

**REGULAR MEETING OF THE BOARD OF COMMISSIONERS FOR
THE METRO EAST SANITARY DISTRICT
ST. CLAIR AND MADISON COUNTIES, ILLINOIS
HELD ON TUESDAY, APRIL 20, 2021 AT 9:00 A.M.
LOCATED AT: 1800 EDISON AVENUE, GRANITE CITY, IL 62040**

President Oney called the Public Hearing to order, and the Clerk recorded the attendance.

The following was the attendance:

Present: Commissioners McCall, Darwin, Dixon, Brinza and Oney.
Absent: None

Metro East Sanitary District employees attending the meeting were Executive Director Rick Fancher, Attorney Schooley, Attorney Meinders, Della Ragsdale, and Kim King Treasurer.

Other Attendees: Charlie Juneau representing Juneau & Associates and Robert Sprague.

PUBLIC COMMENT: NONE

PUBLIC CORRESPONDENCE:

**1) LETTER FROM: UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY REGARDING ~ INSPECTION REPORT ON
HARDING DITCH.**

Executive Director Rick Fancher informed the board that MESD received a letter from the EPA and met with them in Centerville. He assumed the letter was sent regarding the litigation concerning Centerville drainage. He stated further that there are five (5) inlets that the EPA is concerned with on the Harding Ditch. The EPA is wanting MESD to monitor the inlets quarterly to see if there is any fecal matter coming into Harding

Ditch from any of those five (5) inlets. We marked each inlet accordingly to assist with the monitoring. Harding Ditch itself is fine however the EPA is worried about infiltrations into the Harding Ditch from a collector system of some kind sewage. MESD has already taken our initial sample of those 5 locations and we will continue to do it quarterly. The EPA will make periodic inspections of those inlets also.

- Attorney Schooley asked if the color photos that were depicted in the EPA's letter have been verified as in fact MESD parcels and jurisdiction.
 - o Executive Director Fancher informed the Board and Attorney Schooley that staff has confirmed that it was MESD parcels and jurisdiction.

- Attorney Schooley asked if the EPA made any comments about the piping not being connected in one section and trying to repair that deficiency.
 - o Executive Director Fancher stated "Yes, they did" however it was up to those individual communities that own those pipes. MEDS does not own them and therefore, those communities that do own them should be getting a letter from the EPA requiring them to make the repairs.

- Attorney Schooley asked if by chance would the EPA require MESD to make the repairs to the pipes and then have us bill those local communities?
 - o Executive Director Fancher stated "They did not, and they stated it 100% someone else's responsibility."

- Commissioner Dixon asked if it was also their responsibility for any obstructions.
 - o Executive Director Fancher responded "Yes."

- President Oney asked what the cost was of the sampling?
 - o MESD Employee, Della Ragsdale, informed the board that the cost of the test is \$34.16 per test (x 5) every quarter.
- President Oney stated that he does not understand why the cost should fall on MESD and not the communities. He understands that we need to conduct the test to protect MESD and find the source of where it is coming from however does not believe the cost should fall to MESD.
 - o Executive Director Rick Fancher stated that when we do the testing and receive the bill that MESD can turn around and invoice those communities for the test.
- President Oney reiterated that he does not want the District to have any responsibility for the cost. He also asked what type of actions we were going to take when we find the source that way the EPA cannot come back and say you knew this was happening and you didn't take any action to stop it.
 - o Attorney Schooley stated that we will send out letters once we get the test results. He also asked if we knew the levels of concentration.
 - Executive Director Fancher stated that we have not received the test results.
- President Oney stated that from MESD's point of view that if the test comes back positive that we don't wait to do it quarterly that we should test weekly for our own documentation. Once we know it is there, we have an obligation to test it and send the results to the districts.

- Attorney Schooley asked if we have a map of the infrastructure or where these pipes are coming from?
 - o Executive Director Fancher said that he will give Charlie Juneau a copy so that he will have the exact location, but we marked each of the five (5) locations so that we can track them individually.

- Commissioner McCall asked if these pipes are going to be in the new city of Cahokia Heights.
 - o Executive Director Fancher replied “Yes”.

- Commissioner McCall requested that he meet with Mr. Fancher, Scott and Hurst -Rosche so that he can see where these pipes so that he can put them as a priority. Since he will be taking office on May 6th he will be contacting the EPA and let them know that he has instructed his administration as to the location and what is needed to repair the pipes.

2) LETTER FROM: ATTORNEYS CHATHAM AND BARICEVIC ON BEHALF OF THEIR CLIENT EL RANCHITO DISPUTING CHARGES

- Attorney Meinders stated that he has not heard from them since MESD passed the new Ordinance.

- MESD Employee, Della Ragsdale explained that when she took over the billing in April 2020, that Roger Morthland asked her to get together the El Ranchito billing because they were disputing the surcharges and closed out their account. However, they closed out the old account and opened a new one under the wife’s name for the same restaurant. Since Covid hit MESD has stopped testing so no new surcharges have been applied to their account.

El Ranchito's complaint is that all the restaurants around them are not getting tested and they feel that they are being singled out. It should be noted that other restaurants are being tested. Prior to the new ordinance passing the restaurants with the higher usage were getting tested and the surcharges were high. El Ranchito's surcharges were higher than most. Their oil and grease traps were very dirty when they would go in and test. El Ranchito did pay a majority of the charges but usage wise on their closing bill they owe \$5,523. The usage charge out of that amount was only around \$1,700. The rest of the amount is for testing and surcharges on the bad samples. With Covid hitting everything was pushed to the side and she would like to know if an adjustment should be made on the account taking off the surcharges.

- President Oney stated that the Board never took any action removing any charges and the only letter they received was their concern with the whole procedure and getting tested all the time due to the new ordinance. He proceeded to say that until they reach out to us and ask, we keep going through the normal collections that we would do anyone else.
 - Attorney Meiners stated that before MEDS passed the ordinance he spoke with John (Chatham & Baricevic) seeing if an agreement could be made regarding this issue. I told him that the ordinance was passing, and I have not heard from his since.
 - President Oney also instructed Attorney Meiners to send out a letter to El Ranchito explaining that they have a past due account and some action needs to be made to get it paid.

**3) LETTER FROM: JESSE AKINS REQUESTING AN ADDITIONAL
ADJUSTMENT TO HIS SEWER BILL**

- MESD Employee Della Ragsdale stated that Mr. Akins is a property owner and one of his properties had a leak. She went on further to say that the Water Company adjusted his account, and we did the same yet, he is requesting that we adjust more. Per our policy if they provide proof of receipt, we will take the highest bill down to the six (6) month average. Since he is a landlord with multiple properties, he has plumbing supplies on hand and therefore does not have a receipt of repair. Mr. Akins original adjustment was for \$65.00, if we do another adjustment based on our policy his secondary adjustment would be an additional \$37.00 off his bill.
 - o Executive Director Fancher stated that he would prefer just to give Mr. Akins the adjustment and move forward.

Motion Commissioner Oney: seconded McCall to adjust Jesse Akins's account an additional \$37.00.

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

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

**4) LETTER FROM: THE CITY OF COLLINSVILLE REGARDING –
GRASS CUTTING NOTICE FOR PARCEL NO(s) ~
17-1-20-25-00-000-015.001 AND 17-1-20-36-00-000-005**

- Executive Director Fancher stated that we received these letters from the City of Collinsville. We reached out to them regarding the letters, and we just got an email back from them yesterday (4/19/21). We explained to them that the properties in question are wetlands and that we do not cut those areas. The City of Collinsville stated that they understood and requested that we at least cut between the roadway and the wetlands. We have already resolved this matter, so no action needs to be taken by the board.

5) EMAIL FROM: DERICK WISE REQUESTING THAT THE LIEN FOR THE PROPERTY LOCATED AT 616 JEFFERSON, VENICE, IL BE RELEASED AT NO COST.

- MESD Employee, Della Ragsdale explained that Mr. Wise purchased this property in 2016 via tax deed sale. There are liens that MESD holds on this property. Even though the tax deed has been filed the liens are never released by the Counties whether it be Madison or St. Clair. In the past MESD always charged the customer to release the liens. In order the lien to be released on Mr. Wise's property he will have to pay \$250.00. He feels that since he received a clean title from the County that he should not be responsible to pay to have the liens released.
 - o President Oney stated that Mr. Wise's issue is the with County not MESD.

Motion to deny Mr. Wise's request to release the lien at no cost was made by Commissioner Oney; seconded by Commissioner Darwin.

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

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

- Commissioner McCall stated that in the past these individuals would have to come in front of the board and ask for forgiveness. Commissioner McCall asked if it was because of the pandemic that they are no longer doing this?

- President Oney stated it was a board preference. The public can send letters or come in person. It is an open meeting and therefore the public can attend. President Oney went on to say that Executive Director Fancher can inform staff that anyone disputing charges has the right to come in front of the board.

- Commissioner Brinza asked why the liens are not being found when they are searching the title.
 - o President Oney stated they are buying the property for a tax deed at the courthouse and when it a tax sale the lien is listed. President Oney also said that if you do a title search the lien is listed.

REPORT OF EXECUTIVE DIRECTOR:

Executive Director Fancher reported:

We have met with IDNR & EPA in Centerville that we previously discussed.

The work is continuing in Centerville Township with IDNR regarding the progress of the Harding Ditch clean out. We received a letter yesterday from IDNR stating that everything looks great.

The Godair case from 2016 that went to the Appellate Court which resulted in the ruling in our favor. However, the next day after they lost to the Appellate Court, they appealed it to the Supreme Court of Illinois.

- Attorney Schooley informed the Board that they filed a Petition for Leave to Appeal. It is not an automatic right that the Supreme Court is going to accept it. The last statistics that he has seen is that the Supreme Court accepts about 3% of the Petition for Leave of Appeals. The Supreme Court only grants these types of petitions when there is a conflict among the various Appellate Court districts in the state on a certain question of law. In this case there is not a conflict. Another reason the Supreme Court may grant a petition is if one of the judges dissent in that opinion and it raises a question of law, but it was a unanimous decision from the Appellate Court. Mr. Schooley does not believe it will be granted but we will have to wait and see. If it is not granted then this will be the end of the case.

The slides in Cahokia that the MESD and the Corp of Engineers were working on have been repaired. All three (3) were repaired last week and were done in house by MESD staff and we have notified the Corp of the completion.

As of right now we are repairing slides behind the North Pump Station. We will be making those repairs for another week or two.

REPORT OF ENGINEER: (See actual report submitted by Charlie Juneau)

Continue to have meetings with the US Army Corp of Engineers on a monthly basis.

The bid package from the Corp of Engineers has been received from \$8,100,000 and will keep going.

Mr. Juneau informed the Board about a meeting that he had yesterday with Dave Tanzyus whom is the Administrator of Madison County Community Development. Mr. Juneau stated that he had been informed in a couple of meetings that Covid Funds are being released. He stated that Madison County will be receiving 82 million and St. Clair County will receive 100 million. These funds are for infrastructure improvements (water & sewer projects are included)

In the meeting it was discussed that one of the priorities to work on is the Cahokia Canal from the North Pump Station all the way up North of 270. He proposes that the CNV (Chouteau.Nameoki.Venice) Pump Station improvement be done as well as the Chouteau Nameoki ditch that goes up to 203. It needs a lot of improvements in that area.

- President Oney informed Charlie Juneau that Joe Juneau met with them and discussed some other issues such as the lining of the Twin 60's.

Charlie stated that the attitude of part of the meeting was if they just affect certain isolated areas, they did not want to participate in those projects, but nothing was set in stone.

- President Oney advised Charlie that the next time he has a meeting that Rick or himself be present so they can address the Board and Districts concerns. President Oney also stated that they will make the decision on what is a priority at MESD.

Charlie conveyed that the funds will be disbursed in two (2) payments. The first one will be released May 11, 2021 and the other is a year later. Mr. Juneau expressed that he feels that MEDS should have meetings with St. Clair County so we can obtain some of the funds that St. Clair will be getting.

- President Oney stated the funds must be spent by May 2024 and some of the projects that Mr. Juneau was talking about could be held up by the Army Corp.
 - o Charlie Juneau advised that all projects must be completed by December 2024. He also advised more meetings with the County because they have their priority list, and we are proposing other projects too. We have the largest influence and affect the most people.

MINUTES:

The minutes for the March 16, 2021 were presented for approval.

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, Dixon, Brinza and Oney.
Nays: None
Absent: None

CLAIMS AND SPECIFIC CLAIMS:

The General Fund and Specific Claims were submitted for approval:

Motion Commissioner McCall; seconded Commissioner Dixon 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 McCall, Darwin, Dixon, Brinza and Oney.
Nays: None
Absent: None

The Lansdowne Claims and Specific Claims were submitted for approval:

Motion Commissioner Darwin; seconded Commissioner Brinza to approve the 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, Dixon, Brinza and Oney.
Nays: None
Absent: None

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FINANCIAL REPORTS:

The General Fund Financial Reports for the month of March 2021 was submitted for approval:

Motion Commissioner McCall; seconded Commissioner Darwin to approve the General Fund Financial Reports for the month of March 2021 as submitted and place them on file for audit.

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

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

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The Special Funds Financial Reports for the month of March 2021 was submitted for approval:

Motion Commissioner Brinza; seconded Commissioner Dixon to approve the Special Funds Financial Reports for the month of March 2021 as submitted and place them on file for audit.

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

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

The Lansdowne Financial Reports for the month of March 2021 were submitted for approval:

Motion Commissioner Darwin; seconded Commissioner Dixon to approve the Lansdowne Financial Reports for the month of March 2021 as submitted and place them on file for audit.

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

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

PAYROLL:

The Payroll for the period of March 7, 2021 through March 20, 2021 were submitted for approval.

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

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

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

The Payroll for the period of March 21, 2021 through April 3, 2021 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 McCall, Darwin, Dixon, Brinza and Oney.
Nays: None
Absent: None

LANSDOWNE ADJUSTMENT REPORT:

The Lansdowne Adjustment Reports were presented for approval:

Motion Commissioner Brinza; seconded Commissioner McCall to approve the Lansdowne Adjustment Reports as submitted.

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

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

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REPORT OF ATTORNEY:

Attorney Meiners informed the board that he has answered the cross petition that was received at the last meeting. He said it was basically a fight between landowners and Caseyville properties, but we did start our lien.

He will send a letter to Chatham and Baricevic regarding El Ranchito.

Attorney Schooley informed the board that regarding the employee cases there has not been any movement. He said with the courts being the way there are there hasn't been much activity.

NEW BUSINESS:

A Resolution designating Scott Hillman as the Information Technology Supervisor for MESD. Resolution 2021-R-003 was assigned to this document.

- President Oney informed the board that they went through the Labor Board and had two (2) positions removed from the union. One of those positions that was removed was the IT position. We were paying Mr. Roger Morthland \$5,000 to hold that position. We wanted to redesigned and give that position to Scott Hillman.
- Commissioner McCall asked what the other position that was removed from the union.
 - o President Oney advised that it was the District Clerk position.

Motion Commissioner Darwin; seconded Commissioner Dixon to adopt Resolution No. 2021-R-003 appointing Scott Hillman as the Information Technology Supervisor for MESD.

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

Ayes: Commissioners McCall, Darwin, Dixon, Brinza and Oney.

Nays: None

Absent: None

Board Discussion / Approval pertaining to the possible charge offset regarding the account for the Illinois Dept. of Correction.

- MESD Employee, Della Ragsdale informed the Board that the Illinois Department of Correction had some major leaks that cost around \$80,000 to repair. In the meantime, the usage went up to around 10,000-20,000 gallons for 2 months. The prison provided proof of repair after everything was fixed. The water company gave them a courtesy adjustment of \$10,000. That courtesy adjustment is not based on any type of usage format. Neil from the prison was requesting that we also adjust their account. Again, per our policy, using the 6 months average we would offer a credit of \$14,142.67. As of today, the prison is only 2 months behind, and the current balance is \$25,459. If we grant this adjustment, it will take down their bill significantly.

Motion Commissioner McCall; seconded Commissioner Darwin to approve the offset for Illinois Department of Corrections.

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

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

Board Discussion / Approval for the renewal of the NPDES permit with the Illinois Environmental Protection Agency.

- Charlie Juneau informed the board that the NPDES permit has been applied for and has not heard anything back. Board action is not needed at this time.

Board Discussion / Approval regarding the possibility of charge offset pertaining to the Milam Meter.

- Executive Director Fancher informed the Board that Milam has an old-style meter. Milam is Waste Management, and they have a base flow of how much water is in the meter and how much we are discharging. When the water increases, they take a percentage of their average flow and subtract it to the reading at the time. It is really an antiquated way to get the numbers for their billing.
- Executive Director Fancher is requesting the Board's permission to go to Milam and inform them that they must update their flow meters so we know exactly what we are getting from them.
 - o President Oney informed Rick Fancher to send them a letter informing Milam to update their meter.
- MEDS Employee, Della Ragsdale articulated to the Board that Milam was requesting an adjustment on their high meter reading.

- REQUEST WAS DENIED.

President Oney notified the Board that everyone would be receiving a copy of the bid proposal for the purchase of Lansdowne system from Illinois American Water by the end of business day. He has requested that they look it over and at the next board meeting it will be discussed further.

President Oney went on further to state that he experienced dealing with Illinois American Water when Granite City sold their collective system. He informed the Board that they are not even close.

ANY FURTHER BUSINESS PLACED BEFORE THE BOARD: NONE

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

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

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

So, adjourned at 9:50 A.M.

Clerk