

Minutes of the regular meeting of the Board of Trustees of the Fox River Water Reclamation District held on Wednesday, December 14, 2022 at the Administration Building at 1957 North LaFox, South Elgin, Illinois. Present were President Benjamin Bernal, Vice President Martin McCormack, Clerk/Treasurer Gary Hyman, and Trustee Steve Rauschenberger. Trustee Beth Penesis was in attendance via zoom.

Staff present included Executive Director Bob Trueblood, Executive Director Eric Johnson, Technical Services Director Beth Vogt, Assistant Clerk Kim Narvaiz and Attorney Michael Airdo.

President Bernal called the meeting to order at 5:36 P.M.

President Bernal read aloud a statement allowing Trustee Penesis to participate in the Board of Trustees meeting via Zoom. There were no objections by any board members. Attorney Airdo informed President Bernal that all votes must be taken by roll call.

### **APPROVAL OF THE NOVEMBER 16, 2022 BOARD OF TRUSTEES MINUTES**

Trustee McCormack made the motion, seconded by Trustee Rauschenberger, to approve the minutes of the November 16, 2022 Board of Trustees as written. There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees Bernal: Aye, Rauschenberger: Aye, McCormack: Aye, Hyman: Aye, Penesis: Aye.

President Bernal requested a motion to be made to table Agenda items 2-5 and 11.1 as listed below until the January 18, 2023 Board of Trustees meeting.

2. Motion to Approve the Minutes of the November 9, 2022 Special Meeting of the Board of Trustees
3. Motion to Approve the Executive Session Minutes of the November 9, 2022 Special Meeting of the Board of Trustees
4. Motion to Approve the Minutes of the November 14, 2022 Special Meeting of the Board of Trustees
5. Motion to Approve the Executive Session Minutes of the November 14, 2022 Special Meeting of the Board of Trustees
- 11.1 BAR – Motion to Approve Release of Executive (Closed) Session Minutes

Trustee McCormack made the motion, seconded by Trustee Hyman, to table Agenda items 2-5 and 11.1 until the January 18, 2023 Board of Trustees meeting. Trustee Rauschenberger asked what the reasoning was. President Bernal explained that due to technical difficulties with the tape recorder the meetings were recorded using his phone and have not been reviewed yet to complete minutes. President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees Bernal: Aye, Rauschenberger: Aye, McCormack: Aye, Hyman: Aye, Penesis: Aye.

### **PUBLIC COMMENT**

Pam Blair, resident of South Elgin, indicated she had a few questions with the first one being: Who the Board reports to. President Bernal responded that they report to the people of District such as residents like herself. Ms. Blair asked if Trustees have any obligation to report to the appointing senators or legislators. President Bernal responded that there is nothing official that needs to be reported but that they are in constant contact with them. Ms. Blair said her last question is have consumers or people within the District ever asked for clarification or made objections to decisions made by the board. President Bernal responded yes.

### **APPROVAL OF CASH DISBURSEMENTS**

Executive Director Trueblood read aloud the cash disbursement totals per fund. Disbursements are Sewer Revenue Fund \$1,768,614.92, Capital Improvement Fund \$591,439.04, Depreciation & Replacement Fund \$279,350.21, and Corporate Fund \$725,150.01.

Trustee McCormack made a motion, seconded by Trustee Rauschenberger, to approve the Cash Disbursements as presented. There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees Bernal: Aye, Rauschenberger: Aye, McCormack: Aye, Hyman: Aye, Penesis: Aye.

### **REVIEW OF CONNECTION PERMITS**

There was one Industrial permit, and one Institutional permit issued in between meetings. Approximately \$169,650 was collected in service fees. Trustee McCormack made a motion, seconded by Trustee Rauschenberger, to approve the Connection Permits as issued.

There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees Bernal: Aye, Rauschenberger: Aye, McCormack: Aye, Hyman: Aye, Penesis: Aye.

### **REVIEW OF CONTRACTS AND PURCHASE ORDERS**

Executive Director Trueblood reported that there were three purchase orders over \$10,000 issued between Board meetings as follows:

- Open Systems in the amount of \$15,120 for the Traverse software FY 2023 - Year 2 renewal.
- Polydyne, Inc. in the amount of \$18,975 for a standard order of Polymer. ED Trueblood commented that with inflation prices of supplies and chemical have seen a steep increase. Currently staff is buying less than a normal amount of Polymer to keep the Purchase Order under the \$20,000 threshold before it needs prior Board approval. It would be beneficial for Board members to review that policy and increase the Executive Directors purchasing threshold. Attorney Airdo informed President Bernal that they could increase the threshold to \$30,000 before needing prior Board approval.

- Atlas Copco Compressors LLC in the amount of \$21,15.60 for year 2 of the TR Maintenance Plan, which was previously approved by the Board.

### **FOIA REQUESTS**

There was one FOIA between meetings from Cynthia Sanchez at Metropolitan Water Reclamation District of Greater Chicago requesting a service area map of the sewers FRWRD maintains. Staff provided the requestor with a service area map in addition to a brief description of FRWRD owned and operated sewers.

### **OLD BUSINESS**

#### **MOTION TO APPROVE RELEASE OF EXECUTIVE (CLOSED) SESSION MINUTES**

This item was included in an earlier motion to table.

### **NEW BUSINESS**

#### **MOTION TO APPROVE RESOLUTION 515 AUTHORIZING ERIC JOHNSON AS SIGNER FOR THE FOX RIVER WATER RECLAMATION DISTRICT**

Trustee Hyman made a motion, seconded by Trustee McCormack, to authorize Eric Johnson as signer for the Fox River Water Reclamation District.

There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees Bernal: Aye, Rauschenberger: Aye, McCormack: Aye, Hyman: Aye, Penesis: Aye.

#### **MOTION TO APPROVE FOX RIVER STUDY GROUP APPOINTMENT**

Trustee McCormack made a motion, seconded by Trustee Hyman, to appoint Eric Johnson to serve on the Fox River Study Group Board of Directors for calendar year 2023 as the FRWRD representative. Trustee Penesis asked is TSD Vogt will still serve as well. Executive Director Trueblood responded that there is only 1 appointed position per organization, but Beth can still attend the meetings.

There was no further discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees Bernal: Aye, Rauschenberger: Aye, McCormack: Aye, Hyman: Aye, Penesis: Aye.

**MOTION TO APPROVE AWARD THE ADP WRF AND NORTH HVAC PROJECT TO INDEPENDENT MECHANICAL INDUSTRIES INC. FOR \$2,230,000**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to authorize the Executive Director to issue a Notice of Award for the ADP WRF and North HVAC Project to Independent Mechanical Industries Inc. for \$2,230,000. Trustee Rauschenberger commented that this amount is over the engineers estimate. TSD Vogt responded yes, however, both bids were very close indicating good competitive bidding representative of current bid pricing for the work.

There was no further discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees Bernal: Aye, Rauschenberger: Aye, McCormack: Aye, Hyman: Aye, Penesis: Aye.

**MOTION TO AWARD THE BOWES ROAD INTERCEPTING SEWER NO. 1 CLEANING AND TELEVISIONING PROJECT TO NATIONAL POWER RODDING CORPORATION FOR \$119,200**

Trustee Hyman made a motion, seconded by Trustee McCormack, to award the Bowes Road Intercepting Sewer No. 1 Cleaning and Televisioning Project to National Power Rodding Corporation for \$119,200 and authorize the Executive Director to execute the associated agreement with National Power Rodding Corporation.

There was no further discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees Bernal: Aye, Rauschenberger: Aye, McCormack: Aye, Hyman: Aye, Penesis: Aye.

**TECHNICAL SERVICES REPORT**

Technical Services Director Vogt informed the Board of good news that on December 7<sup>th</sup>, FRWRD received a letter from USEPA terminating the AOC entered on August 4, 2021 between FRWRD and USEPA regarding required modifications to the FRWRD pretreatment program and permits. TSD Vogt commented that this was all thanks to the very hard work of Pretreatment and Permitting Coordinator, Mike Dacka.

Technical Services Director Vogt also gave an update on the latest USEPA PFAS Memorandum which in general terms, tells states to start including PFAS-related requirements in NPDES permits, including both monitoring requirements and potential pretreatment control requirements. Trustee Rauschenberger asked who is part of the PFAS group. TSD Vogt responded that it is a National group with the Illinois contingent organized by Barnes and Thornburg and IAWA.

Lastly, Technical Services Director Vogt commented that The Illinois Attorney General has issued subpoenas to IUs in the FRWRD pretreatment program requesting documents related to PFAS containing products purchased by the company. The requested information is to include all information provided to the company by the manufacturers such as sales brochures, product information, PFAS health and environmental information, and any labels, warnings, or safety data sheets. TSD Vogt

commented that it is the assumption that the state is just trying to gather as much information as possible regarding the use of products containing PFAS.

### **STAFF REPORT OF ONGOING STUDY, DESIGN AND CONSTRUCTION PROJECTS**

Technical Services Director Vogt provided a written update on all projects. Highlights include the following:

- The ADP and North WRF HVAC Improvements project will need an amendment to the engineering agreement for construction related services. FRWRD staff will do the daily onsite construction management.
- Regarding the ADP WRD Belt Filter Press Rehabilitation Project, the new equipment is in production. Based on the manufacturing times, work on the first belt filter press is estimated for March 2023. The other two presses will be completed after the start of the next fiscal year and will need to be budgeted for.
- Phases 3 & 4 of the Sludge Transfer Forcemain are now complete. Staff will wait until after the holidays to implement normal utilization of the pipe as this time of year there are a lot of employees off of work.

### **EXECUTIVE DIRECTOR TRUEBLOOD'S REPORT**

Executive Director Trueblood provided a written report to the Board of Trustees including:

- The December Employee Committee meeting went well with members of the committee meeting Eric Johnson.
- The Safety Committee and HR Manager Butts completed the update to the Districts Safety Manual.
- September and October Financial Statements were given to the Board to review. Overall, after being 50% through the fiscal year, 59% of the budget remains.
- NACWA conference is coming up in February, Board members should let staff know if they plan to attend.
- Lastly, ED Trueblood thanked the Board members for everything over the past 16 ½ years.

### **BOARD PRESIDENT'S REPORT**

As this is Bob's last Board meeting as Executive Director, each Board member took a minute to thank Bob and share a memory that has impacted them as a trustee. President Bernal then presented Bob with a clock in recognition of exceptional service at the District.

### **RECESS**

Trustee McCormack made a motion, seconded by Trustee Hyman, to recess the meeting and enter into Executive Session at 6:27 P.M. President Bernal called for a Roll Call vote. Assistant

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Clerk Narvaiz called Roll: Trustees Bernal: Aye, Rauschenberger: Aye, McCormack: Aye, Hyman: Aye, Penesis: Aye.

**RECONVENE**

President Bernal announced the Executive Session had concluded and called the regular Board of Trustees Meeting back to order at 6:58 P.M.

**ADJOURN**

As there was no additional business, Trustee McCormack made a motion, seconded by Trustee Hyman, to adjourn the December 14, 2022 meeting at 6:58 P.M. The next regular meeting is scheduled for 5:30 P.M. Wednesday, January 18, 2022. President Bernal called for a vote, Ayes, Trustees Bernal, McCormack, Hyman, Rauschenberger and Penesis. Nays, none.

Respectfully Submitted

Kim Narvaiz, Assistant Clerk

APPROVED:

President

Clerk/Treasurer