

September 9, 2020

Minutes of the Regular Meeting of the Board of Trustees of the North Shore Water Reclamation District held Wednesday, September 9, 2020 at 9:30 A.M. Governor Pritzker has issued a disaster declaration for the State of Illinois related to COVID-19. In accordance with that declaration's requirement to practice social distancing and limit person to person contact to contain the spread of COVID-19, the North Shore Water Reclamation District President has determined that due to the number of participants involved in the regular meeting and the limitations of the location at which the regular meeting is held, that it is not practical or prudent to convene an in-person meeting of the Board of Trustees and that the meeting shall be held remotely pursuant to Section 7(e) of the Illinois Open Meetings Act. The September 9, 2020 regular meeting of the North Shore Water Reclamation District shall be held remotely via teleconference so that the participants and attendees may comply with public health directives including social distancing and shelter in place. In accordance with the Illinois Open Meeting Act, 48 hours' notice that the meeting is to be held remotely pursuant to Section 7(e) of the Act, via teleconference, has been provided to each member of the Board of Trustees, to each media outlet that has requested such meetings pursuant to subsection (a) of Section 2.02 of the Act and has been posted on the North Shore Water Reclamation District's website.

The meeting was opened with the Pledge of Allegiance.

On roll call, the following Trustees were present and each of their identities were confirmed:

Preston P. Carter, President – present in Board Room at Administration Building
Stephen J. Drew, Vice President – present in Board Room at Administration Building
B. Sugar Young, Treasurer – present via teleconference
Tom Swarthout – present via teleconference
Rhoda Pierce – present via teleconference

Staff members present via teleconference were Executive Director Dave Miller, Attorney Greg Jackson (present in Board room at Administration Building), Special Projects Manager Steve Waters, Director of Engineering Services Jai Gupta and Director of Technology Services Bill Jackewicz. Also present, via teleconference were Jane Kaplan, Public Relations Consultant and John Norris, Government Affairs Representative.

It was confirmed that each participating Board member can hear all discussions; and confirmed that members of the public present at the regular meeting location can hear all discussions and all votes of the members of the Board.

There were no comments from the public.

President Carter presented the Consent Agenda as follows:

- A. Approval of the Minutes of the Meeting held on August 12, 2020.
- B. Consideration of Bills.
Wastewater Treatment Fund \$1,553,676.67
Check No. 188078 through 188373.
- C. Financial Report, July 2020.
 1. IEPA State Revolving Fund Loan Summary.
- D. Current Status of Significant Industrial Wastewater Violation(s) in the Service Area of the NSWRD.
- E. Construction Change Order.
 1. C.O. No. 2, Effluent and City Water Hydrant Replacements at Gurnee and Waukegan WRFs, Lifco Construction Corp.
- F. Authorize Payroll and Finance Department to issue District checks to meet expenses where necessary for payroll and to avoid interest and/or penalties before the next Board Meeting.

It was moved by Trustee Drew and seconded by Trustee Young that the Consent Agenda be approved as presented.

On roll call, the vote was 5-0 with all Trustees present voting "Aye". Motion declared carried.

President Carter presented the President Report as follows:

President Carter stated that Executive Director Miller is doing a heck of a job maintaining staff and operations of the District during this trying time. President Carter thanked Special Projects Manager Steve Waters for also helping a great deal and hopes that the pandemic will end sooner than later.

There was no Trustee Report.

Executive Director Miller presented the Management Report as follows:

Executive Director Miller thanked President Carter for the kind words and stated that he appreciates the efforts of all District employees that have enabled the District to continue to function throughout the Covid-19 pandemic. He is very grateful to all for their efforts. Executive Director Miller stated that both items under the Management report have been handled by Special Projects Manager Waters.

A. Coronavirus Response Update.

Special Projects Manager Waters stated that an initiative for monitoring sewers for detection of coronavirus in wastewater is being discussed in depth with the Lake County Health Department. Executive Director Miller noted that a key aspect is the funding source and it appears that this work may qualify for grants under the Cares Act, through which the County received a significant allocation. Special Projects Manager Waters stated he has made it clear to the Lake County Health Department that funding would need to be covered in order for the District to participate in this monitoring.

B. Lake Bluff Pumping Station Shoreline Restoration Project.

Special Projects Manager Waters stated that the Lake Bluff Pumping Station Shoreline Restoration Project is well underway with the design phase almost completed and permit applications submitted to the Department of Natural Resources and Army Corp. of Engineers. The consultant on the project is AECOM and they have applied for an Emergency permit and hope to have a bid package ready by next week and project awarded to a contractor by the next Board meeting. Special Projects Manager Waters noted that the District has met with both the Village of Lake Bluff and the Park District and that they are on board with the project. Trustee Swarthout noted that he had gone by the Lake Forest Beach front today before the meeting and reported how bad the shoreline is being pounded by the waves which this normally occurs in October. He noted that the Lake level has not subsided and that it is a big issue and was glad to hear of an emergency process in place to obtain a permit so quickly. Trustee Swarthout noted that it will be good to get the project completed before winter. This was an update requiring no action.

Executive Director Miller presented the Administration Division Report as follows:

A. Allied Plan Amendment – Coverage for Virtual Services.

Executive Director Miller reported that the health care system has drastically changed in the last 6 months due to the COVID-19 pandemic which has fueled a rapid increase in telemedicine and virtual care visits. Allied began temporarily paying for these telemedicine and virtual care visits as if they were in-person office visits but believes it is time to formalize this practice. It is proposed that this will amend the current plan to cover virtual care services, effective September 1, 2020, at the same cost sharing as “traditional” services. Executive Director Miller asked for Board approval to formalize the plan.

It was moved by Trustee Drew and seconded by Trustee Pierce to approve the Allied Plan Amendment – Coverage for Virtual Services.

On roll call, the vote was 5-0 with all Trustees present voting “Aye”. Motion declared carried.

B. Update on Facility Use Agreement with LaFargeHolcim.

Executive Director Miller stated that LaFarge Holcim had been occupying land at our landfill site and the current agreement had expired on January 1, 2020. The District and LaFarge Holcim had terms of a new agreement finalized and approved by the Board at the March 11, 2020 meeting. LaFargeHolcim then failed to return the fully executed agreement and later determined they no longer desired to lease this property. LaFarge Holcim has removed a silo from the facility at the request of the District. Executive Director noted the lease agreement has been terminated and they have vacated the site as of August 31, 2020. Staff went to the site and inspected and it seems that LaFarge Holcim removed its equipment and property and generally left the site in the condition requested by contract. Executive Director Miller reported there is still one issue outstanding, which is costs incurred to respond to a notice of violation from the Lake County Health Department for high pH from LaFarge Holcim’s work at the property. The District has submitted costs of \$88,000.00 to LaFarge Holcim and have not received any payment as of yet but hope to have this resolved soon. Trustee Pierce asked what is the reason they have not paid this Notice of Violation. Executive Director

Miller stated he is not really sure and there has been no indication of a dispute over the Notice of Violation but noted that in discussion with LaFarge Holcim over the lease agreement it was mentioned that the District is dealing with only a small part in a much larger corporation and it is possible that the payment is going through several layers of approval before being finalized. Trustee Pierce then asked what would be done with the property now that it is vacated. Executive Director Miller responded that the current property is subject to a purchase agreement with the City of Zion who has until May 1, 2023 to complete the acquisition. The City of Zion has the contractual right to make incremental purchases under that agreement and has acquired some small parcels, with a majority of the land still available. This item was information only and did not require any Board action.

Director of Engineering Services Gupta presented the Engineering Division Report as follows:

- A. Emergency Authorization Request.
 - 1. EAR-20-02, Structural Shoring of PS-5 Wet Well.

Director of Engineering Services Gupta stated the recent inspections by Baxter & Woodman, Inc. revealed significant concrete deterioration inside PS-5 wet wells. The Board approved a contract for the concrete repairs at the last meeting. Baxter and Woodman completed a structural inspection and prepared a final report which contained the recommendation that shoring be placed as soon as possible to support the ceiling of the west wet well. The shoring will remain in place until the concrete repairs are completed. The estimated cost is \$47,000.00. Director of Engineering Services Gupta asked for Board approval of Emergency Authorization 20-02.

It was moved by Trustee Drew and seconded by Trustee Pierce to approve the Emergency Authorization Request, EAR20-02, Structural Shoring of PS-5 Wet Well in the amount of \$47,000.00.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

- B. Bid Summaries.
 - 1. Sludge Cake Conveyor Replacement at the Waukegan Water Reclamation Facility.

Director of Engineering Services Gupta stated that Boller Construction Co., Inc., of Waukegan, IL is the low, responsive, responsible bidder in the bid amount of \$143,000.00 and asked for board approval.

It was moved by Trustee Drew and seconded by Trustee Young to award the bid for the Sludge Cake Conveyor Replacement at the Waukegan Water Reclamation Facility to Boller Construction Co., Inc. in the amount of \$143,000.00.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

- 2. Stair Replacement in Buildings 040 & 260 Project at the Clavey Road Water Reclamation Facility.

Director of Engineering Services Gupta stated that Mag Construction of Highland Park, IL is the low, responsive, responsible bidder in the bid amount of \$40,700.00 and asked for board approval.

It was moved by Trustee Drew and seconded by Trustee Pierce to award the bid for Stair Replacement in Buildings 040 & 260 Project at the Clavey Road Water Reclamation Facility to MAG Construction Company in the amount of \$40,700.00.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

- C. IEPA Loan Agreement.
 - 1. Wastewater Project L174502 – Redundant Thermal Oil Heater at Biosolids Recycling Facility, Zion Project.

Director of Engineering Services Gupta stated that IEPA has approved the loan for the Redundant Thermal Oil Heater at the Biosolids Recycling Facility, Zion Project in the amount of \$1,789,110.00 at a 1.35% interest rate for 20 years. Director of Engineering Services Gupta stated once the documents are executed the project has been awarded to Keno & Sons. Director of Engineering Services Gupta asked for Board approval of the IEPA Loan.

It was moved by Trustee Drew and seconded by Trustee Swarthout that the loan agreement with IEPA for Wastewater Project L14502 – Redundant Thermal Oil Heater at Biosolids Recycling, Zion be approved in the amount of \$1,789,110.00 for a 20-year term and at a simple annual interest rate of 1.35%.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

D. Construction Change Order.

1. C.O. No. 5, Protective Relay Replacement, Homestead Electrical Contracting, LLC.

Director of Engineering Services Gupta stated this Change Order is for an increase in the not to exceed amount of \$110,137.92 and an extension of 71 days to the contract for completion. Director of Engineering Services Gupta explained there were two parts to this change order and assured the Board that this project underwent a thorough review by Staff. The first part is to complete repairs of Gurnee USS-1 at a cost of \$41,594.44 and the second part is to complete a connection between the PMH-5 to the USS-4 which will allow the UV system to operate on both electrical feeds coming into the plant at a cost of \$68,543.48 for a total amount not to exceed \$110,137.92 and an extension of 71 days for completion. Director of Engineering Services Gupta asked for Board approval.

It was moved by Trustee Drew and seconded by Trustee Swarthout to approve Change Order No. 5, Protective Relay Replacement, Homestead Electrical Contracting, LLC. in the not to exceed amount of \$110,137.92 and an extension of 71 days.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

Executive Director Miller presented the Laboratory Division Report.

A. DRWW Monitoring – Lake County DOT Facility Acceptance Form.

Executive Director Miller stated the District has contracted with the Des Plaines River Watershed Workgroup (DRWW) to perform a 3-year continuous monitoring program at three locations along the Des Plaines River. The goal of the study is to collect monitoring data, which will provide information required for the upcoming Nutrient Assessment and Reduction Plan (NARP). The sampling equipment will be deployed from bridge structures and one location is under the jurisdiction of the Lake County DOT. To obtain approval for installing the sampling equipment at this bridge the County is requesting a Local Agency Acceptance Form to be completed. Executive Director Miller asked for Board approval of this Acceptance Form in order to move forward.

It was moved by Trustee Drew and seconded by Trustee Young to approve the DRWW Monitoring – Lake County DOT Facility Acceptance Form.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

There was no Operations Division Report, however Executive Director Miller stated that Friday, September 4th was Phil Connelly's last day and wished him well. Executive Director Miller stated that interviews were conducted for the position with internal candidates and that an announcement would be coming soon. Executive Director reported that there were a series of issues at the Waukegan WRF on the weekend and that the cause and impact were being investigated. A transformer was down and may need to be replaced which may require an Emergency Authorization Request. Various departments and staff were called in and Executive Director Miller wanted to thank all staff involved for their hard work. Executive Director Miller stated that heavy rains for the last few days has not helped matters and there would be an update by the next meeting. Trustee Carter inquired what the hold up on the Director of Operations position was and Executive Director Miller replied that an offer had been made but the candidate had not yet accepted the position.

There was no Technology Division Report.

There was no Attorney Report.

President Carter moved to Other Business before Executive Session.

President Carter presented Other Business as follows:

A. Legislative Report.

John Norris, the District's Government Affairs Representative stated there was nothing new in Springfield to report and nothing affecting the District at this time. President Carter thanked Mr. Norris for his report.

It was moved by Trustee Drew and seconded by Trustee Swarthout to move to Executive Session to discuss:

A. Health/Dental Benefit Plan Claim Determination.

On roll call, the vote was 5-0 with all Trustees present voting "Aye". Motion declared carried.

It was moved by Trustee Drew and seconded by Trustee Swarthout to end the Executive Session and resume the Regular Meeting.

On roll call, the vote was 4-0 with all Trustees present voting "Aye". Motion declared carried.

On roll call, the following Trustees were present:

Preston P. Carter, President – present in office
Stephen J. Drew, Vice President – present in office
B. Sugar Young, Treasurer – absent – left meeting
Tom Swarthout – present via teleconference
Rhoda Pierce – present via teleconference

It was moved by Trustee Drew and seconded by Trustee Swarthout to approve the claim to be processed as a medical benefit.

On roll call, the vote was 4-0 with all Trustees present voting "Aye". Motion declared carried.

Before bringing the meeting to a close Executive Director Miller wanted to thank the Board of Trustees, Staff and all present today on the teleconference meeting for their patience in moving through the agenda, to accomplish all necessary business and, in particular, to ensure that the District is able to pay all its vendors and contractors on time.

There being no further business to come before the Board.

It was moved by Trustee Drew and seconded by Trustee Pierce to end the Meeting.

On roll call, the vote was 4-0 with all Trustees present voting "Aye". Motion declared carried.

The meeting was then adjourned until the next regular meeting to be held on Wednesday October 14, 2020 at 9:30 A.M. at the District Office of the Raymond E. Anderson Complex located in Gurnee, Illinois.

PRESIDENT

SECRETARY