

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
OF FOX METRO WATER RECLAMATION DISTRICT  
HELD WEDNESDAY, SEPTEMBER 24, 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 September 24, 2025. 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 David Silverman, Regulatory Manager Tim Rubis, Human Resources Supervisor Dan Rivera, Plant Manager Joel Ilseman, Senior Project Engineer James Kerrigan, IT Supervisor Dan Vargas, Controller Linnea Scherer, Shawn Ajazi from Progressive Energy and Senior Administrative Assistant Norma Rodriguez.

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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 August 2025 be approved in the amount of \$7,260,342.77. Motion was seconded by Trustee Gryder, put to vote and unanimously carried that the bills be paid as presented.

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

Controller Linnea Scherer addressed the Board with the Controller's Report. She reported that the audit fieldwork is completed and it went very smoothly. The Sikich team and Fox Metro staff worked together well to accomplish everything efficiently and effectively.

Ms. Scherer advised the Board that the annual audit adjustments have been finalized and posted into the District's Financial Statements and thus she drew their attention to the interest income on the Financial Report. It appears to be negative \$400K however, that is an adjustment for how it is presented at year end. At year end unrealized gains and losses in the District total value are included, while during the year staff only posts for actual investment income. Those unrealized gains have to be adjusted after the audit. Therefore, the District's true investment income for August 2025 is \$220,207.00.

Ms. Scherer asked the Board to draw their attention to the electricity, gas, and oil expenses in the District's Operations budget. There is gain of \$21,902.00 showing a positive balance in this account. This is because of a ComEd rebate for the South Plant Solar Field the District received for \$132,990.00 which offsets part of the other expenses.



Ms. Scherer advised the Board that the repairs and maintenance in the Lab budget appears to be over budget for the month and that is because there were a few large payments for equipment that are paid out on an annual basis.

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

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It was moved by Trustee Brown, seconded by Trustee Gryder, put to vote, and the Motion was unanimously carried that the minutes of the August 20, 2025 Regular Board Meeting minutes be approved as written. Each of the Trustees having received and read copies of said minutes before the meeting. Trustee Nelson abstained due to his absence from the August 20, 2025 Board Meeting.

In Public Comments, Trustee Sotir addressed the public and asked for any public comments. Hearing no comments Manager Clementi was recognized by the Board for being appointed the new IAWA President, this is a distinct honor and are very confident she will do an amazing job due to her excellent credentials and leadership qualities.

Trustee Sotir, on behalf of the Board congratulated all of the employees who celebrated birthdays in the month of September.

Plant Manager Joel Ilseman introduced the Union Representative for this month's Board Meeting, Maintenance Mechanic and the Union bargaining unit secretary Ben Humm. Ben has been with the District for a little over 12 years. He is attending today's Board Meeting because he is interested in sustainability initiatives and would be interested in today's Committee of Local Improvements presentation.

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With no other Public Comments, it was moved by Trustee Brown, seconded by Trustee Funkey, 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 9:40 A.M.

In the Committee of Local Improvements, Manager Clementi introduced Mr. Shawn Ajazi from Progressive Energy Solutions who will present an update on Fox Metro's renewable energy initiative. This presentation ties in with the solar field ribbon-cutting event that will take place on October 3, 2025 at 10:00 a.m.

Mr. Ajazi advised that included in the Board packet this month, there is summary of the existing renewable and sustainable projects for the District. There is also a summary of what the Federal and State tax implications are due to the changes in the new administration.



Mr. Ajazi advised the Board the memo they received states that solar farm #1 went on line in January 2021. The savings to the District to date is over \$680,000.00 as well as reductions in the capacity and transmission value overall lowering the District's utility bills. Solar field #2S is the 1-acre solar garden and it went on line in May 2025. The District received permission from ComEd and the system is on and operational and producing power for that site. Solar field #2N went on line in August 2025 and is approximately 7 acres. Currently there is a live tracking system on the existing solar array that it is downloaded to the Fox Metro's website. The public can go on the website and view how the system is operating. Staff is also working to track all three solar arrays in aggregated forms so that it tracks savings, production and environmental benefits as a whole. The goal is to have this completed by next Friday, September 26, 2025.

Fox Metro intends pursuing partial reimbursement through the Inflation Reduction Act, which offers 40% project cost share for environmental Brownfield properties and 30% project cost share on standard projects.

Fox Metro will own, operate, and maintain Solar Field #2 due to the new IRA rules. The capital expenditure is \$4,958,900 and the anticipated return on the initial investment is in 5 years.

Fox Metro did receive a small credit back for the small inverter rebate for the #2S field and the District is starting to receive money back from the capital expenditures on the project. Fox Metro expects to have another check for the North field in the amount of \$350,000.00 within the next 45 days. Mr. Ajazi said staff will continue to audit the money coming in with Manager Clementi and will prepare a full Summary for the Board once all the closeouts come in for the RECs.

Mr. Ajazi stated that Solar Field #2 is expected to generate approximately \$4.5M in additional revenue over 25 years. This is a very conservative view, especially the way power prices have increased. He is anticipating power prices to accelerate in the next two to three years.

In addition to the behind the meter solar projects, the District has also entered into a Guaranteed Savings Subscription Program with a company called US Solar. Under this program, the District subscribes to a solar array that is located in any location that is ComEd's territory the District then receives a guaranteed 10% savings off of the ComEd utility price to compare. Mr. Ajazi explained that the District is always cash ahead under this specific program because it is built in on the ComEd utility invoices.

The District has subscribed for approximately 5.8 million kWh's. All of the satellite lift stations and smaller accounts are 100% subscribed and the main account here on campus is subscribed for approximately 3 million kWh's. It is projected the District will save approximately \$46,997.00 in the next twelve months. There are two additional lot fields that will be coming on line for the community solar subscription



which will increase the savings to \$59,224.00. Trustee Sotir clarified that the District will not be building anything but will only need to subscribe and there will be no need to spend any funds. Mr. Ajazi stated the District will be paying into the program through the ComEd bill for energy efficiency coal to solar transition but will not be laying capital into the development of the solar project being built. Someone else builds, operates and maintains and the District gets the solar energy at a 10% discount. This does not tie into the facility's usage, the District subscribes to a volume and it receives a 10% discount. Manager Clementi stated that she, Mr. Ajazi, and District Engineers James Kerrigan and Kerry Behr regularly discuss the topic of energy and try to project how much energy the District will be using because the District does not want to over subscribe. This is all a balancing act and a lot of work goes into planning. Manager Clementi gave kudos to Progressive for all of their hard work on this project.

Mr. Ajazi said the District has the Battery Energy Storage System and the District got in the forefront before Federal and State incentives expired. Fox Metro has agreements to install two 1MW Tesla Megapack Batteries onsite and they will provide the following: Further reduction of peak kW volumes, emergency 4 hour back up generation to Building K-2 and B-3 as well as deploying the battery during peak critical times into the grid to bring revenue stream into the District. Mr. Ajazi said the Manufacturer Agreements have been signed and the preliminary construction completion dates to the substation infrastructure have been received from ComEd and the target date for energizing the batteries is 2026 or early 2027.

Mr. Ajazi stated that the District's baseload requirements and needs are going to change. Manager Clementi said the District has the CMAP projections for the Fox Metro service area population growth and it is projecting one hundred thousand people to move into the area in the next twenty five years. This means Fox Metro will be treating more sewage, will need more power, this should all be phased in and should have batteries with different lifespans as well. Trustee Gryder inquired if there was any type of reclamation language included in the Solar Agreements in case the contractor goes bankrupt or something happens with the batteries and the District has to dispose of them. Manager Clementi advised Trustee Gryder that the Agreements did contain language that protect the District from any financial liability. Mr. Ajazi added that the Agreements have performance bonding and the District will own the batteries but there is language added to insure that the District is protected.

The capital expenditure on the batteries is \$6.3M and the anticipated return on investment is conservative at approximately 4 years with just using the existing State and Federal incentives available.

With regard to Renewable Natural Gas, Mr. Ajazi stated that Fox Metro is continuing to pursue a pilot project in partnership with Nicor to harvest the methane gas generated naturally from the treatment process, clean it, and inject it into the Nicor pipeline. Most of the methane gas currently produced at the plant is flared from the digesters.



Fox Metro also intends on pursuing funding for the RNG project through the Federal Inflation Reduction Act, which should reimburse 40% of the infrastructure cost needed to clean and transport the methane gas to the Nicor pipeline along Route 31. RNG is a clean energy option to reuse the plant's methane gas and lessen the consumption of geologic natural gas, which is a finite resource.

Fox Metro's payback for the RNG equipment will be a maximum of 8 years and may be as little as 4 years, depending on gas production and the market conditions. Engineers estimate that Fox Metro will save over \$2.7M in natural gas costs over the next 35 years.

The District's ultimate goal is to become the regional collector of methane gas generated from other wastewater treatment facilities in Illinois to further its sustainability for the greater good of Illinois residents.

Mr. Ajazi presented a Summary of Projects to the Board to show what the projects are, what tax credits impacts are, and what the status of the projects are. Staff is currently monitoring Federal guidance through recent executive orders and new Foreign Entities of Concern (FEOC) rules tied to these orders. Construction must begin by December 2033 to qualify. The Renewable Natural Gas Project is in construction and live date proposed is December 2026.

Staff is looking at a potential solar power at the lift stations. Solar project construction must begin by July 2026 and be completed by December 31, 2027.

Staff is also looking into electric vehicle charging based on the State and Federal tax credits. This project is in development. The State's incentives reduce over time which means next year's incentives will be less than this year. Fox Metro does have one electric car charger on site and it is located in front of the Administration Building and is available to the public. The fee charged at the station is what Fox Metro is charged without a markup. Staff is contemplating electrical chargers to be installed at the plant for future fleet vehicles. A Request for Quotes has been sent out to contractors to see what is available. Staff wants to make sure that the District receives incentives, if they are available.

Mr. Ajazi provided the Board with an information card with facts regarding the District's solar project that will be given out at the Solar Field Ribbon cutting and Fox Metro's 100<sup>th</sup> anniversary event on October 3, 2025. He advised the Board that Fox Metro is the largest Chicagoland's behind the meter solar installation as of today based on the project and this is something to be very proud of.

With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Brown, seconded by Trustee Funkey, 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.

Manager Clementi addressed the Board with Discussion and Action items. She advised the Board that the first two items in the agenda under Discussion and Action Items will have to be tabled to next month's Board meeting. Attorney Silverman explained those items have to be tabled because of the wording in the agenda is not reflective of what the action is.

The next item, Manager Clementi presented for approval Resolution No. 25-R-85 for the Intergovernmental Agreement with the Village of Oswego for Sharing Resources. She said this is very typical of the investigation work Fox Metro's staff performs with other municipalities. Village of Oswego realized it does not have an official Agreement in place with the District to share resources and equipment. Village of Oswego has already signed the Agreement, and Fox Metro staff is recommending approval to formalize what Fox Metro has already been doing for many years with the Village of Oswego.

It was moved by Trustee Funkey, seconded by Trustee Gryder, put to vote and the Motion was unanimously carried to approve Resolution No. 25-R-85 for the Intergovernmental Agreement with the Village of Oswego for Sharing Equipment and Resources.

The next item discussed was Resolution No. 1029 for the Repayment Agreement with Oswego School District #308 for underbilled water consumption at the 2 high schools that the Board signed at last month's Board Meeting. Oswego School District #308 has retracted and refuses to sign the Repayment Agreement. Trustee Funkey wanted to confirm that the Board approved the Agreement last month and now Oswego School District #308 refuses to sign it. Manager Clementi confirmed that was correct. Trustee Funkey said Manager Clementi provided the Board a memo regarding this matter which included the communications between Fox Metro staff and Oswego School District staff has had for years and they owe Fox Metro over \$200,000.00. He reviewed the communication back and forth between the District and the Oswego School District and there was one email that he found interesting that was dated October 8, 2024 from School District 308 Chief Financial Officer Raphael Obafemi to Fox Metro's Billing Supervisor Anna Aguirre where he stated that the amount in question was very significant and that none of it was included in the current year's budget. Trustee Funkey stated this bad faith on the part of Oswego's School District because for the fiscal year, which he assumes goes to the middle of 2025, they did not plan to pay Fox Metro anything or did not plan to pay anything on the \$200,000.00 outstanding obligation. Fox Metro staff and Mr. Obafemi sent all of these emails back and forth stating the School District wants to pay and now they refuse to sign the Agreement.

Attorney Silverman stated that it is important to note how the \$200,000.00 obligation came about. He said it is not that the School District did not pay their bills, the

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problem is that the bills were wrong because there was a problem with the Oswego water meters and the readings were not accurate. Once the meters were replaced, it was discovered that the School District was underbilled for water and sewer for a very long time. Trustee Funkey said there was a reference to that in the emails he reviewed but they were not Fox Metro's water meters. Manager Clementi stated the number here reflects what the School District was paying before the Village of Oswego's meters were changed. She explained that the School District was paying the regular amount and then the meters got changed out. They were paying a lower amount and should have had a budget surplus and would have the money to pay their bills. Trustee Gryder said theoretically the School District got a windfall and they plugged that windfall into somewhere else in their budget but they had been budgeting to pay it. Attorney Silverman stated that to be clear, the School District is willing to pay but they made a deal with the Village of Oswego that did not include late payment fees on their adjusted amount and they want the same deal with Fox Metro. When it came to Fox Metro, Manager Clementi and staff thought it was appropriate to include late payment fees in the Agreement in case the School District is late in making their payment. The issue with the School District is the late payment fee not that they don't want to pay their obligation. Trustee Funkey stated to Attorney Silverman that he does not buy that. Attorney Silverman stated that he had a conversation yesterday with the Oswego's School District's attorney who had spoken with the School District and stated that they are still unwilling to pay the late payment fees but they are willing to a direct deposit or ACH transaction for the monthly payments from their accounts to Fox Metro. The late payment fees do not have anything to do with the outstanding balance. A payment schedule was negotiated where the School District makes monthly payments to pay their outstanding balance and they don't want to pay any late fees on that balance if they miss a payment. Trustee Funkey said he does not believe any of that and based upon the emails he has reviewed it is bad faith on the part of the School District.

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It was moved by Trustee Funkey to instruct Attorney Silverman to immediately begin to investigate termination of sewer service to School District #308.

Trustee Gryder questioned if the direct deposit or ACH payments the School District agreed to were for the monthly payments or the \$200,000.00. Attorney Silverman said it was for the monthly payments of the \$200,000.00 debt for a term of five years at 0% interest. Trustee Gryder asked if every other District rate payer would pay a late fee if they were late with their payment or payment arrangement. Manager Clementi confirmed that was correct. Trustee Funkey said other rate payers do not get a deal to pay their bill for a term of five years and asked why is the School District getting this deal? Manager Clementi said Fox Metro is trying to be a good neighbor to the School District. Trustee Funkey said the School District has delayed paying their debt for over a year and he has made his Motion that will help in getting anything accomplished. Manager Clementi stated Fox Metro's staff's perspective is not about the late fees, the issue is that Fox Metro has not been paid by the Oswego School District for over 18 months. Attorney Silverman stated that it would be best to discuss this issue in Executive Session



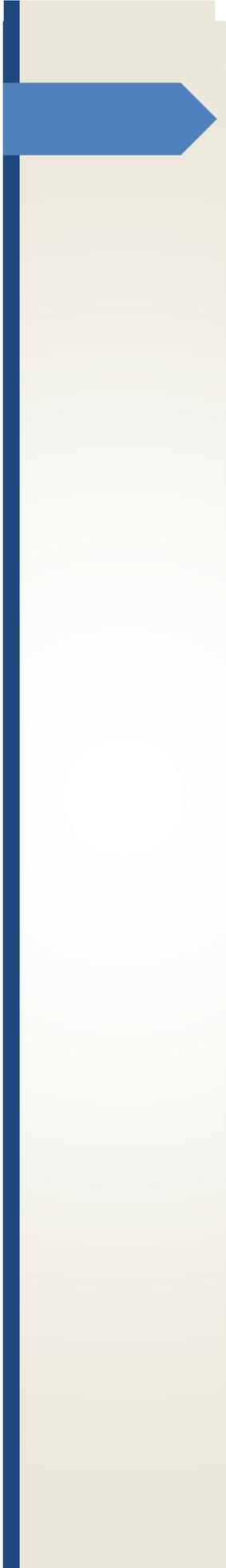
because now the Board is speaking about probable or eminent litigation with the Oswego School District at this point.

Trustee Nelson asked if it is Fox Metro's standard operating procedure to assess a late fee to rate payers that are on a payment plan and miss a payment. Manager Clementi confirmed that was correct.

Trustee Sotir wanted to confirm that the late fees being discussed are not on the \$200,000.00 balance because those late fees were waived. The late fees the School District is having an issue with are the late fees they may incur if they default payment in their payment plan. Manager Clementi confirmed that was correct. Attorney Silverman asked the Board if they are thinking of suing the Oswego School District, if that is the case, this conversation needs to be held in Executive Session. Trustee Funkey stated his Motion was to turn their sewer service off.

Trustee Gryder inquired why the School District has a problem with a late fee? Do they think they are going to miss a payment? Attorney Silverman said he did not know and can't explain why they have an issue with the late fee language in the Agreement. He said the issue is that if the School District missed a payment, their late fee would be \$331.00 per month. Trustee Funkey asked if the payment plan is \$3,300.00 per month for five years? Manager Clementi said that was correct. Trustee Nelson asked if Fox Metro has a copy of the Agreement the School District has with the Village of Oswego. Manager Clementi said staff does have a copy because Attorney Silverman wrote it for them and Fox Metro used that as a template for our Agreement. Attorney Silverman stated he does not recall the exact amount the School District owes the Village of Oswego but it is significantly more than what they owe Fox Metro. Manager Clementi stated that the issue with Fox Metro is not about the late fee, the issue is what happens when Fox Metro does not get paid then we have no recourse for collection. Trustee Funkey wanted to confirm that the Fox Metro Agreement states that there would be a late fee if they miss a payment in their payment plan and Fox Metro has waived all late fees on past due balance, they have not paid for the past 18 months. Manager Clementi said that was correct.

Trustee Gryder asked who in the Oswego School District is pushing back on this, will not sign the Agreement and what was the communication back to the District. Attorney Silverman said he was just brought into this case recently and he is not sure if this coming from the School Board or from the Finance Director. He spoke to the Attorney for the School District yesterday and advised that it looks like the only issue that he was aware of is the late payment fee if they don't make their payments. He said he spoke with the Finance Director and that if the District was concerned about a late fee, the School District would do a direct ACH deposit. Manager Clementi said she has several emails where Mr. Obafemi is making the same promise over and over and payments are not being made. Attorney Silverman stated there is also nothing to say that the School District can't direct their bank to stop making the payments and then be in breach of their Agreement. Manager Clementi



said now there would be a lawsuit about a \$331.00 late fee or a \$3,300.00 monthly payment, and that would mean a lot of attorney's fees. Manager Clementi said the piece that she thinks is important with this is that the Village of Oswego does the water shut offs for Fox Metro, it is the village's buffalo box and Fox Metro can't touch it.

IT & Billing Supervisor Dan Vargas said the Oswego School District had promised Fox Metro verbally they were going to make payments last December. In early January 2025 they stated that was not true that they needed something in writing to present to their Board. Staff drafted an Agreement which included the exact same late fee provision we are seeking now and Raphael Obafemi himself accepted all terms and said he would present it to the School Board. Three hours later Fox Metro staff received notification that the School Board requested the matter be tabled. Trustee Nelson asked if the Agreement was presented to the Board. Mr. Vargas said it did not even get that far because three hours after Mr. Obafemi accepted it, the Director of Finance emailed Fox Metro staff advising that it was tabled and removed from the agenda. Mr. Vargas said that the School District wanted to present the School Board the Agreement for the Village of Oswego and Fox Metro as one. Manager Clementi also said the School Board did not seem to understand that Fox Metro and the Village of Oswego are two separate agencies. Trustee Brown stated perhaps a member of the Board can attend the Oswego School Board meeting and speak in public comments regarding this issue. Manager Clementi said that is one of the strategies being discussed. She said the point is Fox Metro can agree to the School District's terms and waive the late fees but then we need to be prepared to what happens when they miss payments?

Trustee Sotir said she can call the president of the Oswego School Board and discuss Fox Metro's concerns and the bottom line is that the balance just needs to be paid. Manager Clementi said that would be very helpful because the individuals Fox Metro staff have been speaking with have not been operating in good faith. Trustee Nelson supports Trustee Sotir's idea of contacting the Oswego School Board President.

The next item discussed is the approval of the renewal of the District personnel insurance policies. There is generally only 10 calendar days between the time staff receives the renewal quotes and when we need to renew. Manager Clementi requested authorization for staff to renew the various insurances rather than have a workgroup due to the timeliness, and staff being at the front line with employees' and retirees' complaints. Stumm Insurance has advised staff that they are seeing significant health insurance premium increases industry-wide.

Trustee Funkey asked if the only thing Manager Clementi was seeking right now was the authority to communicate with Stumm Insurance. Manager Clementi said what she is seeking is authority to sign a contract with Stumm Insurance because there is only a 10-day renewable period.

It was moved by Trustee Funkey, seconded by Trustee Nelson put to vote and the Motion was unanimously carried that based on the explanation given by Manager Clementi, Staff has the Board's approval to renew the District Personnel Insurance Policies based upon staff's review and Stumm Insurance input.

Trustee Gryder asked if the insurance policies that Manager Clementi wants to renew are the same and cost less than last year. Manager Clementi said she does not believe it will cost less than last year because as she stated in the memo given to the Board, insurance premiums are expected to increase nationwide. This is due to many factors: One is the number of people nationwide using GLP-1 drugs for not only weight-loss but sleep apnea, diabetes, etc. has quadrupled over the last four years. Also, the tariff impacts from drugs made overseas, especially India and China, and they will continue to increase until the US manufacturing can be ramped higher.

Manager Clementi stated if any member of the Board would like to sit in the health insurance meetings, they are welcome. Trustee Gryder stated he does not feel comfortable giving staff authorization to renew the employee's insurance policies without knowing how much more it is going to cost the District. Manager Clementi asked if Trustee Gryder would like a ceiling of percentage. Trustee Gryder stated that without knowing the coverages or if there were going to be a change in coverage, he hates to give blanket approval on something that he doesn't know and it could be big dollar amount that could affect a lot of people. Manager Clementi said a decision needs to be made quickly. Trustee Gryder asked how long has the District used Stumm Insurance. Manager Clementi said the District has used Stumm for three years. Trustee Brown stated Stumm Insurance has been very helpful and the Board and staff have been very pleased with them. Trustee Sotir said Stumm keeps track of what's going on and have always brought the District very good proposals. Manager Clementi added that this is why the District is saving \$1M per year on insurance premiums. Trustee Sotir asked Trustee Gryder if was interested in joining the District's Insurance Workgroup. Trustee Gryder said he was interested and added that he is not trying to take this out of District Staff's hands. Trustee Sotir said she understands and it is good to have a Trustee's perspective and bring back information back to the Board. Manager Clementi said she needs the authorization to sign the contract before the October Board Meeting and staff's intention is to renew everything because overall staff and employees are happy with the current plan the District has. She said once the quotes come in staff has ten days to authorize a plan. Trustee Sotir asked Trustee Gryder to please share the information from the meetings with the rest of the Board members. Trustee Funkey agrees with Trustee Gryder and understands his concerns. He thinks the Board should approve staff to sign the insurance contract with certain parameters.

Trustee Funkey suggested a motion to approve District Staff to renew the District Personnel Insurance Policies up to a 25% increase in the premium and maintain the exact same coverage to the extent possible.

Trustee Sotir said the issue from the District's employees' perspective is do they still have the same coverage they had in the past? This is what Stumm works to achieve and Trustee Sotir is confident they will be able to achieve the same or very similar coverage. Trustee Gryder stated he agrees with Trustee Funkey's Motion given approval and if there is something that is a red flagged, he can raise the alarm.

It was moved by Trustee Funkey, seconded by Trustee Brown put to vote and the Motion was unanimously carried that the Board authorize staff's execution of the quote for insurance for the District for medical and everything that is included in medical for District employees provided the increase in coverage for the same basic services does not exceed 25%.

The next item discussed was the meeting between Manager Clementi, Trustee Funkey and Congressman Foster on August 23, 2025 to discuss SimpleRay. Trustee Funkey stated the meeting lasted approximately one hour and Congressman Foster listened to the situation and said that his office was not available to make the call to the Department of Justice. Congressman Foster did say that his assistant, who was present at the meeting, would get back to Fox Metro staff with a name and a number of someone who could assist. In the meantime, Trustee Funkey has made some calls and expects within the next couple of days to obtain the name and number of a person at the United States Attorney's office for the Northern District of Illinois and an investigator. What Trustee Funkey expects to do is to call the District's investigator and put him in touch with their investigator so they can sit down and share all the information that he has. Trustee Funkey said he will ask the District's investigator to consult with Attorney Rich Larsen prior to that meeting to obtain all the information he has in order for the whole package be presented to the United States Attorney's office.

Senior Project Engineer James Kerrigan addressed the Board with the Construction Project Report. Mr. Kerrigan requested approval of Partial Payment No. 14 to Williams Brothers Construction, Inc., in the amount of \$900,076.44 for the North Waste Water Treatment Plant Bar Screen Replacement Project. The project is 54% complete and the pay request was reviewed by Trotter and Associates. The first of the new bar screens has been installed and is being readied for operation. The contractor has commenced the demolition of the second bar screen and associated equipment. Other major equipment such as the screenings conveyors, screening washers, and the new HVAC units have now been delivered and are being prepared for installation.

Mr. Kerrigan requested approval of final payment to General Energy Corporation, in the amount of \$411,782.30 for the Solar Field #2 Project. The project is 100% complete. The pay request was reviewed by Staff.

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 preparing the new steel structure to reinforce the floor in preparation for the new valve and piping installation. This work will take place in the upcoming months.

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 for approval Partial Payment No. 1 to Whittaker Construction and Excavating, in the amount of \$513,668.31 for the North Waste Water Treatment Plant Renewable Natural Gas Utilization Project. The project is 5% complete and the pay request was reviewed by Trotter and Associates. The contractor has completed the demolition work on the existing equipment in Building E and is now preparing for the facility to be ready for the gas cleaning equipment. Preparation for painting the gas storage sphere is also underway.

Mr. Kerrigan requested for approval Partial Payment No. 1 to Visu-Sewer of Illinois LLC, in the amount of \$71,890.40 for the Sewer Maintenance Contract Project. The project is 9% complete and the pay request was reviewed by Staff. The contractor has commenced work and has completed the first segments of the 24-inch interceptors in the vicinity of Orchard Road and Galena Blvd.

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It was moved by Trustee Brown, seconded by Trustee Funkey, 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 probable pending and eminent litigation, appointment, employment, compensation performance, or dismissal of Personnel.

11569

It was moved by Trustee Brown, seconded by Trustee Nelson put to vote by roll call and it was unanimously carried to temporarily adjourn the regular Board Meeting for an Executive Session to discuss 5 ILCS 120/2(c)(11), 5 ILCS 120/2 (c)(1) probable pending and eminent litigation, appointment, employment, compensation performance, or dismissal of Personnel.

The Regular Board Meeting temporarily adjourned for Executive Session at 10:57 A.M.

The Regular Board Meeting reconvened at 11:24A.M.



11570

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

No decisions were made in Executive Session.

In New Business, Trustee Brown said it was in the news that some devices were found in New York that if used, could have disrupted the cell phone grid for a very large area. He inquired if the District has a back-up system if cell phones and other forms of communications fail. IT Supervisor Dan Vargas stated the District does have back up communication devices if cell phone communication goes down. Manager Clementi stated District staff has emergency preparedness plans for all departments. She gave kudos to Mr. Vargas and his team for working constantly on the District's cybersecurity.

11571

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.

Meeting adjourned at 11:25 A.M.

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