



**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
OF FOX METRO WATER RECLAMATION DISTRICT  
HELD WEDNESDAY AUGUST 23, 2017**

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, August 23, 2017. Present were, Trustee Judith S. Sotir, Trustee Mike C. Funkey, Trustee Albert E. Heriaud & Trustee Christopher F. Childress. Also present were Attorney Gregg Ingemunson, Manager Thomas F. Muth, District Engineer Philippe Moreau, John Frerich from Walter E. Deuchler, Controller Jimmie Delgado, Human Resources Coordinator Patrick Divine, Operations Supervisor, Joel Ilseman, Maintenance Supervisor Chris Morphey, Plant Manager Matt Woodin, and Norma Rodriguez.

10083 The bills were presented and read. It was moved by Trustee Funkey that the bills be allowed as read, ratify and approve the checks drawn during the month of July, 2017 in the amount of \$6,878,544.08. Motion was seconded by Trustee Heriaud, put to vote and unanimously carried that the bills be paid as presented.

10084 It was moved by Trustee Funkey seconded by Trustee Heriaud, put to vote and unanimously carried that the Treasurer's Report for July 31, 2017 be approved as submitted.

10085 It was moved by Trustee Heriaud, seconded by Trustee Funkey, put to vote and unanimously carried that the minutes of the July 19, 2017 Regular Board Meeting be approved with the corrections addressed by Trustee Funkey. Each of the Trustees having received and read copies of said minutes before the meeting.

10086 With no Public Comments it was moved by Trustee Funkey, seconded by Trustee Heriaud, 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 9:40.M.

In the Committee of Local Improvements Manager Muth gave a presentation updating the Board on Building K Wet Well and Building N Improvements Projects. He explained the purpose of Building K Wet Well construction project is to prevent backflow during loss of power by raising the wet well roof 3 ft. Long discussion ensued regarding the issues concerning this building and various reasons why the improvements are needed. Also discussed was the scope of the work need to complete the project. Manager Muth explained to the Board that staff

is recommending to advertise for bids in September 2017, the bid opening will be October 18, 2017, construction will begin December, 2017 and construction will be completed in May 2018.

Another project discussed in the presentation was Building N Improvements. This building was constructed in the 1960's and it is the Plant's solids handling building. Manager Muth stated that major overhaul is needed to replace ageing infrastructure and reviewed with the Board the purpose of Building N and all of the issues that is currently experiencing. Manager Muth informed the Board that it was originally planned to be a 7 phase project and the phases would be: Phase 1 is electrical, instrumentation and controls updates. Phase 2 will involve structure repairs. Phase 3 Polymer and Sodium Bisulfite Upgrades. Phase 4 will be miscellaneous building and ventilation improvements. Phase 5 exterior building improvements. Phase 6 will be centrifuge replacement and Phase 7 odor control project.

After extensive discussion and review by Fox Metro staff and Deuchlers it was decided that the best way to handle this project would be to have one total project instead of being phased out. Fox Metro's staff and Deuchlers will meet as a team and brainstorm how this will be accomplished and will go out to bid for the whole project. Manager Muth reviewed all the improvements that will be completed in the building.

At 10:00 A.M., Manager Muth opened and read aloud bids received for North Plant Improvements Project as follows: Vissering Construction Company – Total Bid \$4,197,000.00; Whittaker Construction – Total Bid \$3,597,150.00; River City Construction, LLC - Total Bid \$4,097,000.00; The Engineer's estimate for this project was \$5,500,000.00; It was moved by Trustee Funkey, seconded by Trustee Heriaud, put to vote and unanimously carried that the low bid of Whittaker Construction, be accepted for \$3,597,150.00 and the bid of River City Construction for \$4,097,000.00 be held pending loan approval by the IEPA and specification review by Fox Metro Water Reclamation District and Walter E. Deuchler Engineering Staff.

With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Funkey, seconded by Trustee Heriaud, put to vote and unanimously carried that the Regular Board Meeting reconvene. The Regular Board Meeting reconvened at 10:10 A.M.

Attorney Ingemunson addressed the Board with the Attorney's Report and presented the Board with an updated Fox Metro's Code of Ordinances book. The Board was pleased with the book and thanked Jimmie Delgado for his time and effort in obtaining the information to complete the book. Trustee Sotir stated this is a great tool for the District. The Board will review it and pass a resolution to accept the Code of Ordinance book at a later date.

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At 10:00 A.M. It was moved by Trustee Funkey, seconded by Trustee Heriaud, put to vote and unanimously carried to open the Public Hearing to discuss the approval of Legislation by General Assembly authorizing the unit of local government to acquire the property by Eminent Domain using “quick-take” powers under the Eminent Domain Act. With no questions or comments from the Trustees and no comments from the public, it was moved by Trustee Funkey, seconded by Trustee Heriaud, put to vote and unanimously carried that the Public Hearing be closed.

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It was moved by Trustee Funkey, seconded by Trustee Heriaud, put to vote and unanimous carried that Fox Metro Water Reclamation District enact a Resolution requesting approval of the General Assembly for the District to take the property northerly adjoining which is presently subject of the pending Eminent Domain proceedings filed in Kendall and Kane Counties to conclude those proceedings to acquire said property by quick-take as defined in the Illinois compiled statutes. That the request be submitted to the legislature within 30 days. That our request that the District will take possession of the property in 364 days or less.

Discussion ensued regarding the process of the quick-take and the necessary steps that need to be taken going forward to accomplish it.

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Mr. Philippe Moreau addressed the Board with the Engineer’s Report. Mr. Moreau requested approval of Partial Payment No. 20 to River City Construction, Inc., in the amount of \$3,196,858.57 for South Waste Water Treatment Facility Project. It was moved by Trustee Funkey seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$3,196,858.57 to River City Construction, Inc., for work completed on South Waste Water Treatment Facility Project.

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Mr. Moreau requested approval of Final Payment No. 15 to Steve Speiss Construction, in the amount of \$301,801.85 for Waubonsie Interceptor River Crossing Project. It was moved by Trustee Funkey seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$301,801.85 to Speiss Construction, for work completed on Waubonsie Interceptor River Crossing Project.

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Mr. Moreau requested approval of Partial Payment No. 7 to Whittaker Construction, Inc., in the amount of \$197,030.70 for Building G Improvements Project. It was moved by Trustee Funkey seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$197,030.70 to Whittaker Construction, Inc., for work completed on Building G Improvements Project.

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Mr. Moreau requested approval of Partial Payments No. 4 to R.C. Wegman Construction, in the amount of \$209,575.00 for Building W Water system Improvements Project. It was moved by Trustee Funkey seconded by Trustee

Heriaud, put to vote and unanimously carried that payment be made in the amount of \$209,575.00 to R.C. Wegman Construction, for work completed on Building W Water system Improvements Project.

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Mr. Moreau requested approval of Partial Payments No. 2 to R.J. O’Neil, Inc., in the amount of \$50,203.80 for Building K Odor Control Project. It was moved by Trustee Funkey seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$50,203.80 to R.J. O’Neil, Inc., for work completed on Building K Odor Control Project.

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Mr. Moreau requested approval of Partial Payments No. 3 to Walker Process Equipment, in the amount of \$167,590.00 for Clarifier D3 Rehabilitation Procurement Project. It was moved by Trustee Funkey seconded by Trustee Heriaud, put to vote and unanimously carried that payment be made in the amount of \$167,590.00 to Walker Process Equipment, for work completed on Clarifier D3 Rehabilitation Procurement Project.


Manager Muth addressed the Board with the Manager’s Report and reported that the USEPA has approved Fox Metro’s Sewer Use Ordinance, Technical Re-evaluation of Local Limits and the Enforcement Response Plan. Manager Muth thanked Matt Woodin, Jaime Thompson, Attorney Boyd Ingemunson and Karen Clementi from Deuchlers for their cooperative effort. He was very impressed by the way the team worked together on this matter.

The next item in the Manager’s Report, Manager Muth advised the Board the Lab just received the results from the annual USEPA Proficiency Testing Study. Fox Metro scored a perfect 100% on all analyses, including the voluntary parameters. This performance evaluation study is required each year for all NPDES permit holders. The study is continually getting more difficult but the Lab staff welcomes the challenge and have done a tremendous job. Manager Muth complimented the Lab for their continued outstanding performance.

The next item in the Manager’s Report, Manager Muth announced that Fox Metro received the Peak Performance Award from NACWA again this year. The National Association of Clean Water Agencies, recognizes performance accomplishments in NPDES permit compliance each year. The Gold Peak Performance Award recognizes 100% compliance with permits for the past calendar years. It was presented to facilities with no permit violation in 2016. Manager Muth said he is proud of all staff who continues to perform excellently. Trustee Sotir said she would like the District to have a luncheon for all employees in recognition and appreciation of achieving this distinguished award.

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Manager Muth requested authorization to seek bids for new Field Maintenance Vehicle to be opened at 10:00 A.M., September 13, 2017 at the Board of Trustees Meeting. It was moved by Trustee Funkey, seconded by Trustee Heriaud, put to



vote and unanimously carried to seek bids for new Field Maintenance Vehicle with a bid opening at 10:00 A.M., September 13, 2017 at the Board of Trustees Meeting.

The next item discussed in the Manager's Report was the solar RFT submittals. Manager Muth reported there were 23 vendors that showed interest and six submitted proposals. Those proposals are currently being reviewed and there are many variabilities that need to be researched. Trustee Childress said the proposals look good and there is the potential to save money for the District on the operating costs. He said there are a lot of options that need to be reviewed but most importantly land needs to be secured and the time frame the District could have access to that land.

Manager Muth also stated that Deuchlers needs to be consulted to see what the best way to use that land is with this project so it won't interfere with futuristic expansion. Trustee Sotir asked how long these proposals were valid for. Mr. Frerich said at this point staff needs to meet as a committee and review the proposals. If there are two or three proposals that meet all the requirements, a meeting can be scheduled with them to receive a better explanation and then a decision can be made of who will be chosen to submit a bid. Mr. Frerich stated there are other variables to consider and reviewed by the committee to see who the District would like to meet with first. Trustee Sotir said her main concern was the concept of the quick-take and when the District would take possession of the property needed. She asked if it was going to make a difference if the whole process took nine months for example.

Trustee Childress said if it took nine months it would make a difference because there was a project schedule that was included in the proposals to be reviewed. He stressed the main key is that the District obtain the needed property, it cannot enter into an agreement without having it. Another main question is whether or not the District wants to own the solar Field at the end of the 25 years. These are the things that the committee needs to discuss and come back to the Board with a recommendation. The positive thing is that the District has obtained many options and some good rates to compare.

Trustee Sotir stated that if the District moves forward in this process there should be communication with the Legislators and advise them where the District is in this process and the need to move forward quickly with the quick-take.

Trustee Funkey said he has spoken to Linda Chapa LaVia regarding this issue. Ms. LaVia is Chairman of the Energy Committee of the Legislature and she has said that throughout the country there have been various times where utilities such as these have been funded by the public. Mr. Funkey would like some input from Deuchlers Engineers and District staff as to whether this is an option for the District and then the Board can make a decision whether it is appropriate

to consider something like this. He said renewable energy is the way of the future. He inquired if the District could apply for any grants and if there are any available grants, are there any guarantees from the government. Long discussion ensued regarding possible options, opportunities and obstacles with the solar project and committee agreed they would have a report at the September's Board meeting.

Manager Muth requested an Executive Session be held to discuss personnel and any related matters. It was moved by Trustee Funkey, seconded by Trustee Heriaud, put to vote and unanimously carried that at the conclusion of Regular Session and New Business of today's meeting, we will temporarily adjourn for an Executive Session


In New Business Mr. Eric Peterman from GRNE Solar addressed the Board and stated his company is one that submitted a proposal. He wanted to thank John Frerich and Fox Metro's team for the great response he has had. He said it was great to work with an organization that communicates very well and is so organized. He stated he heard many great questions from the Board at today's meeting. He said one of the biggest questions was timing and explained that there are many incentives available and there is also an uncertainty if they will be available in the future. Tax credit reform is coming up on the agenda so there is an uncertainty what is going to happen there. The Renewable Energy Credits are probably as high as they will ever be and looking into the future that number will continue to decline. Mr. Peterman said his company's proposal was \$0.03 per KW hour this is 55% reduction off of what the District currently pays and this accumulates to \$5M to \$7M over the length of agreement. He said that as far as the land use, the District has enough space. Two Megawatts is approximately 10 acres and that can be placed anywhere.

Trustee Sotir stated that there is waste area in the proposed property and inquired if solar panels could be placed on that area. Mr. Peterman said that a balancing system could be used and it would not disturb the contaminated area because it does not penetrate the ground. He did stress that timing is the most important issue because there are time restraints. Discussion ensued regarding the specifics of SREC's, timing and equipment.

Controller Jimmie Delgado reported finances are good and he is currently working on audits and some health wellness projects for the employees.

Maintenance Supervisor reported plant is running well.

Trustee Funkey said he met an employee from the City of Aurora Engineering Department at an event. He said this employee has been there for many years and said a lot of great things about Fox Metro and the collaboration with the City of Aurora and District staff. He mentioned how great and helpful they were and how they have instituted different procedures that save the City of Aurora a



great deal of money and made it very clear that many people at the City of Aurora are aware of that. Trustee Funkey said that it made him very proud to receive those comments, not just about Fox Metro in general but about our District Manager Tom Muth and Plant Manager Matt Woodin specifically. He congratulated them for the fine job they are doing at the District.

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

Meeting temporarily adjourned at 11:07 A.M

The Regular Board Meeting Reconvened at 12:02P.M

10100

It was moved by Trustee Funkey, seconded by Trustee Heriaud, put to vote and unanimously carried that a representative of Fox Metro Water Reclamation District contact the IMRF and request a 90 day extension of the September 1, 2017 deadline for the Board to consider their alternatives under the Memo of May 31, 2017. In the event IMRF refuses to grant the 90 day extension, the Board of Trustees as part time employees of Fox Metro Water Reclamation District will no longer participate in IMRF.

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

Meeting adjourned at 12:15 P.M.