

August 11, 2021

Minutes of the Regular Meeting of the Board of Trustees of the North Shore Water Reclamation District held Wednesday, August 11, 2021 at 9:30 A.M. at the District Office of the Raymond E. Anderson Complex located in Gurnee, Illinois.

The meeting was delayed due to a power outage at the Administration Building and was started approximately at 9:40 a.m.

The meeting was opened with the Pledge of Allegiance.

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

Stephen J. Drew, President
Rhoda A. Pierce, Vice President
B. Sugar Young, Treasurer
Preston P. Carter
Thomas Swarthout

Staff members present were Executive Director Dave Miller, Attorney Greg Jackson, Director of Engineering and Special Projects Steve Waters, Director of Laboratory and Environmental Compliance Chuck Bodden and Director of Technology Services Bill Jackewicz. Also present, were Jane Kaplan, Public Relations Consultant and John Norris, Government Affairs Representative.

There was no Public Comment.

President Drew presented the Consent Agenda as follows:

- A. Approval of the Minutes of the Meeting held on July 14, 2021.
- B. Consideration of Bills.
Wastewater Treatment Fund \$1,778,554.73
Check No. 190612 through 190809.
- C. Financial Report, June 2021.
 1. IEPA State Revolving Fund Loan Summary.
- D. Ratification of Resolution in Recognition of Daniel M. Pierce.
- E. Construction Change Order.
 1. C.O. No. 5, Headhouse Piping and Containment – Clavey Road WRF, MAG Construction Company.
- 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 Carter and seconded by Trustee Swarthout 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.

There was no President Report.

President Drew asked if there was any Trustee Report.

Trustee Pierce commented that there have been a number of issues in her Ward and that Staff has been on all of these issues and have taken care of them and that she appreciates all the hard work.

Executive Director Miller presented the Management Report as follows:

Executive Director Miller stated that he would like to move to Item B.

- B. Park District of Highland Park.
 1. Park Avenue Beach Boardwalk Project.

Executive Director Miller stated that Brian Romes, Executive Director of the Park District was present and would like to present to the Board the vision of the Park Avenue Beach Boardwalk Project. Mr. Romes provided an overview of the history of the Lease between the Park District and the NSWRD and explained the Park District’s vision to enhance

the Park Avenue Beach with a boardwalk project on a portion of the leased property. The Park District intends to submit an application for an OSLAD Grant to fund this Lakefront enhancement and the final concept phase of the project has to be submitted to the IDNR by September 1, 2021.

Executive Director Miller stated that the District's Pump Station is very small and the pumps are all underground. The only potential impact on the District pump station from the Park District's plans is that following completion of the project, users of the boardwalk may object to the rather industrial look of the District facility and desire efforts to spruce it up and make it look pretty. Executive Director Miller stated that he has talked to Mr. Romes about this and Mr. Romes assured him that the Park District project design and budget would incorporate any screening or fencing replacements for the District's pump station that it deemed appropriate. Executive Director Miller indicated that the Park District believed its grant application included all necessary information and documentation but there is hard deadline for the OSLAD Grant application and Executive Director Miller expressed an interest to help the Park District if something was needed at the last minute. Trustee Swarthout commented that he is very much in support of this project and feels it is a good thing. Mr. Romes inquired if a letter of support could be written from the NSWRD. Attorney Jackson suggested that the Board could authorize either the President or Executive Director to issue a letter of support to the Park District of Highland Park for its boardwalk project.

It was moved by Trustee Swarthout and seconded by Trustee Carter that a letter of support be written by the President or Executive Director of the NSWRD in support of the Park Avenue Beach Boardwalk Project.

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

A. Coronavirus Response Update.

Executive Director Miller reported that the CDC issued new guidelines recommending that masks be worn indoors by all, including the vaccinated. Employees were advised of these new guidelines. Executive Director Miller stated that on July 6th, the District re-opened the Administration Building doors and resumed taking customer payments, yet continued to allow customers to instead drop their payments in the drop box located outside the Administration Building. Executive Director Miller stated that the User Charge Department was prepared to start sending "shut-off" letters which have not been sent since March of 2020. During Spring, a newsletter was distributed to customers, explaining that the District expected to return to standard billing practices, including shut offs, towards the end of summer. Executive Director Miller stated that the District's Ordinance provides for customer contracts of up to 12 months. Executive Director Miller stated that many customers may have a need for additional time. There is "hardship" 24-month contract provided the customer submits income and expenses information, documenting that a hardship truly exists. Executive Director Miller recommended that this "hardship" option be offered to any customer requesting additional time to pay without requiring the customer to provide proof. The Trustees agreed that this would be a positive action to take.

It was moved by Trustee Swarthout and seconded by Trustee Carter to offer a "hardship" contracts without requiring documentation or proof of hardship.

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

Attorney Jackson stated this item was not on the agenda for taking action on and would have to be ratified at the next meeting. Executive Director Miller stated he would add it to the agenda for the September 8th meeting.

There was no Administrative Report.

Director of Engineering and Special Projects Waters presented the Engineering Division Report as follows:

- A. Water Pollution Control Loan Program.
 - 1. Districtwide Sewer Repairs L174501.
 - i. Final Loan Closing Amendment.

Director of Engineering and Special Projects Waters stated that IEPA has approved the final loan closing for the Districtwide Sewer Repairs Loan No. L174501 with a reduction of \$77,187.49 for a total loan amount of \$2,494,883.88 and asked for Board approval of the IEPA Loan Final Closing Amendment.

It was moved by Trustee Carter and seconded by Trustee Swarthout that the Final Loan Closing Amendment with IEPA for Wastewater Project L174501 – Districtwide Sewer Repairs be approved in the amount of \$2,494,883.88.

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

- B. Emergency Bid Waiver Authorization Report.
 - 1. EAR 20-02 PS-5 Wet Well Shoring.

Director of Engineering and Special Projects Waters stated the Emergency Authorization Request for PS-5 Wet Well Shoring was a project from last September, 2020 and was actually EAR 20-2 not EAR 21-02 reflected on the Agenda. This project was not completed until March, 2021 for a total of \$55,906.16. Director of Engineering and Special Projects Waters stated this is the final report and asked for Board approval.

It was moved by Trustee Carter and seconded by Trustee Young to approve Emergency Authorization Report EAR 20-2 PS-5 Wet Well Shoring.

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

- C. Engineering Services Agreement.
 - 1. S4 Interceptor Reroute Under Sheridan Road @ Bull Creek, RHMG Engineers, Inc.

Director of Engineering and Special Projects Waters stated the Engineering Services Agreement for the S4 Interceptor Reroute Under Sheridan Road at Bull Creek is an IDOT project. The District is being required to relocate the interceptor sewer within Bull Creek ravine to accommodate IDOT's relocation/replacement of the Bull Creek Culverts under Sheridan Road in Beach Park. The District has consulted with RHMG Engineers, Inc. who is familiar with the project because they are working with the local authority and have the knowledge of what is required. Trustee Swarouth asked that since this project is IDOT's and they are requiring this work as part of the project, why isn't IDOT responsible for the cost. Attorney Jackson replied that due to the statute the District is governed by since it is a rehabilitation of a bridge and the District's interceptor, the District is responsible for the work. Trustee Pierce asked when this work would be completed. Executive Director Miller stated probably not till sometime next year. Director of Engineering and Special Projects Waters stated the cost for this Agreement is \$56,806.00 and asked for Board approval.

It was moved by Trustee Carter and seconded by Trustee Pierce to approve the Engineering Services Agreement for the S4 Interceptor Reroute Under Sheridan Road @ Bull Creek with RHMG Engineers, Inc. for a total cost of \$56,806.00.

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

Director of Laboratory and Environmental Compliance Bodden presented the Laboratory and Environmental Compliance Division Report.

- A. Current Status of Significant Industrial Wastewater Violation(s) in the Service Area of the NSWRD.

Director of Laboratory and Environmental Compliance Bodden noted no industries are currently in non-compliance. Director of Laboratory and Environmental Compliance Bodden also commented that Pfanstiehl had submitted their quarterly progress report, and that the District recently sent a letter to the Popcorn Factory regarding P.E. compliance. This item was information only.

- B. Phosphorus Permit Limit Progress Update.

Director of Laboratory and Environmental Compliance Bodden provided the Board with the monthly update on work and progress towards compliance with the impending effluent phosphorus permit limit of 1.0 mg/L effective first at the Clavey Road facility on February 1, 2022. He noted that Clavey Road had dropped below the future limit of 1.0 mg/L however, Waukegan effluent phosphorus concentrations have been on the rise. The District has also just been notified that Kamira, the District's supplier of ferric chloride, stated that there is a shortage of ferric chloride supply nationwide. Executive Director Miller noted that ferric chloride is the District's primary back up plan to treat the phosphorus spikes but that the District does have a plan to switch to an alternative, which will not be totally seamless. He noted the District is keeping their eye on this and will keep the Board updated on it. Trustee Drew asked what caused the spike at the Waukegan WRF. Director of Laboratory and Environmental Compliance Bodden stated that it appears that it may be a dosing issue isolated to one analyzer. He stated they District is looking into this and fortunately the District is not yet required to meet this limit. This item was information only.

C. SARS-CoV-2 Wastewater Testing Update.

Director of Laboratory and Environmental Compliance Bodden provided the Board with an update on the Sars-CoV-2 Wastewater Testing and stated that the District is nearing the end of the 9 week testing program with Bio-Bot Analytics. As noted by the graphs attached in the Board packet it appears the virus levels in the wastewater are on a rise. It was noted that the Illinois Department of Public Health (IDPH) and the Discovery Partners Institute (DPI) are expected to expand this testing across Illinois by the end of the year. Executive Director Miller stated the District will follow up with this and see what is required under the upcoming program and will keep the Board updated. This item was information only.

Director of Laboratory and Environmental Compliance Bodden wanted to acknowledge Toni Favero, Supervisor of the Laboratory on achieving 40 years of service on July 20, 2021 and thank Toni for all her hard work and service.

There was no Operations Division Report.

There was no Technology Services Division Report.

There was no Attorney Report.

President Drew presented Other Business as follows:

A. Legislative Report.

John Norris, the District's Government Affairs Representative provided a legislative summary from the past month attached in the Board packet and stated he had submitted an update which is included in the packet since providing this report.

- SB 294 - The Wipes Labeling Act which will be signed soon by the Governor will go in effect on July 1, 2022. This Bill establishes regulations for the labelling and marketing of wipes.
- HB 453 – Mr. Norris mentioned that HB 453 had been signed into law which is of interest to the District. HB 453 requires taxing districts with a levy more than \$5 million to collect and publish ethnic and race data on vendors and contractors which do business with the taxing district and this Bill is effective immediately. Mr. Norris stated there is a form which will be provided to vendors/contractors which will require them to self-identify. Mr. Norris mentioned that he would look into this bill further and stated if this is a reporting requirement the District must comply.
- HB 414 – Water & Sewer Financial Assistance Act was signed on August 6, 2021 and became effective immediately. Mr. Norris stated the District sent letters to State Senators and Representatives voicing their concerns and have received responses stating they appreciate the District's concerns and will watch how the money is spent. Executive Director Miller stated he will evaluate the Bill and investigate further.
- HB 3190 – Related to Perfluoroalkyl and PFAS's had started as a Fire Safety bill and its passage does affect the District. Research into this will need to be addressed and the District with the help of IAWA may pursue an exemption for these processed in the future. Mr. Norris stated this Bill has not been signed yet.

Executive Director Miller mentioned to Mr. Norris that perhaps he could pursue the concept that if IDOT requires the relocation of a sanitary sewer that IDOT should fund the cost. Possibly reach out to IAWA and ask for their help on this matter.

President Drew thanked Mr. Norris for his report.

There being no further business to come before the Board, it was moved by Trustee Carter and seconded by Trustee Young to end the Meeting.

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

The meeting was then adjourned until the next regular meeting to be held on Wednesday, September 8, 2021 at 9:30 A.M. at the District Office of the Raymond E. Anderson Complex located in Gurnee, Illinois.

PRESIDENT

SECRETARY