

Minutes of the Board of Trustees of the Fox River Water Reclamation District held on Monday, January 8, 2018 at the Administration Building at 1957 North LaFox, South Elgin, Illinois. Present were President Bruce Corn, Vice President Bernal, Clerk/Treasurer Gary Hyman, Trustee Arthur Malm, and Trustee Steve Rauschenberger.

Staff present included Executive Director Bob Trueblood, Technical Services Director Beth Vogt, Finance Manager Nazer Uddin, Assistant Clerk Kim Narvaiz and Attorney Doug Scheflow.

President Corn called the meeting to order at 9:09 A.M.

**PUBLIC COMMENT**

None

**APPROVAL OF CASH DISBURSEMENTS**

President Corn read aloud the cash disbursement totals per fund. Disbursements for the Sewer Revenue Fund \$685,698.33, Corporate \$60,368.98, Capital Improvement \$406,828.09, Depreciation & Replacement \$242,972.36, Skyline \$1,951.89.

Trustee Hyman made a motion, seconded by Trustee Rauschenberger, to approve the Cash Disbursements as presented. Ayes, Trustees Corn, Bernal, Hyman, Malm, Rauschenberger. Nays, none.

**REVIEW OF CONNECTION PERMITS**

TSD Vogt reported that staff issued four commercial and four industrial permits and one single family permit. As there were no irregularities, staff recommended approval.

Trustee Bernal made a motion, seconded by Hyman, to approve the Connection Permits as issued. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

**REVIEW OF CONTRACTS AND PURCHASE ORDERS**

None

**FOIA REQUESTS**

Executive Director Trueblood reported that there was one FOIA request made since the last meeting from Illinois American Water. Trueblood explained that no direct action is needed from the board at this time; staff has written a draft response to the request, which is currently under review by Attorney Scheflow.

**OLD BUSINESS**

None

**NEW BUSINESS**

**MOTION TO APPROVE – TRUSTEE RAUSCHENBERGER TRAVEL TO NACWA CONFERENCE**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to authorize Trustee Rauschenberger to attend the NACWA Conference in Napa, CA as requested.

President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Malm, Hyman. Nays, none.

**MOTION TO APPROVE – EXECUTIVE DIRECTOR TRUEBLOOD TRAVEL TO NACWA CONFERENCE**

Trustee Hyman made a motion, seconded by Trustee Bernal, to authorize Executive Director Trueblood to attend the NACWA Conference in Napa, CA as requested.

President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Malm, Hyman. Nays, none.

**MOTION TO APPROVE – ORDINANCE 894 FOR NON- DISCRIMINATION AND ANTI-HARASSMENT POLICY**

Trustee Malm made a motion, seconded by Trustee Rauschenberger, to approve Ordinance 894 establishing a policy prohibiting sexual harassment.

Trustee Malm asked where this policy came from. Attorney Scheflow responded that this policy was provided from an HR Consulting company the District hired to ensure all required HR laws were being followed.

There was no further discussion; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Malm, Hyman. Nays, none.

**MOTION TO APPROVE – ANNEXATION ORDINANCE 895 FOR ANTO-MAR PROPERTIES LLC OF 6.78 ACRES DESIGNATED AS LOT 1 ALONG BOWES ROAD, SOUTH ELGIN**

Trustee Rauschenberger made a motion, seconded by Trustee Malm, to approve Ordinance No. 895 for the annexation of 6.78 acres designated as Lot 1 along Bowes Road in South Elgin.

As there was no discussion, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Malm, Hyman. Nays, none.

**MOTION TO APPROVE – RESOLUTION NO. 489 FOR RESUBMISSION OF THE MODIFIED PRETREATMENT ORDINANCE FOR APPROVAL BY USEPA**

Trustee Bernal made a motion, seconded by Trustee Hyman, to adopt Resolution No. 489 as presented.

Trustee Malm asked how many pages is the total document. TSD Vogt responded that she would have to look up the exact number but roughly 80 pages including the exhibits and ERP guidance. TSD Vogt added that all the documents have been made available to the Trustees through the Board Access Portal on the District's website at each revision. Trustee Malm expressed concern that he has only seen parts of the document, never the whole thing together. Attorney Schefflow responded that this item will come back around for Board approval of the final draft, this current approval is for resubmission of the modified version. However, if the Board was to make any further changes, it would require resubmission of the entire program to USEPA for review.

President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Malm, Hyman. Nays, none.

**MOTION TO APPROVE – ROBERT TRUEBLOOD AS FRWRD REPRESENTATIVE TO THE FOX RIVER STUDY GROUP**

Trustee Bernal made a motion, seconded by Trustee Hyman, to appoint Executive Director Trueblood as FRWRD's representative to the Fox River Study Group for calendar year 2018.

President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Malm, Hyman. Nays, none.

**MOTION TO APPROVE – TIME EXTENSION REQUEST FOR PHASE III AND IV SLUDGE TRANSFER MAIN PROJECT TO H. LINDEN AND SONS SEWER AND WATER INC**

Trustee Malm made a motion, seconded by Trustee Bernal, to approve the time extension request proposed by H. Linden and Sons Sewer and Water Inc. for the project.

Trustee Bernal asked if everything has been approved with the loan. TSD Vogt responded yes the loan is all set, everything just takes a long time to process. With the restrictions on construction time due to the endangered bird, there wasn't enough time to complete the river crossing before March 1<sup>st</sup>. The Contractor has indicated that there will be no increase in contract price for this time extension and that all other contract dates can be met.

President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Malm, Hyman. Nays, none.

**MOTION TO APPROVE – SUBSTITUTION REQUEST FOR PIPE MATERIAL FOR PHASE III AND IV SLUDGE TRANSFER MAIN PROJECT TO H. LINDEN AND SONS SEWER AND WATER INC.**

Trustee Malm made a motion, seconded by Trustee Rauschenberger, to approve the Pipe Substitution Request from H. Linden and Sons Sewer and Water Inc. for the project.

Trustee Rauschenberger asked if the cost of the substitute pipe (C900 PVC Certa-Lok instead of the original specified HDPE) costs less. TSD Vogt responded no the cost of the pipe is the same, it's the installation process that is where the cost savings occur. Trustee Rauschenberger asked if the quality of the PVC is the same as the HDPE. TSD Vogt responded yes, the two materials are very similar, the corrosion resistance is similar and they both will work for the project.

There were no more questions from the Board; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Malm, Hyman. Nays, none.

**MOTION TO APPROVE – AUTHORIZATION OF PURCHASE ORDER FOR NORTH WRF SECONDARY CLARIFIER NO. 1 REPAIRS TO THE CONTRACTOR WITH THE LOWEST PRICE**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to authorize the Executive Director to sign a Purchase Order for the North WRF Secondary Clarifier No. 1 Repairs Project to the contractor with the lowest price proposal.

TSD Vogt requested clarification from Attorney Scheflow as staff had solicited quotes from four contractors but only two of the contractors provided quotes. Since this project is under \$40,000, staff believes it has followed the legal requirements in attempting to get three quotes when possible. Trustee Bernal asked if everything is documented in writing. TSD Vogt responded yes. Attorney Scheflow agreed that as long as staff attempted to get three quotes, the requirements are met.

Trustee Malm questioned what type of aluminum was being used for the repair as some types will corrode with stainless steel rivets. TSD Vogt responded that she would have to check on the specific aluminum alloy. TSD Vogt also stated that only two out of the four clarifiers are in service right now as another clarifier had a gear failure. Once this repair work is complete, staff will decide how they want to proceed in fixing the other clarifier that has the same skirt.

There was no more discussion; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Malm, Hyman. Nays, none.

**MOTION TO AUTHORIZE – BIDDING FOR CONSTRUCTION OF THE PUMP  
STATION 31 REPLACEMENT PROJECT**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to authorize bidding and construction of the Pump Station 31 Replacement Project. The IEPA application for permit to construct and operate has been submitted to IEPA as approved by the Board of Trustees at the November 13, 2017 meeting. The estimated project cost of the improvements for the pump station is \$9,607,000.

Trustee Malm commented that he has looked through the provided information prepared by staff and while he does not doubt that the project needs to be done, he questions the timing of the project. Trustee Malm continued to say that with all the other projects currently taking place he just doesn't feel it's appropriate to start a new project and spend the amount of money this project requires. Trustee Malm also indicated that bids may be high with construction activity increasing. Executive Director Trueblood responded that staff will review bids to make sure they are fair and if significantly over the engineers estimate, the contract does not have to be awarded to the bidder. TSD Vogt commented that in her opinion, the current risk factor in continuing indefinitely with the station is significant. This project will take probably about 18 months to complete and there is potential for a major SSO discharge or sewer backup if some of the current conditions and issues aren't addressed soon. Operations Manager Haacker was present and commented that he agrees with TSD Vogt, the risk of failure at PS 31 is huge. Trustee Hyman commented that he took a tour of this Pump station and was shocked that this station is still functioning. Trustee Hyman also expressed great concern for the safety of employees with the current conditions.

Trustee Malm commented that a less expensive option should be tried first. OM Haacker responded that the pumps are spinning at slow speed and there have been several patches already applied to the volutes on the pumps over the years. Executive Director Trueblood commented that this project is a Depreciation and Replacement project and most of the other current project are Capital Improvements. Trustee Malm commented that just because we have the money doesn't mean we need to spend it. Trustee Rauschenberger asked if the Board can still reject the bids. Executive Trueblood responded that yes the Board is the authority to award contracts so the low bid will be presented for award at a later meeting.

After some further discussion, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman, Malm.

**FINANCE MANAGER'S REPORT**

Finance Manager Uddin reported that the Oracle Planning and Budgeting module Hyperion has been completed and went live on December 19, 2017. This module will be used to prepare Fiscal Year 2019 budget.

**TECHNICAL SERVICES REPORT**

TSD Vogt provided a summary of the status of projects budgeted by FRWRD for the current fiscal year. A similar summary was presented to staff at the all employee meeting the District held in December. Projects were summarized as completed, ongoing, still planned to be started, or delayed to future budget and separated by treatment facility. Trustee Bernal asked how project budgets are calculated. TSD Vogt responded that staff generally makes the estimates but for larger project under design, the consultant provides the estimate. Trustee Malm asked how multi-year projects affect projected cash flow. FM Uddin responded that Oracle has a 10-year projection in its project planning module.

President Corn called a 10 minute break at 9:58 A.M.

**STAFF REPORT OF ONGOING STUDY, DESIGN AND CONSTRUCTION PROJECTS**

TSD Vogt reported that the digester project is progressing but may involve additional necessary work on the heat exchangers in Building 19 that was discovered during the construction. Work on Pump Station 40 is on hold until warmer weather. Trustee Malm asked if the District is paying for material storage. TSD responded no. Lastly, TSD Vogt reported that the demolition of 266 Lessenden was advertised and staff will have the bid results for the next board meeting.

**EXECUTIVE DIRECTOR'S REPORT**

Executive Director Trueblood reported that President Corn delivered the requested information from the Kane County States Attorney's Office. As of today Trueblood has not heard any feedback. Trueblood has also provided a draft of the 2018/2019 Board Meeting schedule for Board members to review.

**ATTORNEY'S REPORT**

None

**RECESS**

Trustee Hyman made a motion, seconded by Trustee Rauschenberger, to recess the meeting and enter into Executive Session at 10:25 A.M. Ayes, Trustees Corn, Rauschenberger, Bernal, Malm, Hyman. Nays, none.

**RECONVENE**

Trustee Bernal made a motion, seconded by Trustee Hyman, to reconvene the Board of Trustees meeting at 11:20A.M. Ayes, Trustees Corn, Rauschenberger, Bernal, Malm, Hyman. Nays, none

**ADJOURN**

Trustee Bernal made a motion, seconded by Trustee Hyman, to adjourn the January 8, 2018 Board of Trustees meeting at 11:20 A.M. Next meeting is scheduled for 9:00 A.M. January 29, 2018. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

Respectfully Submitted

Kim Narvaiz, Assistant Clerk

APPROVED:

Bruce R. Corn, President

Gary Hyman, Clerk-Treasurer