

Minutes of the regular meeting of the Board of Trustees of the Fox River Water Reclamation District held on Wednesday, January 18, 2023 at the Administration Building at 1957 North LaFox, South Elgin, Illinois. Present were President Benjamin Bernal, Vice President Martin McCormack, Clerk/Treasurer Gary Hyman. Trustee Steve Rauschenberger was in attendance via zoom.

Staff present included Executive Director Eric Johnson, Technical Services Director Beth Vogt, Assistant Clerk Kim Narvaiz and Attorney Mark Kimzey.

President Bernal called the meeting to order at 5:43 P.M.

President Bernal read aloud a statement allowing Trustee Rauschenberger to participate in the Board of Trustees meeting via Zoom. There were no objections by any board members.

APPROVAL OF THE DECEMBER 14, 2022 BOARD OF TRUSTEES MINUTES

Trustee Hyman made the motion, seconded by Trustee Rauschenberger, to approve the minutes of the December 14, 2022 Board of Trustees as written. There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

APPROVAL OF THE NOVEMBER 9, 2022 SPECIAL MEETING OF THE BOARD OF TRUSTEES MINUTES

Trustee McCormack made the motion, seconded by Trustee Rauschenberger, to approve the minutes of the November 9, 2022 Special Meeting of the Board of Trustees as written. There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

APPROVAL OF THE NOVEMBER 9, 2022 EXECUTIVE SESSION SPECIAL MEETING OF THE BOARD OF TRUSTEES MINUTES

Trustee McCormack made the motion, seconded by Trustee Rauschenberger, to approve the minutes of the November 9, 2022 Executive Session Special Meeting of the Board of Trustees as written. There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

**APPROVAL OF THE NOVEMBER 10, 2022 EXECUTIVE SESSION SPECIAL MEETING
OF THE BOARD OF TRUSTEES MINUTES**

Trustee McCormack made the motion, seconded by Trustee Hyman, to approve the minutes of the November 10, 2022 Executive Session Special Meeting of the Board of Trustees as written. There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

**APPROVAL OF THE NOVEMBER 14, 2022 SPECIAL MEETING OF THE BOARD OF
TRUSTEES MINUTES**

Trustee McCormack made the motion, seconded by Trustee Hyman, to approve the minutes of the November 14, 2022 Special Meeting of the Board of Trustees as written. There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

**APPROVAL OF THE NOVEMBER 14, 2022 EXECUTIVE SESSION SPECIAL MEETING
OF THE BOARD OF TRUSTEES MINUTES**

Trustee McCormack made the motion, seconded by Trustee Hyman, to approve the minutes of the November 14, 2022 Board of Trustees as written. There was no discussion; President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

PUBLIC COMMENT

None

APPROVAL OF CASH DISBURSEMENTS

Executive Director Johnson read aloud the cash disbursement totals per fund. Disbursements are Sewer Revenue Fund \$1,458,808.17, Capital Improvement Fund \$286,582.05, and Depreciation & Replacement Fund \$179,269.37.

Trustee McCormack made a motion, seconded by Trustee Hyman, to approve the Cash Disbursements as presented. Trustee Rauschenberger asked why the Executive Director was requesting reimbursement for a conference that had not taken place yet, typically these expenses are reimbursed after the fact as flights, reservations, etcetera can change. Executive Director Johnson commented that there have been some issues transferring over the company credit card into his name so these expenses were paid out of pocket instead of using the company card. Trustee Bernal asked how many District credit cards are there. Technical Services Director Vogt responded both herself and Executive Director Johnson have a District card. There was no further discussion;

President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

REVIEW OF CONNECTION PERMITS

There were three Commercial and two Single Family permits issued in between meetings. Approximately \$1,400 was collected in service fees. Trustee McCormack made a motion, seconded by Trustee Hyman, 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 McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

REVIEW OF CONTRACTS AND PURCHASE ORDERS

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

- JWC in the amount of \$11,661.89 for the purchase of a new grinder for Building 12.
- JWC in the amount of \$14,342 for the purchase of recirculation pump # 3 grinder upgrade for Building 19.
- Strand Associates in the amount of \$25,900 for the Digester Gas Reuse Study, previously approved by the Board of Trustees.
- Revere Electric Supply in the amount of \$12,987.59 for Taly Park VFD pump 1 replacement.

No purchase orders require approval at this time.

FOIA REQUESTS

There was one FOIA between meetings from LeeAnn Tomas-Foster requesting a copy of the 2023 Budget. Staff provided a copy of the Fiscal Year 2023 Budget Ordinance 943.

OLD BUSINESS

MOTION TO APPROVE RELEASE OF EXECUTIVE (CLOSED) SESSION MINUTES

Trustee McCormack made a motion, seconded by Trustee Hyman, to approve release of Executive Session minutes. There was no discussion. President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

NEW BUSINESS

**MOTION TO APPROVE RESOLUTION 516 AMENDING RESOLUTION 511
INVESTMENT AND BANKING MATTERS**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to approve Resolution 516 amending District Resolution 511 Authorizing Certain Investment and Banking Matters for the Fox River Water Reclamation District regarding depository institutions.

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

**MOTION TO ACCEPT HEALTHEQUITY PROPOSAL TO ADMINISTER EMPLOYEE
FLEXIBLE SPENDING ACCOUNT PROGRAM**

Trustee McCormack made a motion, seconded by Trustee Hyman, to accept HealthEquity's proposal to provide Flexible Spending Account administration. Trustee Rauschenberger asked if this was a new benefit. Executive Director Johnson responded yes, it is a new benefit that benefits both the employee and the employer as well. The FSA account is 100% funded by the employee but the employer has a benefit of saving on payroll taxes. Trustee Rauschenberger commented that he thinks it is great benefit to bring to the District, but he would ask that items like this get proposed to the board with more time for review and discussion. He indicated typically such an item would be brought to the board for discussion at a meeting and for action at a later meeting. That allows the Trustees opportunities to ask questions prior to having to vote.

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

**MOTION TO APPROVE ANNEXATION ORDINANCE 949 FOR BLUESTONE NET
LEASE PROPERTIES**

Trustee McCormack made a motion, seconded by Trustee Hyman, to adopt Ordinance No. 949 for annexation of 4.22 acres by Bluestone Net Lease Properties, LLC.

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

**MOTION TO APPROVE THE ADP WRF AND NORTH HVAC IMPROVEMENTS
PROJECT CONSTRUCTION SERVICES AMENDMENT NO. 1 TO STRAND
ASSOCIATES FOR \$111,600**

Trustee McCormack made a motion, seconded by Trustee Hyman, to authorize Executive Director Johnson to sign Amendment No. 1 to the ADP and North WRFs HVAC Improvements Project with Strand Associates for \$111,600.

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

**MOTION TO APPROVE PURCHASE ORDER TO LAI, LTD. FOR \$17,847.43 FOR
PURIFY DRIVE PUMP STATION PUMP NO. 1 REBUILD**

Trustee Hyman made a motion, seconded by Trustee McCormack, to authorize Executive Director Johnson to sign a purchase order to LAI, Ltd. for \$17,847.43 for Purify Drive Pump Station Pump No. 1 Rebuild as a sole source purchase.

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

**MOTION TO APPROVE PURCHASE ORDER TO LAKESIDE EQUIPMENT FOR \$39,876
FOR ADP WRF SECONDARY CLARIFIER NO. 5 SKIRT REPAIR MATERIALS**

Trustee McCormack made a motion, seconded by Trustee Hyman, to authorize Executive Director Johnson to sign a purchase order to Lakeside Equipment for \$39,876 for ADP WRF Secondary Clarifier No. 5 Skirt Repair Materials as a sole source purchase.

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

**MOTION TO APPROVE PURCHASE ORDER TO MORROW BROTHERS FOR \$157,825
FOR REPLACEMENT VEHICLE PURCHASES**

Trustee McCormack made a motion, seconded by Trustee Hyman, to authorize Executive Director Johnson to sign a purchase order to Morrow Brothers for \$157,825 for Replacement Vehicle Purchases. Trustee Rauschenberger asked that this purchase is replacing three vehicles and what the miles were for those vehicles. Technical Services Director Vogt responded yes these are all replacement vehicles. The District vehicles don't typically have high mileage because it is mostly all local driving, but they are all over 10 years old.

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

**MOTION TO APPROVE ENGINEERING AGREEMENT FOR PUMP STATION 31
FORCEMAIN INSPECTIONS WITH RJN GROUP FOR \$90,210**

Trustee Hyman made a motion, seconded by Trustee McCormack, to authorize Executive Director Johnson to sign the Engineering Agreement for Pump Station 31 Forcemain Inspections with RJN Group for \$90,210. Trustee Bernal asked where this forcemain is located. Technical Services Director commented that the forcemains start at new Pump Station 31 on Lower Wellington routing south along the Fox River to the ADP WRF. This inspection will allow Staff to assess the condition of the old forcemain and identify any potential obstructions in the new forcemain without shutting them down.

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

**MOTION TO APPROVE TWO YEAR UNIFORM RENTAL AGREEMENT WITH
CINTAS**

Trustee McCormack made a motion, seconded by Trustee Hyman, to authorize Executive Director Johnson to sign the two-year uniform rental agreement with Cintas subject to final agreement on contract terms.

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

**MOTION TO APPROVE EXECUTIVE ASSISTANT TO THE EXECUTIVE DIRECTOR
AND ASSISTANT CLERK POSITION**

Trustee McCormack made a motion, seconded by Trustee Hyman, to approve the Executive Assistant to the Executive Director and Assistant Clerk Job Description. Trustee Hyman asked where did Executive Director Johnson come up with this position. Trustee Rauschenberger commented that he is uncomfortable creating new positions at the first board meeting after the Executive Director took over the position. Executive Director Johnson responded with more mandates regarding OMA and FOIAs he is looking to consolidate duties to eliminate the responsibilities from other staff members. ED Johnson continued he is also wanting to have a backup person in place with Assistant Clerk Narvaiz's upcoming FMLA maternity leave. Trustee Hyman asked who filled in when maternity leave was taken before. Technical Services Director Vogt responded that she completed required billing tasks for a period and PorteBrown had a person onsite for a couple of day before board meetings to process payables. Trustee Hyman asked what the District's Maternity policy is and how long is Assistant Clerk Narvaiz expected to be out for. Assistant Clerk Narvaiz responded that the District has no maternity policy and her last pregnancy she was out for 6 weeks and missed one Board meeting. The trustees were surprised to hear that the District has no maternity policy.

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

MOTION TO APPROVE AN AUDITING AGREEMENT WITH LAUTERBACH & AMEN, LLP FOR OPEB FOR THE FISCAL YEARS ENDING 2023-2026

Trustee McCormack made a motion, seconded by Trustee Hyman, to approve auditing agreement with Lauterbach & Amen, LLP for the fiscal years ending 2023-2026. Trustee Bernal questioned that this is for a four year agreement. Executive Director Johnson responded yes, this is just for the OPEB which needs to be completed prior to the District annual audit.

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

TECHNICAL SERVICES REPORT

Technical Services Director Vogt informed the Board that a smaller group from the IAWA PFAS group had a meeting with IEPA regarding the guidance USEPA had sent out to the states on PFAS monitoring. A summary of relevant notes from that discussion was provided in the packet. A full IAWA PFAS group meeting is planned to occur within the next two weeks. Trustee Hyman asked if this is information we should put on our website. Technical Services Director Vogt responded, potentially in the future, but not right now because there is no approved limit or method for testing.

Also, Centrisys requested data from FRWRD staff and asked if they could share the success of operating our new facilities in their latest new E-letter. FRWRD has one of only five operating facilities in the US to date of this system.

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 WRD Phosphorus Removal project is complete. There is about \$85,000 of budget remaining on the project for process optimization assistance. Staff will be requesting, by \$0 amendment to the contract, to use some of that budget for training on the Power BI software used by Black & Veatch for District staff.

EXECUTIVE DIRECTOR JOHNSON'S REPORT

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

- Executive Director Johnson reported that he spent a lot of time during his first month meeting with members of the community.
- The employee committee met this month to share concerns with HR and myself. One of the biggest issues of concern among employees was the effects of inflation and if the District had any existing plans to make adjustments to wages.
- The annual NPDES fiscal report to the Illinois Environmental Protection Agency was completed and filed.
- Lab Manager Jack Russell has announced he is planning to retire this spring. Staff is looking to post and fill his position as soon as possible.
- All Board members should look out for an e-mail tomorrow regarding the annual mandatory anti-sexual harassment training that needs to be completed.
- Lastly, Executive Director Johnson commented that he met with PorteBrown, along with Technical Services Director Vogt and Accountant Narvaiz last week. PorteBrown is requesting additional fees for the accountant transition from Oracle to Traverse. They admitted that a lot of the work was within the scope of the project and are not requesting payment for that additional cost. However, significant time was spent manipulating the data that was extracted from Oracle into useful information to upload into Traverse. Trustee Hyman asked how we will prevent this in the future. Technical Services Director Vogt responded staff is not planning to implement another ERP accounting software change anytime soon. Executive Director Johnson commented that he did ask Pauline from PorteBrown to attend the next Board meeting to give a financial update and if Board members had more questions regarding the additional fees they could ask then. They are requesting \$25,000 for the overages.
- Executive Director Johnson noted that the November financial statements were included in the board packet.

BOARD PRESIDENT'S REPORT

President Bernal commented that he would like the Board to explore the idea of committees again. Trustee Rauschenberger responded that he thinks committees are a good idea, his only concern is when the District tried to do them before there were legal issues so they should consult with legal counsel beforehand. President Bernal also commented that there is a conflict with the next Board meeting and the NACWA winter conference and suggested the next Board meeting be moved. It was agreed that the next Board meeting would be moved to February 8th instead of February 15th. Attorney Kimzey commented that staff just needs to post notice of the rescheduled meeting.

Lastly, President Bernal made comment about the upcoming IAWA mini-conference at the end of February in Springfield. If any Board members are interested in attending, staff could provide more information.

ADJOURN

As there was no additional business, Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to adjourn the January 18, 2023 meeting at 6:48 P.M. The next regular meeting is scheduled for 5:30 P.M. Wednesday, February 8, 2023. President Bernal called for a Roll Call vote. Assistant Clerk Narvaiz called Roll: Trustees McCormack: Aye, Hyman: Aye, Rauschenberger: Aye, Bernal: Aye.

Respectfully Submitted

Kim Narvaiz, Assistant Clerk

APPROVED:

President

Clerk/Treasurer