

KANKAKEE RIVER METROPOLITAN AGENCY
MINUTES
March 17, 2020 - 3:00 P.M

In attendance:

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

Chairperson Mayor Wells-Armstrong called the meeting to order.

I. **Roll Call**

Roll Call was taken. All Board members were present.

II. **Public Comment**

None.

III. **Approval of Board Minutes**

A. **February 18, 2020 – Regular Board Meeting** – Motion to approve the February 18, 2020 Regular Board Meeting minutes was made by: Dir. Brown and seconded by Dir Schore. Motion carries. All voted in favor.

IV. **Reports**

A. **Operations & Maintenance Report**

1. **Monthly Report**

Art presented the MOR report. Stating there was no odor complaints since February 7, 2020 near the KRMA facility or the East Gate Site. Art asked Dir Brown did he receive any complaints. Dir Brown stated not since then, asking was the problem resolved? Art stated, the problem has not been resolved and will discuss later under New Business. Art also stated Dustin Scheppler was acknowledged as a NARP new member. KRMA needs to have a NARP Plan in place by December 31, 2023. Dir Schore asked what will that involve and is it something that can be done inhouse? Dustin answered, NARP Program involves study of the river for different nutrients and chemicals. Art answered, some of the stuff could be done inhouse, however, it would be nice to have someone with experience with the NARP Program for assistance. There is also the option of having our own program & joining in with surrounding areas to share the cost. We have three years to address. Dir Schore stated we will need a budgetary number. Dave answered, it is in the budget.

B. **Executive Director Report**

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

Exec. Dir. Dave Tyson presented the utility sheet, everything seems to be in order. We haven't received any Hydro bill; however, Hydro is not being utilized.

2. **Hauled In Waste Summary**

Exec. Dir. Tyson stated, our Hauled In Waste remains very steady and solid.

3. **Operations Report**

Exec Dir Dave Tyson stated KRMA is putting together a proposal for analysis of the plant, to see if expanding or other option best suites KRMA. KRMA is down 2 employees. Dir Wakat asked is there any discussion on what you tend to do regarding the Coronavirus. Dave answered, yes, we have taken steps by limiting visitors/vendors activities within the plant. Minimizing any contact with outside people. Art stated, also we are instructing staff, if they are sick, they should not come to work. Chairperson Wells-Armstrong stated there have been some discussion via legislation regarding employee paid time if they become sick with Coronavirus.

C. **Financial Report**

1. **Reports**

Karen Benson stated the Financials thru February are a little unusual because the repairs for February are a little higher than the budget amount due to the generator repairs.

2. **Hauled in waste report**

Karen Benson stated the Hauled In Waste continues to be pretty strong.

3. **Flows Graphs**

Karen Benson stated Bourbonnais was up a little compared to the other municipalities. Everything else seems to be on track. Karen discussed the draft budget. Dave explained the increase in the I.T. Expense. Dir Romo asked what is the depreciation fund? Karen answered, capital project fund. Karen went on explaining the draft budget regarding the revenue, set a side, expenses, bond reserve, principles and interests.

D. **Communications**

Exec Dir Tyson presented the letter from Economic Alliance Invitation to Invest.

V. **Old Business**

A. **NPDES Permit update**

Exec Dir Tyson stated we have a permit. Permit expires after 5 years of date of issuance.

B. **E-Waste update**

Exec Dir Tyson stated that Mr. Delbert did submit the application for the grant.

C. **Software Update**

Exec Dir Tyson stated Baecore gave compliments to Melanie and Dustin. Dustin stated we are still on schedule to release in May 2020.

D. **5-Year Capital Needs**

Exec Dir Tyson stated there was a meeting held with Art, Melanie, & Dustin regarding what needs to be done to keep up with the loadings. Art stated solid side is one of the things that needs to be addressed, because we are maxing out our anaerobic digester system. Also, we will need another secondary clarifier to help spread out and another storage tank because we are making so much solids. These are things that need to be done to take the pressure off the of the digester. Art stated he talked to a company called In-Pipe, which stated they can decrease our BOD loading by 30% by treating the BOD with bacteria before it gets to the collection system. They would like to do a pilot test at the east gate site to see if the product works. If the product works KRMA would see thousands of savings a month. Dir. Wakat asked, how are they added into the system? Art answered, they have a drop system where they would just drop it into the collection system. They are responsible for all the work and decision on the pilot test. KRMA would be responsible for the flat fee. Dir Brown asked, how long is the pilot and what if it doesn't work? Art stated we would have to move quickly on addressing our equipment. Art stated he will be addressing Newton County regarding paying for this pilot test. Dir Wakat asked could there be any potential side effects from these bacteria of the pilot test. Art answered, that was one of the questions I asked them, is how will their bacteria effect ours? They believe it would enhance our microorganisms.

- E. **Pilot Fee**
There was rebuttal conversation regarding the pilot fee regarding the amount of service provided and the monetary amount being issued. There is an agreement in place for the 2019-2020 fiscal year to pay the pilot fee. Pilot fee was on hold due to service not being provided. Motion to approve pilot fee for 2019-2020 fiscal year was made by Dir Brown and seconded by Dir Wakat. Motion Carries. Six voted in favor 1 voted not in favor.
- F. **Blowers Update**
Exec Dir Tyson stated we don't have any update. There is a liquidated damage clause if blower is not in place by July 31, 2020. Attorney Smith stated there is also a force majeure act of God provision in the contract. If they were to claim a disruption in the supply chain, due to the Coronavirus, KRMA will have a hard time holding them to the liquidated damage clause.

VI. **New Business**

- A. **Exempt Employees**
Exec. Dir Tyson will discuss in Executive Session
- B. **Resolution Authorizing Execution of an Amendment to the Amended and Restated Joint Sewage Treatment Agency Intergovernmental Agreement to add a new subsection D titled "NPDES Permit and Member Obligations" under Section X**
Attorney Smith handed out a document to be approved regarding CMOM provisions and the NPDES permit matter. It provides members the obligation to prepare CMOM. However, if KRMA is penalized for members collection system from the IEPA, that fine will be passed on to the member. Dir Kubal asked when we were talking about east gate site and Newton county, is that the City of Kankakee's? Because if Newton County causes a problem, how would you know not to charge the City of Kankakee, because KRMA reaps the benefits of Newton County arrangement, but we could be fined for it. Art & Dustin answered yes, the collection system belongs to City of Kankakee. Dir Schore stated in detail that he doesn't see where City of Kankakee will be liable for Newton County due to Newton County dump site is an addition to KRMA plant and all the municipalities would be responsible for Newton County's dump site.
- C. **Resolution Authorizing Execution of an Amendment to the Amended and Restated Joint Sewage Treatment Agency Intergovernmental Agreement to provide for sale of Municipal Systems to public utilities, and for related amendments**
Attorney Smith handed out a document and explained the amendment of the IGA, to enable the sale to Aqua and protect KRMA. Dir Wakat asked to clarify the term public utility. Attorney Smith answered, this term is in the Illinois Public Utilities Act, which is the Act that regulate for property companies like Aqua as a private corporation share. Art ask Dir Schore, do you know what capacity the Village of Bourbonnais holds. Dir Schore answered we have 7.4 million gallons a day. Chairperson Wells-Armstrong asked Attorney Smith has he talked to the City of Kankakee Attorney's? Attorney Smith answered no, however he will, to verify capacity.
- D. **Update on mandated sexual harassment training**
Attorney Smith stated the State of Illinois will have sexual harassment training for free download by March 31, 2020.
- E. **Resolution approving amendment to the KRMA Sexual Harassment Policy**
Attorney Neal stated the law mandated provision in the Sexual Harassment Policy concerning complaints by board members. This provides procedure for sexual harassment among board members. Motion to approve Resolution of Sexual Harassment Policy was made by Dir Schore and seconded by Dir Wakat. Motion Carries. All voted in favor.
- F. **Discussion concerning Illinois Attorney General Opinion on August 27, 2019**
Attorney Smith discussed the letter that was received from the Illinois Attorney General Office.
- G. **Economic Alliance Invitation to Invest**
Exec Dir Tyson discussed under communication, however, the board decided that the municipalities will continue donating individually.

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. Romo and seconded by Dir. Stump. Motion carried. All voted in favor.

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. Wakat and seconded by: Dir. Kubal. Motion carried. All voted in favor.

With the Board back in open session, there was one motion.

Motion to approve the Exempt Raise made by Dir Romo and second by Dir Kubal. Motion Carries. All voted in favor.

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

VIII. **Next Meeting**

Next Regular Board Meeting- **Tuesday, April 21, 2020 (3:00 P.M. in the KRMA Boardroom)**

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