MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF FOX METRO WATER RECLAMATION DISTRICT
682 STATE ROUTE 31, OSWEGO, IL
WEDNESDAY, JULY 22, 2026

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Judith Sotir called the Regular Meeting to order at 9:30 a.m. and led us in the Pledge of Allegiance to the Flag of the United States of America.

Board Members Physically Present: President Judith Sotir; Trustees Michael Funkey, Chuck Nelson, Randall Brown, and Scott Gryder.

Staff Physically Present: Karen Clementi, District Manager; Joel Ilseman, Plant Manager; Chris Morphey, Maintenance Supervisor; Dale Wagner, Operations Supervisor, Linnea Watkins, Controller; Tim Rubis, Regulatory Manager; Dan Rivera, HR & Safety Supervisor; Dan Vargas, IT Supervisor; James Kerrigan, Sr. Project Manager; Dave Silverman, District Attorney, and Norma Rodriguez, Senior Administrative Assistant.

2. PUBLIC COMMENTS:

No Public Comments

3. Controller's Update for June 2026 by Linnea Watkins, CPA

Controller Linnea Watkins reported that the District has entered the new fiscal year. She directed the Trustees' attention to page 3 of the Board Financial Report and reminded them that, for budgeting purposes, the Engineering and Field Operations departments have been consolidated into other departments. As a result, no budget amounts will appear for those departments. She further noted that once these line items are no longer reflected in the "Previous Quarter" amounts of the report, they will be removed entirely.

Ms. Watkins also informed the Board that fraud inquiry forms had been mailed and distributed directly to each Trustee. She requested that the Trustees review, complete, and return the forms promptly to help ensure the audit process remains on schedule.

Trustee Nelson noted that the Administrative and overhead is approximately $100,000 over budget and, upon reviewing page 4 of the Financial Report, observed that the variance appears to be related to the District's insurance premiums.

Trustee Nelson noted that the District's insurance costs appeared to have increased from amounts budgeted in previous years. Manager Clementi clarified that the increase was not due to higher overall insurance costs, but rather a timing issue. She explained that the District's High Risk Management insurance provider had restructured the District's insurance coverage, resulting in savings of more than $300,000 in insurance premiums during the first year while also providing the District with additional coverage. Manager Clementi stated that she could prepare a memorandum outlining the changes and savings for the Board's information.

Ms. Watkins added that this is the first month of the new fiscal year and that staff took the insurance costs and other annual expenses into consideration when preparing the budget. She stated that staff will monitor the expenses throughout the year to ensure the budget remains appropriate and noted that the insurance budget was reduced from prior years.

Trustee Nelson asked whether the insurance coverage discussed included the District's health insurance. Ms. Watkins said that it did and explained that the coverage includes liability insurance, directors and officers insurance, property insurance, and pollution liability insurance, which the District recently added.

Motion was made by Trustee Brown and seconded by Trustee Nelson to approve
11712 the Controller's report as presented.

The motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Michael Funkey	Randall Brown
Chuck Nelson	Scott Gryder	Nay: None

4. CONCENT AGENDA:

a. A motion was made by Trustee Brown and seconded by Trustee Funkey to approve the minutes of the June 17, 2026 Board Meeting. All Trustees had
11713 received and reviewed copies of the minutes prior to the meeting.

The motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Michael Funkey	Randall Brown
Chuck Nelson	Scott Gryder	Nay: None

11714 b. A Motion was made by Trustee Brown and seconded by Trustee Gryder to approve the Bill List Dated July 22, 2026 in the amount of $5,787,418.66.

The motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Michael Funkey	Randall Brown
Chuck Nelson	Scott Gryder	Nay: None

11715 c. A Motion was made by Trustee Brown and seconded by Trustee Nelson to accept the Financial Report for June, 2026 be approved as written.

The motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Michael Funkey	Randall Brown
Chuck Nelson	Scott Gryder	Nay: None

5. RECOGNITIONS AND INFORMATIONAL ITEMS

a. Trustee Sotir, on behalf of the Board, extended congratulations to all employees celebrating birthdays in the month of July.

6. REPORTS, OLD BUSINESS, AND ACTION ITEMS

a. The Board tabled the Motion to Direct Staff to continue to pay Board members Five Hundred Dollars ($500.00) per month, and make retroactive payments for the months not paid, as compensation for the Board of Local Improvements.

b. The Board tabled the Motion to Direct Staff to continue reimbursing Board Members for vision, medical, and dental-related expenses incurred by the Board Members when those expenses are not covered by insurance and/or Medicare, all in accordance with an unwritten policy of the Board of Trustees.

c. The Board tabled the Motion to Direct Staff to continue to pay vision, medical, and dental related expenses not covered by insurance/Medicare for life for former Board Members who served 9 years or more and their spouses, the former District Manager/Assistant Clerk and his spouse, and the spouse of the former District Attorney, all in accordance with an unwritten policy of the Board of Trustees.

d. The Board tabled the Motion to direct staff to continue to pay for vision, life, health, dental insurance, and Medicare premiums for former Board Members who served 9 years or ore and their spouses, the spouse of the former District Attorney, and the former District Manager/Assistant Clerk and his spouse.

e. A Motion was made by Trustee Funkey and seconded by Trustee Brown to
11716 approve Ordinance No. 962 authorizing the Annexation for a residential

property at 6S361 Old Eola Rd., Eola, IL. The Annexation was reviewed by Attorneys Mahoney, Silverman and Cross, LLC and staff is recommending approval.

11717 The Motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Michael Funkey	Randall Brown
Chuck Nelson	Scott Gryder	Nay: None

11718 f. A Motion was made by Trustee Funkey and seconded by Trustee Gryder to approve Ordinance No. 963 authorizing the Annexation of the Silverleaf subdivision of single-family homes on Deerpath Road, North Aurora. The Annexation was reviewed by Attorneys Mahoney, Silverman and Cross, LLC and staff is recommending approval.

The Motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Michael Funkey	Randall Brown
Chuck Nelson	Scott Gryder	Nay: None

11719 g. A Motion was made by Trustee Funkey and seconded by Trustee Gryder to approve Ordinance No. 964 authorizing the Annexation of a commercial property at 176 Harrison St., Oswego, IL. The Annexation was reviewed by Attorneys Mahoney, Silverman and Cross, LLC and staff is recommending approval.

The Motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Michael Funkey	Randall Brown
Chuck Nelson	Scott Gryder	Nay: None

11720 h. A Motion was made by Trustee Brown and seconded by Trustee Gryder to approve Ordinance No. 965 the Annexation of a commercial property at 126 Harrison St., Oswego, IL. The Annexation was reviewed by Attorneys Mahoney, Silverman and Cross, LLC and staff is recommending approval.

The motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Michael Funkey	Randall Brown
Chuck Nelson	Scott Gryder	Nay: None

CONSTRUCTION PROJECT REPORT AND PAY REQUESTS

Senior Project Engineer James Kerrigan addressed the Board with the Construction Project Report. Mr. Kerrigan requested approval of Partial Payment No. 24 to Williams Brothers Construction, Inc., in the amount of $577,453.64 for the North Waste Water Treatment Plant Bar Screen Replacement Project. The project is 85% complete and the pay request was reviewed by Trotter and Associates. New screens are being installed, and the building interior work is continuing with HVAC, controls, and electrical installations. Paving is anticipated to occur in the upcoming months.

Mr. Kerrigan reported that the Building K Plug Valve Replacement Project with Dahme Mechanical is 96% complete and there is no pay request this month. All the valves are installed. Punchlist work and demolition of the obsolete equipment is currently underway.

Mr. Kerrigan requested approval of Partial Payment No. 3 to General Energy Corporation in the amount of $945,000.00 for the Battery Install Project. The project is 55% complete and the pay request was reviewed by Staff. Permit approval is anticipated at any time, and on-site work is expected to commence immediately thereafter.

Mr. Kerrigan requested approval of Partial Payment No. 11 to Whittaker Construction and Excavating Inc., in the amount of $2,384,772.39 for the North WWTP Renewable Natural Gas Utilization Project. The project is 64% complete and the pay request was reviewed by Trotter and Associates. RNG cleaning equipment has been installed. The gas feed piping installation work is now underway and will continue for several weeks.

Mr. Kerrigan reported that the 2026-02: 69-inch OCSI Interceptor Rehabilitation Project with Inliner Solutions LLC is 13% complete and there is no pay request this month. The pipe liner has been installed as designed. The last remaining work comprising of the manhole rehabilitation and removal of bypass pumping will take place in the upcoming weeks.

Trustee Brown inquired whether it would be advisable for the District to remove the Reckinger Road property from the market at this time and relist it after the proposed pump station is constructed, in order to have a better understanding of the amount of property that will be needed at the site. Trustee Nelson requested an update on the status of the property. Manager Clementi stated that she and Attorney Silverman have been working to determine the proper process for bidding the property.

Manager Clementi showed a map identifying the property currently listed for sale and explained the pump station concept the District is developing with Strand, including which parcel would be utilized for the proposed facility. She explained that the project will require a permanent easement, and therefore, the property can be sold at any time without affecting the project.

Manager Clementi reported that staff is currently at the 10% design phase of the pump station planning process. Once the project is further developed, staff will present the Board with options for either retrofitting the existing pump station or constructing a new pump station, along with the estimated costs associated with each option.

Trustee Brown suggested a potential area on the property for construction of the new pump station. Manager Clementi explained that the area he is suggesting is located within a floodplain, which would make the project very difficult from a regulatory standpoint. She further noted that the District would likely be required to purchase wetland bank credits, which could result in a significant additional expense.

Trustee Brown expressed concern regarding the proximity of the proposed pump station to the residential area near the property. Manager Clementi stated that staff is aware of the concern and has discussed it as part of the Capital Improvements Workgroup. She noted that, before the project is presented to the Board, staff will work with the engineers to develop a clear concept for the pump station's location and design.

Trustee Brown asked whether the pump station could be constructed closer to Farnsworth Avenue rather than near the creek. Manager Clementi stated that this was a possibility; however, doing so would require the pump station to be connected to the 42-inch sewer and it depends on the engineering design.

After discussion and Mr. Kerrigan addressing the Trustees' questions, a
11721 Motion was made by Trustee Brown, seconded by Trustee Nelson to approve the Construction Project Report as published and payments be made as requested.

The Motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Michael Funkey	Randall Brown
Chuck Nelson	Scott Gryder	Nay: None

<u>10:00 A.M Bid Opening</u>

a. Omnitrax railroad crossing construction to connect the main campus to 800 S. River Street Montgomery Property

Mr. Kerrigan advised the Board that no bids were received for this project.

Trustee Funkey inquired whether Mr. Kerrigan knew why no bids had been submitted for the project. Mr. Kerrigan explained that he and staff had contacted numerous contractors, who indicated that working with the railroad presented too much risk. He noted that the railroad will complete its portion of the project and that specialty contractors are currently very busy. Manager Clementi suggested that once the railroad's portion of the project is completed, contractors may be able to visit the site and better assess the scope of work.

Trustee Sotir inquired about the District's role in the project. Mr. Kerrigan explained that the District has an agreement with the railroad under which the railroad will complete the track work and crossings, while the District will pave up to the track line. He noted that the project is relatively small and consists primarily of paving and drainage work. The lack of contractor interest is largely due to contractors currently being very busy and the relatively small size of the project.

NEW BUSINESS AND CLOSED SESSION

a. New Business

Trustee Brown questioned the sewer backup that occurred on July 4, 2026 in the 1600 block of Kenmore Street in Aurora. He stated that he received an email from retired plumber Steve Smith regarding his son's residence in the area. Mr. Smith indicated in his email that a District employee had advised that staff would return a day or two after the incident to determine whether a clog was present.

Manager Clementi referred the matter to Maintenance and Field Supervisor Chris Morphey. Trustee Brown asked Mr. Morphey whether anything had been found. Mr. Morphey reported that nothing was found.

Trustee Brown stated that he knows several residents in the area, all within one block of his home, who experienced sewer backups. He questioned the cause of the backups, noting that he believed the residents were served by separated sewer systems and asked how backups could occur if stormwater is conveyed through storm sewers.

Mr. Morphey explained that one possibility was that sump pumps could have been unable to keep up with the amount of rain that fell in such a short period of time. Trustee Brown noted that sump pumps do not pump sewage. Mr. Morphey explained that a sump pump could be connected to the sanitary sewer within a residence. Trustee Brown stated that such a connection could potentially be an illegal connection. Mr. Morphey confirmed that this was a possibility and added that the District experienced interceptor surcharging events during the storm but that this neighborhood was unaffected by these surcharges.

Mr. Morphey explained that the original interceptor near North Aurora and the North Aurora Village Hall experienced sewer backups, as did a couple of homes on Grant Street. He further reported that near Aurora Pack, there were two sanitary sewer overflow (SSO) events in which manhole covers were displaced due to the volume and force of the water. The interceptor was completely full, leaving the water with nowhere to go. This sewer is 100 years old and has been lined. He stated that all lift stations were functioning properly.

Mr. Morphey noted that approximately nine inches of rain fell during two events within a 24-hour period, with approximately five inches falling during the first event and four inches during the second. He stated that the circumstances were beyond the District's control due to the extraordinary amount of rainfall.

Manager Clementi reported that Mr. Ryan Kiest reviewed the area around Kenmore Street and she displayed a map showing the locations of the City of Aurora and Fox Metro sanitary sewers. She explained that the property at the end of the street, where Mr. Smith's son resides, is located near both the City of Aurora's and Fox Metro's sanitary sewer systems. Manager Clementi stated that Fox Metro could not speak to the condition or operation of the City of Aurora's sewer system, as it is owned and maintained by the City.

Trustee Brown identified several homes on the map near Kenmore Street that experienced sewer backups. Manager Clementi explained that those homes are connected to the City of Aurora's sewer system and advised that those residents should contact the City of Aurora regarding their backups.

Manager Clementi stated that Fox Metro staff inspected the District's eight-inch sewer to the east and west of the area and found no issues. She also reviewed the results of the District's most recent televising of the sewer in the area and reported that the sewer appeared to be in good condition, with no obvious leaks or cracks. She noted that the District televises its entire sewer system on a rotating basis approximately every seven to ten years.

Trustee Nelson stated that he also spoke with Mr. Steve Smith, whose son resides in the 1600 block of Kenmore Street. Mr. Smith indicated that he had worked for a plumbing company for many years. Trustee Nelson reported that Mr. Smith acknowledged lifting several City of Aurora manhole covers in the area, which he understood he was not authorized to do. Mr. Smith observed that water was moving in some locations; however, when he lifted a manhole near his son's residence, he observed stagnant water. Based on the significant amount of rainfall and the lack of movement in the sewer, Mr. Smith believed there could be a blockage somewhere in the line.

Trustee Nelson further reported that Mr. Smith observed several downspouts in the neighborhood that appeared to discharge into the ground. Trustee Nelson asked whether Fox Metro had conducted smoke testing in the area.

Manager Clementi explained that Fox Metro could conduct smoke testing and noted that she had assisted the City of Aurora with smoke testing for several years while working at an engineering firm. She explained that smoke testing can identify potentially illegal connections; however, in her experience, residents are typically advised to disconnect the connections and generally comply, only to reconnect them when another issue arises. Manager Clementi questioned how much the District should spend pursuing illegal connections, noting that the City of Aurora had previously abandoned a similar project because of the ongoing difficulty of enforcing such connections.

Trustee Gryder asked whether there is an enforcement mechanism for residents who create problems by illegally connecting to the sanitary sewer system. He stated that, in his opinion, residents should not make such connections because they could potentially expose themselves to liability if a problem occurs.

Trustee Nelson reported that another question raised by Mr. Smith concerned additional development north of the property on Konen Avenue. Mr. Smith questioned whether the existing eight-inch sewer line was adequate to accommodate the additional growth that has occurred in the area over the past 25 years.

Manager Clementi stated that the eight-inch sewer is adequate for the area and deferred to Mr. Kerrigan, who confirmed that the line would exceed its maximum capacity under the circumstances discussed.

Manager Clementi suggested that, with Board approval, the District could send a courtesy letter to residents in the area regarding the recent wet-weather events. She suggested that the letter include a request for residents to disconnect any illegal connections and advise them that maintaining such connections could potentially expose them to liability.

Trustee Nelson asked whether the District has an ordinance addressing illegal connections. Manager Clementi confirmed that the District does have an ordinance governing such connections. Trustee Nelson stated that he believed sending a letter to residents in the affected area would be a good idea.

Trustee Sotir asked Manager Clementi to provide the Board with an update on the impact of the July 4th rain event on the treatment plant. Manager Clementi reported that the plant sustained some minor damage; however, staff did an excellent job making most of the necessary repairs in-house. She noted that significant lighting damage occurred at the North Aurora Pump Station.

Mr. Kerrigan explained that the wet well was submerged approximately twenty feet, and the raw sewage damaged the lighting fixtures, all of which will need to be replaced.

Manager Clementi thanked Trustee Nelson for providing the contact information for State Representative Matt Hansen, who may be able to provide information regarding available flood assistance funding. She stated that the District will keep this resource in mind for future events. Manager Clementi explained that the damaged lights are explosion-proof and very expensive to replace. She has asked the Electrical Supervisor to prepare documentation regarding the damage so the District can determine whether it would be worthwhile to seek reimbursement or financial assistance through State Representative Hansen's office.

Manager Clementi noted that the positive aspect of the event was that the plant experienced no overflows. She commended Plant Manager Joel Ilseman, the Operations Supervisor, and the entire team of operators for their outstanding efforts during the storm.

On behalf of the Board, Trustee Sotir thanked all of the employees who worked throughout the event. She acknowledged the severity of the storm and the importance of ensuring that all facilities remained operational, stating that it was remarkable that staff were able to accomplish this without incident. Manager Clementi attributed the successful response to the staff's ability to remain calm, focused, and composed throughout what was a very stressful event that continued for several days.

10. EXECUTIVE SESSION

a. Trustee Sotir requested a motion to go into Executive Session to Discuss pending, probable, or imminent litigation in accordance with 5 ILCS 120/2(c)(11).

b. Discuss the appointment, employment, compensation, discipline or dismissal of a specific employee of the Public Body in accordance with 5 ILCS 120/2(c).

11722 A motion was made by Trustee Brown, seconded by Trustee Nelson to temporarily adjourn the regular Board Meeting and go into closed session to discuss pending, probable, or imminent litigation in accordance with 5 ILCS 120/2(c)(11) and discuss the appointment, employment, compensation, discipline or dismissal of a specific employee of the Public Body in accordance with 5 ILCS 120/2(c).

The motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir Mike Funkey Randall Brown
Chuck Nelson Scott Gryder

Nay: None

The Regular Board Meeting temporarily adjourned for closed session at 10:20 A.M

11723 A motion was made by Trustee Brown and seconded by Trustee Nelson to adjourn the Closed Session and resume the Regular Board Meeting.

The motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir Mike Funkey Randall Brown
Chuck Nelson Scott Gryder

Nay: None

The Regular Board Meeting reconvened at 10:25 A.M.

11724 A motion was made by Trustee Gryder, seconded by Trustee Brown to temporarily adjourn the regular Board Meeting and go into closed session to also discuss the consideration of **Legal Counsel** in accordance with 5 ILCS 120/2(c).

The motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir Mike Funkey Randall Brown
Chuck Nelson Scott Gryder

Nay: None

The Regular Board Meeting temporarily adjourned for closed session at 10:26 A.M

11725 A motion was made by Trustee Funkey and seconded by Trustee Gryder to adjourn the Closed Session and resume the Regular Board Meeting.

The Regular Board Meeting reconvened at 11:50 A.M.

11. No decisions were made in Closed Session.

Trustee Sotir stated that the Board feels strongly that Manager Clementi is doing an excellent job and emphasized that the Board has no intention of terminating her employment or placing her position in jeopardy. She made the same clarification regarding Attorney Dave Silverman. Trustee Sotir explained that the Board's concerns are not directed at either individual, but rather stem from the number of issues and circumstances involved with the Trustee benefits and insurance issue. She stated that the Board does not believe it currently has sufficient information to make a final determination and has decided to retain independent counsel to provide guidance regarding the matter.

Trustee Sotir further stated that the Board is also concerned with the process by which matters are brought before the Board. She noted that policy decisions should be presented to the Board for consideration, as such matters fall within the Board's responsibilities. She acknowledged Manager Clementi's position regarding whether the action in question was proper or improper and stated that the Board is seeking clarification not only as to whether the matter was legal or illegal, but also whether the action was proper and appropriate under the circumstances. She stated that this is one of the questions the Board intends to present to counsel.

Trustee Sotir explained that the District had maintained a policy for more than thirty years under which certain benefits were provided to Trustees as part of their compensation. She stated that the benefit was discontinued without prior consideration by the Board, resulting in Trustees having to assume the cost of supplemental insurance and other expenses that had previously been included as part of their compensation. She stated that the Board's decision to retain independent counsel is intended to obtain clarification and information regarding the matter and is not directed at Manager Clementi or Attorney Silverman.

Trustee Sotir also stated that the Board discussed the possibility of establishing an ad hoc work group to further review the matter and potentially consulting with the District's IAWA lobbyists. She noted that the issue has been difficult for the Board because the benefit had historically been represented as part of the Trustees' compensation and was subsequently discontinued. She reiterated that the Board's actions are intended to protect the interests of the Trustees and are not intended as criticism of Manager Clementi or Attorney Silverman.

Trustee Brown stated that there was language in the letter provided to Manager Clementi and signed by the Trustees that, in his opinion, could have been interpreted as placing blame on her. He clarified that the Board is not placing blame on Manager Clementi, but rather believes that the matter should have been brought before the Board for discussion and a decision prior to any action being taken.

Trustee Gryder stated that he commended Manager Clementi for standing by her position after receiving comments from the Trustees and for doing what she believed was appropriate under the circumstances. He stated that her willingness to uphold her principles and not yield to pressure when she believes something is wrong is commendable and is the type of leadership the Board wants for the District. He thanked Manager Clementi for her actions.

Trustee Brown added that Manager Clementi has the full support of the Board.

Trustee Sotir stated that she hopes the Board can return to its previous process of conducting business. She reiterated that the primary concern is that the matter changed unexpectedly without the Board being adequately informed or consulted and that, in the future, matters involving Board policy should be brought before the Board for consideration and action.

A motion was made by Trustee Brown and seconded by Trustee Gryder and that
11726 the Regular Board Meeting be adjourned.

The motion was declared carried by a unanimous vote of five (5) aye votes and zero (0) nay votes.

Aye: Judith Sotir	Mike Funkey	Randall Brown
Chuck Nelson	Scott Gryder	

Nay: None

12. Board Meeting adjourned at 12:09 P.M.

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