

KANKAKEE RIVER METROPOLITAN AGENCY
MINUTES
January 25, 2024 – 9:00 A.M
1600 W Brookmont Blvd.

In attendance:

Board of Directors:

Mayor Christopher Curtis, City of Kankakee
Mayor Paul Schore, Village of Bourbonnais
Financial Director Robert Romo, Village of Bradley
Alderman Danita Swanson, City of Kankakee
Alderman Larry Osenga, City of Kankakee
Steven Hunter, 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, Director of Technical Services

Other:

Dan Small, Strand Associates
Tara Latz, Alternate, Village of Bourbonnais
Terry Memenga, Alternate, Village of Bourbonnais
Zachary Newton, Utility Superintendent, City of Kankakee
Elizabeth Kubal, Comptroller, City of Kankakee

Chairman, Mayor Curtis called the meeting to order.

I. **Roll Call**

Roll Call was taken. All Board members were present, except for Dir Brian Stump absent.

II. **Public Comment**

None

III. **Approval of Board Minutes December 21, 2023 – Regular Board Meeting**

Motion to approve the December 21, 2023, Regular Board Meeting minutes was made by: Dir Osenga and seconded by Dir Hunter. Dir Osenga addressed a correction be made to in the attendance section: Alderman David Crawford was not in attendance for the December 21, 2023, Board Meeting, and Alderman Larry Osenga was present.

Vice Chairman Schore, Dir Hunter, Dir Osenga, Dir Swanson, and Chairman Curtis voted in favor of Dir Robert Romo voted abstained and Dir Brian Stump absent. Motion Carried.

IV. **Reports**

A. **Operations & Maintenance Report**

Monthly Report

Art informed the board that we had a violation with TSS. We are working with industry; we believe that caused this violation. Dustin explained what caused the violation and, in the future, before an unusual discharge, they will inform us. Dir Hunter asked do we have a protocol to address and prevent this from happening again. Dustin stated it may vary depending on the content and situation there are a lot of variables involved. Art added that we are in communication with them to make sure it does not happen again. Also, Art stated the plant needs to expand because we will have new IEPA regulations we have to meet that are not currently in our permit, we need to be prepared.

For instance, phosphorus, lower ammonia scale, monitoring, and testing for Pfas. Dir Romo asked are we currently monitoring for phosphorus and what are our limits? Art replied yes, and Dan added, the state bar limits for phosphorus is .5. Dir Hunter asked do we have a plan of correction, is there fines that can be placed on the industry who caused the violation? Yes, we already responded to the state regarding the violation. Chairman Curtis stated the city of Kankakee should be talking with them regarding the city ordinance which allows us to fine. Ryan and Zachery should also be notified when violations happen. Dan stated there is an Enforcement Response Plan to guide procedures and protocols and it is up to the Superintendent Industrial Service Coordinator how they want to address situations. Dir Romo asked, since KRMA has the permit, shouldn't KRMA be the one addressing them? Art replied, KRMA has the permit, however the municipalities own the collection system. If the State fine KRMA, KRMA will fine the municipality. Art presented the MOR and stated if you have any questions please contact Assistant Superintendent, Dustin Scheppler and/or me.

B. Executive Director Report

1. Water, Gas & Electric Use/Cost

Exec. Dir. Dave Tyson presented yearly utility usage. Exec Dir Tyson stated everything seems to be in line with our utilities.

2. Hauled In Waste Summary

Exec. Dir. Tyson stated there was an increase in hauled in waste this month due to the increase in Liberty and Livingston Landfill. He has not received any hauled in waste from Newton County.

3. Operations Report

Exec Dir Dave Tyson informed the board members in last month's safety meeting. Melanie had a guest speaker come in and give diversity training for all our staff. CMOM check list is due biannual instead of quarterly. CMOM's are due by the end of February 2024. Art added that work being done by the municipalities needs to be signed by your own employee, KRMA is just the overseer of the communities. When you have sanitary sewer overflow (SSO) backup to a home it should be reported to the state. If a resident informed, you that they have a backup it needs to be documented on an SSO form.

C. Financial Report

1. Reports

Karen presented the financial statements, stating the cash continues to be strong. Statement of Revenue/Expenses, hauled in waste is below monthly budget. Electrical expenses are higher than the budgeted amount. Also, the Change in Net Position is over the budget amount. Chairman Curtis asked are we using more electric. Art replied, we had some generator outages.

2. Hauled In Waste Report

None

3. Flows Graphs

Karen presented the flows report. Stated we are closer to the end of the fiscal year, and we can compare what we budget for the allocation of those operating expenses into the budget. Kankakee is at lower than estimated amount, Bourbonnais is higher than estimated amount, and Bradley is slightly over their estimated amount.

D. Communications

None

V. Old Business

A. Bradley Property

No update

1. Timeline for Sale of Bradley Property

None

B. Discuss of Potential Expansion Options

Vice Chairman Schore asked is there any industry out there that is not pretreating, if they would start to pretreat, would it make any difference on the need of the expansion. Art stated even if we make all industry pretreat, we will still need to expand, due to the new permits that are coming out and the expected growth within the communities. Once the Phosphorus becomes a requirement, we will need that fourth aeration train to help with many things. Dir Romo does not agree with the need for expansion regarding the expected growth of the communities. Dan stated the clarifiers are based off current solid loads. The pretreatment does not change the flows. The hydraulic flow will drive the need for the fourth aeration train. Even if there is no growth you will still need the clarifiers and fourth aeration train. There were rebuttals regarding the need for expansion, space needed for expansion, changes within the By-Laws, and who is going to be responsible for paying for it.

C. **Approval of Strand Associates Fee Proposal for Design Engineering for Phase 1, Phase 2, Phase 3**

Chairman Curtis wanted clarification that the fee proposal is not to exceed, and billed on an hourly basis, and it is not a contract? Vice Chairman also asked you will be billing monthly, and we can place a hold on process if needed. Dan responded to both questions stating this is correct; our monthly invoices will show our progress. Attorney Neal stated that it is two separate Fee Proposal, therefore, you can vote on them separately. Dir Romo stated he would like separate votes.

Motion to approve Strand Associates Fee Proposal for Design Engineering for Phase 1 (Exhibit 1) was made by Dir Swanson and seconded by Vice Chairman Schore. All board member present voted in favor of, and Dir Stump was absent. Motion carries.

Motion to approve Strand Associates Fee Proposal for Design Engineering for Phase 2 and Phase 3 (Exhibit 2) for \$4.2 million to \$5.69 million was made by Dir Hunter and seconded by Dir Osenga. Vice Chairman Schore when does these Phases commence. Dan stated it is not scheduled to start until September 2025. Dir Romo asked that the KRMA accountant put on the record what percentage of the expansion is being paid by what community and stated that he does not want Bradley to pay 16% of the expansion cost when Bradley is not going to utilize 16% of the expansion. KRMA Accountant Karen Benson replied that, according to the KRMA intergovernmental agreement, the cost for capital expenditures is allocated based on capacity allocation, with Bradley's being 15.2%, the City of Kankakee at 54.417%, the Village of Bourbonnais at 29.719% and the Village of Aroma Park at 0.603%. Dir Romo stated that in his opinion the Village of Aroma Park and the Village of Bradley are being mistreated and overcharged. He also stated his opinion that the Village of Aroma Park and the Village of Bradley would have to double or triple rates because of the potential debt being taken on for expansion for other communities. Dir Romo stated that Bradley will be seeking legal counsel.

Therefore, Village of Bradley will be seeking legal counsel. Vice Chairman Schore, Dir Hunter, Dir Osenga, Dir Swanson, Chairman Curtis voted in favor of, and Dir Romo vote Nay, Dir Stump was absent.

VI. **New Business**

A. **Recommendation of RFPs for 401(k) for KMRA Employees'**

Exec Dir Tyson recommended Faber Financial with a vote of 14:2 by the union employees' as well. Motion to recommend engaging to Faber Financial Services was made by Dir Romo and seconded by Vice Chairman Schore. All board member present voted in favor of, and Dir Stump was absent.

VII. **Executive Session**

A. **Personnel & Probable or Imminent Litigation**

None

VIII. **Next Meeting**

Next Regular Board Meeting- **Thursday, February 22, 2024 (9:00 A.M. at KRMA Board Room)**

Motion to Adjourn was made by: Dir Osenga and seconded by Dir Swanson. Motion Carried.