MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF FOX METRO WATER RECLAMATION DISTRICT HELD WEDNESDAY, APRIL 22, 2026

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, April 22, 2026. Present were Trustee Judith S. Sotir, Trustee Michael Funkey, Trustee Randall Brown, Trustee Chuck Nelson and Trustee Scott Gryder. Also present were District Manager Karen Clementi, Attorney Dave Silverman from Mahoney, Silverman and Cross, LLC, Plant Manager Joel Ilseman, Maintenance Supervisor Chris Morphey, IT Supervisor Dan Vargas, Senior Project Engineer James Kerrigan, Controller Linnea Watkins and Senior Administrative Assistant Norma Rodriguez.

11657 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 March 2026 be approved in the amount of $2,596,117.70. Motion was seconded by Trustee Funkey, put to vote, and unanimously carried that the bills be paid as presented.

11658 It was moved by Trustee Brown, seconded by Trustee Gryder, put to vote, and unanimously carried that the Financial Report for March 2026 be approved as submitted.

Controller Linnea Watkins presented the Controller's Report to the Board. She noted that the budget appropriations would be brought forward for final approval at this meeting and directed attention to page 3 of the Board Financial Report. With two months remaining in the fiscal year, the District is reporting a surplus of $12,288,231, compared to a year-to-date budgeted deficit of $3,856,846 for the same period. Excluding approximately $10 million of the surplus related to capital projects—which can fluctuate due to external factors and delays—the District has reduced costs by nearly $6 million below budget. This reflects the significant effort by District staff to closely manage spending, particularly in light of rising costs over the past year. The District's revenue continues to strengthen its investments, support cash funding of projects, and help delay or minimize rate increases for the benefit of ratepayers.

11659 It was moved by Trustee Funkey, seconded by Trustee Brown, put to vote, and the Motion was unanimously carried that the Controller's Report be approved as written.

A motion to approve the minutes was made by Trustee Brown and seconded by Trustee Funkey. Prior to the vote, Trustee Funkey requested discussion regarding page 7 of the Board meeting minutes related to PFAS where Manager Clementi explained that Fox Metro is considered a "passive receiver," meaning it is effectively at the end of the treatment process. She noted that several PFAS-related bills are currently pending at the state level and that the District will receive advance notice regarding these developments.

Trustee Funkey expressed concern that such advance notice may come in the form of proposed legislation that the Board may not support, requiring staff to subsequently petition for revisions. He reiterated his position that the District should take a proactive approach by adopting an ordinance stating that Fox Metro will not treat PFAS. He suggested that this would clearly communicate the District's position to the IEPA and potentially influence how regulations are developed. He further stated that, if necessary, the District could adopt the ordinance and then seek IEPA approval.

Trustee Sotir questioned whether the District has the authority to refuse treatment or acceptance of PFAS. Trustee Funkey responded that the District's Pretreatment Ordinance already allows it to prohibit certain substances and that PFAS could be treated similarly. He indicated that any challenge to such authority could be addressed if it arises. Trustee Funkey renewed a prior motion proposing that the District prohibit contributions of industrial PFAS and direct staff to define which variants would not be accepted.

Trustee Sotir suggested that the matter be referred to the District Manager for further review and discussion at a future meeting. Trustee Funkey noted that this had already been done several months prior. Manager Clementi stated that staff is preparing a presentation on the topic for the next Board meeting.

Trustee Gryder commented that the issue has been discussed multiple times and expressed reluctance to allocate additional staff time without further guidance from federal or state agencies. However, he indicated support for arranging a meeting involving federal or state representatives and District staff to discuss concerns. He also suggested that Trustee Funkey could work with staff to draft a proposed ordinance, noting the District's significance as the second-largest wastewater agency in Illinois.

Trustee Funkey agreed that the Board should be involved in such discussions but emphasized the importance of clearly communicating the District's position to the EPA in advance. He noted that current testing indicates no PFAS concerns but warned that future industrial proposals could impact the District, particularly if local authorities approve developments without considering downstream effects on Fox Metro.

Manager Clementi reported that staff had discussions with the USEPA regarding Trustee Funkey's proposal and that agency representatives recently conducted an inspection at the plant. She stated that the USEPA is reviewing the issue as it pertains to the District. Mr. Tim Rubis added that the USEPA indicated the IEPA is currently no established PFAS standards in Illinois and that they are evaluating standards from other states to provide guidance.

11660 Following discussion, the motion to approve the March 18, 2026 Regular Board Meeting minutes was put to a vote and carried unanimously. All Trustees had received and reviewed copies of the minutes prior to the meeting.

Subsequently, Trustee Funkey noted that his renewed motion to approve an ordinance regarding PFAS had not received a second. Trustee Brown questioned the practicality of adopting such an ordinance given EPA oversight, expressing concern that it could lead to legal challenges and unnecessary costs, with the District ultimately required to comply with federal regulations.

Trustee Funkey reiterated that he does not want the District to incur costs associated with developing PFAS treatment capabilities. Manager Clementi responded that current PFAS levels within the District are below drinking water standards and reiterated that staff will present their research and findings on the matter at the next Board meeting.

During Public Comments, Trustee Sotir invited remarks from the public. Trustee Funkey reported that he had been asked by Mavis Bates to renew her request for Fox Metro to participate in Greenfest. He noted that Fox Metro has historically maintained a presence at the event through demonstrations and informational materials, but no volunteers were available this year.

Trustee Brown responded on behalf of the PR Workgroup, stating that the matter had been discussed. Due to an unusually busy March and April, including numerous plant tours and ongoing operational demands, staff capacity was limited. The Workgroup agreed to forgo participation in Greenfest this year. Trustee Brown added that staff have been conducting two to three plant tours per week since March, and expecting additional participation in another event would place an undue burden on the team. Manager Clementi noted that four school groups were scheduled for plant tours that day alone. Trustee Brown emphasized that the decision was not a lack of support for Greenfest, but rather the result of timing, given peak workload and competing commitments, including staff family obligations during the school season.

Trustee Sotir acknowledged that today's Board meeting coincided with Earth Day and highlighted Fox Metro's important role in water conservation, resource recovery, and public education. She noted the District's efforts in promoting proper disposal of unused medications and encouraging water conservation, while recognizing that additional opportunities for outreach remain.

Trustee Gryder recognized Mr. Tim Rubis, noting that they share the same birthday and both celebrated milestone birthdays this year.

11661 With no other comments coming before the Board, Trustee Sotir, on behalf of the Board, extended congratulations to all employees celebrating birthdays in the month of March.

Plant Manager Joel Ilseman introduced Juan Anguiano as the Union Representative at today's Board Meeting. Juan has been with the District for eight years, beginning in Operations, and this is his third year serving as an Electrician Apprentice, where he continues to perform well.

In discussion and Action items Manager Clementi requested tentative approval of the Fiscal Year 2026/2027 Budget. It was moved by Trustee Brown,
11662 seconded by Trustee Gryder, put to vote and unanimously carried to tentatively approve the Fiscal Year 2026/2027 Budget.

Manager Clementi requested authorization to schedule a Public Hearing on May 20, 2026, at 10:00 A.M. regarding the Fiscal Year 2027 Budget and Appropriations Ordinance No. 954. Trustee Brown moved to approve the
11663 request, with a second by Trustee Gryder. Upon a vote, the motion carried unanimously, authorizing the Public Hearing as proposed.

Attorney David Silverman reported on the potential sale of the property located at the northwest corner of Reckinger Road and Farnsworth Avenue in Aurora, Illinois. He informed the Board that the District had previously entered into a Listing Agreement with a realtor to market the property; however, that agreement expired some time ago. The realtor has since presented a prospective purchaser to gauge the District's interest.

At the request of Manager Clementi, Attorney Silverman reviewed the applicable statute and determined that the proper procedure for selling the property is through a public bid process, as required under the Sanitary District Act of 1917. He explained that, should the District proceed, staff would publish a notice soliciting bids. A standardized, "fill-in-the-blank" contract would be prepared, and the District would not negotiate contract terms with bidders. Prior to the bid deadline, interested parties would be given the opportunity to conduct due diligence, including property inspection, and would submit bids using the provided contract form.

Trustee Brown asked whether this approach would bypass the real estate agent. Attorney Silverman confirmed that it would, noting that the prior agreement has long since expired and that reiterating it would not align with statutory requirements.

Trustee Funkey asked whether the District is required to establish a minimum or maximum sale price. Attorney Silverman responded that the District may set such parameters if it chooses, but doing so would require discussion in Executive Session, particularly to determine a minimum acceptable price. He added that the District is not obligated to set a minimum price and may leave the bidding open, especially given that it has knowledge of at least one prior offer. He also emphasized that the District is not required to accept any bids.

Trustee Funkey commented that, in his view, it is generally preferable not to state a minimum price. Attorney Silverman indicated that, with the Board's approval, he and Manager Clementi would proceed with preparing the bid documents.

Trustee Brown raised a question regarding the "lowest responsible bidder." Attorney Silverman clarified that a correction to the Metropolitan Sanitary District statute specifies that, in such cases, the award should be made to the highest responsible bidder. Although the statute was not fully updated throughout, the District interprets the requirement accordingly. He further noted that, in prior instances, he has required bidders to provide a commitment letter from a financial institution verifying their ability to complete the purchase.

Trustee Sotir suggested that further discussion of this matter take place in Executive Session.

Manager Clementi presented Ordinance No. 953, which updates the District Code of Ordinances regarding user rates, for Board approval. Trustee Brown
11664 moved to adopt Ordinance 953 amending the Fox Metro Water Reclamation District Code of Ordinances with respect to user rates to forgo the previously adopted annual user rate increase and Trustee Gryder seconded the motion. The motion was put to a vote and passed unanimously.

Manager Clementi presented Ordinance No. 952 and Resolution No. 1032 regarding the annexation of 10.65 acres known as Jade Estates in Oswego,
11665 Illinois. Trustee Funkey moved to approve the annexation, seconded by Trustee Gryder. The motion was put to a vote and carried unanimously, approving Ordinance No. 952 and Resolution No. 1032 for the annexation of Jade Estates.

Manager Clementi presented Ordinance No. 955 and Resolution No. 1033 regarding the annexation of 6S346 Old Eola Road in unincorporated DuPage
11666 County. Trustee Funkey moved to approve the annexation, seconded by Trustee Gryder. The motion was put to vote and carried unanimously, approving Ordinance No. 955 and Resolution No. 1033 for the annexation of 6S346 Old Eola Road.

Manager Clementi presented Ordinance No. 956 and Resolution No. 1034
11667 regarding the annexation of 6S356 Old Eola Road in unincorporated DuPage County. Trustee Funkey moved to approve the annexation, seconded by Trustee Gryder. The motion was put to vote and carried unanimously, approving Ordinance No. 956 and Resolution No. 1034 for the annexation of 6S356 Old Eola Road.

Manager Clementi presented Ordinance No. 957 and Resolution No. 1035 regarding the annexation of Dutch Bros – Rt. 30 & Rt. 34 in Oswego, Illinois.
11668 Trustee Funkey moved to approve the annexation, seconded by Trustee Gryder. The motion was put to vote and carried unanimously, approving Ordinance No. 957 and Resolution No. 1035 for the annexation of Dutch Bros – Rt. 30 & Rt. 34.

Manager Clementi presented Ordinance No. 958 and Resolution No. 1036 regarding the annexation of QuickTripFuel Station & Car Wash – SEC Eola Rd & Diehl Rd., in Aurora, Illinois. Trustee Funkey moved to approve the
11669 annexation, seconded by Trustee Gryder. The motion was put to vote and carried unanimously, approving Ordinance No. 958 and Resolution No. 1036 for the annexation of QuickTripFuel Station & Car Wash – SEC Eola Rd & Diehl Rd.

At 10:00 A.M., Manager Clementi opened read aloud bids received for the 2026-03: Sewer Maintenance – Interceptor Televising Project – North Aurora area as follows: National Power Rodding – Total Bid $1,358,250.00; Visu-
11670 Sewer – Total Bid $1,668,200.00; After discussion, it was moved by Trustee Funkey, seconded by Trustee Brown, put to vote and unanimously carried to accept the bid from National Power Rodding in the amount of $1,358,250.00 and hold the bid from Visu-Sewer in the amount of $1,668,200.00 pending review and approval from staff.

Senior Project Engineer James Kerrigan addressed the Board with the Construction Project Report. Mr. Kerrigan requested approval of Partial Payment No. 21 to Williams Brothers Construction, Inc., in the amount of $1,114,426.49 for the North Waste Water Treatment Plant Bar Screen Replacement Project. The project is 76% complete and the pay request was reviewed by Trotter and Associates. Factory witness testing of the control panels have been completed, and the equipment is being prepared for shipment. This milestone will allow several new pieces of equipment to be fully commissioned.

Mr. Kerrigan requested approval of Partial Payment No. 9 to Dahme Mechanical in the amount of $66,600.00 for the Building K Plug Valve Replacement Project. The project is 82% complete and the pay request was reviewed by Staff. Work on the second pump installation is complete, and it is fully operational. The third pump installation is also nearing completion.

Mr. Kerrigan reported that the Battery Install Project with General Energy is 10% complete and there is no pay request this month. Permit drawings have been submitted to the county for approval. Once approval is received, construction can then commence.

Mr. Kerrigan requested approval of Partial Payment No. 8 to Whittaker Construction and Excavating Inc., in the amount of $560,510.26 for the North WWTP Renewable Natural Gas Utilization Project. The project is 28% complete and the pay request was reviewed by Trotter and Associates. The first exterior structure has been completed, and the contractor is continuing to install the new piping and concrete pads for the new gas cleaning equipment. Factory testing for the control system is also being scheduled.

Mr. Kerrigan reported that the Sewer Maintenance Contract Project – Interceptor Televising with Visu-Sewer of Illinois LLC is 46% complete and there is no pay request this month. The project is complete. Final payment will be submitted at the next Board Meeting.

11671 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.

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

11672 It was moved by Trustee Funkey and seconded by Trustee Brown to temporarily adjourn the regular Board Meeting and enter into Executive Session to discuss pending, probable, or imminent litigation, establish the price for the real property, as well as to review the Executive Session minutes from the past six months. The motion was put to a roll call vote and carried unanimously.

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

11673 It was moved by Trustee Brown seconded by Trustee Nelson put to vote and unanimously carried that the Executive Session be adjourned and resume the Regular Board Meeting.

The Regular Board Meeting reconvened at 11:20 A.M.

No decisions were made in Executive Session.

11674 It was moved by Trustee Brown and seconded by Trustee Gryder that the Executive Session Meeting Minutes from October 22, 2025, through March 18, 11675

2026, be approved and remain closed, as recommended by the Board of Trustees and Manager Clementi. The motion was put to a vote and carried unanimously.

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

Board Meeting adjourned at 11:21A.M.

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