

**REGULAR MEETING OF THE BOARD OF
COMMISSIONERS OF THE METRO EAST
SANITARY DISTRICT, ST. CLAIR AND
MADISON COUNTIES, ILLINOIS HELD ON
TUESDAY, JULY 16, 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 McCall, Darwin, Brinza, Dixon and Krekovich.

Absent:

Metro East Sanitary District employees attending the meeting were Deputy Executive Director Sawicki, Attorney Craney, Attorney Calvo, Superintendent Randy Presswood, Superintendent Rick Fancher, Superintendent Scott Hillman and Superintendent Cedric Irby and Lansdowne Office Manager Cindy Worthen. Also, attending the meeting were Charlie Juneau representing Juneau Associates, Britt Donoho of Craney Law Group and Michael Lengacher of Thompson & Lengacher Co., P.C.

PUBLIC COMMENT: None

REPORT OF EXECUTIVE DIRECTOR:

Deputy Executive Director Sawicki reported for the Executive Director:

Superintendent Presswood and I took a helicopter ride and took a video of the Levee system when the river was at 45 feet. If anyone is interested in looking at it.

East St Louis has added two TIF Districts, so MESD will be getting a little less money from those areas.

We have been looking into getting a dredge from the Port District. They have had it for three years and are not using it anymore. They would like to sell it to us, but they are asking almost what they paid for it three years ago. It is just not worth the money they are asking for it.

Deep Cut Off Wall meeting is on schedule and going well.

The Twin 60's has been causing problems, Attorney Calvo will look into ownership and legalities of that area for the next meeting.

Superintendent Presswood reported:

Pump #2 at Bremen is out for repair.

Three months ago, we were looking into a lease with option to purchase a couple dump trucks and we decided not to get it at that time. We need a dump truck and it is through a state bid, so bidding is not necessary.

We are going to put in the paper a bid for next meeting for a grater box, to grade the roads.

Deputy Superintendent Irby reported:

All laborers are in the pump stations. I have been getting bids on clean up from the flood for the Illinois Emergency Management Agency (IEMA).

Superintendent Fancher reported:

I have had one person here and there to mow when possible. everyone else in stations.

Superintendent Hillman presented his report:

Lansdowne Office Manager Cindy Worthen presented her report:

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REPORT OF ENGINEER:

Mr. Juneau reported:

The Lansdowne sewer project the last letter we got from the Illinois Environmental Protection Agency (IEPA) denied the debt certificates and the other methods of funding that Executive Director Adler had proposed. The back-door referendum may be the only choice you have left, or you do not have a project.

Britt Donoho “There is another option for general obligation bonds, so we have two options.”

The Cut Off Wall is proceeding as was said earlier. Attorney Craney did send a letter to the U.S. Corps of Engineers at their request. Hopefully by the end of August we will have all the easements and the utility relocation agreements.

I just want to address gain that the Washington Park records still need to be addressed.

MINUTES:

The minutes for the June 16, 2019 were presented for approval.

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Motion Commissioner McCall; 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 McCall, Darwin, Brinza, Dixon and Krekovich

Nays: None.

CLAIMS AND SPECIFIC CLAIMS:

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

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Motion Commissioner McCall; seconded Commissioner Darwin 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 McCall, Darwin, Brinza, Dixon and Krekovich

Nays: None.

FINANCIAL REPORTS:

The General Fund, Special Funds and Lansdowne Financial Reports for the month of June 2019 were submitted for approval:

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Motion Commissioner McCall; seconded Commissioner Darwin to approve the General Fund, Special Funds and Lansdowne Financial Reports for the month of June 2019 as submitted and place them on file for audit.

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

Ayes: Commissioners McCall, Darwin, Brinza, Dixon and Krekovich

Nays: None.

PAYROLL:

The Payroll for the period of June 2, 2019 through June 15, 2019 and the Payroll for the period of June 16, 2019 through June 29, 2019 were submitted for approval.

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

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

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

REPORT OF ATTORNEY:

Attorney Calvo reported:

Executive Director asked me to look into the conflict issue. The Attorney Generals website says that we should have passed an ethics Ordinance in 2004. Which sets up an ethics commission within the Board, you must appoint at least 3 members to the Board. You can appoint the whole Board to the Board, and then you hear ethics complaints.

Deputy Executive Director Sawicki “So we need to set up an ethics Board?”

President Brinza “We do that through an ordinance, so put that together for the next meeting.”

Attorney Craney’ report given by Britt Donoho:

The IEPA loan we did hear back from them and they turned down the debt certificate option. We are limited to the two options of back door referendum which is a double barrel bond or the general obligation bond which requires a referendum. It would have to be the entire Metro East Sanitary District area; it cannot be limited to just the Lansdowne area.

Charlie Juneau “The double Barrel that was referred to is a situation that you write in the Ordinance if the revenues are not sufficient to pay the bond payment you can put it on people’s taxes. You agree that you will continue to raise rates sufficient to make the payments if you do not raise rates sufficient to make the payments then you have the ability to put it on the taxes.”

President Brinza “You can go ahead and prepare the Ordinance so we can review it for the next meeting.”

I will talk about Blue Water Ditch Litigation in closed session.

We have not heard back from the attorneys on the ABD sewer break till late last night who said he would reach out to his client. We are going to wait till Monday to see if he hears anything from his client if not, we will seek approval from the board to proceed with litigation or not.

OLD BUSINESS:

Discussion and/or action on ABD Inc., regarding 24-inch sewer break.

Motion Commissioner McCall; seconded Commissioner Dixon to table this till next meeting.

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

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

NEW BUSINESS:

Discussion and/or approval of Blue Water Ditch Litigation.

This will be discussed in closed session.

Motion Commissioner McCall; seconded Commissioner Krekovich to approve the Executive Session Minutes as presented, and that they will remain closed to the

public, as they contain confidential information regarding potential lawsuits, actual lawsuits and company personnel.

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

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

Motion Commissioner Darwin; seconded Commissioner Dixon to destroy the verbatim records of the Executive Sessions prior to January 1, 2017.

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

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

EXECUTIVE SESSION:

Motion Commissioner Krekovich; 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, McCall, Brinza Dixon and, Krekovich
Nays: None.
Absent: None

The Board entered into Executive Session at 9:00 A.M.

Motion Commissioner McCall; seconded Commissioner Krekovich to return to regular session at 9:24 A.M.

The Clerk recorded the attendance:

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Present: Commissioners McCall, Darwin, Brinza, Dixon and Krekovich.

Absent:

Also, attending the meeting at this time was Deputy Executive Director Sawicki, Attorney Craney, and Britt Donoho from Craney Law Group.

President Brinza “Now that we are in regular session, I will need a motion to approve the attorneys to send letters to members of the Blue Water Treatment area considering potential litigation for payments in arrears.”

Motion Commissioner Darwin; seconded Commissioner Dixon to approve the attorneys to send letters of potential litigation to the members in arrears of Blue Water Ditch Treatment area.

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

Ayes: Commissioners Darwin, McCall, Brinza Dixon and, Krekovich

Nays: None.

There being no further business, Motion Commissioner McCall; seconded Commissioner Dixon to adjourn.

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

Ayes: Commissioners McCall, Brinza, Krekovich and Darwin.

Nays: None.

Excused: Commissioner Dixon.

So, adjourned at 9:26 A.M.

Clerk