

**REGULAR MEETINGS OF THE BOARD OF COMMISSIONERS FOR THE
METRO EAST SANITARY DISTRICT
ST. CLAIR AND MADISON COUNTIES, ILLINOIS
HELD ON TUESDAY, MAY 24, 2022, AT 9:00 A.M.
LOCATED AT: 1800 EDISON AVENUE, GRANITE CITY, IL 62040**

9:01 A.M.- President Oney called the meeting to order, and the Clerk recorded the attendance.

The following were in attendance:

Present: Commissioners, Darwin, Brinza, Dixon, Jackson and Oney,
Absent: None

Metro East Sanitary District employees attending the meeting were:

Rick Fancher, Executive Director, Attorney Tom Schooley,
Attorney Robert Sprague
Absent: None

Other Attendees: Charlie Juneau with Juneau and Associates

PUBLIC COMMENT: NONE

PUBLIC CORRESPONDENCE: NONE

REPORT OF EXECUTIVE DIRECTOR:

Rick updated the Board by stating the sheet piling by the Merchants Bridge (near the Madison Pump Station) for the 30-foot easement should take about 5 days to complete. Terminal Railroad cannot start until the river gets to 15 feet. It is currently at 21 feet. This was a \$28,000 temporary easement that Terminal Railroad paid MESD.

Rick informed the Board that on June 5th we will have an online course that everyone must take pertaining to 'Sexual Harassment'. He told the Board that they will be receiving an email with a link on where to go to take the course. He said that everyone must take this online course and if they need help to contact the office.

- President Oney clarified that this was a State requirement.

REPORT OF ENGINEER:

Charlie stated that he has distributed a copy of the report regarding the relief well testing cost comparison to conduct the testing inhouse versus subcontracting for their review.

Charlie informed the Board that the Annual SWIFT has been submitted.

He also stated that the rate study has been completed with the revisions.

MINUTES:

The Regular Minutes for the April 19, 2022, were presented for approval.

Motion Commissioner Jackson: seconded Commissioner Darwin to dispense with the reading of the minutes, approve them as submitted and place them on file.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

CLAIMS AND SPECIFIC CLAIMS:

The General Fund and Specific Claims were submitted for approval:

Motion Commissioner Darwin; seconded Commissioner Brinza to approve the General Fund and Specific Claims as submitted and order them paid.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

The Lansdowne Claims and Specific Claims were submitted for approval:

Motion Commissioner Brinza: seconded Commissioner Jackson to approve the Lansdowne and Specific Claims as submitted and order them paid.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

FINANCIAL REPORTS:

The General Fund Financial Reports for the month of April 2022 was submitted for approval:

Motion Commissioner Jackson, seconded Commissioner Brinza to approve the General Fund Financial Report as submitted and place them on file for audit.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

The Special Funds Financial Reports for the month of April 2022 was submitted for approval:

Motion Commissioner Darwin: seconded Commissioner Jackson to approve the Special Funds Financial Report as submitted and place them on file for audit.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

The Lansdowne Financial Reports for the month of April 2022 were submitted for approval:

Motion Commissioner Dixon; seconded Commissioner Jackson to approve the Lansdowne Financial Report as submitted and place them on file.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney

Nays: None

Absent: None

PAYROLL:

The Payroll for the period of March 20, 2022 , through April 2, 2022, were submitted for approval.

Motion Commissioner Darwin; seconded Commissioner Brinza to approve the Payroll as submitted.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

The Payroll for the period of April 3, 2022, through April 16, 2022, were submitted for approval.

Motion Commissioner Jackson; seconded Commissioner Darwin to approve the Payroll as submitted.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

LANSDOWNE ADJUSTMENT REPORT:

The Lansdowne Adjustment Reports were presented for approval:

Motion Commissioner Jackson; seconded Commissioner Darwin to approve the Lansdowne Adjustment Report as submitted.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

REPORT OF ATTORNEYS:

Attorney Schooley had nothing to report at this time

Attorney Sprague had nothing to report at this time.

OLD BUSINESS:

Discussion and/or approval of Illinois American Water Lansdowne sale transaction.

- President Oney informed the Board that Illinois American Water has reached out to MESD again. We are just waiting to hear from the attorneys.
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NEW BUSINESS:

Board discussion / approval of the temporary work easement near the Merchants Bridge for Terminal Railroad.

Motion Commissioner Jackson; seconded Commissioner Darwin to approve the temporary work easement for Terminal Railroad.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

Board discussion / approval of Ordinance Number 2022-0-017 that granting permission to Southwestern Electric Cooperative and updating Ordinance No. 97-0-003

Motion Commissioner Jackson; seconded Commissioner Darwin to approve Ordinance Number 2022-0-017.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

Board discussion / approval of Ordinance Number 2022-0-018 that is establishing uniform rates for digital, optic fiber, analog cables / conduits to Zayo.

Motion Commissioner Jackson; seconded Commissioner Brinza to approve Ordinance Number 2022-0-018 establishing uniform rates for Zayo.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

Board discussion / approval for a motion to make public the audio tape of MESD's closed session from the special meeting held on December 31, 2019.

- Attorney Schooley informed the Board that this is for the pending litigation.
 - o Commissioner Brinza stated that he would like to discuss this further in closed session.

Motion Commissioner Jackson; seconded Commissioner Darwin to make the closed session from the meeting held on December 31, 2019, public.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

Motion to **AMEND** the previous approval to make the audio tape of MESD's closed session of the special meeting held on December 31, 2019, for the purposes of litigation - Commissioner Brinza; seconded Commissioner Dixon to make the closed session from the meeting held on December 31, 2019, public.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

Motion to accept the amendment for the approval of MESD making the audio tape from the closed session dated December 31, 2019, public for the purpose of litigation.

Motion made by Commissioner Brinza and seconded by Darwin.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

Board motion waiving any attorney / client privilege relating to conversations of Attorney James Craney and or Attorney, Barney Mundorf related to proposed employment contract between Andy Economy as well as any conversations with Attorney Craney during the closed session meeting held on December 31, 2019.

- Commissioner Brinza requested this motion be discussed in closed session.

Motion to **AMEND** the previous motion to state for the purposes of litigation. Commissioner Brinza; seconded Commissioner Darwin.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

Motion to accept the amendment for waiving any attorney / client privilege relating to conversations of Attorney James Craney and or Attorney Barney Mundorf related to proposed employment contract between Andy Economy as well as any conversations with Attorney Craney during the closed session meeting held on December 31, 2019, for the purpose of litigation by Commissioner Brinza; and seconded by Jackson.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

Motion Commissioner Brinza; seconded Commissioner Jackson to enter into Executive Session for the exceptions noted under 5 ILCS 120/2 Open Meetings – The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

BOARD ENTERED INTO CLOSED SESSION AT 9:08 A.M.

The Clerk recorded the attendance:

Present: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Attorney Tom Schooley, Attorney Robert Sprague, and
Executive Director, Rick Fancher

Motion Commissioner Brinza; seconded Commissioner Jackson to return to regular session at 9:16 A.M.

The Clerk recorded the attendance:

Present: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Attorney Tom Schooley, Attorney Robert Sprague, and
Executive Director, Rick Fancher

ANY FURTHER BUSINESS PLACED BEFORE THE BOARD:

There being no further business, Motion Commissioner Darwin seconded Commissioner Brinza to adjourn.

Upon roll call, the motion carried by the following vote:

Ayes: Commissioners Darwin, Brinza, Dixon, Jackson and Oney
Nays: None
Absent: None

So, adjourned at 9:20 A.M.

Clerk