

KANKAKEE RIVER METROPOLITAN AGENCY

MINUTES

March 23, 2021 – 9:00 A.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
Elizabeth Kubal, Representative, 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

Chairperson Mayor Wells-Armstrong called the meeting to order.

I. **Roll Call**

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

II. **Public Comment**

None

III. **Approval of Board Minutes**

A. **February 23, 2021 – Regular Board Meeting** – Motion to approve the February 23, 2021 Regular Board Meeting minutes was made by: Dir. Kubal and seconded by Dir Brown. Dir Schore, Dir Stump, Dir Brown, Dir Kubal, Chairperson Wells-Armstrong voted in favor and Dir Romo voted abstained. Motion Carries.

IV. **Reports**

A. **Operations & Maintenance Report**

1. **Monthly Report**

Art presented the Monthly Operations Report (MOR). He informed the board members to look at the last 4 pages in Attachment A. Art stated, these 4 pages will allow you to track the plant month by month, displaying how the plant is doing. KRMA had a couple excursions with ammonia (NH3-N). This is a situation KRMA will have until KRMA can figure out which way to go with the upgrade. Dir Schore asked about the calibration on the Village of Bourbonnais meter, stating they were nearly half an inch off. Dustin responded, stating that it varies month to month depending on where the target is located, it's difficult to get it totally right. Therefore, we went with ISC's recommendation and recording the levels. Dir Schore stated he doesn't like that method because it causes Bour. flows to run high for the month.

B. **Executive Director Report**

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

Exec. Dir. Dave Tyson presented the monthly utility sheets. Exec Dir Tyson stated everything looks good for this month. The water usage is down, however, the electric bill is a little higher due to generator being down. They are awaiting parts to be shipped on April 22, 2021. Therefore, there will be another month where electric bill will be higher than usual.

2. **Hauled In Waste Summary**

Exec. Dir. Tyson stated hauled in waste is staying consistent.

3. **Operations Report**

Exec Dir Dave Tyson stated we received bids for chemical, domestic, grounds keeping, and housekeeping. We will have the bids results for next month's meeting.

Director Wakat joined the board meeting.

C. **Financial Report**

1. **Reports**

Karen Benson presented the financial report stating the Statement of Net Position continues to have a strong cash balance. Payable balance is down, bills are getting processed faster. Under the Statement of Revenues and Expenses, utilities are running slightly higher than budgeted; however, we have some under budget as well. Looking at fiscal year to date, we are well above our budget for the 2021-year end.

2. **Hauled In Waste Report**

Karen stated hauled in waste continues to stay high, which is helpful.

3. **Flows Graphs**

Karen Benson presented the flow graphs stating actual year to date flows for Bradley was estimated at 13.22% however, they are running a little lower than 12.26% and Bourbonnais's estimated at 22.09% and they actual flow is averaging 23.38%. Dir Kubal stated that the City of Kankakee flows have also been running lower and will this be reflected in the budget? Karen stated yes.

D. **Communications**

1. **FOIA Request**

Exec Dir Tyson stated that KRMA received a FOIA request, and he would just like to keep the Board aware and updated per any request. Chairperson Wells-Armstrong stated board members do not have to put in a FOIA request, you can just ask for the information.

V. **Old Business**

A. **Blowers Update**

Exec Dir Tyson stated everything is moving along smoothly. Atlas Copco asked for a two-week extension due to the snow and ice they had in Houston TX for delivery. Dan stated we have monthly progress meetings with Atlas Copco. Two blowers should be arriving, and the first blower will be installed this week. Atlas Copco is scheduled to complete all four blowers by the end of July.

B. **Capacity Analysis**

Exec Dir Tyson stated Dan Small with Strand Associates, set up forms for us to sign for the nominations for Water Pollution Control Loan Program. Those forms have been signed and submitted, therefore, KRMA will be eligible to get low interest loan rates with IEPA if needed.

C. **Republic Service Update**

Exec Dir Tyson stated KRMA management, Chairperson Wells-Armstrong, Vice Chairmen Schore, and himself were in attendance in a meeting with Republic Services to go over the future arrangements with KRMA. Dave stated Republic Services feels that their request for the "Deep Well" permit with IEPA will be approved by the second quarter of next year. Once they get approved, their leachate will be reduced. Therefore, if that permit gets approved, that will greatly reduce the impact on our plant capacity and financials. However, they still looking for a long-term agreement with KRMA to be backup or partner with, where they can bring their leachate. Republic Services agreed to give KRMA a projection of how many gallons they believe will be delivered. Once KRMA receives this projection, KRMA can refine the first agreement that was given to Republic Services that will be beneficial for both parties. By next board meeting, KRMA should have a recommendation how we should start moving forward with expansion after determining if we should continue to take or stop taking leachate. Chairperson Wells-Armstrong emphasize that Republic Services stated they only bring about 10% of their leachate to KRMA. She also invited Republic Services to attend the meeting next month so they can answer any question KRMA members may have. Dir Schore stated we also need to take a hard look at what's going to be coming to KRMA in the future. KRMA needs to meet

with CSL to find out their timelines and abilities concerning their pretreatment plant before there's a decision on expansion. Dir Wakat wanted to state for the record that his concerns have been about the percentage of loadings on our plant, not about the percentage of leachate we are receiving from Republic Services. Art stated, the hardest thing is treating wastewater and the fact that we have no control on what's sent to us, however, we are totally responsible for treating it. Therefore, having more space than less often works better, and we can work with the unknown. Art wants the KRMA board to be aware when making their decision to expand or not, the timeframe it takes to turn a plant around after we have been hit with an unknown. He also stated he would like to be proactive than not. Karen Benson also discussed the projected draft budget, displaying how the projected budget would look like with the projected plant expansion and "with the projected no hauled in waste". Dir Wakat stressed concerns about moderation. Dan Smalls stated we need to continue to look at this from a financial and capacity perspective for future potential risk and regulations. Art also stated that KRMA will continue to read, research, and become knowledgeable about any potential risk and new regulation that may come forth in the future, and be able to treat it within the regulated guidelines. Dir Schore stated we need to find out what other companies are charging and what CSL and Republic Services is are going to send us. Art stated we are working on those things.

D. **E-Waste Update**

Exec Dir Tyson stated he has been in contact with Ben Wilson and Chairman Wheeler with the Kankakee County. They stated they will reach out to the communities within the county with information and instruction concerning the e-waste by mid-April. Kankakee E-Waste site will be shut down once Belson Steel is up and running and taking all the e-waste. Exec Dir Tyson asked Dir Romo, when does Bradley intend to close their e-waste site or are they going to keep it open and deliver waste on their own to Belson's? Art also stated we need to know when Kankakee County is going to take over because KRMA pays Jack Cleaning Service to monitor those sites and Regency Technologies to pick up the e-waste. Exec Dir Tyson, answers, by the end of April 2021 we should be able to cancel the contracts with Jack's Cleaning Service and Regency Technologies.

E. **Designation of new Freedom of Information Officer**

Attorney Neal stated Tawonda Brown has been filling the role of FOIA officer and we want to designate her with the completion of online training within 30 days. Motion to designate Tawonda Brown as Freedom of Information Office under for FOIA Act was made by Dir Schore and second by Dir Stump. All board member voted in favor. Motion Carries.

VI. **New Business**

A. **Economic Alliance Invitation to Invest**

Exec Dir Tyson presented a letter from the Economic Alliance requesting a contribution from KRMA regarding their logistic of work with employers within the municipalities, and new businesses that comes in town. Chairperson Wells-Armstrong stated in the past each municipality has contributed individually. Exec Dir Tyson asked if he could respond to the request informing the Economic Alliance that each municipality within KRMA will make that decision to donate.

B. **CSL Permit to Construct**

Exec Dir Tyson stated KRMA received a letter from Steve Marion, Kankakee County Planning Dept, asking if we aware of CSL's construction that is being planned. KRMA responded with a letter informing Steve Marion that KRMA is aware of CSL's construction, and the discharge they are proposing will meet the BOD of KRMA's permit. This letter does not give them authorization to construct, CSL will need to get a IEPA permit and that permit needs to be sent to KRMA so that KRMA can sign off on it before the construction begins. Exec Dir Tyson also stated we are working to get a meeting with CSL Behring to discuss their final design, find out what they're going to send to KRMA, and when they plan to construct. He will let everybody know once a meeting date have been set. Art reiterates the purpose of the letter he sent to Steve Marion was to acknowledge that there have been a discussions regarding CSL plans to construct. Art stressed the importance of CSL needing to get a permit to construct from IEPA. Dan Small stated depending on the size of pretreatment to construct, however, they will still need that permit to discharge as well. Dir Kubal asked if they can be informed of the dates that this treatment process will change? Exec Dir Tyson answered yes, that's why we

are having this meeting so we can keep the KRMA Board updated with what's going on. Dir Kubal suggested annual meetings with our big industrial users.

C. **Preliminary Budget for Fiscal Year End April 30, 2022**

Karen Benson presented the preliminary budget for FYE April 30, 2022. Karen discussed the Administrative expenses, the operation & maintenance expense stating the union contract has a 2.5% increase. She stated some line items are higher due to the unknown, professional fees, construction, and e-waste. She also went over the amortization schedules. Dir Romo asked for a listing of all the salaries for the employees. Karen responded yes; she will get him a payroll summary. Dir Kubal asked, is KRMA going to acquire a million dollars additional surplus. Karen replied yes, explaining KRMA's bond set aside rate and debt service obligations in a current year in our net revenues. Dir Kubal asked, when are we hitting the top of the amortization schedules for the bonds. Karen replied, in 2022-year end to 2028-year end. Dir Romo asked about refinancing the 2017 bond for a lower interest rate. Karen replied, 2017 is when KRMA refinanced for the lower interest rate for the 2006 original bond which was completed in 2018. She also agreed to looking into refinance again. Karen also explained the long-term budget, the draft as is budget, and what the budget would look like without receiving revenue from hauled in waste.

Dir Brown left the board meeting

D. **Legislative Update**

Attorney Neal explained the Illinois Workers on Public Works Act, stating Illinois Department of Labor has determined that Illinois is in a period of high unemployment, therefore, this law is currently in effect and is requiring us to use 90% of residents on any public works projects. Attorney Neal also informed us of the proposed legislation, explaining proposed amendment to the Open Meeting Act, and the amendment to the Toward Immunity Act.

E. **Approval of SKDO Engagement Letter for accounting service Fiscal Year End April 30, 2022**

Karen Benson stated this is SKDO's annual service engagement letter. It doesn't have a set contract and there's no ending penalties. Motion to approve SKDO Engagement Letter for accounting Service Fiscal Year End April 30, 2022 was made by Dir Wakat and seconded by Dir Stump. All board members present voted in favor; Dir Brown absent. Motion Carries. Dir Romo made the comment that KRMA should start looking at an individual or internal accountant who has more of a plant accounting, cost accounting background who would work with management team.

F. **Consideration of employee/union grievance regarding employee termination for approval, denial, or resolution by agreement**

Motion to deny employee/union grievance and to direct the attorney to prepare written denial to be issued within 48 hours, was made by Dir Schore and seconded by Dir Kubal. All board member present voted in favor; Dir Brown absent. 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) of the open meetings act, was made by: Dir. Wakat and seconded by: Dir. Kubal. Motion carried.

Roll call was taken, and all Board Members were present except for Dir Brown.

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

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

Roll call was taken, and all Board Members were present except for Dir Brown.

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

VIII. **Next Meeting**

Next Regular Board Meeting- **Tuesday, April 27, 2021 (9:00 A.M. via gotomeeting.com)**

Motion to Adjourn was made by: Dir. Schore and seconded by Dir. Stump. All board members present voted in favor, Dir Brown absent. Motion carried.