



**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
HELD WEDNESDAY, JULY 17, 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 July 17, 2024. Present were Trustee Judith S. Sotir, Trustee Michael Funkey, Trustee Chuck Nelson, Trustee Randall 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, Maintenance Supervisor Chris Morphey, IT Supervisor Dan Vargas, and Senior Administrative Assistant, Norma Rodriguez.

11343

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 June 2024 be approved in the amount of \$2,229,853.76. Motion was seconded by Trustee Brown, put to vote and unanimously carried that the bills be paid as presented.

11344

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

Controller Linnea Scherer addressed the Board with the Controller's Report. She stated per Trustee Funkey's request last month, she prepared a flowchart for the Board to show the District's Purchase Order and Accounts Payable approval process. She said staff has a strict set of procedures to ensure segregation of duties and appropriate review and approval of each expense. To demonstrate this, she has highlighted each review and approval step in yellow on the flowchart.

Trustee Funkey said his main question was the method of payment because there was a change in that procedure during COVID. Linnea explained the change in the procedure.

11345

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

11346

It was moved by Trustee Funkey, seconded by Trustee Gryder put to vote, and the Motion was unanimously carried that the minutes of the June 19, 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 July.

In attendance was Mr. Mike Archey from GTM Strategies. He introduced himself to the Board. Mr. Archey is a Transportation Decarbonization Specialist. He said he is an Aurora resident and a customer of Fox Metro. The reason he is attending today's Board Meeting is because he is very intrigued with the Methane Gas Recapture Program. This is very innovative and there are a lot of opportunities for improvements. He knows Fox Metro is waiting to hear if they are awarded a grant. Mr. Archey said he is trying to find out how he can bring his team in to participate in this program to see if they can add value.

Environmental Compliance Coordinator Mike Tucker introduced the Fox Pride recipient for the month of July, Environmental Compliance Tech, Nicolette Montes De Oca. Nicolette joined the Fox Metro team as a seasonal employee in May 2022 and transitioned to full-time in July 2022. Nicolette has such a positive attitude and is a hard worker. The District is proud to have her represent Fox Metro, as she has been an excellent ambassador. Manager Clementi attended a meeting with the City of Aurora team recently, and two ratepayers were complimentary of her help, especially since Nicolette is bilingual.

The Board congratulated Manager Clementi for her 5 years of outstanding service at the District. Trustee Sotir stated Manager Clementi has been doing a great job in managing the District and moving it forward in a positive direction.

Maintenance Supervisor Chris Morphey introduced Maintenance Mechanic and Union President, Miguel Vazquez who is the Union representative at today's Board Meeting. Miguel is a veteran and has been a Maintenance Mechanic at Fox Metro for over 19 years. He is very knowledgeable and artistic. Miguel was invited to celebrate the District's success since the Bargaining Unit personnel have been a big part of the positive changes at the District.

The Senior Management Team is present as the non-union representatives at today's Board Meeting. Manager Clementi asked them to attend the first part of the Board Meeting to be acknowledged during the Committee of Local Improvements.

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 9:41 A.M.

In the Committee of Local Improvements Manager Clementi addressed the Board and gave a presentation looking back at the last five years of Fox Metro's success. She thought it is a good idea to look back at the last five years because next month, there will be a presentation of the next five years of projects the District has planned.

Manager Clementi said the last five years have been punctuated with a lot of challenges. A big part of this is that the Senior Management Team has been staying grounded during these organizational challenges. There has been a lot of employee turnover also going through the pandemic and quarantine was very stressful for everyone. Another challenge was the hail storm in 2023 that damaged the solar field and a fire that caused damages.

The latest challenges have been the incident with the industry in January 2024, the Solar field #2 contractor change and also the largest planning unknown is the PFAS issue.

One of the things staff began working on were core values and they spent 2019 and 2020 working on this with the different teams. A



Civility Policy has been enacted and one thing staff has heard from employees is to strive for consistency and fairness. Some things have to be reviewed case-by-case and due to confidentiality Management can't always tell employees the specifics of what is going on. It is that balancing act of being consistent with the policies but also having some flexibility. One of the things staff has accomplished with the groups are explaining the "why" and not just tell them, "you can't do that". This is a work in progress and is something the Senior Management Team is always working on.

Manager Clementi commended HR Supervisor Dan Rivera, who has been responsible for modernizing and improving the hiring practices. Fox Metro's job advertisements are now online vs. newspaper and all job applications are on line as well. Staff has raised the bar on probationary period because performance reviews with probationary employees are key.

Manager Clementi said the District has invested a lot in education and training for its employees. This is something everyone is proud of, and almost every employee has some sort of additional certificates, training or degree. Fox Metro has 9 employees with a Class 1 Wastewater operator Licenses, 16 employees with a Class 2, 3 and 4 operator licenses. There are 2 licensed professional Engineers, 4 Journeyman Electricians, 25 employees with Bachelor's Degrees and 5 employees with Master Degrees. We also have an in-house GIS specialist. This is a higher skill level and allows staff to do more jobs in-house, which is a huge cost savings to the District. This also creates employee confidence and higher employee retention.

The District had many issues with its employee health insurance and changed from self-insured to third-party insurance. The employees and their families are now receiving better medical care and peace of mind with the name brand insurance. This is important due to wastewater health impacts and disease risks and the District wants to take good care of its employees. This creates better employee satisfaction and this has also reduced a huge amount of staff time in administration and problem solving because administrating the old insurance plan took a lot of time in resolving issues. Not only are



employees receiving better health insurance but the District has saved over \$200,000.00 from 2022-2024.

Staff has been working on a team concept. This has been a topic of discussion with the Board over the years. Employees have been cross-training and shadowing with different departments. This allows the employees to understand how other departments work and help the entire organization. The employees feel included and they can see that what they do day-to-day matters.

The District has increased campus security. Bulletproof glass has been installed in the Billing Department, night-vision cameras and license plate readers have also been installed. All of Fox Metro employees have completed an active shooter training in 2023 and all the fencing around the campus has been improved.

Manager Clementi said that over 60% of employees are new or in new roles in the last 5 years and only 1 employee has resigned in the last 18 months.

Manager Clementi wanted to acknowledge all of the work that has been done in-house by the employees. Fox Metro employees are increasing the amount of work they do in-house and that means a large cost savings for the District and allows the employees to learn new skills.

Manager Clementi commended Sr. Project Engineer James Kerrigan and Project Representative Mike Ortiz for overseeing the in-house projects. Normally the District would hire an Engineering Consultant to help staff with these projects. Pictures were shown of the in-house projects that have been completed.

Manager Clementi said 25,550 ln. ft. of pipe have been lined in Boulder Hill in the past 5 years as well as completed spot repairs and complete two dig repairs in Boulder Hill. Preventative maintenance is less expensive than reactive maintenance, it extends the life of the pipes and it prevents backups during wet weather events. Manager Clementi and Field and Engineering Supervisor Keith Zollers are very proud of these projects.



The District has employed many scientists and the operators are applied scientists. These in-house scientists are involved in doing special studies. She commended Environmental Compliance Coordinator Michael Tucker and Regulatory Manager Tim Rubis for taking the lead in this. They have taken over the environmental work and saving the District approximately \$1M in consulting fees.

Another key part is the Capital Improvements Committee. The Committee meets every 2 weeks for planning and budgeting future projects. Staff has the best knowledge and understanding of the facility. Management trusts staff to make sound recommendations and staff feels happier to know that their input and ideas are valued. By doing in-house planning, prioritizing projects is more efficient and cost effective.

The District changed from using 1 engineering firm to 4 - 6 firms. The impact from this is that the District gets fresh ideas, catching errors or oversight from the past. New consultants bring new ideas and more technology. The consultant relationships are more professional and service-oriented. Staff is much happier and feels their input and ideas are valued. Working with multiple consultants has resulted in obtaining the design of the projects 4 times faster and the District has saved approximately \$9M over the past 5 years. The District is completing more jobs than ever, faster than ever at a lower cost and this has made a huge impact on the budget.

In the past five years the District has overhauled all of its service providers, has new architects, have changed investment companies, changed custodial service, obtained a new property insurance broker, hired a new labor attorney and an environmental attorney, established new HR resources, conducted a wage study and a rate study.

Manager Clementi commended Maintenance Supervisor Chris Morphey for coming up with the idea of a summer application of the District's biosolids. The farmers are harvesting their winter wheat right now and Fox Metro is going to apply biosolids in their farms. This is the third year that Fox Metro has done this. This reduces the overtime, driver fatigue, increases safety and helps manage the biosolids storage inventory better.



Improvements were done to the District website. The watering credit system was added on line and the Industrial Pretreatment User Survey is now on line as well and uses Google Forms. The new and improved website went live in May 2024.

The District has received Grants and incentives in the last five years. Received the Electric Car Charging Station Grant, received CURES reimbursement of \$124,826.00, ARPA Funding in the amount of \$410,428.00. The District has saved \$500,000.00 in electricity from Solar Farm #1 from January 2021 to January 2024. The District has also saved \$26,000.00 per year from the Solar Community Fields Opt-in. Staff is still waiting to hear on the RNG CPRG Grant Application.

Also, in the last five years the District has completed internal process improvements and automated a lot of things. The District implemented Paylocity, a new payroll system that integrates all of HR and payroll items. Staff now uses Laserfiche as the new purchase order and invoice payment system. Staff has automated many Billing Department tasks and processes. The IT Department has now implemented a Help Desk ticketing system and the Lab has digitized their sample logbook.

Manager Clementi said the number of District staff has maintained at 95 for many years yet a lot has been added and the number of staff has not changed. The size of the campus and the plant has tripled but the number of employees has remained the same and that is due to technology and automation.

Staff is reviewing how District money is spent and have improved fiscal responsibility. The District is keeping vehicles and equipment longer than ever. Staff is acquiring different equipment to suit the District's changing needs to make things more efficient.

Manager Clementi said the District has earned \$1,235,979.73 in interest from June 2022 – June 2024. Staff has also restructured the infrastructure participation fees.

In the last five years the District has improved public outreach and Felix the Fox mascot has been a big part of this. Thank you to Mike Tucker for creating and transforming into Felix at public events. The



District has increased communication with the public. Staff held an Open House in October 2019 for the South Plant, held a Solar Farm Ribbon Cutting in April 2021 and had a local Public Officials Reception in October 2023. This improves relationships with ratepayers and decision-makers and it creates greater public transparency and awareness.

Manager Clementi said the District has had more noteworthy milestones. These milestones include establishing its first Maternity Leave Policy, the Mooseheart Annexation which will help improve the Fox River water quality upstream of the wastewater treatment plant. Other milestones are that Fox Metro has a COVID and viral tracing program for the betterment of public health. The District hosted the Operator training event open to all agencies in Illinois in 2019. Manager Clementi thanked all of the District's employees for their contribution because it has been a fabulous five years.

11348

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 10:04 A.M.

Attorney Ingemunson addressed the Board with the Attorney's Report and requested tentative approval of Ordinance 931 and Resolution 1019 for Hudson Pointe Phase 2 Annexation Agreement and set a Public Hearing for 10:00 A.M., August 21, 2024 at the Board of Trustee's Meeting.

Manager Clementi introduced Attorney John McFarland, who joined the meeting via video. Attorney McFarland addressed the Board and said that last night they received final Plans of Subdivision Annexation approval and final Engineering approval from the Village of Oswego. They are scheduled to close on the property on August 1, 2024 with the land seller and then commence land development. Hudson Pointe II development is located in Oswego, it is the 80 acres south of Harvey Road and extends from Harvey Road and south of



Hudson Point I. Hudson Point I is located at the Southeast corner of Wolf's Crossing and Harvey Road.

11349

It was moved by Trustee Funkey, seconded by Trustee Gryder, put to vote and the Motion was unanimously carried to tentatively approve Ordinance 931 and Resolution 1019 for Hudson Pointe Phase 2 Annexation Agreement and set a Public Hearing for 10:00 A.M., August 21, 2023 at the Board of Trustee's Meeting.

11350

Attorney Ingemunson presented the Amended Easement for 111th Street Pump Station Electrical Conduit (ComEd) for approval. It was moved by Trustee Funkey, seconded by Trustee Nelson, put to vote and the Motion was unanimously carried to approve the Amended Easement for 111th Street Pump Station Electrical Conduit (ComEd) as written.

Senior Project Engineer James Kerrigan addressed the Board that the Construction Report. He 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. ComEd has installed the new power cables and is waiting for the last switchgear components to energize the new power feed to the facility.

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 has been installed and is undergoing final testing.

Mr. Kerrigan reported that the Oswego Pump Station HVAC Replacement Project with Complete Mechanical Services, Inc is 98% and there is no pay application submitted for this project this month. 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 with J&S Construction Sewer and Water, Inc. The 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. 4 to Steve Spiess Construction, Inc., in the amount of \$467,570.00 for the Boulder Hill Sanitary Sewer Repairs Project. The project is 56% complete and the pay request was reviewed by H.R. Green. Sewer work continues along Circle Drive West. Poor soil conditions in the area are slowing progress. It is estimated that work will continue for the next few weeks.

Mr. Kerrigan reported that the DCM 2 Masonry Repairs Project with Otto Baum Company, Inc. The project is 72% complete and there is no pay request submitted this month. The project is complete. Final invoicing and closeout documents are currently being prepared.

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 commenced the new fence installation work, and the remaining portions of the fence will be complete in the upcoming weeks.

Mr. Kerrigan reported that the North Waste Water Treatment Plant Bar Screen Replacement Project with William Brothers is 0% complete. There was no pay application submitted this month. The Contractor has mobilized to the site, and exploratory investigations and the review of shop drawings have commenced.

It was moved by Trustee Funkey, seconded by Trustee Brown, 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 said one of staff's 2024 goals is to explore the idea and introduce the Responsible Bidder Ordinance. Manager Clementi included in the Board's meeting packet information regarding this topic. She and Assistant Engineering Supervisor Kerry Behr met with Illinois-Indiana- Iowa (IIFFC) earlier this month and were very impressed. This is a non-profit organization that helps with these matters.



Adopting a Responsible Bidder Ordinance has become quite popular in the local area, with Aurora, Elgin, Joliet, Kane County and soon-to-be Fox River Water Reclamation District, and codify what “responsible” constitutes when awarding a project to the lowest responsible bidder. Staff is in complete favor of outlining these criteria in an Ordinance before any bid projects to protect the District’s ratepayers from poor performance or costly overruns. Fox Metro has had similar requirements for years, but a Responsible Bidder Ordinance would be a tool to disqualify a disreputable contractor more easily. It should also streamline the disqualification process and save the District time and money in discussing with contractors when they are not awarded the project.

When Trustee Funkey first read this, his first question was that over the years there has been a lot of discussion as to what is a responsible bidder and wants to know how does the District’s enactment approval adoption of Ordinance work because they can’t change the law that the Appellate court has made for the District. Is the District waiving protections that were granted in decisions? He said this is something the Board should think about while considering whether or not they want to adopt the Ordinance. Since every single bid is different, is the District better off handling it case by case and the Board make the decision within the Appellate Court’s ruling? Manager Clementi said what staff likes about this is that if a bid form is sent out ahead of time and the bidders don’t meet the requirements, a lot of staff and consultant time fees are saved and that saves the District a lot of money. Attorney Ingemunson said the District will not be giving up anything, this is more in compliance with what the law says about being a responsible bidder.

Trustee Funkey said he does not want the District to waive the right to take an action based solely on staff’s discretion. He does not believe that Fox Metro owes an irresponsible bidder a lot of investigation and explanation, they just need to be advised that they have been rejected. Manager Clementi said that an investigation is done to prove that the bidder is not responsible and it shows them the way the District defines them as not responsible. Trustee Funkey said the District does not owe them an explanation, they just need an answer. Trustee Nelson agrees and said that Manager Clementi’s point is that the Ordinance



codifies things in writing. This also keeps out the contractors that are not playing by the rules. Trustee Sotir said the way the Ordinance is written is basically a definition of a what a lowest responsible bidder is.

Manager Clementi said she wanted to make sure the Board was in agreement on adopting an Ordinance before moving forward and having staff take the time to write it. Attorney Ingemunson suggested reviewing the Ordinance that the City of Aurora has adopted and see what it looks like. Manager Clementi said she met with IIFFC and they gave her their Ordinance template and Fox Metro's staff were able to give input and the IIFFC liked it so much that they revised their template and sent a copy back to her last week. They now have a new template with staff's suggestions in it and Fox Metro would be the first to start it as a framework. Trustee Funkey said based on the information presented, he believes the Board should consider the Ordinance, but he still does not understand why the District would owe an irresponsible bidder an explanation as to why they are irresponsible. He believes that it is staff's determination and if they get into that discussion the District opens itself up to waiver of certain points and arguments. Attorney Ingemunson agrees and said that once this Ordinance is adopted no explanation should be given to the contractor.

The next item discussed was the Farm License Leases. Manager Clementi gave the Board a memo for their review. The memo included a Rental Rate History. Trustee Gryder said he needed clarification on application. Maintenance Supervisor, Chris Morphey explained that there are three useful years of the nitrogen available for the biosolids application. Typically, after the third year Fox Metro will go back to the same farm field but a lot of times will wait five years. Chris said the more Fox Metro delays applying to its own farms the radium that is also involved with the biosolids, the useful life of the property can be increased because as they are land applying radium is being added to the farm field as well. This is something that is sampled at the beginning and then increases over the years. The less amount of times Fox Metro land applies biosolids to the its farm fields the better off they are. Mr. Morphey said the farmers find other acreage which is the 80 or 100 acres equal to what Fox Metro's property is then their property does not get



applied with biosolids. Manager Clementi said staff thinks of its farms as Fox Metro's reserve so that if staff can't find any farmers, Fox Metro uses its own land as a last resort as to where to put the biosolids because eventually they will be full of radium and then they can't land apply any more. Radium is a byproduct of the water treatment process and its mainly from the deep wells of Montgomery and Oswego's water supply.

Trustee Gryder said he thinks it's a good idea at some point to solicit additional farmers. He believes it is good to have this conversation now because the Farmers need to know by October if they need to continue farming. Trustee Sotir said for the District it is more making sure it has a place available to apply the biosolids and not looking at it as income. Manager Clementi said a lot of the times farmers at first really want the biosolids but it is a very messy product. She said she would hate to take this away from the existing farmers and give it to a farmer who thinks they really want it, then they get tired of it and then staff will have to ask the other farmers to come back and take the biosolids again. Manager Clementi asked Trustee Gryder if he would like staff to explore a rent increase first and if they can't come to terms then offer it to other farmers.

Trustee Gryder said it initially came to his attention because another farmer had to loan his equipment to one of Fox Metro's farmers to apply the biosolids because they did not have the right equipment.

Trustee Gryder asked who hauls the biosolids to the farms. Mr. Morphey said Fox Metro employees haul it. The District has 4 semi trucks and hire an additional five trucks from a contractor. Employees will typically work 12 hour days and hire Ag-Tech to spread the biosolids on to the farm fields. Fox Metro pays for soil sampling before the biosolids are applied to see if there is a PH adjustment needed with lime application. Mr. Morphey said if Fox Metro took the biosolids to the landfill, one semi load would cost \$800.00 and that does not include labor and Fox Metro land applies 600 acres per year. One semi load covers 24 yards. Fox Metro produces approximately 20,000 yards of biosolids per year. The three farms that the District has does not cover the whole spreading area. Manager Clementi said that is why potentially the District would like to purchase more land to have a bigger reserve.



Trustee Nelson said he thinks this has been a very impressive program and this keeps biosolids out of the landfills and it goes with Manager Clementi's mission of doing things that are environmentally correct.

Trustee Sotir requested an Executive Session to discuss personnel, and related matters.

11352

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

The Regular Board Meeting temporarily adjourned for Executive Session at 10:32 A.M.

11353

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 11:44 A.M.

No decisions were made in Executive Session.

11354

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

Meeting adjourned at 11:45 A.M.

R-611