



**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
HELD WEDNESDAY, JUNE 19, 2024**

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 June 19, 2024. Present were Trustee Judith S. Sotir, Trustee Michael Funkey, Trustee Chuck Nelson, Trustee Randall Brown Brown and Trustee Scott Gryder. Also present were District Manager Karen Clementi, Regulatory Manager Tim Rubis, Controller Linnea Scherer, Human Resources Supervisor Dan Rivera, Plant Manager Joel Ilseman, Senior Project Engineer James Kerrigan, IT Supervisor Dan Vargas, and Senior Administrative Assistant, Norma Rodriguez.

11333 The bills were presented and read. It was moved by Trustee Funkey that the bills that have been presented and paid during the month of May 2024 be approved in the amount of \$2,523,013.08. Motion was seconded by Trustee Brown, put to vote and unanimously carried that the bills be paid as presented.

Trustee Funkey said in the past the Board would sign a large number of checks and now they just sign a few. He would like a brief presentation at next month's Board Meeting regarding the change in procedure on how the bills are presented and paid. Manager Clementi said this would be a great conversation piece regarding the new Purchase Order process and the multiple approval layers it has to prevent any discrepancies.

11334 It was moved by Trustee Funkey seconded by Trustee Nelson, put to vote and unanimously carried that the Financial Report for May 2024 be approved as submitted.

Controller Linnea Scherer addressed the Board with the Controller's Report. She said the fiscal year has come to an end and staff has begun with preliminary preparations for the audit.

The rate study kickoff meeting was held on June 11th and staff has begun uploading the requested documentation so NewGen can begin their data



analysis and are also on track to provide information to the Board in the fall.

Ms. Scherer stated the District's first transfer into IMET was made on May 21, 2024 for \$15M. At month end the IMET account accrued and reinvested \$22,795.00 of interest in the first 10-day investment period. She has prepared a worksheet which will be used to calculate how much of the District's cash reserves will be held with IMET and how much will be held with Old Second. Transfers will be made monthly and on an as-needed basis. NewGen will conduct the rate study because they specialize in municipal rate studies and they have excellent reviews. Sikich did the District's rate studies in the past as a courtesy but it is not their specialty. The District will be getting a totally different product from NewGen that will contain a lot more detailed information that will be very helpful for the Board.

Trustee Nelson inquired if infrastructure participation, annexation and connection fees were going to be part of the rate study. Manager Clementi said they were not. She said the District created an internal committee in 2021 and staff spent approximately one year reviewing all of the District's fees basin by basin and how much funding is going to be needed to build the required projects. She also mentioned that NewGen will evaluate the usage fees as part of their scope of work.

Trustee Nelson inquired how often Manager Clementi wanted to review the construction fees and adjust them. Manager Clementi said the Board had directed staff to increase the fees each year by the local construction cost index. The fees have not increased in the past two years so staff would like to increase them this year to keep up with inflation.

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It was moved by Trustee Brown, seconded by Trustee Gryder, put to vote, and the Motion was unanimously carried that the Controller Report for May 2024 be approved.

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It was moved by Trustee Funkey, seconded by Trustee Brown put to vote, and the Motion was unanimously carried that the minutes of the May 22, 2024 Regular Board Meeting Minutes be approved as written. Each of the Trustees having received and read copies of said minutes before the meeting.



In Public Comments, Trustee Sotir on behalf of the Board, congratulated all of the employees who celebrated birthdays in the month of June.

The Fox Pride recipient for the month of June is Mike Nilges, Safety and Asset Management Technician I. Mike organized a fundraiser and cookout for fellow employee Omar El Hannouy's daughter.

Mike explained that this started with Project Mobility running a contest with 5 kids with different disabilities to win a bike specially made to help with their disabilities. Omar's daughter Sarah, who has Rett Syndrome, was on that list and he was asking all his co-workers to share the post and likes to help daughter win the contest to receive the bike but did not win.

Mike said this touched his heart and came up with a way to help Omar and his daughter. He and a few other co-workers decided to hold a BBQ event for all of the employees at Fox Metro and asked for a donation of \$10.00 per person to try and raise enough money to buy the bike. Employees participated and were able to raise \$4,270.00. The cost of the bike was \$5,060.50 so Mike reached out to Project Mobility and they advised him that they had found a donor that covered the remainder of the balance of the bike.

Make a Wish Foundation also went to Omar's home to build a fence and play set for his daughter.

Human Resources Supervisor Dan Rivera said this is the reason Mike Nilges was chosen to be this month's Fox Pride Award recipient. Mike was the organizer of this event and helped with the cooking and many other details to make sure the event was successful and did a great job. All of the employees are grateful for Mike's gesture and the effort to help a fellow co-worker and his family.

Plant Manager Joel Ilseman introduced Derek King. He is the Senior Journeyman Electrician and has been at the District for 10 years. He is the Union representative at the Board Meeting this month.

Mr. Ilseman introduced the non-union representative at this month's Board Meeting, Mr. James Wade. Mr. Wade is an Automation

Technician II and has been with the District for many years and has worked in different departments throughout his career with Fox Metro.

With no other Public Comments, it was moved by Trustee Funkey, seconded by Trustee Brown, put to vote and the Motion was unanimously carried that the Regular Board Meeting be temporarily adjourned for the Committee of Local Improvements.

The Regular Board Meeting temporarily adjourned at 9:50 A.M.

In the Committee of Local Improvements Senior Project Engineer, James Kerrigan addressed the Board with a presentation regarding the Digester Complex Improvement Project. Mr. Kerrigan began his presentation by showing a video of the digester building during a rainstorm before starting the project. The video showed some very serious leaks into the building and a large amount of water running down the walls and falling on top of the main electrical boxes of the building and transformer causing a very dangerous situation. This building is old. It was built in the 1980's and there are a lot of issues with it. The plan for the building is to move the electrical equipment into a separate building. The video also showed other damages in the building and Mr. Kerrigan reviewed all the damages with the Board.

Manager Clementi said some users are not happy about the wastewater fees but this is a \$10M project and it takes a lot of money to run and maintain the Plant properly. This project is one of the many things the fees pay for. Mr. Kerrigan showed a map outlining the location of the digester tanks.

Mr. Kerrigan said the existing complex consists of two Thermophilic Digesters, two Mesophilic Digesters, two Mesophilic Digesters, two holding tanks, and three control buildings where all the gas and heat exchangers and electrical equipment problems are in the existing system. There are also covers from the 1980s, a gas tube mixing system, and dual fuel boilers.

Mr. Kerrigan gave a project overview and said this project is focused on the Mesophilic Digester Complex from the 1979-1981 expansion and it replaced the existing covers from 1980. The old covers have



been repaired and rehabbed several times. The gas mixing system was replaced as well and upgraded the digester gas safety system to bring it up to code. The sludge piping was replaced along with the motorized valves and updated the controls that are tied into the SCADA system. The project addressed all of the electrical safety needs that were shown earlier in the video. Miscellaneous repairs to the roof leaks and concrete repairs to Tank M4 were completed. Mr. Kerrigan showed before and after pictures of the condition of the facility and also of the completed project.

The District pre-purchased the covers and mixers to accelerate schedule due to COVID shortages. Construction began in 2021 and the covers were delivered in pieces and fabricated on site. The new technology is simpler and makes them more reliable and easier to work on in case of any issues. Discussion ensued and Mr. Kerrigan answered all of the questions from the Trustees.

Coordination of operations with the Contractor added time and money to the project. Project sequencing required taking one digester offline for one year, built it and then got it back on line and moved to the next one while keeping the access to piping for normal digester operations.

A new digester control building was constructed called DCM 4. All the boilers and electrical equipment were moved out of the hazardous space they were into this new structure. The new control building contains the new electrical upgrades, new boilers, new HVAC upgrades and also the SCADA control system and alarm upgrades to monitor gas in the building.

The new Control Building DCM4 is required to be explosion proof and special heavy-duty fittings had to be installed. Explosive gas alarms were installed and will detect any dangerous gas in the building. It will active the HVAC system and create a safe environment to enter the building and fix the problems. Fire and smoke alarms were installed that will automatically shut down the building to help smother the fire.

Mr. Kerrigan said the original cost for the project was \$10,264,607.00 and the final construction cost was \$10,516.732,



equaling an increase of 2.4%. Industry standard for a project like this is an increase of 5%. The duration of the project was approximately 3 years. The overall project was completed within scope, timing and budget. The lifespan of the equipment is 20 to 30 years for the covers, 15 to 20 years for the pumps and mixers, and 15 to 20 years for the electrical system.

In the future, staff will be looking into a Renewable Natural Gas project that will be in Building E. The RNG System will easily connect to the Digester gas system and inject into Nicor's gas pipeline. Masonry work is ongoing on the building. No major expansion is needed in the near future. The tanks have the capacity for future growth.

With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Funkey, seconded by Trustee Brown, put to vote and the Motion was unanimously carried that the Committee of Local Improvements adjourn and the Regular Board Meeting reconvene.

The regular Board Meeting reconvened at 10:15 A.M.

Attorney Ingemunson addressed the Board with the Attorney's Report. He presented Ordinance No. 930 to Establish a Sewer Backup Reimbursement Program. Trustee Funkey said this was discussed at prior meetings and thought it was a good program but he is totally against this now. First of all, the District is protected by the Illinois Tort Immunity Act and it has no liability. There are certain limited exceptions but based upon the way the staff performs the maintenance of the sewers, those exceptions would never apply. Bottom line in his opinion, the District does not have any liability. In the proposed policy, the District will cover up to \$5,000.00 per incident. there were 32 homes that were affected on January 26th and that would be \$160,000.00. Trustee Funkey stated how can the District justify spending \$160,000.00 for 32 of its customers and not for the remaining 278,000 customers. Manager Clementi said because that incident would be exempt from this proposed program because the incident was with a known cause. Trustee Funkey said he does not think the District has any liability for that incident and in addition, in the proposed Ordinance, in his opinion it can be read to

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create a waiver of the District's protection under the Illinois Tort Immunity Act and that would be a serious problem. He said it seems like in the last year, there has been a crisis every month and Manager Clementi and staff have done a great job in providing the Board with information to understand the situations and make decisions.

Manager Clementi said what has been presented to the Board is an Ordinance and a Policy. Attorney Ingemunson has the Ordinance to establish the program and it can be modified. Trustee Funkey said it was his opinion if staff publishes a policy and an Ordinance, the District will be subject to the language in the policy as much as to the language in the Ordinance and the policy defines the sewer back up.

Trustee Funkey read and reviewed the language of the policy and stated some parts are not clear and believes the goal should be to educate Fox Metro's customers and one way to do this is to advise them that the District has no liability. The proposed policy contains verbage regarding blockages and he does not think that is right for this to be in the policy. The last paragraph of the policy talks about homeowner and renter's insurance and does not cover sewer back-ups and repairs. Trustee Funkey said he doesn't feel the District should be giving out any advice on what the insurance industry does. He suggested to include the following instead: "All customers should understand Fox Metro has no liability and consider alternate forms of protection tailored for each customer's needs such as insurance". Manager Clementi said that these comments would be irrelevant if the Board decided not to move forward with this policy. She said she will take Trustee Funkey's comments and modify the policy but staff's directive last month from the Board was to come up with a policy model. She has created a Policy per the Board's instructions and her question to the Board is if they want to proceed with this policy or not. If they do, an Ordinance is needed to establish it and the language can be modified. Manager Clementi said she appreciates all of Trustee Funkey's comments. Trustee Funkey said the first question is if a program is going to be established. He does not believe the District should establish a program.



Trustee Gryder asked Attorney Ingemunson if by establishing this program, the District would be open to liability. Attorney Ingemunson said it would and it would lead to other issues and by not establishing a program the District is protected because it has no liability. Discussion ensued regarding liability.

Trustee Sotir asked how does staff get the information out to customers advising them that the District is not liable for damages due to sewer back-ups. Trustee Funkey said the Factor situation creates a wonderful opportunity for staff to educate the public on what the District perceives as its duties. The District can commend Factor and say that they were a great neighbor and stepped in and worked with Fox Metro and corrected all the damaged that they caused. Included in that Press Release it can say Fox Metro is pleased that Factor stepped in because Fox Metro has no liability and is protected by the Tort Immunity Act and accepts no liability for any sewer back-ups. Manager Clementi said staff would like direction from the Board moving forward because this has been a deviation from what has been the District's practice. Fox Metro has been paying for damages up to a certain amount all along. Trustee Sotir said she does not want another situation like the one with Factor which is people calling Fox Metro and attacking the employees. There has to be something in place that establishes what Fox Metro can and cannot do. Staff can work on this and bring it for legal review and present it to the Board to see if that is what they want. Whether it is a statement on the District's website or a Press Release. Trustee Funkey said staff can get the word out via the District's website, press releases or a notice on the bills.

Trustee Nelson wanted to be on record that he supports the proposed Ordinance and Policy going forward. He believes it is good government and it is something that the District has been doing for many years without any written policy. He believes by advising people the District has Tort Immunity is not a solution. He believes having a policy in place is a good step going forward and some other Sanitary Districts have these policies in place. He would like the opportunity to thoroughly review the proposed policy. He briefly reviewed it and questioned where does the District's insurance fall into place in this policy. Manager Clementi said Keith Zollers and herself worked very hard and spent a lot of time on research and



spoke with different agencies regarding how they handled these types of situations. One of the things they discussed was the concept of posting something on the District's website stating that normal homeowner's insurance does not cover sewer back-ups and this program would help them bridge their deductible.

Trustee Sotir said she can see both points but her concern is that in a situation where there is an incident that occurs in one home, how does the District handle the concept of the health and safety issue. The district needs to give some type of guidance so the public knows what to do in situations like these. Manager Clementi showed the Board where information regarding sewer back-ups is located on the District's website and how to navigate the page along with clean up instruction from IDPH. Discussion ensued.

Trustee Funkey suggested adding the following paragraph on the back-up page of the District's website. "The District is not liable and is not paying anything for damages because it relies on its protection under the Illinois Tort Immunity Act. But, as a matter of public safety, health and welfare, the District is in the business of treating sewage, therefore, if there is a back up in your residence, call Fox Metro and staff will address the situation and eliminate the waste".

Trustee Gryder says he struggles with this and appreciates Trustee Nelson, Funkey and Sotir's statements. If it is a house by house issue is one thing but if there is a whole subdivision with hundreds of homes, it puts the District at risk if this kind of policy is adopted. Manager Clementi said this is where she would like to lock in some of the District's insurance coverage because the District's insurance should have kicked in with the Factor issue. Staff can't lose sight of getting the proper insurance for the District so that it is not left holding the financial burden. The thought is the District could cover the smaller claims and if there was a catastrophic event, the District's insurance would kick in or become self insured like the City of Aurora and have a risk management account. Trustee Funkey said he doesn't think insurance is going to do the District any good because that would be liability insurance and liability insurance is only good if there is a claim. Attorney Ingemunson said the District would have to have strict liability coverage rather than



actual liability coverage and there is a distinction. Discussion ensued regarding insurance coverage and District's liability.

Trustee Sotir said this issue needs to be reviewed and the Board needs to come up with a direction staff needs to proceed. She agrees that the District needs a policy because the public needs to know what they need to do. The plan needs to be communicated to all of the District's employees so it can be consistent. The other concern that Trustee Sotir has is that one of the situations that occurred during the Factor event was the fact that residents were in their basements with flip flops or barefoot in water full of raw sewage because they didn't know how dangerous that is. The District does have a responsibility to the residents so they don't do something that could potentially harm them. Trustee Funkey said adding information on the District website and the bills would help. Manager Clementi said information can also be added to the e-bills and add a link back to the District with a notice that states that Fox Metro will not reimburse.

Trustee Sotir said she sees Trustee Funkey's point regarding the Illinois Tort Immunity Act and also the other side of this and believes she is somewhere in the middle on this. She is not opposed to what Trustee Funkey has said but she also feels the District has a responsibility to the homeowners in some way to give them guidance in a situation where no one knows what is going on. Manager Clementi said that perhaps that can be the program, give guidance instead of money. Attorney Ingemunson said the other option is to keep things the way they are, it has always been done this way and has worked this long. Manager Clementi said if the Factor incident had not happened, it would be status quo. Trustee Brown sees an issue with a statement posted on the District's website that the District is not responsible. Manager Clementi said sewer back ups due to a problem with the sewer system do not happen very often at the District, the Factor problem was one in a million.

Trustee Funkey said Manager Clementi's statement is the best argument to do what Attorney Ingemeunson's said in his statement to leave things status quo but believes the District's insurance coverage should be reviewed and Attorney Ingemunson agreed. Trustee Nelson inquired if this is something Attorney Michael



Childress can assist with. Manager Clementi stated that she has asked him and he declined but gave her the name of an agent he works with and recommended him. It is on staff's to do list to contact him and get a quote and recommendation.

Trustee Nelson reiterated that he likes the proposed policy and Ordinance, perhaps some of the language can be modified. He is concerned and is sure the Board shares the concern of people going down to their basements with raw sewage and relying on them to clean it up. Again, this is only if the blockage is in the District's line that may have caused the back-up.

Trustee Sotir said this is something that has to be reviewed and some good points were brought up today and the Board needs to think about what Direction they want to go. She also would like recommendations posted on the District website and other source of communication such the sewer bills or google search on what the residents should do and not do in case of a sewer back-up in their home. Discussion ensued.

The Trustees agreed to table the approval of Ordinance 930 Establishing a Sewer Backup Reimbursement Program.

Senior Project Engineer James Kerrigan addressed the Board with the Construction Project Report. He requested approval of Final payment in the amount of \$100,000.00 to Williams Brothers Construction, Inc., for the Digester Complex Improvements Project. The project is 100% complete. The pay request was reviewed by CDM Smith. Record drawings are currently being prepared.

Mr. Kerrigan reported that the 111th St. Pump Station project with Vissering Construction is 95% complete and there is no pay application submitted for this project this month. No new updates. Staff and Strand are continuing to coordinate with ComEd for the 480V power installation.

Mr. Kerrigan reported that the Orchard Road Pumping Station Generator Replacement Project with Newcastle Electric is 44% complete and there is no pay request submitted this month. The



generator is scheduled to ship this week, and once delivered, work will recommence on-site.

Mr. Kerrigan requested Partial Payment No. 5 in the amount of \$56,264.40 to Complete Mechanical Services, Inc., for the Oswego Pump Station HVAC Replacement Project with Complete Mechanical Services, Inc. The project is 98%. The pay request was reviewed by CDM Smith. Equipment startup is currently underway.

Mr. Kerrigan reported that the Solar Farm #2 with SimpleRay/Round Trip Energy, is 20% complete. There is no updates since the last meeting.

Mr. Kerrigan Reported that the North Aurora Pumping Station Watermain Installation Project is 1% complete and there is no pay application submitted this month. There are no new updates on this project; staff is working on finalizing the necessary easements.

Mr. Kerrigan requested approval of partial payment No. 2 to Steve Spiess Construction, Inc., in the amount of \$337,318.15 for the Boulder Hill Sanitary Sewer Repairs Project. The project is 25% complete and the pay request was reviewed by H.R. Green. Bypass pumping and sewer work has commenced on Circle Drive West and the connection to the Civic Center service line has been made.

Mr. Kerrigan requested approval of partial payment No. 2 to Otto Baum Company, Inc., in the amount of \$43,904.88 for the DCM 2 Masonry Repairs Project. The project is 72% complete and the pay request was reviewed by staff. The contractor continues with the repair work, and the project is anticipated to be completed in the upcoming weeks.

Mr. Kerrigan reported that the Solar Property Fencing project with Proline Fence Company is 0% complete. There was no pay application submitted this month. The contractor has mobilized to the site and is preparing for the fence installation work.

It was moved by Trustee Funkey, seconded by Trustee Nelson, put to vote and the Motion was unanimously carried that the Construction Project Report be approved as published and payments be made as requested.



Manager Clementi addressed the Board with the Manager's Report. She stated that she and staff were given direction from the Board at last month's Board meeting to draft an addition to the Pretreatment Ordinance and she included it in the Trustee's Board packet. The language regarding PFAS in the addition the Ordinance is what staff believes is appropriate. Regulatory Manager Tim Rubis addressed the Board and asked if they had any questions regarding the proposed language regarding PFAS to be added to the existing Pretreatment Ordinance. Trustee Funkey reviewed the document, he listed and discussed the concerns he has regarding the proposed language in the Ordinance and gave input on how the language should read.

Trustee Funkey said as he understands it the District currently has industrial users but does not have industrial users that it is believed provide PFAS. This is a new ball game for the District and he does not think that the District owes any new users to treat their PFAS and the District's position should be that it is unlawful to discharge any substance containing PFAS into the Fox Metro system. Trustee Sotir inquired how does Fox Metro determine that. Trustee Funkey said before any industry hooks up to the sewer system, they have to obtain a permit from the District and before that permit is issued staff can require an evaluation of their waste and it can be monitored. If it contains PFAS, they have to treat it to remove it. Manager Clementi suggested adding the language "existing users" to the clause B and C in the Ordinance and add letter D that includes the clause "new users are prohibited". She added the Distrct cannot ask the industries to treat for something that no technologies exist to do so. Trustee Sotir said that is the concern that she has. There has been a large number of State and Federal regulations now for PFAS and the one thing that upsets her is that they don't pin point exactly what it is that they are looking for and secondly, there is still no methodology to deal with PFAS.

Trustee Funkey said Trustee Sotir just made his argument, that technology does not exist and Fox Metro is not going to develop it. Trustee Gryder said he takes the opposite approach he thinks as a threshold the question is why is Fox Metro even getting involved in this? Manager Clementi said because she received Board direction last month to do this. Trustee Gryder said Fox Metro has to wait for the



Federal Government or the State so why is Fox Metro creating this owner's burden on someone who wants to come in and create a business. There are no US or State requirements on this so why is Fox Metro coming in and banning this, the District is just setting itself up for litigation.

Trustee Sotir said this is the same problem that she had with the State and Federal regulations that she has been looking at recently, which they don't even know what they are trying to regulate.

Trustee Funkey said he agrees with Trustee Gryder that the Board should not even be discussing this except that everyone is well aware that the State of Illinois tried to address the situation with proposed legislation and they withdrew it because the Federal Government was considering it. The Federal Government is currently considering it and as he recalls at the last Board Meeting, Manager Clementi advised the Board there was a meeting she was going to attend on this and that is why he thinks Fox Metro should go on record and say that it is not going to treat PFAS because it is unknown what the government is going to come up with. Trustee Sotir said this issue is so open ended and doesn't feel the Board is giving direction to staff. Trustee Funkey said staff knows how to define what PFAS is. Fox Metro can ban PFAS but the industries will not be able to conform to its regulation. Trustee Funkey inquired if the industries can buy a system. Manager Clementi said no because no system exists at this time. Trustee Gryder said the proposed Ordinance can state Fox Metro follows the EPA's designated treatment plans. Manager Clementi said that is Fox Metro's standard practice. Every new item that is added to the District's NPDES Permit and the Industrial users permits comes down from the Federal Government or comes from the State and it goes in the permit.

Trustee Nelson inquired how many industrial users the District have? Manager Clementi said approximately 35. Trustee Nelson inquired if those 35 industries have a pretreatment program? Mr. Rubis said those industries are in the Program but they don't all have pretreatment systems and they are being monitored. Trustee Gryder inquired if the industries are being monitored for PFAS. Mr. Rubis said no but staff began monitoring for PFAS and did the basins to



get backup data on domestic users. Trustee Sotir said the end result was that the numbers were very low. Discussion ensued.

Trustee Sotir said she does not see the point of the District doing anything unless the Federal and State Government give direction as to what to do with PFAS. She doesn't know if Fox Metro is going to be able to enforce anybody to do anything that they are not able to do.

Trustee Nelson said right now Fox Metro can get the attention of the industrial users and advise them that they are contributing PFAS into the wastewater collection system and the Federal Government is taking action and they should research things they can begin doing immediately without forcing them.

Trustee Sotir said from the Board's standpoint, the District give the industries information from the testing Fox Metro is doing and state what their products contain. But does not know how to go to the next step and tell the industries they need to remove PFAS when there is no technology to remove it at this time. Manager Clementi said there are some things the industries can do and they can be given the USEPA guidelines to do the best they can on source reduction. For example, if there are products they are using with PFAS, perhaps there is a substitution that does not have PFAS.

Manager Clementi said this is exactly what Fox Metro did in 2016 with phosphorus regulations. Staff went to each industry and ask them to cooperate, there was data and once they were asked to do it, the industrial users were cooperative. Generally, the industries want to be environmentally conscious. Discussion ensued.

Trustee Sotir said until a treatment solution exists, the only thing Fox Metro can say is according to what it is known right now, your product has been tested and it shows (list the contaminants it has) you should be aware of this because those will be the things that will be regulated in the future. Manager Clementi stated the proposed Policy addresses that. Discussion ensued.

Trustee Funkey said he thinks the Federal Government is going to set a standard for PFAS and he just does not want the District to pay any



money for the removal. Trustee Sotir said she agrees but the best thing for the District to be able to do is give the industries a list of what chemical would possibly be regulated in the future so they have full awareness and see if they can come up with a product alternative. But because there is no way to take PFAS out of any system that is currently out there, she is not sure what else Fox Metro can do. PFAS is so pervasive and it is in so many different products.

Trustee Sotir requested an Executive Session to discuss personnel, Review the last six months of Executive Session Meeting Minutes and related matters.

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It was moved by Trustee Funkey, seconded by Trustee Gryder, put to vote and unanimously carried to temporarily adjourn for an Executive Session.

The Regular Board Meeting temporarily adjourned for Executive Session at 11:17 A.M.

11341

It was moved by Trustee Gryder, seconded by Trustee Brown, put to vote and unanimously carried that the Executive Session be adjourned and resume the Regular Board Meeting.

Regular Board Meeting reconvened at 1:09 P.M.

No decisions were made in Executive Session.

11342

With no other business to come before the Board, it was moved by Trustee Funkey seconded by Trustee Brown, put to vote and the Motion unanimously carried that the Regular Board Meeting be adjourned.

Meeting adjourned at 1:10 P.M.

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