

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
HELD WEDNESDAY, OCTOBER 22, 2025**

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 October 22, 2025. Present were Trustee Judith S. Sotir, Trustee Michael Funkey, Trustee Randall Brown, and Trustee Chuck Nelson. Also present were District Manager Karen Clementi, Attorney David Silverman, Regulatory Manager Tim Rubis, Human Resources Supervisor Dan Rivera, Plant Manager Joel Ilseman, Senior Project Engineer James Kerrigan, Controller Linnea Scherer, and Senior Administrative Assistant Norma Rodriguez.

11572 The bills were presented and read. It was moved by Trustee Brown that the bills that have been presented and paid during the month of September, 2025 be approved in the amount of \$3,420,795.42. Motion was seconded by Trustee Nelson, put to vote and unanimously carried that the bills be paid as presented.

11573 It was moved by Trustee Brown seconded by Trustee Funkey put to vote and unanimously carried that the Financial Report for September 2025 be approved as submitted.

Controller Linnea Scherer addressed the Board with the Controller's Report. She reported to that the audit is fully complete, and staff is now at the stage of reviewing and finalizing the Audit Report. She said the audit went very well and Fox Metro received an unmodified opinion which means that the auditors determined that the District's financials are presented fairly, in all material respects, and this means that the auditors found no errors or intentional misstatements in the District's financial statements and are providing the highest level of assurance possible.

Ms. Scherer reported that the District has received a second Com-Ed rebate check in the amount of \$387,190.00. This was for solar field #2 as part of their rebate program as planned.

Manager Clementi commended Ms. Scherer and Accountant Jenise Esparza for the great job they do. It has been their personal goal and they also work very hard to achieve an unmodified opinion in the Audit every year.

11574 It was moved by Trustee Funkey, seconded by Trustee Brown, put to vote, and the Motion was unanimously carried that the Controllers Report for September 2025 be approved as submitted.

11575

Trustee Funkey requested corrections be made on page 7 and page 8 of the Board Meeting minutes. It was moved by Trustee Funkey, seconded by Trustee Brown, put to vote, and the Motion was unanimously carried that the minutes of the September 24, 2025 Regular Board Meeting minutes be approved after the words “water service” be changed to “sewer service” on page 7 and page 8. Each of the Trustees having received and read copies of said minutes before the meeting.

In Public Comments, Trustee Sotir addressed the public and asked for any public comments. Hearing none Trustee Sotir, on behalf of the Board congratulated all of the employees who celebrated birthdays in the month of October.

Plant Manager Joel Ilseman introduced the Union Representative for this month’s Board Meeting, Senior Maintenance Mechanic Brett Hake. Brett has worked at Fox Metro for 11 years. He is a very skilled mechanic with great problem-solving skills. His work is appreciated.

11576

With no other Public Comments, it was moved by Trustee Funkey, seconded by Trustee Nelson, 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 9:37 A.M.

In the Committee of Local Improvements, Manager Clementi updated the Board regarding Aurora’s Greenfield Subdivision and Industrial User Compliance one year after Administrative Order of Consent. Manager Clementi said Fox Metro finalized its Consent Order with Factor, Inc., on the west side of Aurora one year ago. She is giving a status update on Factor’s compliance and other efforts taken in the Greenfield Subdivision to mitigate future blockages.

Trustee Funkey stated that usually a Consent Order is issued in litigation in a Federal Case. There was no litigation in this case but it is an Administrative Order because Fox Metro is the Administrative Authority. Manager Clementi confirmed that was correct and added that the Fox Metro has the right to do this under Federal Law because it is the delegated entity designated by the USEPA since 1997.

Manager Clementi explained the progress made since the issue that happened on January 2024 to present. She said it is pretty remarkable to see all the good that came out of this incident. Factor has donated over a million meals and now have teamed up with the City of Aurora to deliver meals to residents that are unable to drive or get out to food pantries. Factor also donates thousands of meals to the Northern Illinois Food Bank and other entities.

Manager Clementi stated that what she and staff have been doing is trying to get to the root of the problem with Factor. Staff needed more data to actually solve the problem and is getting Factor’s water reads and looking at data all the time. One issue was that there was too much water going down the pipes, too much grease and



Factor's interceptors were not working as designed. All these things have subsided but still do not fully have a solution for the rags and wipes. This is why Fox Metro staff is continuing to work with Factor to find a solution.

Factor's Administrative Order of Consent has very concise goals that have to be met in a stepwise fashion and so far, Factor is in compliance. Manager Clementi said that as part of their Order of Consent, Factor has to stay below their 80,000 gallons of water per day threshold, which was in their original permit. Manager Clementi gets their water reads and checks them every Monday and stated that Factor has been in compliance every single week and has the data to collaborate the results. Factor has been averaging approximately 70,000 gallons per day and their average water usage keeps going down, which means they are taking their water usage seriously and it has helped them save money as well.

Factor does have many best management practices in place as part the Administrative Order of Consent. They now have high-pressure water hoses for all of their 26 facilities nationwide and it has been a huge cost savings for them in water use costs. They have increased tray scrubbing, increased sweeping and collection of excess food particles and daily auditing of drain baskets.

Factor also has some best management practices that they are working on. They are trying different things such as oil absorbent pads and they are demonstrating positive results, with some variance based on the type of pad and location of use. Factor has developed a maintenance and inventory tracking system and are working towards greater concentrated wastewater diversions.

Factor is having a contractor clean both City of Aurora and Fox Metro Sewers and they are sending Fox Metro written compliance reports with receipts every other month.

Factor installed an 8,000-gallon grease interceptor and a 4,000-gallon grease interceptor in September 2025 and are pumping them 2 or 3 times per week.

City of Aurora and Fox Metro always work well together and the city set both agencies up with Sensus water use data. Both agencies conduct random inspections and sampling of Factor's facilities. The City of Aurora is jetting some hot spots in the Greenfield Subdivision because some tree root intrusion was noted.

The IEPA and USEPA are working in partnership with Fox Metro. There was no enforcement action to Fox Metro and we have had a lot of compliments in the way the Factor situation was handled. Fox Metro has been sending reports to both the IEPA and USEPA and received a no further action letter on September 19, 2025, which was the best possible outcome from the incident.

Trustee Sotir inquired if there is a way to track industries that use more water than normal in order to avoid a situation similar to Factor. Manager Clementi said the



Pretreatment Department is keeping a critical eye on the 32 industries that are in the program. They get monthly readings and will notice something is wrong because they create the monthly bills and will notice if there is a significant increase in water use. Trustee Nelson said that even the City of Aurora was caught off guard because Factor doubled their capacity. Discussion ensued.

Manager Clementi stated this was a success story even though it was quite stressful. The Greenfield residents, Fox Metro and the City of Aurora received full reimbursement. Fox Metro built a lot of trust with the IEPA and USEPA due to Pretreatment Program and Impacts. This event was a learning experience for staff working through a crisis. Factor had a lot of growing pains and the water conservation effort has earned them bill savings nationwide. This event also caused Factor to improve their environment, health and safety at the Aurora facility. Another thing that resulted from the incident is the food donations from Factor to multiple organizations and community awareness and how they are being a better neighbor. Trustee Sotir said she was impressed with Factor's regional manager Uwe Voss's attitude because he was very cooperative and said whatever it is, Factor will fix it and they followed through.

11577

With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Funkey, seconded by Trustee Nelson, 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 10:00 A.M.

11578

At 10:00 A.M Manager Clementi opened and read aloud bids received for Project 2025-05 – West Galena Blvd Manhole Liner Installation as follows: J&S Construction Sewer Water and Excavating – Total Bid \$32,750.00; Steve Spiess Construction Inc., - Total Bid \$27,036.00. After discussion, it was moved by Trustee Funkey, seconded by Trustee Brown, put to vote and unanimously carried to accept the bid from Steve Spiess Construction Inc., in the amount of \$27,036.00 and hold the bid from J&S Construction Sewer Water and Excavating in the amount of \$32,750.00 pending review from staff for approval.

11579

Manager Clementi addressed the Board with Discussion and Action items. She presented Ordinance No. 947 for the Annexation of the Sugar Grove Lift Station Property. It was moved by Trustee Funkey, seconded by Trustee Nelson, put to vote and the Motion was unanimously carried that Ordinance No. 947 for the Annexation of the Sugar Grove Lift Station Property be approved as presented.

11580

Manager Clementi presented for approval Resolution No. 1030 for Vacating a Public Utility Easement on the Brighton Ridge Property in Sugar Grove. It was moved by Trustee Brown, seconded by Trustee Funkey, put to vote and the Motion was unanimously carried that Resolution No. 1030 for Vacating a Public Utility Easement on the Brighton Ridge Property in Sugar Grove be approved as presented.

Manager Clementi presented for approval revised Resolution No. 1029 for a Repayment Agreement with Oswego School District #308 for underbilled water consumption at the 2 high schools. Manager Clementi stated that the School District requested some revisions on the Agreement. Attorney Silverman and the School Board's Attorney Stu Whitt worked on this Agreement and the School Board signed it on October 20, 2025. It is staff's recommendation that the Agreement be approved by the Board. Attorney Silverman stated that Fox Metro staff was concerned regarding enforcing late fees and the solution to that was to add a prevailing attorney's fees provision in case Fox Metro needs to take action to enforce the collection of late fees. The party that wins the case would be entitled to not only any damages, but to also recovery of their attorney's fees and other expenses related to the litigation. Trustee Funkey asked how many years were given to the School District to pay their unpaid balance. Manager Clementi stated they were given five years to pay their balance. Trustee Funkey asked why were they given five years if only two years have been given in the past. Attorney Silverman said five years was what was negotiated, Village of Oswego gave the School Board ten years to pay their balance. Trustee Funkey stated that for several years the Oswego School District paid a reduced water bill and sewer bills which was in error and assumes there was a lot of money left over in the School District's budget. Manager Clementi stated that was correct but the bottom line is that Fox Metro needs to get paid and conclude this matter. After discussion, it was moved by Trustee Brown, seconded by Trustee Nelson, put to vote and the Motion was unanimously carried to approve revised Resolution No. 1029 for a Repayment Agreement with Oswego School District #308 for underbilled water consumption at the 2 high schools.

Trustee Funkey stated this is a perfect example of how Fox Metro was taken advantage of by the Oswego School District and the reason this Resolution is approved, is because Fox Metro did not want a disagreement with governmental authorities and the School District used bad faith.

The next item discussed was the IAWA Annual Conference and the Solar Field Ribbon-Cutting Event. The Board congratulated Manager Clementi on being appointed the IAWA President. Trustee Sotir said Manager Clementi created a very nice round table forum for the Board of Trustees at the conference and received a lot of positive feedback from all participants. Trustee Funkey said he would like to see more in-depth coverage from the Trustees standpoint. He said the big thing now is PFAS, phosphorus and some other issues have already been addressed. He would like to hear what all other wastewater districts think about this.

Trustee Brown stated that the Solar field #2 ribbon cutting and 100th anniversary event held on October 3, 2025 went very well. Fox Metro staff did a great job organizing the event and had a very good public and government official's attendance. Trustee Funkey said the level of production of the solar field was at 85% at 10:30 a.m. that morning. Trustee Sotir stated the District's 100th year anniversary is something to be celebrated. Discussion ensued.



Trustee Sotir said there is a small building at the plant that she would like to be turned into a little museum where all of the District's historical photos and documents could be stored and displayed. Manager Clementi said she and staff will look into that.

Manager Clementi discussed with the Board the PR Task Force recommendation to hire a Public Outreach Coordinator. Trustee Brown stated that at the last PR Task Force meeting, there was extensive discussion regarding the need the District has for a Public Outreach Coordinator. It was first thought that it could be a part time position but after lengthy discussion and all the input received from staff, it was agreed and it became evident that this could be a full-time position with all the duties that this position entails. The duties of this individual would include but not limited to public outreach, scheduling tours, managing District's website, visiting schools, addressing and answering public questions regarding sewer issues and also help grow Fox Metro's Water and Wastewater Technology Program at Waubensee Community College. Currently, these extra duties are being performed by other employees and by hiring an individual for this position, would give these employees the time they need to perform their regular day to day duties. This also gives the public a direct contact at the District they can call with questions and issues. Manager Clementi stated the public education piece is key for this individual. All Trustees agreed with staff's recommendation to hire a full time Public Outreach Coordinator. Discussion ensued.

Senior Project Engineer James Kerrigan addressed the Board with the Construction Project Report. Mr. Kerrigan requested approval of Partial Payment No. 15 to Williams Brothers Construction, Inc., in the amount of \$724,043.89 for the North Waste Water Treatment Plant Bar Screen Replacement Project. The project is 58% complete and the pay request was reviewed by Trotter and Associates. Demolition of the upper floor of the bar screen structure is continuing, as is the installation of the first of the new covers for the aerated grit channels. Electrical equipment installation, masonry installation, and other building systems are also continuing.

Mr. Kerrigan reported that the Building K Plug Valve Replacement Project with Dahme Mechanical is 40% complete and there is no pay request submitted this month. The contractor is now in the process of staging equipment for the new large valve installation. The structural supports to the floor are also being installed to support the large equipment and valves.

Mr. Kerrigan reported that the Battery Install Project with General Energy is 10% complete and there is no pay request this month. The project design is continuing with Tesla, and the contractor continues to work with ComEd on the necessary connection agreements.

Mr. Kerrigan requested approval Partial Payment No. 2 to Whittaker Construction and Excavating, in the amount of \$242,513.63 for the North Waste Water Treatment Plant Renewable Natural Gas Utilization Project. The project is 7.6%

complete and the pay request was reviewed by Trotter and Associates. The contractor is progressing with the painting of the sphere and is continuing with the preparation of the building for the installation of the new equipment.

Mr. Kerrigan requested for approval Partial Payment No. 2 to Visu-Sewer of Illinois LLC, in the amount of \$88,537.50 for the Sewer Maintenance Contract Project. The project is 19% complete and the pay request was reviewed by Staff. The contractor is continuing the cleaning and televising work and has completed the 24-inch interceptors in the vicinity of Orchard Road and Galena Blvd, the 36-inch Waubensee College Interceptor, the Hanks Road Interceptor, and Kaneland School Interceptor.

11582

It was moved by Trustee Brown, 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.

Trustee Sotir requested an Executive Session to discuss Pending and Probable or Imminent Litigation and review the last six months of Executive Meeting Minutes.

11583

It was moved by Trustee Brown, seconded by Trustee Funkey put to vote and by roll call was unanimously carried to temporarily adjourn the regular Board Meeting for an Executive Session to discuss pending and probable or eminent litigation and review the last six months of Executive Meeting Minutes. 5 ILCS 120/2(c)(11), 5 ILCS 120/2 (c)(21).

The Regular Board Meeting temporarily adjourned for Executive Session at 10:35 A.M.

11584

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

The Regular Board Meeting reconvened at 11:51 A.M.

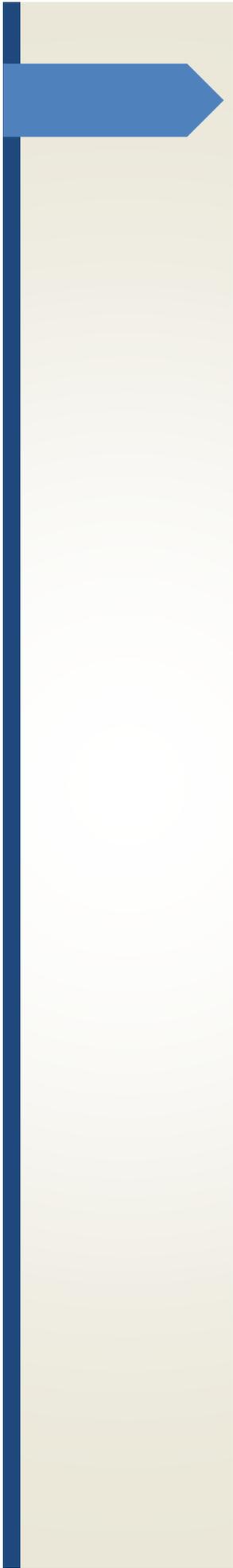
No decisions were made in Executive Session.

11585

It was moved by Trustee Funkey, seconded by Trustee Brown, put to vote and the motion unanimously carried that the Executive Meeting Minutes of April 23, 2025, to September 24, 2025 be approved and kept closed as recommended by the Board of Trustees and Manager Clementi.

11586

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



Meeting adjourned at 11:53 A.M.

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