

Minutes of the Board of Trustees of the Fox River Water Reclamation District held on Monday, August 17, 2020 at the Administration Building at 1957 North LaFox, South Elgin, Illinois. Present in the office were President Bruce Corn, Vice President Benjamin Bernal, Trustee Steve Rauschenberger, Hyman, and Trustee Marty McCormack.

Staff present in the office included Executive Director Bob Trueblood, Technical Services Director Beth Vogt, Assistant Clerk Kim Narvaiz and Attorney Doug Schefflow.

President Corn called the meeting to order at 9:07 A.M.

**APPROVAL OF JULY 20, 2020 BOARD OF TRUSTEES MINUTES**

Trustee Hyman made a motion, seconded by Trustee Bernal, to approve the minutes of the July 20, 2020 Board of Trustees as written. There were no questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**PUBLIC COMMENT**

None

**APPROVAL OF CASH DISBURSEMENTS**

President Corn read aloud the cash disbursement totals per fund. Disbursements for the Sewer Revenue Fund \$1,161,221.24, Capital Improvement \$1,704,525.66, Depreciation & Replacement \$577,693.96 and Corporate Fund \$67,152.78. Trustee Rauschenberger asked what we order from Twist Office Products. ED Trueblood responded that Twist is an office supplies company that used to be Wrona Brothers but merged about a year ago.

Trustee McCormack made a motion, seconded by Trustee Hyman, to approve the Cash Disbursements as presented. There were no further questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**REVIEW OF CONNECTION PERMITS**

Technical Services Director Vogt reported that staff issued four Commercial, three Industrial, and four Single Family permits in between meetings. Approximately \$2,250 was collected at this time in connection permit fees in addition to the previously collected service fees.

Trustee McCormack made a motion, seconded by Trustee Rauschenberger, to approve the Connection Permits as issued. There were no questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**REVIEW OF CONTRACTS AND PURCHASE ORDERS**

Executive Director Trueblood reported that there were two purchase orders over \$10,000 issued in between meetings. The first was issued to Steiner Electric Company in the amount of \$57,342.50 for the purchase of an outdoor mobile diesel generator for pump station 40. This item was approved at the last Board meeting. The second purchase order was issued to The Flolo Corporation in the amount of \$14,700 for a mixer repair at the ADP sludge conditioning building.

**FOIA REQUESTS**

Executive Director Trueblood reported that staff received one FOIA in between meetings from Michele Dickinson from Construction Journal requesting the pre-bid meeting attendees for the Illinois Route 25 force main relocation project. Staff responded in the required amount of time, no further action is needed.

**OLD BUSINESS**

**DISCUSSION ONLY – REVIEW OF ORDINANCES 822 AND 856 – BOARD RULES AND PRACTICES**

Executive Director Trueblood explained that due to the impact of the Covid-19 pandemic the Governor issued a number of Executive Orders and the State legislature passed legislation concerning how public bodies could conduct public meeting. Ordinances 822 and 856 were distributed to Trustees to provide a basis for Board discussion on what changes, if any, the Board wants to make to these existing ordinances. Trustee Rauschenberger questioned what the law was on allowing a Trustee to participate in a Board meeting via teleconference or zoom while on vacation. Attorney Scheflow responded currently the open meeting act allows for Trustee participation if sick, away for work, or in an emergency only. Attorney Scheflow continued that a question to be addressed is whether the Board wants to allow Trustees who are not in physical attendance to participate in Executive Session. Trustee Corn commented that in years past there used to be a lot more Executive Sessions but now more topics have become public knowledge and therefore Executive Sessions do not happen that often. Trustee Bernal commented that it is always good to have emergency back up plans in place. Discussion ensued, it was the general consensus of the Board members that Executive Sessions should be limited to in person only participation. Executive Director Trueblood commented that he will work on amending the Ordinances to reflect the discussions and bring them to the Board for approval.

**NEW BUSINESS**

**MOTION TO APPROVE RESOLUTION 505- AUTHORIZING CERTAIN INVESTMENT AND BANKING MATTERS**

Trustee McCormack made a motion, seconded by Trustee Rauschenberger, to approve Resolution 505 authorizing certain investment and banking matters. Trustee Rauschenberger commented that he liked seeing a local banking institute added to the investment listing.

There were no questions; President Corn called for a vote. Ayes, Trustees Corn, Rauschenberger, Hyman and McCormack. Nays, none. Abstain, Bernal.

**MOTION TO APPROVE RESOLUTIONS 506 AND 507- PERMANENT FUND TRANSFERS**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to approve Resolutions 506 and 507 authorizing the permanent transfer of funds from Skyline fund to Capital Improvement and Depreciation and Replacement Funds. Executive Director Trueblood commented that this is more of a paperwork trail reassigning funds, money is not being pulled out of investments. ED Trueblood continued that the transfer of funds to Capital Improvement (CI) will pay back in full what the CI fund paid for Skyline during construction improvements.

There were no questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO APPROVE RESOLUTION 508- SKF USA, INC. ISSUANCE OF FINE**

Trustee Hyman made a motion, seconded by Trustee Bernal, to approve Resolution 508- issuing a formal fine to SKF USA Inc. for pretreatment violation.

There were no questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO AWARD PUMP STATION 33 THE IL RTE. 25 FORCEMAIN REPLACEMENT TO H. LINDEN AND SONS SEWER AND WATER, INC. FOR \$55,000**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to authorize Executive Director Trueblood to sign the Notice of Award for the IL Rte. 25 Forcemain Replacement to H. Linden and Sons Sewer and Water, Inc. for \$55,000 and to subsequently sign the associated agreement with H. Linden and Sons Sewer and Water, Inc. Executive Director Trueblood commented that Nicor will fully refund the cost of this project.

There were no questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO APPROVE REQUEST TO ISSUE PURCHASE ORDER FOR ACQUISITION OF AN 80KW KOHLER NATURAL GAS GENERATOR FROM STEINER POWER SYSTEMS FOR PUMP STATION 41**

Trustee Hyman made a motion, seconded by Trustee Rauschenberger, to authorize Executive Director Trueblood to sign a Purchase Order to Steiner Power System for a Kohler 80 kW Natural Gas Generator for Pump Station 41.

There were no questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO APPROVE AMENDMENT NO. 7 TO THE ENGINEERING SERVICES AGREEMENT WITH STRAND ASSOCIATES FOR THE PUMP STATION 31 REPLACEMENT**

Trustee McCormack made a motion, seconded by Trustee Rauschenberger, to authorize Executive Director Trueblood to sign the Amendment No. 7 to the Engineering Services Agreement with Strand Associates for the Pump Station 31 Replacement for \$35,000. Trustee Bernal asked if there is a final completion date yet. TSD Vogt commented that most of the site work at PS 31 is complete, the contractors are working on completing punch list items. However, Strand will still be working on completing record drawings and documents after construction is completed.

There were no further questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO APPROVE COST PROPOSAL NO. 3 TO JOSEPH J HENDERSON AND SON, INC. ON THE NORTH WRF PHOSPHOROUS REMOVAL PROJECT**

Trustee McCormack made a motion, seconded by Trustee Rauschenberger, to approve Cost Proposal Request No. 3 to Joseph J Henderson and Son, Inc. on the North WRF Phosphorous Removal Project not to exceed \$63,481.93 or less if the existing City sludge forcemain does not have to be relocated. TSD Vogt wanted to note that the motion is to not exceed \$63,481.93 as there are a few unknowns still that could significantly reduce the cost. Trustee Corn commented that he visited the North Plant last week and was shocked to see all the construction going on, the plant is hardly recognizable. Trustee Corn asked if the outflow to the river is moving. ED Trueblood responded no, there is only one discharge at the North plant which is at the South end of the plant and it is not moving. Trustee Rauschenberger asked for a refresher on how the District came to have the North Treatment Plant. ED Trueblood responded it was the result of the City of Elgin suing the District because of sewers flooding homes and businesses. The North Plant sewage treatment reduces the amount of sewage flow in the downtown area. Trustee Corn asked if the North Plant operators will work out of the same office building. ED Trueblood commented yes, that is not changing.

There were no further questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO APPROVE COST PROPOSAL NO. 6 TO JOSEPH J HENDERSON AND SON, INC. ON THE NORTH WRF PHOSPHOROUS REMOVAL PROJECT**

Trustee McCormack made a motion, seconded by Trustee Rauschenberger, to approve Cost Proposal Request No. 6 for \$2,725.00 to Joseph J Henderson and Son, Inc. on the North WRF Phosphorous Removal Project.

There were no questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO APPROVE AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 2 TO JOSEPH J. HENDERSON AND SON INC. ON THE NORTH WRF PHOSPHOROUS REMOVAL PROJECT**

Trustee McCormack made a motion, seconded by Trustee Hyman, to authorize Executive Director Trueblood to execute Change Order No. 2 to Joseph J. Henderson and Son Inc. for the project, increasing the contract price by \$66,668.52. TSD Vogt commented that this Change Order is an accumulation of all the cost proposals from the past year wrapped into one to submit to the IEPA.

There were no questions or comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO APPROVE PROCLAMATION FOR DOUG HAACKER**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to approve the Proclamation for Doug Haacker. Doug was a critical part of the District's successes over the past 35 years and his influence on the capital improvements projects will help to ensure continued success for years to come. District staff wish him a long, happy retirement filled with hunting and fishing activities as well as watching many storms roll through without checking his phone to see what help is needed at the plants. Trustee Bernal expressed his gratitude for Doug's 35 years of service to the District. Trustee Corn asked if the District is filling his position. ED Trueblood commented not at this time, instead both the maintenance and operations superintendents will step up and assume more responsibility. Trustee McCormack asked if Haacker is fully retired or if he can consult if needed. ED Trueblood responded at this time he is fully retired but he could work up to 599 hours in a rolling year.

There were no further comments; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO APPROVE EXECUTIVE DIRECTOR SALARY ADJUSTMENT**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to table this item until after the Executive session.

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

**TECHNICAL SERVICES REPORT**

Technical Services Director Vogt reported that staff has provided a draft credit meter program ordinance for trustee review. This ordinance will establish current parameters for the credit meter program. Staff hopes to create an online portal where residents will need to submit their meter readings electronically. Staff is looking for feedback from the Trustees as well as Attorney Schefflow regarding these proposed changes to the program. Trustee Rauschenberger commented that he would add a date certain that the program will be completely eliminated for residential users, such as 10 years down the line.

Technical Services Director Vogt also reported that the IAWA is planning for its annual conference to be completely virtual. Dates for the conference are September 16<sup>th</sup> and 17<sup>th</sup>, Trustees should let staff know if they would like to attend so registrations can be completed. Last item to note is that staff received letter from USEPA regarding a pretreatment audit. TSD Vogt met with Lab Manager Russell and Pretreatment Coordinator Dacka to go over the questions and staff will just have to take some time to answer their questions.

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

Technical Services Director Vogt provided a written update on all projects. TSD Vogt commented the contractor for ADP Phosphorus Removal-Liquid has notified FRWRD that there is potentially some contaminated soils in the location of the excavation for the mixing basins and fermenter facility. Additional testing is underway to determine the scope of the contamination and the necessary steps that need to be taken to continue the excavation work. Trustee Rauschenberger asked what type of contaminant it is. TSD Vogt responded that it is Cadmium. ED Trueblood commented that it is possible it is from when the old sludge lagoon was removed and cadmium was not regulated back then so it would have been present in the sludge.

Additionally TSD Vogt reported that the HVAC projects are moving along well. The Blowers are expected to be out of service starting August 24<sup>th</sup> for the replacements to be installed. Attorney Schefflow questioned that the old blowers will be removed before the new blowers are delivered. TSD Vogt responded yes, new pads and piping need to be installed before the new blowers can go in.

**EXECUTIVE DIRECTOR'S REPORT**

Executive Director Trueblood reported that the District did have one employee test positive for Covid-19. All precautionary measures were taken and so far no other employees have contracted it. The employee who is positive is doing well and expected to return to work soon. Trustee Corn asked if the employee who was injured on the job has returned to work yet. ED Trueblood responded not yet, but staff should receive an update soon. ED Trueblood also reported that the Illinois Municipal League is going to court in Sangamon County to determine if municipal governments must close on Election Day per the new legislation. Staff will monitor this and make a recommendation to the Board at the September or October Board of Trustees Meeting

Executive Director Trueblood commented that PorteBrown has produced the District's monthly Financial Statements for May and June 2020 for Board review. Also staff intends to review a draft of the FY 2020 Audit with the Board at the September 21<sup>st</sup> 2020 Board Meeting.

**ATTORNEY'S REPORT**

Attorney Schefflow provided copies of his July 31<sup>st</sup> invoice detailing services rendered for the month. Board Members had no questions or comments.

**RECESS**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to recess the meeting and enter into Executive Session at 10:23 A.M. President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**RECONVENE**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to reconvene the Board of Trustees meeting at 11:21 A.M. President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

**MOTION TO APPROVE EXECUTIVE DIRECTOR SALARY ADJUSTMENT**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to approve a 2% salary adjustment for the Executive Director and retro pay to the date that all previous salary adjustments occurred. Additionally, a onetime \$5,000 bonus was approved for Executive Director Trueblood.

August 17, 2020

**ADJOURN**

As there was no additional business, Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to adjourn the meeting at 11:22 A.M. The next meeting is scheduled for 9:00 A.M. Monday, September 21, 2020. President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, Hyman and McCormack. Nays, none.

Respectfully Submitted

Kim Narvaiz, Assistant Clerk

APPROVED:

Bruce R. Corn, President

Gary Hyman, Clerk-Treasurer