

KANKAKEE RIVER METROPOLITAN AGENCY
MINUTES
August 18, 2020 - 3:00 P.M

In attendance:

VIA REMOTE MEETING HELD THRU GOTOMEETING.COM

Board of Directors:

Mayor Chasity Wells-Armstrong, City of Kankakee
Mayor Paul Schore, Village of Bourbonnais
Mayor Brian Stump, Village of Aroma Park
Dir Robert Romo, Village of Bradley
Alderman Carl Brown, City of Kankakee
Marc Wakat, Representative, City of Kankakee
Elizabeth Kubal, Representative, City of Kankakee

Administration:

Dave Tyson, KRMA Executive Director
Karen Benson, Smith, Koelling, Dykstra & Ohm, P.C.

Attorney:

Neal Smith, Robbins Schwartz

KRMA Staff:

Arthur Strother, Superintendent
Dustin Scheppler, Asst. Superintendent, Operations
Melanie Gossett, Asst. Superintendent, Technical Services

Other:

Robert Redmond, Bradley Village Trustee
Brian Billingsley, Bradley Village Trustee
Catherine Wojnarowski, Bradley Village Administrator

Chairperson Mayor Wells-Armstrong called the meeting to order.

I. **Roll Call**

Roll Call was taken. All Board members were present via gotomeeting.com.

II. **Public Comment**

Dir Romo commented, himself and a couple of Village of Bradley board members would like to comment.

Robert Redmond, Bradley Village Trustee, asked a series of questions: what is the tenure for members of the KRMA Board? Can the Pilot fee bestowed on the Village of Bradley to be properly defined? Is it true as of today KRMA has paid over one million dollars in Pilot fee? In budget year 2019-2020, during last winter, did the City of Kankakee perform duties to earn the Pilot fee? In budget year 2019-2020, in April, did the City of Kankakee claim that part of the Pilot fee was to reimburse the City to repair manholes, caused by damage at KRMA's east gate site? Can a list be provided of all items performed to earn the Pilot fee? What is your understanding of action taken by the staff of KRMA performing the tasks that the City of Kankakee was paid for? What is the position on Bradley taxpayers being taxed twice for the same services? Robert stated he would like answers to be provided to their representative at the next board meeting.

Brian Billingsley, Bradley Village Trustee, stated he has researched Village of Bradley Comprehensive Plan from 2007-2017; Part B Section 8: PLANS: "Sewer-Kankakee River Metropolitan Agency" #1.

Bradley KRMA Capacity and #1e: Secure a forensic auditor and expert legal counsel to examine, the legality of the establishment of the governance and current administration, operation and fiscal Accounting practice of KRMA. He asked has this been reached. Brian also stated he would like answers to be provided to their representative, and it can be forward to him at their next board meeting.

Dir Romo stated he will be looking into other municipalities within KRMA that are charging pretreatment fees to vendors and not giving that money to KRMA.

Catherine Wojnarowski, Bradley Village Administrator, made a comment which is also a request, reiterating what Brain Billingsley, Bradley Village Trustee stated earlier asking current and previous Board members, as well as current auditors, and legal oversight if that took place. She's requesting minutes of that topic to be supplied to Dir Romo and all subject matter relating to the hiring of a legal expert and/or forensic auditor to be supplied in a timely manner. She also stated there is a ton of information which looks at prior scandal of the KRMA board and the existing concern about lack of information and transparency with impact fees. Also asked for the Comprehensive Plan be placed on next agenda for next KRMA board meeting.

Chairperson Wells-Armstrong asked for those requests to be put in writing.

III. **Approval of Board Minutes**

- A. **July 21, 2020 – Regular Board Meeting** – Motion to approve the July 21, 2020 Regular Board Meeting minutes with the corrections V. F. and VI. A, specifying board members by name when votes are not unanimous votes to reflect who voted in favor and who voted against was made by: Dir. Brown and seconded by Dir Schore. All voted in favor. Motion Carries.

IV. **Reports**

A. **Operations & Maintenance Report**

1. **Monthly Report**

Art stated he would like the KRMA board members to look into supporting an Internship Program for KRMA. This program could be very beneficial in our hiring process. Art feels this would be a good way to get qualified employees with some experience. Also, CBIZ conducted a valuation of the plant property, to upgrade the plant value. CSL Behring is building a pretreatment facility. They want KRMA to work with them to accommodate discharging their sludge. This could possibly be a revenue for KRMA. Attachment A (DMR) Variable 450: BOD Influent loading is still above our average daily loading. However, we are under the maximum amount we can treat. Therefore, we are still performing within the permit of the State of Illinois. This is something that is going to continue to grow, so we need to figure out how we're going to address it. Dir Romo asked is there any danger to running at this high capacity and can we get penalized. Art replied, the only danger is if KRMA starts to violate and it is happening more than a few times a month, the State could fine KRMA daily up to \$10,000 dollars or higher. Dir Schore asked, what is the solution? Art replied, getting each community to fill out those questionnaires that were sent out a year ago, so Strand Associates can move forward with the proper numbers for the plant so we can know how to address those loadings. Dir Romo asked has the increase in fees slowed down Newton County? Art stated no. Dir Wakat asked, at the east gate site is that gate open all the time? Art replied, for the most part, yes. That site is monitored with camera; however, we will address the gate being closed with Republic Services.

B. **Executive Director Report**

1. **Water, Gas & Electric Use/Cost**

Exec. Dir. Dave Tyson presented the utility sheet. Everything looks pretty much in order. The Hydro power seems a little high. Dir Romo asked, what is hydro, who owns the plant, are you able to turn on and off, and is it expensive or cheaper? Exec Dave Tyson replied, the hydro produces power and it's owned by City of Kankakee. The agreement is, the power that is

produced goes to the KRMA facility, and hydro is not more expensive or cheaper, range about the same for all utilities.

2. **Hauled In Waste Summary**

Exec. Dir. Tyson stated, our Hauled In Waste is less than last month, however, it is still solid.

3. **Operations Report**

Exec Dir Dave Tyson stated due to COVID-19, KRMA is having 2 safety meetings a month to keep social distancing. Reiterated that the questionnaires need to be turned in for the capacity meeting. Also stated there's a meeting August 19, 2020 with CSL Behring to discuss their proposed loading amounts.

C. **Financial Report**

1. **Reports**

Karen Benson stated Net Position Statement shows good cash standing and strong on the asset front.

2. **Hauled in waste report**

Karen Benson stated our Statement of Revenue & Expense, everything seems fair and comparable to the budget items.

3. **Flows Graphs**

Karen Benson stated the flow graphs are getting back on track comparable to where we have those budget and trended out.

D. **Communications**

None.

V. **Old Business**

A. **E-Waste update**

Exec Dave Tyson stated that Delbert is still working on it.

B. **Software Update**

Dustin informed us that the software is complete, and everything is running smoothly. Melanie stated KRMA is no longer double logging, the software is very efficient.

C. **Blowers Update**

Exec. Dave Tyson stated Atlas Copco is going to provide a written update next week. Atlas Copco will be shipping them to Houston, TX in September 2020 for testing. We are still waiting for some drawings and catalog cuts that need to be sent to Strand Associate for review before we will accept the blowers.

D. **NPDES-CMOM Report**

Exec Dave Tyson reminded each municipality that they must complete a CMOM report that must be sent to KRMA, since they are the holder of the NPDES Permit. The CMOM Report is due by April 31, 2020 to the State, therefore, KRMA needs it before hand to review.

E. **Road Repair**

Exec Dave Tyson informed everyone that the road program is complete. The completed price was higher than the Bid amount because we did some extra drainage and some correction of drainage because they found a storm sewer buried under some grass, however, it was still under the budget amount.

VI. **New Business**

A. **Year-End Reconciliation**

Karen explained the Year-End Reconciliation. Motion to approve the Year-End Reconciliation was made by Dir Romo and seconded by Dir Brown. All voted in favor. Motion Carries.

B. **Legal-Update**

Attorney Neal informed the KRMA Board Members about the Government Association versus the city of Chicago's Mayor Office FOIA case where private device containing email and text messages that pertains to business can be subjected to FOIA. Also, General Assembly passed a law, Election Day, a State Holiday. If this is concrete, this will affect KRMA Administrative Office as well, however, he will monitor that and let the board know how it goes. Also, he shared COVID-19 and Worker's Compensation issues and how to show presumption that it was not occurred at the workplace.

VII. **Executive Session**

Motion to go into Executive Session to discuss Personnel, probable or imminent litigation and review of the Executive Session Minutes pursuant to Sections 2(C)(1) and 2(C)(11) of the open meetings act, was made by: Dir. Brown and seconded by Dir. Kubal. All voted in favor. Motion carried.

Roll call was taken, and all Board Members were present. Also, present Neal Smith, Attorney, Karen Benson, SKDO, Dave Tyson, Executive Director, Art Strother, Superintendent, Melanie Gossett, Assistant Superintendent, and Dustin Scheppler, Assistant Superintendent.

The Board went into Executive Session to discuss Personnel and probable or imminent litigation.

Motion to return to Open Session was made by: Dir. Wakat and seconded by: Dir. Schore. Motion carried. All voted in favor.

With the Board back in open session, there was no motion.

Roll call was taken, and all Board Members were present.

VIII. **Next Meeting**

Next Regular Board Meeting- **Tuesday, September 15, 2020 (3:00 P.M. to be announce)**

Motion to Adjourn was made by: Dir. Kubal and seconded by Dir. Wakat. All voted in favor. Motion Carried.