

KANKAKEE RIVER METROPOLITAN AGENCY
MINUTES
September 15, 2020 - 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](tel:1(872)240-3212) when prompted enter conference PIN Access Code: [318-571-101](tel: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
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:

Andy Wheeler, City of Kankakee
Delbert Skimerhorn, City of Kankakee
Benjamin Wilson, City of Kankakee
Patrick Dunn, Village of Bourbonnais
Tara Latz, Village of Bourbonnais
Larry Ohm, Smith, Koelling, Dykstra, & Ohm, P.C.

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 about a FOIA request that was sent to the City of Kankakee requesting a listing of all pilot fees paid by other agencies besides KRMA that has not been fulfilled.

Chairperson Wells-Armstrong stated the City of Kankakee is in transition with their FOIA Director, therefore, she would follow up.

III. **Approval of Board Minutes**

- A. **August 18, 2020 – Regular Board Meeting** – Motion to approve the August 18, 2020 Regular Board Meeting minutes with the change in the heading title of the minutes 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 mentioned the report of valuation that was completed on the KRMA plant and how it has increased over the past 5 years. Art also discussed the power outage, stating he compiled numbers as to our expense in regard to the outage to see if KRMA can recoup funds lost. Art stated that Exec Dir and Management Staff met with Newton County regarding Newton County's future with KRMA. Newton County is looking to invest within KRMA so KRMA can continue to provide them services. The last agreement KRMA had with Newton County was back in 2017 under Richard Simms, which Art believes is no longer valid. Therefore, a new agreement will be constructed with the influence of KRMA's Exec. Dir and Management Staff. Also discussed with Newton County was the appearance at the east gate facility, specifically, leaving that gate open. Dir Romo questioned the investment of Newton County. Art stated that the investment would come from Republic's continued delivery of leachate and waste. In doing so, KRMA certainly needs to look at increasing the capacity of the plant. In the meeting, Art also discussed with Newton County how they can help us with the ammonia and their loadings. In addition, the cost will be increased by 25% if not more, which Newton County is agreeable with as long as it is beneficial to them as well as fitting within their budget. Dir Romo stated that due to the amount of loadings Newton County brings in and their fee, it doesn't make a lot of financial sense. Art agreed and restated, "that is why the agreement with Newton County needs to be re-written". Dir Wakat asked for a better explanation regarding the agreement between KRMA and Newton County and does Newton County stay in compliance or do they exceed the specs. Art replied, the agreement was open-ended with the ability to make changes with a written notice within 90 days. Based on regulations, Newton County stays within boundaries, but their loadings have been out of compliance at different times. However, they still have to follow the regulations of the permit from KRMA. Dir Wakat stated he feels before any rational decisions can be made about moving forward and formulating an agreement with Newton County, the KRMA Board members needs to understand exactly what their dealing with. KRMA board members should be given a comprehensive presentation regarding the nature of leachate, what it does to the plant, why it's an extra load, and how much of the chemistry of leachate ends up in the river. Art replied, that's not a problem, he will get information together and send to all the KRMA board members. Dan Small will be a part of the meeting with Newton County, certainly as it is related to KRMA capacity planning if the agreement gets renewed for two reasons: to see if it's beneficial for KRMA to entertain taking on Newton County and to see the characteristics of loadings they will bring in with the new permit and if they meet our effluent regulations. Larry Ohm asked, how can a minute amount of flows provide such a large percentage of loadings and are we confident of that? Art replied he's confident in those numbers and it's the strength of their waste (leachate). KRMA needs to make some changes in the plant if we are going to treat wastewater of this strength. Exec Tyson stated Newton County is aware there will be a price increase and is willing to put it in their budget. What they are looking for is a long-term commitment from KRMA. Therefore, KRMA could come up with an agreement that will be beneficial to both of us.

B. **Executive Director Report**

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

Exec. Dir. Dave Tyson presented the monthly utility sheet. KRMA is watching the water consumption due to an increase in gallons this month making sure the over usage is from the cleaning and not a leak somewhere within the plant. All other utilities are in line.

2. **Hauled In Waste Summary**

Exec. Dir. Tyson stated, our Hauled In Waste is less than what we received in the past month. However, we are still well in budget with hauled in waste.

3. **Operations Report**

Exec Dir Dave Tyson stated we have an employee who tested positive with Covid-19. The proper procedures have been taken. The employee will return to work after his/her 14 days of quarantine and a clearance from his/her Doctor after she/he gets retested. Also discussed was the meeting with CSL Behring, stating it went very well. In addition, Newton County is going to address the truck drivers to close the gate at night and readjust the camera for better viewing. Exec Dir Dave Tyson asked all the KRMA Board members to read through the sexual harassment power point. We are still hosting two Safety Meetings due to Covid-19. Also mentioned was how well the KRMA staff handled the plant during the power outage in regard to keeping it running. KRMA would like to change our FOIA officer. Going forward, send all FOIA request to Attorney Neal.

C. **Financial Report**

1. **Reports**

Karen Benson stated Net Position Statement shows we have a strong cash balance. On the Statement of Revenues & Expenses, Karen explained some of the accounts that went over budget: Legal expense, SKDO's expense for subpoena request and deposition of their staff, legal restitution is in the list for repayment for the Civil case. Repairs and maintenance expense were the onetime expense for Road Repair.

2. **Hauled in waste report**

None.

3. **Flows Graphs**

Karen Benson stated the flow graphs are looking out of trend this month. Art explained, this is what happens when you have dry weather flow when the ground is saturated from rainfall.

D. **Communications**

None.

V. **Old Business**

A. **E-Waste update**

Andy Wheeler stated that the E-Waste grant that was in place got replaced by Sarah CRA which is available to Counties and not municipalities. On this new grant, there is no hauling cost, therefore, if we can get everybody within the County to come together to have just one central location (Belson) instead of two that's available to everyone within the County. Andy explained scenarios regarding the financial model of the E-Waste, KRMA paying 50% and residents within the counties paying the remaining 50%. Delbert Skimerhorn added, the E-Waste will run 5.5 days a week instead of 3 days a week. Dir Schore stated if the municipalities associated within KRMA are paying a fee and KRMA is also paying a fee, that means we will be paying twice. Dir Schore stated he's all for a countywide E-Waste program, however, he is also adamant that KRMA needs to get out of the E-Waste business. Dir Stump agrees with Dir Schore. Benjamin Wilson stated that the drop off site will be monitored per residents showing I. D's, then reevaluating after a year to see which county is utilizing the drop off site more than other counties to make sure everyone is being fair with the charge of things. We at the County level wants to ensure that the E-Waste service still exist. Dir Romo asks is Belson the only site/ places that's been looked at? Andy Wheeler replied, he doesn't know of anybody else in the county that does it. If anybody knows of anyone, please let him know. Attorney Neal asked has anyone approached the waste hauler in the counties to contribute to this? Because the program was discontinued, the waste haulers will incur additional cost by having to pick up electronic waste, therefore they might have an interest in not having the E-Waste program go away. Benjamin Wilson added, this typically will fall back on the local jurisdictions.

B. **Software Update**

Exec Dir Dave Tyson stated everything is running properly.

C. **Blowers Update**

Exec. Dave Tyson stated we are still waiting on our catalog cuts to come in. Dan Small stated waiting on final confirmation that they've been shipped from Belgium. Still the end of November 2020 for delivery to KRMA. There's been a meeting scheduled for the end of September 2020 for a pre-construction discussion with the manufacturer of Atlas Copco.

D. **NPDES-CMOM Report**

Exec Dave Tyson reminded each municipality that we need their CMOM and capacity report. We need that as part of Dan's report. Art directed everyone back to the MOR Attachment B: Flows, given a descriptive explanation on what it means between the residents and industrial flows and how KRMA maybe treating water that we shouldn't have to treat. We should not be treating river water. CMOM program is important, because it helps us to figure out how we can stop spending money on water that doesn't need to be treated, when we get rain.

E. **Ratification of Confidentiality Agreement between CSL Behring and KRMA**

F. Attorney Neal Smith stated this is just an agreement between KRMA and CSL Behring to protect their trade secrets and commercial financial information. All information shared with KRMA is treated as confidential. Unless it is requested under FOIA. Art will email each of the KRMA Board members a copy of the Ratification of Confidentiality Agreement between CSL Behring and KRMA

VI. **New Business**

A. **Tentative Audit Report**

Karen explained there are some minor changes that we provided back to the auditor. Nothing has changed the bottom line, or any of the numbers.

Dir Romo stated he had some questions regarding a letter that was sent to the KRMA Board members? The other KRMA Board members stated they have not received that letter, and once they receive the letter it will be reviewed, and they will be able to discuss.

VII. **Executive Session**

None

VIII. **Next Meeting**

Next Regular Board Meeting- **Tuesday, October 20, 2020 (3:00 P.M. to be announce)**

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