

**REGULAR MEETING OF THE BOARD OF
COMMISSIONERS OF THE METRO EAST
SANITARY DISTRICT, ST. CLAIR AND
MADISON COUNTIES, WEDNESDAY, OCTOBER
20, 2010 AT 1800 EDISON AVENUE, GRANITE
CITY, ILLINOIS AT 9:00 A.M.**

President Economy called the meeting to order and the Clerk recorded the attendance.

The following was the attendance:

Present: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.
Absent: None.

Also, attending the meeting were Executive Director Bob Shipley, Attorney George Filcoff, Attorney Todd Neilson, Lansdowne Office Manager Cindy Worthen, Treasurer Charles Hester and Superintendents Walter Greathouse, John Maeras and Randy Presswood. Charlie Juneau and Bob Massa from Juneau Associates, Inc. were also in attendance.

REPORT OF ENGINEER:

Mr. Juneau presented a letter from AECOM and the corresponding Agreement between Norfolk Southern Railway Company and the Metro East Sanitary District:

Mr. Juneau, explained the Agreement:

We have been trying to reach an agreement with Norfolk Southern Railway Company for a lengthy period of time. The lack of an agreement has stopped all work on the 24" force main project.

The agreement includes a one-time fee of Sixty-six thousand dollars (\$66,000). Normally, the railroad requires a yearly fee. I believe this fee is fair.

Mr. Massa, "If the Board approves this agreement, then the District will have all of the property required to complete the 24" force main project, except a 50 foot area where we cannot locate the land owner."

Commissioner Penny, "Can the contractor hollow through the property and let the owner contact MESD if he has a problem?"

Attorney Filcoff, "I would prefer we have permission from the owner, I will try to contact him. I have read the agreement and it has the standard language which protects the Railway."

Mr. Juneau, "It is the standard agreement provided by the railway, but I do not see any problems with the requirements listed."

Attorney Filcoff, "I just wanted to bring it to the attention of the Board that this agreement is written to protect Norfolk Southern Railway Company. However, MESD has to enter into the agreement to move forward with the project."

Executive Director Shipley, "Will the \$66,000 fee be reimbursable through the grant?"

Mr. Juneau, "No, easements are not eligible for grant money."

Mr. Massa, "I am trying to negotiate with Norfolk Southern Railway Company to remove the clause stating MESD will remove the existing 18-inch force main or fill the pipe with cement grout."

Motion Commissioner Laub; seconded Commissioner Penny to enter into an Agreement with Norfolk Southern Railway Company for the installation of a 24-inch force main upon the final approval of Juneau Associates, Inc., P.C. and at that time authorize the President of the Metro East Sanitary District to sign the Agreement.

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

Ayes: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.

Nays: None.

Absent: None.

Mr. Juneau, "Work is continuing on the Horseshoe Lake Control Gate Bar Screen project."

Superintendent Presswood, "I have not seen the contractor at that project this week."

Mr. Juneau, "I will contact the contractor and find out why they have not been on the job site."

Mr. Juneau and Mr. Massa left the meeting at 9:17 A.M.

REPORT OF EXECUTIVE DIRECTOR:

Executive Director Shipley reported:

1. AMEC has been performing sample drillings on the levees. I am not happy with AMEC. I have requested where they will be working and the scope of work and they have never provided me with the requested information.

The Flood Protection District may have been given the information, but I should also have that information. The project manager promised to meet with me and has not.

2. The concrete for the downward pillars has been poured for the Horseshoe Lake Control Gates Bar Screen Project.

3. Illinois Electric should have the pump ready for the North Pump Station very soon.
4. I am continuing to monitor the progress on the emergency generators at Lansdowne and Bremen stations.
5. The pumps at the 48th & Warren lift station must all be replaced. Guarantee Electric estimates the cost at Fifteen thousand dollars (\$15,000). I am hoping insurance will cover the replacement of the pumps.
6. Appraiser, Barry Loman, was given all of the information necessary to appraise the property on 79th Street in East St. Louis that the East St. Louis Housing Authority is proposing in the land swap.
7. H & H Back Hoe is the contractor for the sewer line installation in Eagle Park Subdivision. H & H is having a very hard time with the project.
8. I will be attending a meeting in a few weeks to discuss the lawsuit being filed against FEMA. The lawsuit is being filed against FEMA due to the new flood insurance rate maps.
9. Juneau Associates is assisting MESD with the application for a grant to replace the climber screen at the Bremen Station. The estimated cost is One hundred eighty-nine thousand dollars (\$189,000).
10. The Contractor, Joiner-Myers Construction Company, stopped the leak on the top of the triple box culvert. However, there is still a leak at the bottom.
11. All of the pump stations are being closed today, except the East St. Louis Pump Station.
12. The front levee has been cleared of debris from the Madison Pump Station to Granite City. There is still plenty of debris to clear in other areas.
13. A Representative from the St. Clair County Health Department called about the dirt being piled along the ditch on North Park Drive. He was concerned the dirt contained hazardous and/or toxic waste. We reassured him that there is no hazardous or toxic waste in the dirt.
14. I am looking for a place to store tractors and heavy equipment this winter. I am going to ask the Tri City Regional Port District, as they have a covered area that has been recently vacated.

REPORT OF SUPERINTENDENTS:

Superintendent Maeras reported:

1. There are five mowers out today. This should be the final round of moving for the year.
2. Two of the lift stations in Washington Park are not working. We keep two spare pumps, but they are not enough.

Commissioner Laub, “We should keep enough pumps on hand, that no individuals or businesses have sewage back-up. That is a serious problem, if we are responsible for any sewage back-up.”

Executive Director Shipley, “I do not understand why MESD is responsible for the lift stations and not the Village of Washington Park. Normally, we have two pumps available and that is plenty. However, this time the water backed up into the lift station and caused all of the pumps and electricity to go out.”

Superintendent Presswood reported:

1. The dirt is being knocked down, then seed and straw will be laid where St. Clair County Health Department called about the hazardous and toxic waste.

The area will look very nice once we are done. You can actually see the bottom of the ditch, which is concrete. The concrete bottom has not been visible for years.

2. A concrete driveway has been poured in front of the Lansdowne garage.
3. I check the progress on the Horseshoe Lake Control Gate Bar Screen Project daily. Normally, the contractor has to let the concrete set and then test it before continuing.

4. I also attend the Eagle Park Subdivision sewer line meetings every Thursday. There is not much progress being made on the sewer lines.
5. Rip rap has been delivered to the front yard at the Madison Pump Station.
6. The Link Belt and 320 are at Lansdowne Ditch.
7. The 850 is being used to knock down the dirt at Canal No. 1.
8. I have been meeting with Juneau Associates to discuss the climber screen at the Bremen Station.
9. The cylinders on the 690C are being repaired.

Superintendent Greathouse reported:

1. Six mow units are out today and a five man labor crew is out trimming.
2. The Mississippi River is going down.

Ms. Worthen reported:

1. Collections are good.
2. Roger Morthland and I are continuing to work with Illinois American Water Company and LOCIS to improve the billing process.

Executive Director Shipley, "At this time, I would like to present a letter from Charity Tillmon regarding her sewage treatment bill at 2115 North 58th Street in Washington Park, Illinois and have Ms. Worthen explain the problem."

Ms. Worthen, "Ms. Tillmon's account became active on March 12, 2009. A letter was sent to Ms. Tillmon in July of 2009 because the account was past due. Additional

letters were mailed, including a certified letter which was never claimed by Ms.

Tillmon.”

“The owner of the property has requested that all bills be mailed to his address. Although the bills are mailed to the owner, past due letters are sent to the owner and Ms. Tillmon. So, she has had notice of the past due bill and the intent to disconnect water.”

“My understanding from the Water Company is that after they shut off the water, the water was turned on illegally for 20 to 25 days. At that time, the water company took the meter out.”

Executive Director Shipley, “Ms. Tillmon claims to have no knowledge of the disconnect or the additional fees.”

Ms. Worthen, “She received letters from MESD. Also, the water company sends a letter and that letter includes disconnect fees.”

Motion Commissioner Laub; seconded Commissioner Crockett that disconnect fees associated with the property at 2115 North 58th Street, Washington Park, Illinois remain on the sewage treatment bill.

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

Ayes: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.
Nays: None.
Absent: None.

GENERAL FUND CLAIMS AND SPECIFIC CLAIMS LIST:

The General Fund Claims and Specific Claims were submitted for approval:

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

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

Ayes: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.

Nays: None.

Absent: None.

LANSDOWNE CLAIMS AND SPECIFIC CLAIMS LIST:

The Lansdowne Claims and Specific Claims were submitted for approval:

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Motion Commissioner Penny; seconded Commissioner Crockett to approve the Lansdowne Treatment Plant Claims and Specific Claims as submitted and order them paid.

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

Ayes: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.

Nays: None.

Absent: None.

LANSDOWNE ADJUSTMENT REPORTS:

The Lansdowne Adjustment reports were presented for approval:

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Motion Commissioner Hanfelder; seconded Commissioner Laub to approve the Lansdowne Adjustment Reports as submitted.

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

Ayes: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.

Nays: None.

Absent: None.

PAYROLL:

The Payroll for the period of September 19, 2010 through October 2, 2010 was submitted for approval:

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Motion Commissioner Hanfelder; seconded Commissioner Penny to approve the Payroll as submitted.

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

Ayes: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.

Nays: None.

Absent: Commissioner Penny and Crockett.

REPORT OF ATTORNEY:

Attorney Filcoff presented an Ordinance granting Massman, Traylor, Alberici, A Joint Venture, a right of access along and upon Project #4 of the Metro East Sanitary District. Number 2010-0-005 was assigned to this document.

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Motion Commissioner Penny; seconded Commissioner Crockett to adopt Ordinance Number 2010-0-005.

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

Ayes: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.

Nays: None.

Absent: None.

Attorney Filcoff presented an Ordinance granting Keeley & Sons, Inc. and Keller Construction, Inc. Joint Venture, a right of access along and upon a 1,250 foot section of a portion of the levee property belonging to the Metro East Sanitary District. Number 2010-0-006 was assigned to this document.

Motion Commissioner Laub; seconded Commissioner Penny to adopt Ordinance Number 2010-0-006.

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

Ayes: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.

Nays: None.

Absent: None.

Attorney Filcoff continued with his report:

Bob Triplett wants to resolve the grievance concerning the lack of a foreman in St. Clair County. He claims the St. Clair County employees feel as though they are second class citizens because Madison County has a foreman and they do not.

Mr. Triplett would like to resolve the issue without a formal hearing, but I told him that is not possible.

Executive Director Shipley, "I will consider a foreman once the number of full time employees is back up to the previous count."

Attorney Neilson presented an Agreement for Professional Services between the Metro East Sanitary District and ARDL, Inc.:

Attorney Neilson, "I have been in discussions concerning any hazardous and/or toxic waste that ARDL may find during ground water testing. A contract will eventually be needed for the disposal of any hazardous waste that may be found."

Executive Director Shipley, "Previously, when the contractor took samples, the hazardous waste was so minimal that when mixed with the surrounding dirt, there was not a problem."

Attorney Neilson, "I do not recommend any action be taken at this time."

Attorney Neilson continued with his report:

I have been reviewing the contract between MESD and Green Flag Collection Agency.

Ms. Heath and Ms. Worthen are concerned about the accounts that are in Phase 2. Apparently, Green Flag has had some of these accounts for longer than one year and no payments are being received through their efforts.

Ms. Worthen wants to turn these accounts over for water disconnect. However, Green Flag will receive fifty percent (50%) of the amount collected.

If we close the account, we have to pay Green Flag twenty-five percent (25%) of the amount that was turned over to Green Flag. Shutting off the water is no guarantee MESD will collect any money on the account.

MESD has 400 accounts in Phase 2 and 133 accounts in Phase 3. Phase 2, Green Flag starts calling the customers and sending more aggressive letters. Phase 3, the accounts are turned over to an attorney.

MESD quit turning accounts over to Phase 2 and Phase 3 in December 2009. Green Flag representatives and MESD agreed MESD attorneys have a better collection rate than Green Flag.

MESD minutes show where Green Flag representatives stated that Green Flag does not keep an account for longer than one year, if payments are not being made.

At this time, I am just making the Board aware of the problem. I plan to contact Green Flag.

CORRESPONDENCE: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

EXECUTIVE SESSION: None.

There being no further business, Motion Commissioner Penny; seconded
Commissioner Laub to adjourn.

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

Ayes: Commissioners Economy, Hanfelder, Penny, Crockett and Laub.
Nays: None.
Absent: None.

So adjourned at 9:55 A.M.

Clerk