

Minutes of the regular meeting of the Board of Local Improvements of the Fox River Water Reclamation District held on Monday, January 29, 2018 at the Administration Building at 1957 North LaFox, South Elgin, Illinois. Present were President Bruce Corn, Vice President Benjamin Bernal, Clerk/Treasurer Gary Hyman, and Trustee Arthur Malm and Trustee Steve Rauschenberger.

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

President Corn called the meeting to order at 9:00 A.M.

APPROVAL OF MINUTES DECEMBER 11, 2017

Trustee Hyman made a motion, seconded by Trustee Rauschenberger, to approve the minutes of the December 11, 2017 Board of Local Improvements as written. Ayes, Trustees Corn, Bernal, Hyman, Malm and Rauschenberger. Nays, none.

APPROVAL OF MINUTES JANUARY 8, 2018

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to approve the minutes of the January 8, 2017 Board of Local Improvements as written. Ayes, Trustees Corn, Bernal, Hyman, Malm and Rauschenberger. Nays, none.

PUBLIC COMMENT

None

OLD BUSINESS

None

NEW BUSINESS

MOTION TO CONSIDER REQUEST TO WAIVE CONNECTION FEES FOR MERO STAFF AT 1601 WELD ROAD, ELGIN

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to consider the request to waive connection fees for Metro Staff, Inc. for 1601 Weld Road in Elgin.

Steven French, the owner of Metro Staff, was present to address the Board and answer any questions they may have. Mr. French stated that when he closed on the property there was

no paperwork showing connection fees would be owed to the District because they had been waived before, otherwise the expenses would have been negotiated into the closing. Mr. French is requesting some sort of relief from the Board. Trustee Corn requested staff's opinion. Executive Director Trueblood responded that staff has left the motion be up to the board whether they want to grant the waiver or not but he did remind the board that they just passed a new ordinance to eliminate waivers. TSD Vogt indicated the ordinance is clear on the issue of the fees being owed when a property converts from not-for-profit, to for-profit. Mr. French asked where this information should have been available prior to closing. Trustee Bernal commented that the VFW, who were the previous owners, should have provided documentation of the waivers.

Trustee Hyman asked Attorney Schefflow if the District is at any fault in this matter for information not being available before closing. Schefflow responded no, this is not the type of item that would not show up on a title commitment. He continued that the District relies on the City of Elgin to send people to our office when they are applying for a permit. Trustee Corn asked if we waived fees for the deli that was inside of the Library. ED Trueblood responded that the library still owns, the building making it eligible for waivers. In this case, the VFW, which was a non-profit, sold the building to Mr. French for a for-profit business. Trustee Rauschenberger asked what the new building will be used for. Mr. French responded it will be their new office which will staff about 45 people. Trustee Hyman asked Mr. French why he thought fees of this nature wouldn't come up when he purchased a non-profit building. Mr. French responded that he knew things would come up, however something this large like a \$10,000 fee he thought would have been disclosed before closing and therefore negotiated into the sale of the property.

Trustee Rauschenberger made a motion, seconded by Trustee Malm, to grant a one-time 50% reduction in the cost of the connection fees. President Corn called for a vote. Ayes, Trustee Rauschenberger. Nays, Trustees Corn, Bernal, Hyman, Malm.

MOTION TO APPROVE IEPA PERMIT APPLICATION BY NET3 (SOUTH ELGIN II), LLC / FRESENIUS MEDICAL CARE-SOUTH ELGIN, 1201 BOWES ROAD, SOUTH ELGIN, ILLINOIS

Trustee Rauschenberger made a motion, seconded by Trustee Malm, to authorize Executive Director Trueblood to sign the IEPA permit applications for Net3 (South Elgin II), LLC / Fresenius Medical Care-South Elgin, 1201 Bowes Road, South Elgin.

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

TECHNICAL SERVICES DIRECTOR'S REPORT

TSD Vogt reported that the agreement between Bluff City and FRWRD is in the process of being developed. Revised pump station drawings are expected within the next week based on comment to the August submittal. Additionally, Illinois American has responded to staffs request to provide additional flow data from Elgin Estates. Staff is currently reviewing the data

and will provide charts and better analysis of the data at the next meeting. So far, the data is showing a direct response to rain and also it appears the meter data reaches a maximum below the actual maximum discharge. Staff is unsure whether the capacity of the flume is reached or if the level sensor needs to be adjusted. TSD Vogt did mentioned that Illinois American acknowledged this issue in their analysis. Trustee Malm commented that the data we have been receiving from them may have been wrong for years. TSD Vogt agreed that it is likely.

ADJOURN

As there was no additional business, Trustee Hyman made a motion, seconded by Trustee Rauschenberger, to adjourn the meeting at 9:32A.M. The next meeting is scheduled for 9:00 A.M. Monday, February 12, 2018. Ayes, Trustees Corn, Bernal, Hyman, Malm, Rauschenberger. Nays, none.

Respectfully Submitted

Kim Narvaiz, Assistant Clerk

APPROVED:

Bruce R. Corn, President

Gary Hyman, Clerk-Treasurer