

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
OF FOX METRO WATER RECLAMATION DISTRICT  
HELD WEDNESDAY, NOVEMBER 15, 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 November 15, 2023. Present were Trustee Judith S. Sotir, Trustee Michael Funkey (via video), Trustee Randall H. Brown and Trustee Chuck Nelson. Also present were District Manager Karen Clementi, Regulatory Manager Tim Rubis, Controller Linnea Scherer, Human Resources Coordinator Dan Rivera, Plant Manager Joel Ilseman, Senior Project Engineer James Kerrigan, IT Supervisor Dan Vargas. and Senior Administrative Assistant, Norma Rodriguez. Also present was Mr. Jim Savio from Sikich.

11237

The bills were presented and read. It was moved by Trustee Brown that the bills that have been presented and paid during the month of October 2023 be approved in the amount of \$1,881,393.95. Motion was seconded by Trustee Nelson, put to vote and unanimously carried that the bills be paid as presented.


11238

It was moved by Trustee Brown seconded by Trustee Nelson, put to vote and unanimously carried that the Financial Report for October, 2023 be approved as submitted.

Controller Linnea Scherer addressed the Board with the Controller's Report. She said in the Committee of Local Improvements that the topic will center on the annual Audit. She understands that the audit report can be a little overwhelming and she will be happy to schedule a one-on-one meeting with the Trustees to answer any questions they may have. She said a great starting point to read in the audit report is the Management's Discussion and Analysis as it provides a concise overview of the financial statements including qualitative commentary prepared by the District's Administrative team.

11239

It was moved by Trustee Brown seconded by Trustee Nelson, put to vote, and the Motion was unanimously carried that the minutes of the October



18, 2023 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 asked for a moment of silence for Fox Metro's former Board Attorney Dallas Ingemunson who passed away last week.

Trustee Sotir on behalf of the Board congratulated all of the employees who celebrated birthdays in the month of November.

The Fox Pride Award Recipient for November 2023 is Arla Hutt. Arla joined Fox Metro in 2006 and has advanced her skills over time to her current Engineering Technician I role. In the past couple of years, Arla has become a true leader in her department by training new hires and taking on more responsibility with her supervisor's impending retirement. Recently, Arla went above and beyond by helping a senior citizen who was being taken advantage of by an unethical plumbing contractor. Arla explained in detail the circumstances of the issue and the end result.

Engineering and Field Supervisor Keith Zollers introduced Miroslaw Gusztyn as the Union Representative at today's Board Meeting. Miroslaw has been with the District for 15 years. He began his career at the District as a maintenance electrician and then transitioned to the Field Department in 2008. He does a lot of electrical work at the lift stations and keeps them running. He does not hesitate calling in for assistance from the other electricians at the plant when he encounters bigger issues. Mr. Zollers said Miroslaw is appreciated by the whole department and will be missed when he retires in March 2024.

With no other Public Comments, it was moved by Trustee Brown, seconded by Trustee Nelson, 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 9:41 A.M.

In the Committee of Local Improvements, Manager Clementi introduced Mr. Jim Savio from Sikich who gave a report regarding the fiscal year




2023 audit. The Annual Financial Reports were distributed to the Board and discussed.

Mr. Savio reviewed the highlights of the audit with the Board. He thanked the Fox Metro staff for their professionalism and preparedness. He said the audit went very well this year and explained in detail the specifics of the Annual Financial Reports and Audit.

Mr. Savio explained some of the new government auditing standards going into effect the next four years were adopted. The format and content have been changed of the Independent Auditor's Report. He noted that the Audit contained a clean opinion and that means that the financials were presented fairly in all aspects and the auditors did not have concerns regarding the District's audit. No material weaknesses were found, no significant deficiencies and there were no instances of non-compliance. Operating expenses and revenues were consistent with other years. Mr. Savio reviewed the IMRF's Status and the net pension asset of \$7.1M flipped to a net pension liability of \$5.5M due to poor investment returns that everyone experienced in calendar year 2022. Even though it was a bad investment year, the IMRF pension is still 90% funded as of December 2022. This year has been a good year and an increase is expected. Capital assets values were pretty consistent with prior years. There was a lot of construction activity which caused construction in progress increase.

Net position increased approximately \$19M. Net Investment in Capital Assets increased primarily due to paying down the IEPA loans. Operating expenses are consistent with prior years as well as non-operating revenues and expenses. Mr. Savio reviewed the statements of cash flows in detail and stated they were pretty consistent with prior years. Mr. Savio stated his firm issued an unmodified opinion which is the highest level of assurance that can be provided to the District. Mr. Savio addressed all of the Board's questions and answered them in detail.

With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Brown, seconded by Trustee Nelson, 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 10:00 A.M.

11242

At 10:00 A.M. Manager Clementi opened and read aloud bids received for the 2023 Solar Property Fencing Project as follows: Classic Fence, Inc., – Total Bid \$101,157.00; Proline Fence – Total Bid \$88,286.00; The Engineer’s Estimate for this project is \$136,000.00. After discussion, it was moved by Trustee Brown, seconded by Trustee Nelson, put to vote and unanimously carried to accept the bid from Proline Fence, for \$88,286.00 and hold the bid from Classic Fence, Inc., for \$101,157.00 pending specification review and approval by Fox Metro Water Reclamation District and Engineering Staff.

11243


At 10:10 A.M. Manager Clementi opened and read aloud bids received for the 2023 Floor Rehabilitation Project as follows: Tiles In Style, LLC/dba TAZA Construction – Total Bid \$412,534.00; Lecuyer Painting – Total Bid \$150,000.00. After discussion, it was moved by Trustee Brown, seconded by Trustee Nelson, put to vote and unanimously carried to accept the bid from Lecuyer Painting for \$150,000.00 and hold the bid from Tiles In Style, LLC/dba TAZA Construction for \$412,534.00 pending specification review and approval by Fox Metro Water Reclamation District and Engineering Staff.

11244

In the Attorney’s Report Manager Clementi addressed the Board and presented for approval Ordinance No. 925 and Resolution No. 1013 for the Annexation of Sonoma Trails Subdivision. It was moved by Trustee Brown, seconded by Trustee Nelson, put to vote and unanimously carried to approve Ordinance No. 925 and Resolution No. 1013 Annexing Sonoma Trails Subdivision.

Senior Project Engineer James Kerrigan addressed the Board with the Construction Project Report. He requested approval of Partial Payment No. 24 to Williams Brothers Construction in the amount of \$602,845.29 for the Digester Complex Improvements (DCM-4) Project. The project is 99% complete. Pay request was reviewed by CDM Smith. The contractor has reached substantial completion and staff is operating the facility. Final site punch list and clean-up is now underway.

Mr. Kerrigan requested Partial Payment No. 25 to Whittaker Construction in the amount of \$336,956.64 for the North Aurora Pumping Station Improvements Project. The project is 97% complete.



Pay request was reviewed by Strand & Associates. The contractor has reached substantial completion and staff is operating the facility as intended. Decommissioning of the existing pump station facility is underway, as is final site punch list and cleanup.


Mr. Kerrigan reported that the 111<sup>th</sup> St. Pump Station project with Whittaker Construction & Excavating is 95% complete and there is no pay application submitted for this project this month. The contractor continues to wait for final permitting of the facility. No work has taken place on site this month. Staff and Strand have been working with the developer and ComEd to deliver the final buildout of 480V power to the facility.

Mr. Kerrigan requested Partial Payment No. 12 to Williams Brothers in the amount of \$29,129.58 for the H3, H4, H5 Valve Vault Improvements Project. The project is 95% complete and pay request was approved by CDM Smith. The contractor has completed all of the damaged valve replacement work, and is completing the remaining work to install the cover and pipe supports. Remaining work includes site cleanup, and final electrical testing of the new valves.

Mr. Kerrigan requested Partial Payment No. 4 to New Castle Electric in the amount of \$45,210.00 for the Orchard Road Pump Station Generator Replacement Project. The project is 33% complete. Pay request was reviewed by Trotter and Associates. The generator equipment is continuing to be manufactured. The contractor has completed the generator pad installation and is finishing up electrical equipment inside the facility. Work will now be on hold until the generator is delivered in late spring of 2024.

The Oswego Pumping Station HVAC Replacement Project with Anchor Mechanical Services, Inc., is 0% complete and no payment application was submitted for this project this month. Equipment is currently being manufactured. No work has taken place on site this month.

DCM 3 – Heat Exchanger Replacement with Anchor Mechanical, Inc., is 0% complete and no payment has been submitted for payment this month. The first heat exchanger has been installed and is operational. The second heat exchanger unit is schedule for installation on 11/19/23.



Solar Farm #2 with SimpleRay/Round Trip Energy, is 20% complete and \$3,471,230.00 has been paid to date. All equipment and supplies have been ordered. Contractor is expecting long lead times for racking and the large electrical equipment. All of the regulatory permits have been obtained, except for the Village of Montgomery building permit. The contractor is preparing to mobilize to the former Western Electric property site to begin tree clearing activities prior to the solar panel installation.

Mr. Kerrigan also presented several current planning and design projects under consideration by staff. Discussion about these projects ensued.

11245

It was moved by Trustee Brown, seconded by Trustee Nelson, 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. She discussed the installation of a new water main at the North Aurora Pumping Station to serve the new pumping station and the old pump station building that will be transferred to the Fox Valley Park District. Mr. Kerrigan said that per IEPA requirements, the existing water service cannot be used by both buildings, therefore a new water main is required. Manager Clementi said staff approached the contractor who is still on site and got a bid to just do it as a change order because the project is under budget. However, staff believes that this contractor's price was too high. She discussed the scope of work needed for this project with staff and they all decided that it would be a better idea to separate the installation out of the contract and go out to bid. Discussion ensued.

11246

Manager Clementi requested authorization to seek bids for the new North Aurora Pump Station Water Main Installation to be opened December 13, 2023 at 10:00 A.M., at the Board of Trustees Meeting. It was moved by Trustee Brown, seconded by Trustee Nelson, put to vote and unanimously carried and authorized to seek bids for the new North






Aurora Pump Station Water Main Installation to be opened December 13, 2023 at 10:00 A.M., at the Board of Trustees Meeting.

Next in the Manager's Report Mr. Tim Rubis gave the Board an update regarding PFAS. Mr. Rubis said staff finished sampling all of the industries in the pretreatment program in October, and staff is still waiting on some of the results from the outside lab. Staff did find two industries that will need to be tested further. One industry has a very high concentration of PFAS and the other one is also high but it is due to the flow. Staff needs to retest several more times to see if it is a one-time occurrence or if its an ongoing issue. Trustee Sotir inquired if staff found a large amount of PFAS in these industries, what would be the procedure? Mr. Rubis said staff can work with the industry to figure out if they can substitute any products they are using or eliminate them. They could also change the way they clean their equipment and take more precautions for accidental discharges. It would be more of best management practice because we do not believe that these are industries producing PFAS, he believes its coming from the products that they are using on premises.

Trustee Nelson inquired if the samples that were collected were grabbed samples or composites? Mr. Rubis said they were grab samples. Trustee Nelson inquired if the IEPA will be making suggestions in terms of best practices of how to handle situations with high concentrations of PFAS. Manager Clementi said she assumes they will as this topic continues to unfold. Trustee Funkey wanted to confirm if in the meantime Fox Metro would require the customer to eliminate the PFAS before they send their waste to the Plant. Manager Clementi said that an Ordinance does not currently exist that requires elimination and Fox Metro does not have any kind of mechanism in place currently to do that. Right now, staff is trying to figure out the source loading and then work collaboratively with those industries because currently no regulation exists that says that they cannot discharge. It would also be very difficult to eliminate PFAS without any kind of treatment because treatment does not exist at this time. Trustee Funkey said Fox Metro is going to have to put the burden on the customer to remove it just like grease. Manager Clementi said this




is not possible because there is no technology to treat PFAS at this time. Once there is technology in place Fox Metro will look to the IEPA for guidance. Trustee Sotir said there has not been any legislation of any kind that can guide the District. At this time all that staff can do is compile data and when the permits come out with standards and have some guidelines as to what needs to be done, that's when staff will work with the industries. Trustee Funkey said he does not want to put the District in a position where it has to spend a lot of money to remove PFAS and he would prefer that Fox Metro be ahead of the curve. Since the EPA has not established any best practices, he believes that the burden be put on the customer to remove the PFAS before they send to the Plant. He said he believes Fox Metro should be the first to adopt an Ordinance. Discussion ensued.

Manager Clementi said Results are being tracked and summarized in a spreadsheet for reference, which will help to satisfy the new potential NPDES permit language that will require Fox Metro to develop a PFAS reduction program. This reduction program would include (1) inventory of facilities discharging to the sewer system that have the potential of containing PFAS, and (2) Best Management Practices requirements for dischargers if need be.

Trustee Nelson said he agrees with the consensus to wait for the IEPA to give the District direction. Michigan been working with the EPA have been doing some experimental cutting age testing. He asked if there was anything Fox Metro can do to get a head start on this by researching what Michigan is doing. Manager Clementi stated staff has already been collecting data. Trustee Sotir stated that one of the issues with PFAS is that there are thousands of iterations of how this chemical is made and how it can be disposed of properly. The best thing Fox Metro can do is exactly what staff has been doing, which is keep collecting data and be prepared when the IEPA sets their standards because there is no solution to this problem at this time. Manager Clementi said all the IEPA is currently asking Fox Metro to do is to monitor the PFAS levels, and that will be in our permit to develop a baseline which is something staff is already doing. Discussion ensued.





The next item discussed is health insurance and Manager Clementi gave a renewal summary. She said the insurance committee met with Stumm Insurance on Thursday, October 19, 2023. Stumm negotiated an additional 1% discount by bundling the dental plan and medical insurance plan together. This new Blue Cross Blue Shield PPO dental plan will start January 1, 2024 with 1,000 more local dentists in-network. The new dental plan will increase the annual maximum coverage amount per person per year by bundling medical and dental insurance with Blue Cross and Blue Shield renewal.

11247

Manager Clementi addressed the Board and requested the Board approve the Holiday Schedule and Board Meeting Dates for 2024. It was moved by Trustee Brown seconded by Trustee Nelson, put to vote and unanimously carried that the Holiday Schedule and Board Meeting dates for 2024 be approved as submitted.


At this time Trustee Sotir requested an Executive Session to discuss personnel and related matters.

11248

It was moved by Trustee Brown seconded by Trustee Nelson, 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 to discuss personnel, and related matters.

In New Business Trustee Sotir discussed the District's Website. She advised the Board a website committee was created and is currently working on creating a new District website. This is an on-line committee and all the committee members have a basecamp that they can access to communicate. They had a preliminary meeting a week ago to discuss the kind of things they would like to see and how they want the website to look and changes they want. They are working on giving more information and having less clutter on the website.

Trustee Brown stated that he was in one of his neighborhood meetings and the East Aurora Board President was there and they have a Find a Job Wednesdays where they bring trades people in and talk to the students about their job. In 2025 they are going to have a high-tech trade jobs building on Indian Trail. Annette Johnson is the president if Fox Metro staff would like to reach out and get information to be part of this.



Trustee Nelson gave a PR Committee Update. There was a prescription drug take back event and collected 68 pounds of medication from nine locations that participated in this event. Committee is currently working on website. Fox Metro will participate in the Oswego Christmas Walk on December 1, 2023 and will participate in West Aurora College Career and Wellness Day on January 16, 2024. Tim Medlin who retired from Fox Metro will be ringing the Salvation Army bell the Saturday before Christmas. Staff is also working on a Fox Metro video. Manager Clementi said the website will take priority but staff does have quotes to make the video. Trustee Sotir said eventually what will happen is that video will be uploaded to the website.

The Regular Board Meeting temporarily adjourned for Executive Session at 10:45 A.M.

11249

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

Regular Board Meeting reconvened at 11:40 A.M.

No decisions were made in Executive Session.

11250

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

Meeting adjourned at 11:41 A.M.

R-582