

Minutes of the Board of Trustees of the Fox River Water Reclamation District held on Monday, March 12, 2018 at the Administration Building at 1957 North LaFox, South Elgin, Illinois. Present were 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.

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

Trustee Malm made a motion, seconded by Trustee Rauschenberger, to move agenda item 10.9 to the first item discussed under New Business to ensure all present trustees are available for the full discussion.

**APPROVAL OF FEBRUARY 12, 2018 BOARD OF TRUSTEES MINUTES**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to approve the February 12, 2018 minutes as written. Ayes, Trustees Bernal, Rauschenberger, Hyman, Malm. Nays, none.

**APPROVAL OF FEBRUARY 12, 2018 EXECUTIVE SESSION MINUTES**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to approve the February 12, 2018 minutes as written. Ayes, Trustees Bernal, Rauschenberger, Hyman, Malm. Nays, none.

**PUBLIC COMMENT**

None

**TRAVEL REIMBURSEMENT**

Trustee Rauschenberger submitted travel reimbursement for the NACWA Conference in the amount of \$983.46. Trustee Malm made a motion, seconded by Trustee Hyman, to approve the travel reimbursement request. A Roll Call Vote was taken: Trustees Rauschenberger: Aye, Malm: Aye, Bernal: Aye, Hyman: Aye.

**APPROVAL OF CASH DISBURSEMENTS**

Vice-President Bernal read aloud the cash disbursement totals per fund. Disbursements for the Sewer Revenue Fund \$789,384.79, Capital Improvement \$608,281.42, Depreciation & Replacement \$249,680.82, and Skyline \$3,339.61.

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

### **REVIEW OF CONNECTION PERMITS**

TSD Vogt reported that staff issued one commercial, and one multi-family home permits. As there were no irregularities, staff recommended approval.

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

### **REVIEW OF CONTRACTS AND PURCHASE ORDERS**

Two purchases orders were presented for review. The first one was to Polydyne, Inc for polymer, which is at a contracted price. The second purchase order is to Hach to purchase a Chemical Oxygen Demand (COD) Probe for the West Plant. Trustee Malm commented that he researched the type of probe listed and it does not measure COD. Technical Services Director Vogt responded that she will talk to Lab Manager Jack Russell to get the specifics on the probe measurement methodology for him.

### **FOIA REQUESTS**

Executive Director Trueblood reported that there were six FOIA requests since the last board meeting. They were all for current landscaping and janitorial contracts as both contracts are currently out to bid and tend to be very competitive agreements.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

### **RECESS**

Trustee Rauschenberger made a motion, seconded by Trustee Malm, to recess the meeting and enter into Executive Session at 9:19 A.M. Ayes, Trustees Rauschenberger, Bernal, Hyman, Malm. Nays, none.

**RECONVENE**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to reconvene the Board of Trustees meeting at 10:12A.M. Ayes, Trustees Rauschenberger, Bernal, Hyman, Malm. Nays, none.

**MOTION TO APPROVE EXECUTION OF THE ASSET PURCHASE AGREEMENT FOR THE SALE OF THE SKYLINE WATER AND WASTEWATER SYSTEM TO AQUA ILLINOIS**

Executive Director Trueblood commented that Jim Bilotta and Beth Penesis from Aqua Illinois are present and available to answer any questions board members may have. Trustee Rauschenberger asked if Aqua Illinois understands that they will be assuming the Water Tower Recapture Agreement once the sale of the Skyline Water and Wastewater System is finalized. Jim Bilotta responded yes. Trustee Malm asked whether assets are being sold free and clear. Attorney Scheflow responded yes, and it is in the best interest of the District to disclose if there are any known issues or problems. Executive Director Trueblood commented that for today Aqua Illinois is looking for a commitment from FRWRD so that they can proceed with the legal aspects of the sale. There will be further agreements and items for the Board to address as the sale progresses. Trustee Hyman commented that he thinks Board members should talk to state legislators about the District's intentions before the deal is finalized.

Trustee Malm made a motion, seconded by Trustee Hyman, to table the Execution of the Asset Purchase Agreement for the sale of Skyline Water and Wastewater System to Aqua Illinois. Vice President Bernal called for a vote, Ayes, Trustees Rauschenberger, Bernal, Hyman, Malm. Nays, none.

**MOTION TO APPROVE – NETWORK INFRASTRUCTURE IMPROVEMENTS AGREEMENT WITH ENHANCED NETWORKS, INC.**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to authorize the Executive Director to sign the agreement with Enhanced Networks, Inc. for network infrastructure improvements for a not to exceed total of \$49,193.

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

**MOTION TO APPROVE – DEVELOPMENT AGREEMENT WITH BLUFF CITY, LLC**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to approve the Development Agreement with Bluff City, LLC regarding the 60-acre parcel and Middle Street Pump Station. Trustee Malm indicated that he did not see that the agreement called out that FRWRD design standards had to be followed. TSD Vogt responded that design must get approval by FRWRD staff in order to get the District's sign off on the IEPA permit. Trustee Rauschenberger

asked if the motion could be amended to include this stipulation. Attorney Scheflow commented that section 3.7 of the agreement, titled FRWRD Ordinances, covers the issue in question. Trustee Malm agreed that section 3.7 does satisfy his concerns. Trustee Bernal asked how this affects the FY 2019 Budget. TSD Vogt responded that the developer would be paying for the project and then a new recapture agreement will be developed. The main impact to budgeting is that the facility will begin to be depreciated by the District beginning a year after completion.

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

**MOTION TO APPROVE – FY 2018/2019 TENTATIVE APPROPRIATION BUDGET ORDINANCE**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to approve FY 2018/2019 Tentative Appropriation Budget Ordinance 898 as presented.

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

**MOTION TO APPROVE HEALTH INSURANCE RENEWAL WITH BLUE CROSS**

Executive Director commented that AJ Gallagher was unable to complete the renewal costs at this time, therefore there is no action needed for this agenda item.

Trustee Hyman made a motion, seconded by Trustee Rauschenberger, to table the Health Insurance Renewal. Vice President Bernal called for a vote. Ayes, Trustees Bernal, Rauschenberger, Hyman, Malm. Nays, none.

**MOTION TO APPROVE ORDINANCE 897- ANNEXATION BY SOUTH ELGIN AND COUNTRYSIDE FIRE PROTECTION DISTRICT, SOUTH ELGIN**

Trustee Hyman made a motion, seconded by Trustee Rauschenberger, to approve Ordinance No. 897 for the annexation of 2.122 acres at 1090 Spring Street in South Elgin.

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

**MOTION TO APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE NORTH WRF PHOSPHORUS REMOVAL IMPROVEMENTS**

Trustee Malm made a motion, seconded by Trustee Rauschenberger, to authorize Executive Director Trueblood to sign the Professional Engineering Services Agreement Amendment No. 2 for

the North WRF Phosphorus Removal Improvements with Black and Veatch. TSD Vogt commented that this amendment, as well as the next two agenda items, involve no cost changes, just language required in their contracts due to the IEPA SRF funding for the projects.

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

**MOTION TO APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE ADP WRF PHOSPHORUS REMOVAL IMPROVEMENTS - LIQUID PROCESS FACILITIES**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to authorize Executive Director Trueblood to sign the Professional Engineering Services Agreement Amendment No. 2 for the ADP WRF Phosphorus Removal Liquid Process Facilities with Black and Veatch.

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

**MOTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE ADP WRF PHOSPHORUS REMOVAL- STRUVITE RECOVERY FACILITIES**

Trustee Malm made a motion, seconded by Trustee Hyman, to authorize Executive Director Trueblood to sign the Professional Engineering Services Agreement Amendment No. 1 for the ADP WRF Phosphorus Removal Struvite Recovery Facilities with Black and Veatch.

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

**FINANCE MANAGER'S REPORT**

Finance Manager Uddin provided the board with financial statements through the end of January 31. FM Uddin commented that Revenues are up 15% and expenses are also up 10%. There are no other significant changes or concerns.

**TECHNICAL SERVICES REPORT**

TSD Vogt reported that she will be attending a meeting this week with IAWA, IEPA and representatives from environmental groups to discuss statewide phosphorus limits. One of the key issues of concern of USEPA continues to be their interpretation that the Clean Water Act requires monthly average limits. TSD Vogt will update the board with any new information on this topic at the next board meeting.

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

TSD Vogt provided a written update on all projects. Trustee Malm asked about if the heat system project will include an energy balance on the heat loop and he would also like to see a diagram of the heat loop once it is completed. Technical Services Director Vogt responded that they would have to add flow monitoring to have the balance information. Right now the loop only has temperature gauges. Trustee Malm also asked how long until digester #4 has gas output. TSD Vogt responded about 2-3 months.

**EXECUTIVE DIRECTOR'S REPORT**

Executive Director Trueblood reported that the IAWA Mini- Conference and Central States WEA Government Affairs Seminar were held February 28-March 1<sup>st</sup> in Springfield. They provided good opportunities to speak with officials from the USEPA and IEPA. ED Trueblood also commented staff is currently reviewing the submitted RFP's for Audit services. Staff will present the board with their recommendation at the next board meeting. Trustee Rauschenberger commented that he would be interested in seeing a list of all the firms that submitted for consideration.

**ATTORNEY'S REPORT**

None

Respectfully Submitted

Kim Narvaiz, Assistant Clerk

APPROVED:

Bruce R. Corn, President

Gary Hyman, Clerk-Treasurer