

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
HELD WEDNESDAY, SEPTEMBER 18, 2013**

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, September 18, 2013. President James Detzler presided and present with him were, Trustee Judith S. Sotir, Trustee Albert E. Heriaud & Trustee Christopher F. Childress. Also present were Attorney Dallas Ingemunson, District Engineer Philippe Moreau, Manager Thomas F. Muth, Jimmie Delgado, Matt Woodin, Joel Ilseman, and Norma Rodriguez. Also in attendance were Mark Halm and John Frerich from Walter E. Deuchler Engineering.

The bills were presented and read. It was moved by Trustee Sotir, that the bills be allowed as read, and that checks be drawn in payment account during the month of August, 2013 in the amount of \$327,586.12 be ratified and approved. Motion was seconded by Trustee Heriaud, put to vote and unanimously carried that the bills be paid as presented.

It was moved by Trustee Sotir seconded by Trustee Heriaud, put to vote and unanimously carried that the Treasurer's Report for August, 2013 be approved as submitted.

It was moved by Trustee Sotir, seconded by Trustee Heriaud, put to vote and unanimously carried that the minutes of the August 21, 2013 Regular Board Meeting be approved as written, each of the Trustees having received and read copies of said minutes before the meeting.

It was moved by Trustee Detzler, seconded by Trustee Sotir, put to vote and unanimously carried that the Regular Board Meeting be temporarily adjourned for the Committee of Local Improvements.

The Regular Board Meeting adjourned at 9:35 A.M.

Manager Muth advised that he will be giving an update on Building P Modification, Mark Halm from Walter E. Deuchler Engineering will do the presentation on the Phase II South Facility Projects and Matt Woodin will do the presentation on the Indian Creek Project.

Mark Halm addressed the Board with the presentation of the Phase II South Facility Project. Mr. Halm showed a schematic which highlights some of the Master Plan improvements. He stated that Phase I has been completed and included the K2 Pump Station and the excess flow treatment facility. Also included were improvements around the filter building and some junction boxes and the tanks. Phase II includes the first

portion of the South Facility. There is headworks, raw sewage pumping system, grit removal, primary clarification, the BNR (Biological Nutrient Removal) process and then the effluent from the final clarifiers can be directed either through the filter building or bypass straight to chlorine disinfection.

Mr. Halm showed a chart of Phasing –Flows from Master Plan and Long Term Control Plan. It illustrated that Phase I is now complete and it showed that the capacity of the plant used to be 85 MGD but for wet weather flows there is an additional 54 MGD capacity because K2 pump station and Building T excess flow facility are now operational. It showed that the North plant can treat 139 MGD. Mr. Halm explained that Phase II flow rates design average flow at the North Facility will be 36 MGD the South Facility 6 MGD. Mr. Halm stressed that 12 MGD was an important number on the slide because before, the plant had 85 MGD of designed maximum flow full treatment capacity and now with the combination of the South and the North Facilities there will be 97 MGD of full treatment capacity that is part of the long term control plan. He explained that when Phase II is complete, there will be 151 MGD of total wet weather capacity.

Mr. Halm said that the purpose of Phase II of the master plan is to reduce CSO's, that is a Fundamental Tenet of the CSO long term control plan. It is also to provide facilities for meeting future nutrient requirements. Right now there is a total phosphorous requirement and anticipate total nitrogen some time in the future. The purpose is also to improve process reliability by off-loading a portion of the North Facility to the South Facility.

Mr. Halm gave the status of Phase II and where his team is with completion. He said that the Headworks, which is the raw sewage pumps, screening and grit removal, is 95% complete. With regard to the Primary Clarifiers and Pump Station, he had a design meeting with staff and are 50% complete. Fox Metro's staff approved the concept for the process design and that means now it can be released for structural design and electrical design. The BNR process is 30% complete, Mr. Halm said he will meet with Fox Metro staff on 09/19/13 and provide them with a written Memorandum of Design so they can see all the components of the process and also the mechanical criteria for sizing those components. He said that their approach with design is one of collaboration with the design staff. Preparation of Memorandum of Design is a presentation Fox Metro's staff could always go back to and refer to if they have a doubt as to how something was sized and what capacity is going to be. The Memorandum of Design also serves as a road map for completion of a project. What Mr. Halm would like to do is have staff agree to the concept in terms of the process design. If they buy into the concept then they as a design team would release it for full structural design, electrical design, mechanical design. The process has to be right first.

Mr. Halm showed a slide which illustrated the South Facility Phasing. He explained the different buildings and at which phase they would be completed from Phase II through Phase VI and the purpose of each building to get to the 24 MGD. He explained that with the phasing they tried to divide it in chunks to meet both, financial constraints as well as some regulatory constraints. He explained that 24 MGD would be total capacity for the

South Facility. He said 24 MGD plus the 36 MGD for the North Facility would total 60 MGD average flow capacity.

Mr. Halm showed drawing of the Headworks building and the Primary Sludge Pumping Station in 3-D. The drawing in 3-D show piping, staircases, pumps, meters, valve location, overhead cranes etc. The 3-D drawing help the engineer & Fox Metro Staff make decisions. Mr. Halm said that they are not too far along with their grading plan, it will be completely designed approximately at the end of October

Trustee Sotir said that it was nice to have these renderings too because that gives you some support if someone is trying to decide if something needs to be repaired they can actually see where they need to be.

At this time Manager Muth addressed the Board to discuss Building P and potential modifications. He said that there are three potential phases but he would like to concentrate on phase 1. A floor plan was shown to the board of the existing lay out of the building. He explained that the Engineering department moved last month to 1135 S Lake St., Montgomery. He said that the former Engineering department is 25% larger than the existing Billing Department. Manager Muth explained that the foyer area was very well put together for the needs the District had fifteen years ago. He said that ever since the lab moved to their new building the heat pumps work better. Manager Muth proposes that the Billing department be moved to the former Engineering area. He believes there are advantages to this and he would also like to make the entire lobby area more customer friendly and safer for District personnell. Currently, if a customer wants to use the restroom, they walk through the entire office building to reach the facilities that we currently have. He stressed that in today's society that is not safe for the employees that are working in the building. Manager Muth said that the Billing department window is fairly safe but the Engineering department window is not safe. What he proposes is to modernize the building. Our proposal is to build a washroom near the entrance of the building that is handicap accessible, make the Billing window safer and customer friendly. Transform the Billing area into Pretreatment to house two employees, possibly three. With these modifications, anyone entering the building will have access to a restroom, they can pay their bill or talk to Pretreatment. Basically, those are the majority of customers that come in need of our services. We have some money in the budget for this and we would like to accomplish it this fiscal year.

Trustee Sotir asked what the cost of this would be. Manager Muth responded that he doesn't have the cost yet because he wanted to show the Board first and get approval. If we do get approval, then we would do as much as we can by construction management process to all of the areas discussed. Manager Muth also asked the Board for approval to have the Billing Department involved extensively with this modification so they can have the input of the finished project. He believes this would be a win win situation for the Billing department and management. Trustee Sotir asked if there would be walls that would have to be torn down. Manager Muth answered that indeed some walls would come down but we also have to look at how the noise in that department can be localized

to be able to hear customers on the phone better. The next phase would be for the next fiscal year budget. The break room has been inadequate for years. It can be made considerably larger put some windows in the lab area. Right now we have a small elevator where we move all of the envelopes and heavy materials to and from the basement. Sometimes we have boxes stacked in the hallway for days until we find the time to take them to the basement. Part of the lab can be used for storing all those supplies. We currently have an expired medication drop off program and all the drugs that are collected and stored in this building for disposal, the current room does not have good ventilation. We could make a room in the lab area as well but it would include a good ventilation system. We are currently collecting approximately one (1) ton of expired medication every six months. Pharmaceuticals are coming here instead of the medication being dumped in the river. The current bathroom facilities are not handicap accessible. In this same lab area we can build new bathroom facilities. Manager Muth stated that all these things can be accomplished in the lab area. Manager Muth then went on to illustrate the rest of the current floor plan and explained that some modifications can be completed so we have a 20 year plan for the IT Department. Manager Muth said that it would be huge undertaking trying to move all the wires and equipment that the IT Department has that keep us up and running on a daily basis. This is the plan for two years in the future, but what needs to get done at this time are the modifications to Billing and Pretreatment. Trustee Sotir stated that the safety factor is really essential and she likes that plan for that reason. Trustee Detzler agreed and stated that it was a good idea. Manager Muth stated that this can be accomplished this fiscal year and he would advise the board of more details once they have been drawn up. Manager Muth asked the Board if they were in agreement he would like to move forward with this project. Trustee Childress asked if there were any budgeted dollars for this. Manager Muth said that there is money in the budget to do some of these modifications. Trustee Heriaud asked if the cost would be around \$40,000.00 to \$50,000.00. Manager Muth said that with the project management approach specialty projects would keep it under 40,000.00 per item. Trustee Childress asked why would customers come in to speak to pretreatment. Manager Muth said industries or if plans are brought in for food service establishments. Trustee Childress stated that anything that can be done to keep the employees safe is a good thing.

It was moved by Trustee Detzler, seconded by Trustee Heriaud, put to vote and unanimously carried that the Committee of Local Improvements be temporarily adjourned and the Regular Board Meeting reconvene.

The Regular Board Meeting reconvened at 10:00 A.M.

Manager Muth opened and read aloud bids received for Buildings K & L Modifications - Demotion as follows: American Demolition Corporation – Total Bid \$64,600.00; Allan Mack & Sons – \$102,000.00; AHC Mechanical Services – Total Bid \$74,460.00; H Linden & Sons – Total Bid \$75,000.00; LJ Morse – Total Bid \$86,340.00; R A Ubert – Total Bid \$85,000.00; R J O’Neil – Total Bid \$74,948.00. The Engineer’s estimate for this project was \$125,000.00. It was moved by Trustee Sotir, seconded by Trustee Heriaud, put to vote and unanimously carried that the low bid of American Demolition

Corporation be accepted for \$64,600.00 and the bid of AHC Mechanical Services for \$74,460.00 be held pending specification review by Fox Metro Water Reclamation District and Walter E. Deuchler Engineering staff.

At this time the Committee of Local Improvements reconvened and Manager Muth wanted to compliment Matt Woodin because he brainstormed some of the phases to Building P.

At this time Matt Woodin addressed the Board with his presentation on the Replacement of Indian Creek Interceptor Crossing. This is the structure that was approximately 90 years old and it was deteriorating from being in the elements. There were some slides that were shown to see the extent of the damage. There were many circumstances to this repair that had to be taken into account. There was the area, the properties near the area, the property owners, the creek, the river and bypass pumping of the wastewater during construction. This repair area was so small to have so many considerations that it took a lot of planning. There had to be a time line in place to ensure that all our needs were met. This is also upstream from a CSO facility so during a rain event, anything that happened here would affect the permanent CSO facility that we maintain for the City of Aurora. It was decided to use precast concrete because that way some of the work can be done ahead of getting to the actual job site. We took the flow and diverted it somewhere else. We worked very close with the contractor to ensure that the bypass pumping had a lot of considerations and that was shown in the slide presentation. Mr. Woodin said that it is good when an opportunity is given to work with a good contractor who works safe and efficient and holds the job site well. Mr. Woodin said that when you are dealing with something that is 90 years old, in the shape that is in and in the area that it is in, its difficult to know what obstacles one is going to come across. Mr. Woodin went through the slides and showed the exiting conditions of the interceptor. Mr. Woodin said that in the spring or fall when there is a rain event some of the structure would be under water. There was excavation done to remove the two old chambers, the box culvert is now out. The Kane County Water Conservation representative came out to the site and was very happy with the way the contractor handled the job site. Right now the interceptor is working the way it is supposed to, its doing its job. What was decided to do extra is cut off the top of a wall to make it more appealing because this is located near a park and recreation area so it can be seen by people. Mr. Woodin wanted to add that this project went really well from the standpoint of working with Deuchler's and having a good contractor.

With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Detzler, seconded by Trustee Sotir, put to vote and unanimously carried that the Committee of Local Improvements be adjourned and the Regular Board Meeting reconvene.

The Regular Board Meeting reconvened at 10:20 A.M.

Attorney Dallas Ingemunson addressed the Board with the Attorney's Report. Attorney Ingemunson requested approval of Resolution No. 913, Lease Agreement between Fox Metro Water Reclamation District and three (3) Lessees, namely: David Hopkins, Jim Connell Farms, Inc. and Quintin Wissmiller for certain lands owned by the District in the County of Kendall for farming purposes for the 2014 crop year.

WHEREAS, the Fox Metro Water Reclamation District has heretofore entered into a lease agreement by and between the said Fox Metro Water Reclamation District and three (3) Lessees, namely **David Hopkins, Jim Connell Farms, Inc. and Quintin Wissmiller** for certain lands owned by the District in the County of Kendall for farming purposes for the 2014 crop year, and

WHEREAS, it is in the best interests of Fox Metro Water Reclamation District to enter into lease agreements for the three (3) parcels for the crop year 2014 with the aforesaid Lessees,

NOW THEREFORE, BE IT RESOLVED that the Lease of Farmland Agreements for the crop year 2014 by and between **David Hopkins, Jim Connell Farms, Inc. and Quintin Wissmiller** are fair and reasonable, and

BE IT FURTHER RESOLVED that the President and Secretary of the Fox Metro Water Reclamation District be and the same are hereby authorized to execute said Lease of Farmland Agreements on behalf of the Fox Metro Water Reclamation District.

PASSED by the Board of Trustees of Fox Metro Water Reclamation District this 18th day of September, 2013, by a roll call vote 4 to 0.

Manager Muth explained to the Board that there was a review completed regarding what the average lease amount was to the farms in the area and it was found that the lease amount can be raised significantly, but the farmers can also get a credit if they find farm land for us in the spring and this is typically what has been done because it is difficult to find farmland in the spring to do our application. So if the Lessees can find us enough farm land we can give them a credit.

Trustee Childress asked if the Leases are with the property owners. Manager Muth said that the District owns the farms and have potential agreements with different farmers. They pay us to plant their crops on our property. The fee is \$350.00 per acre unless the credit applies. Manager Muth said that this has been very successful for us.

It was moved by Trustee Sotir seconded by Trustee Heriaud, put to vote and unanimously carried that Resolution No. 913. Lease Agreement by and between the said Fox Metro Water Reclamation District and three (3) Lessees, namely **David Hopkins, Jim Connell Farms, Inc. and Quintin Wissmiller** for certain lands owned by the District in the County of Kendall for farming purposes for the 2014 crop year be approved as written.

Philippe Moreau addressed the Board with the Engineer's Report. Mr. Moreau requested approval of Partial Payment No. 5 to Allan Mach & Sons., in the amount of \$148,738.00 for Ferric Chloride Addition Project. It was moved by Trustee Sotir, seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$148,738.00 to Allan Mach & Sons, for work completed on Ferric Chloride Addition Project.

Mr. Moreau requested approval for Partial Payment No. 1 to Boller Construction in the amount of \$118,017.00 for work completed on the Clarifiers D4 and D5 Concrete Slab Repair Project. It was moved by Trustee Sotir seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$118,017.00 to Boller Construction Co, for work completed on the Clarifiers D4 and D5 Concrete Slab Project.

Mr. Moreau also requested approval of Partial Payment No. 3 to Allan Mack & Sons, Inc., in the amount of \$53,561.00 for Indian Creek Crossing Replacement project. It was moved by Trustee Sotir, seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$53,561.00 to Allan Mack & Sons, Inc., for Indian Creek Crossing Replacement project.

Mr. Moreau also requested approval of Partial Payment No. 6 to Frank Marshall Electric, Inc., in the amount of \$23,765.40 for Building C Substation Upgrade. It was moved by Trustee Sotir seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$23,765.40 to Frank Marshall Electric, Inc., for work completed on the Building C Substation Upgrade.

Mr. Moreau also requested approval of Partial Payment No. 2 to Steve Spiess Construction, Inc., in the amount of \$17,275.14 for Montgomery/Sugar Grove Interceptor Phase 2. It was moved by Trustee Sotir, seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$17,275.14 to Steve Spiess Construction, Inc., for Montgomery/Sugar Grove Interceptor phase 2.

Manager Muth addressed the Board with the Manager's Report. Manager Muth addressed the board requesting authorization to seek bids for the Building K & L Modifications – Interior Improvements to be opened at the Board of Trustees meeting October 23, 2013 @10:00 A.M. It was moved by Trustee Sotir, seconded by Trustee Heriaud, put to vote and unanimously carried to seek bids for Building K & L Modifications – Interior Improvements be approved.

Manager Muth addressed the board requesting authorization to seek bids a 480 V Feeder from Building K-2 to Building B2 & O to be opened at the Board of Trustees meeting October 23, 2013 @10:00 A.M. It was moved by Trustee Sotir, seconded by Trustee Heriaud, put to vote and unanimously carried to seek bids for 480 V Feeder from Building K-2 to Building B2 & O

Manager Muth addressed the board requesting authorization to seek bids for a 2014 Articulated End Loader Tractor to be opened at the Board of Trustees meeting October 23, 2013 @10:00 A.M. Trustee Childress asked what this was for. Manager Muth stated that it was an end loader, with a 4 yard bucket that we move our filtered cake into the trucks. The product that we use tends to break down the machine more quickly. The current tractor is approximately nine years old. Matt Woodin stated that one of the major concerns is that the sludge starts to wear down the fittings in the hydraulics. Manager Muth stated that there are usually six trucks that are being loaded with filter cake at a time. Trustee Childress asked if we were going to keep the existing tractor. Manager Muth said that we are going to trade it in. Trustee Sotir asked if there was a plan in place as to the time frame that the equipment gets replaced. Jimmie Delgado stated that we look at five to seven years on a vehicle as a guideline, some other equipment will run longer and we try to keep them for ten years. We try to trade some of these vehicles in while they still have some value.

It was moved by Trustee Sotir, seconded by Trustee Heriaud, put to vote and unanimously carried to seek bids for 2014 Articulated End Loader Tractor.

Manager Muth requested an Executive Session to discuss personnel, pending litigation, and related matters. It was moved by Trustee Sotir, seconded by Trustee Childress put to vote and unanimously carried that the conclusion of the public comments of today's meeting, we will temporarily adjourn for an Executive Session.

Manager Muth asked the Board for the New Business and Public Comments be moved up to the beginning of the Board Meeting. The Board agreed and starting with October 23, 2013 Board Meeting, the New Business and Public Comments will be heard at the beginning of the meeting after Payment of Bills, Treasurer's Report and Meeting Minutes are approved.

Trustee Detzler asked Joel Ilseman how things were running at the plant. Joel said the Plant was running fine. He said D4 project has been completed. Manager Muth asked how the Demolition was going on D5. Joel said that they were not using hydro blaster and things are moving really slow. Phillipe Moreau said that the demolition should be done by the end of the week.

Phillipe Moreau wanted to advise the Board of an article that was published in the newspaper regarding Manager Muth's achievement in receiving the Distinguished Alumni for 2013. Mr. Moreau stated that he was very proud of what Manager Muth has achieved in his career. Manager Muth stated that it was very humbling and was honored but he was lucky to have the opportunity and he said that without everyone's help in the District we wouldn't be doing what we are doing. Mr. Moreau said the article spoke very well about Fox Metro. Everyone congratulated Manager Muth on his accomplishment.

Trustee Detzler asked Jimmie Delgado if he had anything to report. Mr. Delgado said that we have just raised the rate and we are starting to see some of that revenue come in, our electronic payments are up, the money is steady in the bank so things are going pretty

well. He said that we are at the end of the claim for the April flood damage. Right now we are in the process of finalizing documentation. Mr. Delgado said that the District is expecting another \$300,000.00 in addition to the \$150,000.00 advanced payment that was received. He said that is going to help defray some of the upgrade costs. Trustee Childress asked what was denied on the claim. Mr. Delgado said that the District was not denied anything but that the last item that we had an issue with was the deep well pump. Chris Morphey and Jimmie Delgado believe that the damage was caused by the power fluctuations from Hertz. The insurance company is willing to give the District 65% on that because it is a reconditioned item. Subrogation was discussed and that is something they are not interested in. All avenues were exhausted. Originally, the adjuster did not want to give us anything on that pump, it is a \$29,000.00 piece of equipment and we are getting 65%. We figured that is the best that we are going to get. At this point we are ready to close this out and move on.

The last thing Mr. Delgado wanted to mention was that he has been answering inquiries on the rate increase. They are very time consuming because of the extensive amount of information requested. The issue that most people seem to have is that they don't like the way the letter was put together. Trustee Childress asked how many complaint calls have we had over all. Manager Muth said that it was a good question that credit has to be given to the Billing Department. They have been taking the brunt of the calls and answer the questions the best that they can with the information that has been given to them and they have done a great job in customer service. Now when the calls get to a level where the customer is asking for more information and documentation, then they transfer those calls to Jimmie or to me. Manager Muth said that it starts with the Billing Department and that's where the credit goes. Trustee Heriaud asked if the difficult calls that we have been receiving come from older people with fixed income. Jimmie told him that was not the case, the calls that we are getting are from all different types of people.

Trustee Childress asked if there was anything going to be posted on the website regarding the rate increase. Manager Muth said that he would be talking to the IT Department and get that started. Trustee Childress also discussed the possibility of having the presentations that are shown in the Board Meetings posted as well because they give a lot of detail about what we do and what is going on with the organization. Jimmie Delgado said that the website is being redesigned based on the feedback that we have been receiving. Trustee Childress wanted to point out that if the information regarding the reasons for the rate increase was on our website, the customers will be able to see that these increases are not because of mismanagement or misuse of funds but because they are mandated and there is nothing that we can do about it.

Phillipe Moreau wanted to point out that last month the City of Aurora raised their CSO long term control fee. It was in the paper and on their billing statements. They basically doubled the fee because of the cost of their CSO long term control plan and they are going to continue raising their fee.

Trustee Sotir stated that Trustee Childress' point of having the information on our website is a good point because we are in an age where most people when they are

looking for information they go to the website for research and answers to their questions. Trustee Sotir stated that the information that goes out on our website is what customer's need and not useless information. Trustee Childress said that the information that goes out on our website be approved beforehand. Jimmie Delgado said that nothing is released without collaboration to ensure that everything that does go on to our website is accurate. Trustee Childress asked when the website modification would be completed and Manager Muth said he would get back to him with an answer.

Trustee Childress asked if operating costs associated with the plant expansion have been looked at. He said that operating costs such as gas, electricity are going to increase as well as personnel. Manager Muth stated that the personnel issue is under review. Jimmie Delgado said that all these inputs are calculated into the rate study. There are some build in expansions but to project how many employees we are going to need in ten years in Maintenance and Operations, it becomes difficult but as we do the rate study, it will catch up and we will have that information.

Meeting temporarily adjourned at 10:47 A.M.

There being no further business to come before the Board, it was moved by Trustee Sotir, seconded by Trustee Heriaud, put to vote and unanimously carried that this meeting be adjourned.

Meeting adjourned at 11:30 A.M.