

**REORGANIZATION AND REGULAR MEETING
OF THE BOARD OF COMMISSIONERS OF THE
METRO EAST SANITARY DISTRICT, ST. CLAIR
AND MADISON COUNTIES, ILLINOIS HELD ON
TUESDAY, JANUARY 15, 2019 AT 1800 EDISON
AVENUE, GRANITE CITY, ILLINOIS AT 8:00
A.M.**

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

The following was the attendance:

Present: Commissioners Darwin, Brinza, Sawicki and Dixon

Absent: Commissioners McCall

Metro East Sanitary District employees attending the meeting were Executive Director Stephen Adler, Attorney Larry Calvo, Superintendent Randy Presswood, Superintendent Rick Fancher, Deputy Superintendent Cedric Irby, Foreman Scott Hillman, Lansdowne Office Manager Cindy Worthen and District Clerk Kim Hogue.

Also, attending the meeting were Britt Donoho of Craney Law Group and Chris Downs from Johnson Controls.

PUBLIC COMMENT: None

President Brinza asked for a motion naming a Temporary Chairman for the selection of President.

Motion Commissioner Brinza; seconded Commissioner Sawicki to appoint Executive Director Stephen Adler as the Temporary Chairman for the election of President.

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

At this time, Executive Director Stephen Adler said he would accept nominations and a motion for the office of President for the Metro East Sanitary District for the 2019 calendar year.

Motion Commissioner Sawicki; seconded Commissioner Darwin to place the name of Charles Brinza in nomination for President.

Executive Director Stephen Adler noted there was a motion and a second on the nomination of Charles Brinza. Executive Director Stephen Adler moved the nominations be closed and Charles Brinza be elected by acclamation.

Executive Director Stephen Adler turned the meeting over to President Brinza.

President Brinza called for the election of Vice President.

Commissioner Darwin nominated Don Sawicki as Vice President. Commissioner Sawicki commented that he would prefer not to be Vice President and Treasurer.

Attorney Craney stated that the Statue does require us to have a Vice President. If the President is absent the Board can appoint a President pro-tem.

President Brinza “It is my understanding that the nomination for Trustee Sawicki has been resended. If there are no more nominations for Vice President we will go forward without a Vice President.”

Motion Commissioner Sawicki; seconded Commissioner Dixon to approve the following appointments for the 2019 calendar year:

Executive Director – Stephen Adler

District Clerk – Kim Hogue

Treasurer – Don Sawicki

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

Motion Commissioner Sawicki; seconded Commissioner Darwin to approve the following appointment for auditor for the 2019 calendar year:

Auditor - Thompson & Lengacher

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

REPORT OF EXECUTIVE DIRECTOR:

We have made a number of promotions within the District. The First one is Don Sawicki was appointed Deputy Executive Director. Scott Hillman accepted a position in management pending the Boards approval of his contract; Cedric Irby was promoted to Superintendent for the St. Clair County region.

The Johnson Control Project is moving forward.

Charlie Juneau and I are getting together easements for the construction of the flood wall.

REORT OF ENGINEER: None

MINUTES:

The minutes for the Special Meeting November 26, 2018 and December 12, 2018 were presented for approval.

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Motion Commissioner Darwin; seconded Commissioner Dixon 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, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

EXECUTIVE SESSION MINUTES:

The executive session minutes for the December 12, 2018 meeting were presented for approval:

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Motion Commissioner Darwin; seconded Commissioner Dixon to approve the executive session minutes, as submitted and place them on file.

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

CLAIMS AND SPECIFIC CLAIMS:

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

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

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

FINANCIAL REPORTS:

The General Fund, Special Funds and Lansdowne Financial Reports for the month of November & December 2018 were submitted for approval:

Motion Commissioner Darwin; seconded Commissioner Dixon to approve the General Fund, Special Funds and Lansdowne Financial Reports for the month of November and December 2018 as submitted and place them on file for audit.

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

PAYROLL:

The Payroll for the period of December 2, 2018 through December 15, 2018 and the Payroll for the period of December 16, 2018 through December 29, 2018 were submitted for approval.

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

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon
Nays: None.
Absent: Commissioners McCall

REPORT OF ATTORNEY:

Attorney Craney reported:

I will start with the issue with Johnson Controls. Everyone recall two meetings ago the Board voted on and approved a contract with Johnson Controls. The contract was contingent upon Johnson controls obtaining financing for the District. I got a call about a week ago Johnson Controls was having a little bit of difficulty with the legalities of some of it but is moving forward now.

We are continuing to negotiate with Ameren trying to get this master agreement in place. I got an email from Matha Parks and Ameren would like to know if they can get an exception from the right of entry application every time they need to come on to our property. They feel the master agreement was meant to streamline things and it should be covered under the agreement. How does the Board feel about this request?

Executive Director Adler “Ameren refuses to pay. Master agreement streamlines things but needs to work for both parties.”

President Brinza “This master agreement is taking an awful long time. If anything tell them if this does not move along we will need to enforce the form in place till the master agreement is signed.”

Attorney Craney continued:

It might be wise to suggest that we would look at something like that to incorporate into the master agreement to streamline the process, but until it gets signed we are going to continue to follow our procedures. Does the Board have an opposition to voting that way?

“The Board agreed and stated that made the most sense.”

I have some things to discuss in executive session.

CORRESPONDENCE:

A letter from the United States CORPS of Engineers was presented:

Foreman Hillman reported that one of the items on the list for the CORPS is Site 16. MESD did not accept this pump station as part of the transfer of property, because it has problems. There are several issues that the flood prevention district needs to address before we take it over.

President Brinza “We need a motion that we agree with the exception of site 16. We would like to postpone till we can agree to accept responsibility and direct the attorney to send a letter to the CORPS to remove site 16 from the levee safety program.”

Motion Commissioner Sawicki; seconded Commissioner Dixon to agree to the correspondence letter from the United States CORPS of Engineers with the exception of site 16.

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon
Nays: None.
Absent: Commissioners McCall

OLD BUSINESS: None

NEW BUSINESS:

President Brinza “We have the recommendations in the attorney report to defer the vote and action for Johnson Controls till next meeting. Can I get a motion to do so?”

Motion Commissioner Sawicki; seconded Commissioner Darwin to table the Johnson Controls vote and action till the next Board meeting.

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon
Nays: None.
Absent: Commissioners McCall

The Executive Session Minutes through December 31, 2018 were presented for review:

Motion Commissioner Sawicki; seconded Commissioner Darwin that all Executive Session Minutes remain closed to the public, as they contain confidential information regarding potential lawsuits, actual lawsuits and company personnel.

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

President Brinza “Anybody have any questions on the employment contracts, do we need to take this to executive session to discuss. Are we willing to entertain a motion to accept?”

Motion Commissioner Sawicki; seconded Commissioner Dixon to approve the Employment Contracts for Rick Fancher, Randy Presswood, Scott Hillman and Cedric Irby.

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

EXECUTIVE SESSION:

Motion Commissioner Sawicki; seconded Commissioner Darwin; to enter into Executive Session for the exceptions noted under 5 ILCS 120/2(c) 1. Appointment, employment, compensation, discipline or performance of employees and pending or threatened or imminent litigation.

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

The Board entered into Executive Session at 8:38 A.M.

Motion Commissioner Sawicki; seconded Commissioner Darwin to return to regular session at 9:11 A.M.

The Clerk recorded the attendance:

Present: Commissioners Darwin, Brinza, Sawicki and Dixon

Absent: Commissioners McCall

Also, attending the meeting at this time was Executive Director Steve Adler, Attorney James Craney, Attorney Larry Calvo, and Britt Donoho from Craney Law Group.

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

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

So adjourned at 9:12 A.M.

Clerk