

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
OF FOX METRO WATER RECLAMATION DISTRICT  
HELD WEDNESDAY, FEBRUARY 20, 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, February 20, 2013. President James K. Detzler presided and present with him were Trustee Judith S. Sotir, Trustee Michael C. Funkey, Trustee Albert E. Heriaud & Trustee Christopher F. Childress. Also present were District Attorney Dallas Ingemunson, District Engineer Philippe Moreau, Manager Thomas F. Muth, Jeff Humm, Trudy Murray, Chris Morphey, and Polly Gonzalez. Also in attendance were John Frerich from Walter E. Deuchler Engineering, Kimberly Strnad representing Speedway LLC, and Leo Pawlowski from the Northeast Neighbors.

The bills were presented and read. It was moved by Trustee Funkey, that the bills be allowed as read, and that checks be drawn in payment account during the month of January, 2013 in the amount of \$1,526,962.39 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 Childress, seconded by Trustee Heriaud, put to vote and unanimously carried that the Treasurer's Report for January, 2013 be approved as submitted.

It was moved by Trustee Funkey, seconded by Trustee Heriaud, put to vote and unanimously carried that the minutes of the January 23, 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 Funkey, 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 discussed Fox Metro's NPDES Permit with the Board. The renewal of this Permit will contain a special condition regarding phosphorus removal. All permits being renewed for publically owned treatment works in the Fox River Watershed, south of the Chain of Lakes with a design average flow of 1.0 million gallons per day or more that receive primarily municipal or domestic wastewater will receive a 1 mg/L phosphorus effluent limitation and will be reissued with the following special conditions:

**SPECIAL CONDITION:** This Permit may be modified to include alternative or additional final effluent limitations pursuant to either an approved Total Maximum Daily

Load (TMDL) Study or an approved Fox River Watershed Water Quality Improvement Implementation Plan.

**SPECIAL CONDITION:** The Permittee shall monitor the wastewater effluent for Total Phosphorus, Dissolved Phosphorus, Nitrate/Nitrite, Total Kjeldahl Nitrogen (TKN), Ammonia, Total Nitrogen (calculated), Alkalinity and Temperature at least once a month. The results shall be submitted on Discharge Monitoring Report (DMR) Forms or eDMRs to IEPA unless otherwise specified by the IEPA.

**SPECIAL CONDITION:** The Permittee shall participate in the Fox River Study Group (FRSG) as a member of the FRSG including financial participation as defined by the bylaws of the FRSG. The Permittee shall work with other watershed members to determine the most cost effective means to alleviate dissolved oxygen (DO) violations and offensive conditions in the Fox River. The Permittee shall participate with other watershed members to the extent that the Permittee causes or contributes to such DO violations or offensive conditions. This Permit may be modified to include effluent limitations consistent with the Fox River Watershed Water Quality Improvement Implementation Plan (Implementation Plan) which will be developed after review of the findings of the Fox River Watershed Investigation and the recommendations of the FRSG. The following tasks will be completed during the life of this permit:

1. The Permittee shall prepare a phosphorus removal feasibility report specific to its plant(s) on the method, time frame and costs for reducing its loading of phosphorus to levels equivalent to monthly average discharges of 1 mg/L and 0.5 mg/L. The feasibility report shall be submitted to the IEPA twelve (12) months from the effective date of the Permit. The feasibility report shall also be shared with the FRSG.
2. The Permittee shall submit the FRSG Watershed Investigation Phase III Report, which includes stream modeling, to the IEPA by August 1, 2013.
3. The FRSG will complete an evaluation of possible phosphorus input reductions by point source discharges, non-point source discharges and other measures needed to alleviate DO violations and offensive conditions in the Fox River with of a goal of 2035 to complete the implementation of the Implementation Plan. The Implementation Plan shall be submitted to the IEPA by June 30, 2015. The Permittee shall implement the recommendations of the Implementation Plan that are applicable to said Permittee. This Permit may be modified to include additional pollutant reduction activities pursuant to the Implementation Plan.

Manager Muth and Engineer Philippe Moreau stated to the Trustees this is the best case scenario for the NPDES Permit. This special condition allows flexibility to control future costs. Mr. Moreau stated further studies need to be done as to the cost of phosphorus removal to 1 mg/L and the cost of 0.5 mg/L. A financing plan needs to be developed before the 2015 Implementation Plan.

Manager Muth also discussed safety and accidents at the Fox Metro WRD with the Trustees. Manager Muth reported last year there were 140 lost time days at the District.

However, since that time there has been 345 days without an accident at the District. Manager Muth discussed with the Trustees there should be some type of recognition to the employees for this major accomplishment. The Trustees were in agreement with Manager Muth's suggestion and also discussed some type of safety gift to all employees. Further discussion will be forthcoming.

With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Detzler, seconded by Trustee Funkey, 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 9:50 A.M.

Attorney Dallas Ingemunson addressed the Board with the Attorney's Report. Attorney Ingemunson presented Resolution No. 900, authorizing Ordinance No. 842, Annexation of the Speedway LLC Property, to the Board for their approval, which read as follows:

WHEREAS, a petition signed by JEFFREY J. WILD, Director of Real Estate, Construction & Engineering for SPEEDWAY LLC, the owner of record, for annexation of certain territory located in both Kendall and Will County, Illinois, to the FOX METRO WATER RECLAMATION DISTRICT, has been heretofore filed, and

WHEREAS, said territory described in said Petition is contiguous to Fox Metro Water Reclamation District, and

WHEREAS, it is hereby determined by the Board of Trustees of Fox Metro Water Reclamation District that it will inure to the benefit and welfare of the District if said territory is annexed to Fox Metro Water Reclamation District,

NOW, THEREFORE, BE IT RESOLVED, that Ordinance No. 842, annexing the territory therein described to the Fox Metro Water Reclamation District be and the same is hereby passed, and

BE IT FURTHER RESOLVED that the Clerk and the Attorney for the District are hereby authorized and directed to take such steps to have said Ordinance filed with the County Clerks of Kendall and Will County and recorded with the Recorder of said Counties according to the law in such case made and provided.

It was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that Resolution No. 900, authorizing Ordinance No. 842, be approved as written.

PASSED by the Board of Trustees of Fox Metro Water Reclamation District this 20<sup>th</sup>. day of February, 2013, by a roll call vote of 5 to 0.

Philippe Moreau addressed the Board with the Engineer's Report. Mr. Moreau requested approval of Partial Payment No. 5 to L.J. Dodd Construction Company in the amount of \$11,294.82 for work completed on the Morgan Creek Wastewater Pump Station – 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 \$11,294.82 to L.J. Dodd Construction Company for work completed on the Morgan Creek Wastewater Pump Station – Phase 2. Mr. Moreau informed the Trustees start-up and testing for this project is complete, the contractor is continuing to work on miscellaneous punch list items.

Mr. Moreau requested approval of Final Payment No. 1 to Insituform Technologies USA, LLC in the amount of \$131,185.00 for work completed on the 2012 Original Combined Sewer Interceptor CIPP Lining 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 \$131,185.00 to Insituform Technologies USA, LLC for work completed on the 2012 Original Combined Sewer Interceptor CIPP Lining Project.

At 10:00 A.M. Manager Muth opened and read aloud bids received for the Building C Substation Upgrade Installation Project as follows: Utility Dynamics – Total Bid - \$519,000.00; H. Linden & Sons – Total Bid - \$549,000.00; Excel Electric – Total Bid - \$595,610.00; Morse Electric – Total Bid - \$524,444.00; and Frank Marshall Electric – Total Bid - \$407,000.00. The Engineer's estimate for this project was \$425,000.00. It was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that the low bid of Frank Marshall Electric be accepted and the bid of Utility Dynamics be held pending specification review by Walter E. Deuchler Engineering and Fox Metro Water Reclamation District staff.

Manager Muth addressed the Board with the Manager's Report. Manager Muth stated he would like to delay requesting authorization to seek bids for the Original Combined Sewer Interceptor (OCSI) Indian Creek Crossing Replacement Project due to an access agreement needed from the adjacent property owners.

Manager Muth requested authorization to seek bids for the Ferric Chloride Addition Project to be opened at 10:00 A.M. at the March 20, 2013 Board of Trustees Meeting. Manager Muth informed the Trustees this project will aid in the filter cake dryness and will improve the treatment process and the removal of struvite. It was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that bid documents be generated for the aforementioned project and opened at 10:00 A.M. at the March 20, 2013 Board of Trustees Meeting.

Manager Muth also requested authorization to seek bids for the purchase of One (1) 2013 Ford F550 4x4 Dump Truck for the Field Maintenance Department to be opened at 10:00 A.M. at the March 20, 2013 Board of Trustees Meeting. Manager Muth informed the Board this is a budgeted item. It was moved by Trustee Funkey, seconded by Trustee Sotir, put to vote and unanimously carried that bid documents be generated for the Purchase of One (1) 2013 Ford F550 4x4 Dump Truck and opened at 10:00 A.M. at the March 20, 2013 Board of Trustees Meeting.

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

Trustee Childress discussed the Demand Response Program. You might recall previously the Board gave authorization to seek quotes from a firm who manages the Demand Response Programs. Energy Curtailment Specialist (ECS) is the firm that will retain only 15% and has agreed to not penalize the District for failure to curtail. This is the firm selected. Attorney Ingemunson has reviewed the contract, and Manager Muth has signed. The only remaining item is the number of kilowatt hours eligible for curtailment. The Board thanked Trustee Childress for completing this process at no charge to the District.

Maintenance Supervisor Chris Morphey reported to the Board Joliet Junior College was at Fox Metro on February 4 and 5, 2013 conducting training for twelve maintenance employees on shaft alignment. The training was hands on and very informative. Also on January 30, 2013 83 MGD was treated at the plant and no excursions or overflows occurred.

With no other business to come before the Board, it was moved by Trustee Funkey, seconded by Trustee Sotir, put to vote and unanimously carried that this meeting be temporarily adjourned for Executive Session.

The Meeting temporarily adjourned at 10:20 A.M.

The Regular Board Meeting reconvened at 10:40 A.M.

President Detzler announced there were no decisions reached in Executive Session, therefore it was moved by Trustee Sotir, seconded by Trustee Funkey, put to vote and unanimously carried that the Board Meeting be adjourned.

Meeting adjourned at 10:45 A.M.