

Minutes of the Board of Trustees of the Fox River Water Reclamation District held on Monday, March 8, 2021 at the Administration Building at 1957 North LaFox, South Elgin, Illinois. **Due to the ongoing Covid-19 pandemic, this meeting was conducted via Zoom video and audio conference as permitted pursuant to section 7 of the Open Meetings Act.** Audio of the meeting was recorded. Present in the office was President Bruce Corn, Vice President Benjamin Bernal, and Trustee McCormack. Trustee Steve Rauschenberger and Trustee Hyman were present via zoom.

Staff present in the office included Executive Director Bob Trueblood, Technical Services Director Beth Vogt, Assistant Clerk Kim Narvaiz. Attorney Doug Scheflow was present via Zoom.

President Corn called the meeting to order at 9:32 A.M.

**APPROVAL OF FEBRUARY 8, 2021 BOARD OF TRUSTEES MINUTES**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to approve the minutes of the February 8, 2021 Board of Trustees as written.

There were no questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**PUBLIC COMMENT**

None

**APPROVAL OF CASH DISBURSEMENTS**

President Corn read aloud the cash disbursement totals per fund. Disbursements for the Sewer Revenue Fund \$1,178,863.44, Capital Improvement Fund \$1,731,950.38, and Depreciation & Replacement Fund \$44,986.70. Trustee Hyman made a motion, seconded by Trustee McCormack, to approve the Cash Disbursements as presented.

There were no questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**REVIEW OF CONNECTION PERMITS**

Technical Services Director Vogt reported that staff issued two commercial, four industrial, and ten single family permits in between meetings. There were also two single-family permits that were reissued. Just over \$18,000 was collected on Connection Fees.

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to approve the Connection Permits as issued. There were no additional questions or comments; President Corn

called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**REVIEW OF CONTRACTS AND PURCHASE ORDERS**

Executive Director Trueblood reported that there were three purchase orders over \$10,000 issued in between meetings. The first purchase order was issued to Polydyne Inc. for a standard order of polymer based off the contract price. The second purchase order was issued to Oracle America, Inc. for the yearly renewal of the accounting software. Trustee Bernal asked how Oracle is working out and if staff thinks it will work out in the long run. Executive Director Trueblood responded yes, for now the plan is to keep Oracle. Staff was able to work with Oracle associates and identify some modules that were bringing little to no value to the District and have eliminated them from the renewal saving over \$20,000.

The third purchase order was issued to Drydon Equipment for replacement parts to rehab the North Plant Pump Station grinder that was approved at the last Board meeting in February.

**FOIA REQUESTS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

**MOTION TO APPROVE THE PROPOSED FY 2021/2022 MEETING SCHEDULE**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to approve the Board meeting schedule for both the Board of Trustees and the Board of Local Improvements.

There were no questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE RESOLUTION 509- PRICE CIRCUITS, LLC ISSUANCE OF FINES**

Trustee Bernal made a motion, seconded by Trustee Hyman, to approve Resolution No. 509 issuing a formal fine to Price Circuits, LLC. in the amount of \$250.00 for the listed violation. Trustee Bernal asked if this was their first fine in 12 months. Technical Services Director

responded yes. Trustee Corn asked how long has it been since staff and the Board reviewed the fine structure for permits. Technical Services Director Vogt responded it has been about two or three years. Trustee Corn responded that he doesn't want to hurt businesses but he is concerned that the Districts fines may be set too low. There may be some companies that would rather pay the small fine than follow the pretreatment program. Trustee Bernal commented that he agrees with Trustee Corn. Executive Director Trueblood responded that the District can increase the fine amounts if the business remains non-compliant, even issuing up to a daily fine. However, there have not been any instances where this was necessary under the current program.

There were no additional comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE RESOLUTION 510- JOHN B. SANFILIPPO & SON, INC.**  
**ISSUANCE OF FINES**

Trustee McCormack made a motion, seconded by Trustee Bernal, to approve Resolution No. 510 issuing a formal fine to John B. Sanfilippo & Son, Inc. in the amount of \$250.00 for the listed violation. Trustee Bernal asked if John B. Sanfilippo & Son has had a violation in the last 24 months. Technical Services Director Vogt responded no. She continued that they did plug their discharge sewer with grease about 7 years ago and since then have invested a lot of money to install a pretreatment system consisting of dissolved air floatation to significantly reduce grease discharges. They also pay monthly excess strength surcharges based on composite sampling of their discharges.

There were no additional questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE ORACLE PERFORMANCE EVALUATION SERVICE**  
**AGREEMENT**

Trustee Hyman made a motion, seconded by Trustee Rauschenberger, to authorize Executive Director Trueblood to sign the service agreement with Emtec, Inc. after review by Attorney Schefflow. Trustee Bernal asked if this was to amend services with Oracle. Executive Director Trueblood responded no, that this is a third-party consulting service that would replace ST Tech who are the current consultants that assist with Oracle when needed and maintain the system by rolling out updates as pushed out by Oracle. ED Trueblood continued that these consultants would provide an overall performance review of our system and suggestions on what improvements could be made. Trustee Corn commented that he sees the agreement has a not to exceed limit and is wondering if this will turn into an ongoing contract. Executive Director Trueblood commented that once the initial analysis is complete it will be decided what the next steps will be.

There were no additional questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE PURCHASE OF PLC COMPONENTS FOR \$86,326 FROM REVERE ELECTRIC**

Trustee Hyman made a motion, seconded by Trustee McCormack, to authorize Executive Director Trueblood to issue a Purchase Order to Revere Electric for the PLC Upgrade Project in the amount of \$86,326. Technical Services Director commented that there were not the standard three quotes obtained as there are only two authorized Allen-Bradley distributors in this area.

There were no questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE ANNEXATION ORDINANCE NO. 931 FOR K. HOVNIANIAN HOMES, SAGEBROOK RESIDENTIAL SUBDIVISION**

Trustee Bernal made a motion, seconded by Trustee McCormack, to adopt Ordinance No. 931 for annexation of the Sagebrook Residential Subdivision in South Elgin. Technical Services Director Vogt commented that the parcel numbers were included with the BAR as there were some changes since the original service agreement was signed.

There were no additional questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE CONTRACT FOR NATURAL GAS SUPPLY WITH NICOR ENERCHANGE FOR THE NORTH AND ALBIN D. PAGORSKI WRFs**

Trustee Bernal made a motion, seconded by Trustee Hyman, to authorize Executive Director to sign a 1-year NGI Chicago Index plus \$0.0050/therm Master Retail Natural Gas Agreement with Nicor Enerchange, LLC for the North and ADP WRFs. Technical Services Director Vogt commented that the rates that came in this morning are slightly better than last week, however, staff still feels that the 1-year contract is the better option at this time.

There were no questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE WORK CHANGE DIRECTIVE NO. 9 TO IHC CONSTRUCTION INDUSTRIES INC. FOR BLOWER PIPING REVISIONS ON THE ADP STRUVITE FACILITIES PROJECT**

Trustee Hyman made a motion, seconded by Trustee Bernal, to approve Work Change Directive No. 9 for \$4,472.58 to IHC Construction Industries Inc. for Blower Piping Revisions on the ADP Struvite Facilities Project.

There were no questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE PROPOSAL NO. 20 TO JOSEPH J HENDERSON AND SON, INC. ON THE NORTH WRF PHOSPHOROUS REMOVAL PROJECT**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to approve Cost Proposal Request No. 20 to Joseph J Henderson and Son, Inc. on the North WRF Phosphorous Removal Project for \$9,367.

There were no questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE CHANGE ORDER NO. 5 TIME EXTENSION NO. 2 TO JOSEPH J. HENDERSON AND SON, INC. ON THE NORTH WRF PHOSPHOROUS REMOVAL PROJECT**

Trustee Hyman made a motion, seconded by Trustee Bernal, to approve Change Order No. 5 Time Extension No. 2 of 59 days 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 Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE TIME EXTENSION NO. 2 TO BEE LINER LEAN SERVICES ON THE ADP WRF BLOWER REPLACEMENT PROJECT**

Trustee McCormack made a motion, seconded by Trustee Bernal, to approve time extension No. 2 to Bee Liner Lean Services on the ADP WRF Blower Replacement Project to extend the contract time.

There were no questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

**MOTION TO APPROVE ATTORNEY INTERVIEW PANEL**

Trustee Hyman made a motion, seconded by Trustee Bernal, to authorize Trustee Bernal, Executive Director Trueblood and Technical Services Director Vogt to interview 3 to 5 law firms and make recommendations to the Board of Trustees of 1 to 3 law firms to be considered for appointment of the District Attorney for the 2022 Fiscal Year. Trustee Corn asked if the appointment position will be published. Executive Director Trueblood responded no, it will be by invitation only. Trustee Corn asked if trustees have a candidate they would like an invitation sent to can they let staff know. Executive Director Trueblood responded yes. Trustee Rauschenberger asked if the incumbent will be sent an invitation. Executive Director Trueblood responded yes. Trustee Hyman asked why only one Trustee will be in involved in the interview process. Executive Director Trueblood responded that with two or more Trustees present it would need to be advertised

as a public meeting, which could be done if that is the preference of the Board. Trustee Hyman responded that he would prefer that two trustees be involved in the selection process. Trustee Rauschenberger asked how much notice is required to make it a public meeting. Executive Director Trueblood responded at least 3 days notice, and it would be published on the FRWRD website and the front doors at the Admin Building. Some discussions ensued on what would be the best option and who would be present.

Trustee Bernal made a motion, seconded by McCormack to amend the previous motion to add Trustee Hyman to also be included in the interview process and therefore public notice a Special Meeting be held by the Board of Trustees. President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

After there were no additional questions or comments; President Corn called for a Roll Call vote on the original motion as amended. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

### **MOTION TO ADOPT AND PUBLIC NOTICE FISCAL YEAR 2021-2022 TENTATIVE APPROPRIATION BUDGET ORDINANCE 930**

Trustee Hyman made a motion, seconded by Trustee McCormack, to adopt Ordinance 930 the Fiscal Year 2021/2022 Tentative Appropriation Budget as presented and authorize staff to make all public notices required by Illinois Statutes for an April 26<sup>th</sup>, 2021 Public Hearing to approve the FY 2021/2022 Appropriation Budget Ordinance.

There were no additional questions or comments; President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

### **TECHNICAL SERVICES REPORT**

Technical Services Director Vogt reported that IAWA will hold its mini conference virtually this year due to COVID-19. It will be held March 17-18<sup>th</sup> and the agenda for the conference was provided to Board members if they wanted to attend. Also, staff is looking to try and streamline the connection fee ordinance. Changes would include focusing on permits for new developments and on sites already developed that will be: an actual increase in treatment capacity needs, includes food service, and any that require pretreatment review.

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

Technical Services Director Vogt provided a written update on all projects. Some items to note include:

- Pump Station 31 is complete except a CSO pump that was misaligned will be taken out to be realigned. The house that is directly north of the pump station will be demolished soon.
- The North WRF Phosphorus Removal project contract extension was approved. There is some piping around the RAS pump station that will require revision from the design.

- At ADP WRF, the Struvite project will be entering final acceptance testing this week and staff is preparing to start ordering chemicals
- ADP WRF Liquid project contractors are working on a lot of rebar and concrete work. Executive Director Trueblood commented that if any trustees are interested in looking at the drone aerial pictures it is very neat to see the progress made each week from that viewpoint.
- Staff is still waiting on a response from the U.S. Army Corp regarding a permit for the Sludge Transfer Main river crossing. Technical Services Director Vogt continued that typically they are very quick to respond, they may be back logged due to Covid-19 or not working in the office yet that is slowing things down, but hopefully staff will get a response soon. Trustee McCormack asked if a letter from a Trustee would help to move the process along. TSD Vogt responded that that is a good idea and she will keep the Board updated and let them know if that becomes necessary.

### **EXECUTIVE DIRECTOR'S REPORT**

Executive Director Trueblood reported that some FRWRD employees have been able to receive the Covid-19 vaccine by meeting other qualifications besides employment. All employees are encouraged to get the vaccine as soon as they are able. Employees should let their supervisor know they are receiving the vaccine and are not required to use sick or vacation time as long as they aren't traveling a long distance and will be out most of the day. Trustee Bernal asked if the District has had any luck with getting someone to come out and do a mass vaccination like how flu shots are organized. Technical Services Director Vogt responded that HR Manager Venegas has tried to arrange something but with the vaccine storage temperature requirements and the high demand versus availability, it has been difficult. Also, the CDC recommends that wastewater agencies not mass vaccinate staff on the same day since some people feel ill after the vaccine which could cause problems in staffing if a lot of people call in sick for the same days.

Executive Director Trueblood presented the January 31, 2021 financial statements prepared by PorteBown. Operating income is up for the month compared to last year. Also, starting with May 1, 2021, which is the start of the new fiscal year the financial statements will no longer be tracking Skyline as all the reserves have been transferred to the other appropriate accounts.

Executive Director Trueblood also announced that as of now the Kane County Cougars are planning to have a season with spectators and the District has booked August 14<sup>th</sup> as a FRWRD Family outing. Last year due to COVID-19 the reservations that were paid for and in place for 2020 were held for 2021, so there should be no additional cost this year.

### **ATTORNEY'S REPORT**

Attorney Scheflow provided copies of his March 1<sup>st</sup> invoice detailing services rendered for the month of February including a written report with further explanation. Attorney Scheflow commented that he would answer any questions Board members may have.

March 8, 2021

**ADJOURN**

As there was no additional business, Trustee McCormack made a motion, seconded by Trustee Hyman, to adjourn the meeting at 11:01 A.M. The next meeting is scheduled for 9:00 A.M. Monday, April 5<sup>th</sup>, 2021. President Corn called for a Roll Call vote. Trustees Corn: Aye, Bernal: Aye, Hyman: Aye, Rauschenberger: Aye, McCormack: Aye.

Respectfully Submitted

Kim Narvaiz, Assistant Clerk

APPROVED:

Bruce R. Corn, President

Gary Hyman, Clerk-Treasurer