

KANKAKEE RIVER METROPOLITAN AGENCY
MINUTES
January 26, 2021 - 3:00 P.M

On June 26, 2020, Governor Pritzker issued the fifth Gubernatorial Disaster Proclamation for all counties in the State of Illinois. Due to the COVID-19 health pandemic, Chair Chasity Wells-Armstrong has determined that an in-person meeting is not practical or prudent. As permitted by Public Act 101-0640, this meeting will be held without the physical presence of a quorum at the meeting location.

Directors, staff, participants and the public may attend by phone or video conference using the following:

<https://www.gotomeeting.com>

or dial 1 (872) 240-3212 when prompted enter conference PIN Access Code: 318-571-101

In attendance:

Location: REMOTE MEETING HELD VIA TELECONFERENCE/VIDEO CONFERENCE

Board of Directors:

Mayor Chasity Wells-Armstrong, City of Kankakee
Mayor Paul Schore, Village of Bourbonnais
Mayor Brian Stump, Village of Aroma Park
Financial Director Robert Romo, Village of Bradley
Alderman Carl Brown, City of Kankakee
Marc Wakat, 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:

Dan Small, Strand Associates
Phil Severson, Strand Associates
Scott Sterns, Strand Associates

Chairperson Mayor Wells-Armstrong called the meeting to order.

I. **Roll Call**

Roll Call was taken. All Board members were present except for Dir Elizabeth Kubal via gotomeeting.com.

II. **Public Comment**

None

III. **Approval of Board Minutes**

A. **December 15, 2020 – Regular Board Meeting** – Motion to approve the December 15, 2020 Regular Board Meeting minutes was made by: Dir. Brown and seconded by Dir Romo. **Director Kubal joined the board meeting at 3:08pm.** All voted in favor. Motion Carries.

IV. **Reports**

A. **Operations & Maintenance Report**

1. **Monthly Report**

Art presented the operations report informing the Board that the employees at KRMA have been offered the opportunity to be vaccinated for COVID-19. KRMA is not making it mandatory for the staff. He continued stating the annual solid reports have been completed. The generator will not be

back in service until March 2021 and Caterpillar (CAT) will be responsible for the cost of the generator repair. Dir Brown asked, how many employees have refused to take the COVID vaccination and is there an adequate supply to vaccinate all the employees? Art responded, out of seventeen employees, only four have agreed to take the COVID vaccination. Also, the vaccination is not here on site, however, we wanted to know how many employees are willing to take it so we can make it available for them.

B. Executive Director Report

1. Water, Gas & Electric Use/Cost

Exec. Dir. Dave Tyson presented the monthly utility sheet. He informed the Board that our MidAmerican Energy bill will be higher for the next few months due to our generator being down and unable to process methane. Aqua bill is running high due to their meter reading. KRMA's meter readings are about 100,000 gallons lower. Aqua has been asked to replace the meter. Utilities for the year are in the range where we thought they would be. Chairperson asked for an anticipated date the generator will be repaired. Exec Dir Tyson responded by the end of March 2021. Dir Wakat asked if KRMA is generating methane that would have gone to the generator? Dustin responded, yes and it's getting burned off. Dir Wakat asked, how much of an increase are we looking at in our Mid-American bill? Exec Dir Tyson responded, somewhere around 11,700 a month.

2. Hauled In Waste Summary

Exec. Dir. Tyson pointed out our Hauled-In Waste is doing well, it's about five million gallons more than 2019.

3. Operations Report

Exec Dir Dave Tyson stated he will discuss topic under Old and New Business.

C. Financial Report

1. Reports

Karen Benson presented the financial report stating the Statement of Net Position continues to show a strong cash balance. Bond annual payments do increase the next fiscal year; therefore, we will be making larger transfers to the bonds reserve account. Dir Kubal asked about the O&M salaries, why we are higher than the budget amount? Karen stated she will look into it.

2. Hauled In Waste Report

Statement of Revenue & Expenses is reducing the monthly net income to \$42,000 for the month when usually we are at \$108,000 due to the sludge removal expense being much higher over budget for this month. However, the year-to-date is at \$326,000 vs \$300,000 that is in budget.

3. Flows Graphs

Karen Benson presented the flow graphs stating they are trending a little bit lower than the prior year; however, they are trending in the same direction as anticipated with the new flows and flow meters.

D. Communications

None.

V. Old Business

A. Approval of an Intergovernmental Agreement with Kankakee County Concerning E-Waste

Attorney Neal summarized the agreement that was prepared by Connie, Kankakee County States Attorney and reviewed by himself with some changes. The agreement simply states that KRMA will pay \$75,000 a year to the e-waste collection vendor that the Kankakee County will contract with for the four municipalities to have access. If KRMA chooses, they can still use their two sites as drop off sites. Chairperson asked, what's the plan to notify the residents, will the municipalities be responsible to notify their own residents? Dir Stump stated they will have to talk to Andy Wheeler about that. Exec Dir Tyson suggested that KRMA could keep their sites open for at least two or three months until there's proper notification out and the residents know where to drop their e-waste. Everyone was in agreement with the suggestion to keep current e-waste site open for 60 days. Motion to approve Intergovernmental Agreement with Kankakee County concerning E-Waste was made by Dir Schore and seconded by Dir Brown. All voted in favor. Motion Carries.

B. Blowers Update

Exec Dir Tyson stated Atlas Copco is still planning delivery and starting installation for the end of March. Also, through Strand, we got approval on the incentives that we applied for with ComEd.

C. **Capacity Analysis**

Dan Small gave a PowerPoint presentation regarding the cost of service and capacity evaluation identifying opportunities to serve existing users and future needs. Presentation shows the cost to treat the hauled in waste coming in is about 0.079/gal. Shutting off Newton County will decrease KRMA's revenue by 9%. This 9% will increase the rates significantly for each municipality. Dir Romo stated that the variable labor, equipment cost, and if the plant needs to expand should be worked into the cost of service as well. Dan stated even if KRMA stopped taking Newton County there will still be a need for expansion due to the loadings from the residential and commercial growth. Therefore, the key focus will be the timing; this expansion will be needed to take place either 2025 with Newton County or 2035 without Newton County. Dir Wakat stressed concern about the leachate and the effects that it has on the sludge and river. Dan referred to Art. Art stated we just completed the annual sludge report, and KRMA is not in violation of the permit regarding our sludge; however, referring to the capacity, Art stated it is necessary for an additional aeration train. This gives KRMA the ability to take an aeration train offline to service it and not get a violation for ammonia. There was a lot of discussion concerning revenue and usage of the plant. This will be re-visited at the next board meeting giving Board Members time to process and come up with a decision.

D. **Leachate Treatment Agreement w/ Republic Services**

Attorney Neal stated we currently have an agreement with Newton County, and we have to decide about extending our agreement for one year increasing their cost per gallon from 0.056 to .10 per gallon. If we don't agree to modify our previous agreement, it will roll over keeping the same 0.056 per gallon with it. We have also set provision of 90,000 gallon minimum and 120,000 gallon maximum they can bring. Therefore, if they brought less than 90,000, we would charge for 90,000. Dir Romo stated his only concern is can KRMA handle accepting Newton County hauled in waste for another year in a safe manner? Art replied, we have control within the agreement to back Newton County off at any time. We have cut them in half, and we have cut them off completely when we realize they are overloading the plant with BOD. Due to the new permit for ammonia, that additional aeration train will be greatly beneficial for KRMA to avoid ammonia violation through IEPA. Motion to approve a 1-year Leachate Treatment Agreement w/ Republic Services was made by Dir Brown and seconded by Dir Schore. All voted in favor. Motion carries.

VI. **New Business**

A. **Families First Coronavirus Response Act: Employee Paid Leave**

Attorney Neal gave a summary regarding the voluntary extension for FFCRA: Employee Paid Leave which was extended to March 31, 2021.

B. **Vaccine for COVID-19**

Attorney Neal gave a legal update regarding making the vaccine for Covid-19 mandatory or not. Attorney Neal stated per the guidance from the EEOC you can make it mandatory. However, there are certain situations where you may not be able to mandate the vaccine: Americans Disability Act and Civil Rights Acts regarding religious belief. The Board members decided to make it voluntary.

C. **Response Letter to IEPA Violation Letter**

Art stated the response letter was sent off to the IEPA and he hasn't gotten any feedback yet; however, KRMA had to take an aeration train offline and KRMA violated again for ammonia. This violation will be reported to IEPA. Dir Romo asked if IEPA does random inspections? Art answered, no, we must report every month any violations to the State through our own samples.

D. **2021 Board Meeting Times**

Exec Dir Tyson stated the dates were approved; however, we need to approve the time the meetings will be held. We would like to move the time from 3pm to 1:30pm. Dir Stump stated 9am will work better instead of 1:30pm. Dir Kubal stated she could not make anytime before 10:30am on a third Tuesday of the month. Dir Kubal suggested if we can move the board meeting to the fourth Tuesday of the month at 9am. All Board Member will check their calendar and have a response by next board meeting.

E. **Donation to the Annual African American Civic Leaders Scholarship**

Chairperson Wells-Armstrong stated she is not asking for action on this agenda item.

F. **Approval of Agreement with Megaplex I.T. Solutions, Inc. for certain IT maintenance work**

Art stated KRMA needs a written agreement with our IT contractor. Agreement was written by Attorney Neal and we can terminate at any time. Motion to approval agreement with Megaplex I.T. Solution for Inc for certain IT maintenance work was made by Dir Schore and second by Dir Wakat. All voted in favor. Motion Carries.

VII. **Executive Session**

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

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

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

Motion to return to Open Session was made by: Dir. Stump and seconded by: Dir. Kubal. Motion carried.

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

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

VIII. **Next Meeting**

Next Regular Board Meeting- **Tuesday, February 23, 2021 (3:00 P.M. via gotomeeting.com)**

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