor of an employee family picnic. The PR Committee has been discussing an outing at Blackberry Farm. All Trustees agreed that was a better idea.

Manager Clementi said part of the District historic preservation requirements are that pictures need to be sent to the State. Pictures of all preservation will be posted on the website and will also post a virtual plant tour.

Trustee Sotir said with regard to the District's webpage. Staff will be updating the webpage with a new vision.



Fox Metro is planning the One Day Community Clean-up for April 15, 2023. Kiwanis, City of Aurora and Fox Valley Park District and Fox Metro employees will again participate at this annual event.

With no other matters to come before the Board, Manager Clementi requested an Executive Session be held to discuss personnel and related matters.

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It was moved by Trustee Childress, 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 10:29 A.M.

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

Regular Board Meeting reconvened at 11:30 A.M.

No decisions were made in Executive Session.

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

Meeting adjourned at 11:32 A.M.

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