

**REGULAR MEETINGS OF THE BOARD OF COMMISSIONERS FOR THE
METRO EAST SANITARY DISTRICT
ST. CLAIR AND MADISON COUNTIES, ILLINOIS
HELD ON TUESDAY, DECEMBER 21, 2021, AT 9:00 A.M.
LOCATED AT: 1800 EDISON AVENUE, GRANITE CITY, IL 62040**

9:00 A.M.- President Oney called the Public Hearing to order, and the Clerk recorded the attendance.

The following was the attendance:

Present: Commissioners, Darwin, Dixon, Jackson, and Oney,
Absent: Commissioner Brinza

Metro East Sanitary District employees attending the meeting were:

Executive Director Rick Fancher, Attorney Schooley, Kim King-Treasurer.

Other Attendees: Charlie Juneau

President Oney began the meeting by introducing the new Board member Marius Jackson.

PUBLIC COMMENT: NONE

PUBLIC CORRESPONDENCE: NONE

REPORT OF EXECUTIVE DIRECTOR:

Executive Director Fancher reported:

Rick informed the Board that MESD is still meeting with the Ameren regarding the easements but have not heard back from them therefore, the ball is in their court.

Rick recapped to the Board that these meeting were in reference to the easements for the pipeline.

Rick also informed the Board that Ameren paid on one of their easements that we have been working on for the past year. We received a check for around \$5,000 to \$6,000.

Rick noted that IDOT does not give easements to people. He stated that contractors just use their right ways whenever they are doing fiber, pipelines or whatever it may be. These contractors fail to read page 2 which states if you go across any private property, you must have an easement from that owner. Most of our issues are coming from cable companies and fiber optics. We have caught these companies and have addressed our issues with them, and we believe the matter has been resolved.

Illinois American has all their easements and ordinances up to date. They are paid in full as of last week.

Rick stated that the meetings with the Corp are ongoing. We should be starting on the PL84-99 Projects which are the sink holes at the Madison Pump Station and CNV. We are just waiting for a start date.

Rick informed the Board that we finally received some correspondence back from Invoice Cloud. The original person we were communicating with is no longer with that company. We have a new contact person.

- Attorney Schooley explained that Invoice Cloud is for our Lansdowne billing. When we first received the contract, it was allowing our customers to make payments up to a maximum of \$125,000. However, a month after the contracts were signed, they sent a unilateral letter stating they made a mistake and was taking the threshold of \$125,000 down to \$400. That was completely unacceptable because our customers would be paying multiple fees for numerous transactions.
- Therefore, we drafted a letter stating this was a unilateral decision and a breach of the signed contract. We also indicated that they have 30 days to rectify the situation and if they do not then we would consider this contract null and void. However, we would be willing to move the threshold for a residential customer to \$2,500 and keep the commercial at the \$125,000. That is when everything fell on silent ears until we received an email from a new representative.

- This new representative stated that they will be willing to go to a \$1,000 threshold for residential that we currently have and keep the \$125,000 for commercial. I want verification that it is in fact what we are signing. If it is the case, then we are good to go to sign the new contract and proceed forward.

Rick informed the Board that MESD has met with Everstream (a fiber optics company) they only work with commercial carriers. MESD has found them on our property without a “Right of Entry” along with an Ordinance allowing them to cross over onto our properties. We have found them on property in St. Clair the other on Terminal, one Cahokia Canal off 111. There has been a total of 4 places. We have spoken with their VP and Chief Legal Counsel, and we are waiting for a response.

- Attorney Schooley added that this entity is a fiber optic company that is looking to lay 280 miles of fiber optic in the St. Louis and Metropolitan area. We did a “meet and greet” with Everstream and explained to them that their contractors must have right of entry in order to be on MESD property.

The last item Rick address with the Board was the FEMA mapping in St. Clair County. This will be going into effect February or March. It will encompass a lot of Centerville Township and people will have to start purchasing Flood Insurance. Curtis McCall has been notified and is aware of what is going on regarding this issue.

REPORT OF ENGINEER:

Charlie Juneau stated that is report is pretty much the same as last month.

We are still having our monthly meetings with the Corp.

Charlie stated that the relief well testing requirements still stand and his interpretation of it from the last meeting is “do the best that you can.” This will be very expensive for us to take on over 400+ relief wells every 5 years.

- President Oney stated that we have discussed bringing this “In house” regarding the testing. He asked Charlie Juneau if he got the requirements of what was needed?
 - o Charlie responded with “Yes”
 - Rick stated “Yes, it is just going to take some training”
 - Charlie stated that it is going to be very expensive equipment.

- President Oney responded to Charlie Juneau by stating that if we are going to pay a contractor millions of dollars and if it is going to cost us ½ million in equipment then we are dollars ahead and we have the staff to get it done.
 - o Charlie Juneau stated that we need to get that package together and to the Board.
 - Rick informed the Board that we spec'd out the truck it will be around \$175,000.
 - President Oney stated that we need to be progressive on this matter.
- Charlie described to the Board on how the testing procedure works. He proceeded to state that you virtually stick a pump in the well and record how many gallons a minute it is pumping out and the depth of the drawdown. That indicates how clogged that screen is in the well.
- Charlie stated there was some debate over the testing of new wells. He stated they are testing at 1000 gallons per minute but see if we could get by at testing 500 gallons a minute.
- Charlie informed the Board that they are hoping to have the Lansdowne Interceptor out for bid the latter part of January.
- Charlie also stated that the Annual SWIFT has to be submitted. As a recap he informed the Board that one of the conditions to getting back into this program was that for the next 8 to 10 years we have to file a system wide improvement framework plan. This would inform them each year what we are doing to ensure the levees are being upgraded and our noncompliance items are being corrected. Some of the noncompliance issues were minor. In addition, some of the non-compliance issues will never be fixed such as power poles that were accepted years ago.
- Charlie reopened the topic of the Ameren easements. He stated that a couple of years ago Ameren requested an inventory of all their easements.
 - o Rick responded by stating that since we created the position of an Easement Coordinator (Carrie Fowler) any and all of Ameren's easements have been address. They are not all resolved because some of them they did not know they even had on file. They are more receptive on some and not others but as a whole it has been going well.
 - Attorney Schooley add that some of these old ordinances do not even have a dollar amount indicating the payment. Obviously when they are expired, we are using the new rates.
- Charlie wanted to address again the fact that the preservation of records is crucial.

- Rick informed the Board that we scan everything that is sent to us, and we are working to get old documents scanned into the system.
- Charlie stated that the Granite City Annual Wastewater Treatment Allocation of Cost is still ongoing. We have a meeting for sampling modifications.
 - Rick informed the Board that MESD was contacted by GCWT to discuss that the readings at the Bremen Pump Station for BOD/ TSS and the flow from November were low.
 - Charlie stated that per the Wastewater Treatment Center, MESD's use of the plant went from 26% to 13% just this last month.
 - Charlie also stated that the pumps are cycling when the levels are low, and the pump shuts off. It waits for the levels to come back up to turn back on. Billy at the treatment center stated that he has never seen this before and therefore not getting good results. The GCWTC does not want to use those results.
 - Charlie is suggesting that MESD get samples 3 times a week and compare readings to see if they have an argument.
 - President Oney stated that "We need to do that" because it will affect our rate.
- Rick stated that another thing that has happened is that Beelman had a 30" line that they blocked off.
 - President Oney stated that will solve a lot of that issue.
 - Charlie Juneau stated that result came from a meeting with the EPA informing Beelman that they had a problem that they needed to correct immediately.
- Charlie lastly informed the Board about American Recovery Act Infrastructure Funds. He is aware there have been meetings and some projects have been approved. However, Charlie did not believe that any of MESD's projects made the list.

MINUTES:

The Regular Minutes for the November 23, 2021, were presented for approval.

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

MINUTES:

The Executive Minutes for the November 23, 2021, were presented for approval.

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

CLAIMS AND SPECIFIC CLAIMS:

The General Fund and Specific Claims were submitted for approval:

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

The Lansdowne Claims and Specific Claims were submitted for approval:

Motion Commissioner Darwin: 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, Dixon, Jackson, and Oney.
Nays: None
Absent: Commissioner Brinza

FINANCIAL REPORTS:

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

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

The Special Funds Financial Reports for the month of November 2021 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, Dixon, Jackson, and Oney.
Nays: None
Absent: Commissioner Brinza

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

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

PAYROLL:

The Payroll for the period of October 31, 2021, through November 13, 2021, 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, Dixon, Jackson, and Oney.
Nays: None
Absent: Commissioner Brinza

The Payroll for the period of November 14, 2021, through November 27, 2021, were submitted for approval.

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

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

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

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, Dixon, Jackson , and Oney.

Nays: None

Absent: Commissioner Brinza

REPORT OF ATTORNEYS:

- Attorney Schooley advised the Board that he has met with Rick regarding the IDOT easements. They are wanting an easement off 111 and Cahokia Diversion Canal. There are still a lot of drainage issues. There are three (3) other primary easement areas that are of concern which are 255/ Prairie Dupont, Route 3, and Poplar Street Bridge with MESD where their downspouts are causing an erosion. Rick has sent me all the photographs of those affected areas along with the correspondence between us and IDOT regarding previous agreements and memorandum of understanding.
- Attorney Schooley informed the Board that he notified IDOT that before we grant any easement on the 111/Diversion Canal we want a commitment that these problem areas will be fixed.

Attorney Sprague was not present for the meeting.

OLD BUSINESS:

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

- President Oney stated that MESD is still in discussion with Illinois American Water. There is an issue that must be resolved between the Regional Waste Treatment Plant and Illinois American. Until this is resolved we can not move forward.
-

NEW BUSINESS:

Board discussion and/or approval to adopt Ordinance No. 2021-0-022 providing for the Metro East Sanitary's Annual Tax Levy for the fiscal year 2021.

- Commissioner Darwin asked if this was for us to make money?
 - o President Oney stated: "Yes, this is our levy from real estate taxes." He went on to say that the General Fund was below the maximum amount, so we had a couple funds that had some extra money so instead of leveeing the full amounts we moved that money into the General Fund.
 - Attorney Schooley informed Commissioner Darwin that by law MESD is required to do this tax levy every year. This is what MESD is asking to be granted from the property tax. This will be submitted to both St. Clair County and Madison County with the request to be granted the funds.

Motion Commissioner Jackson; seconded Commissioner Darwin to approve Ordinance No. 2021-0-022 for MESD's Annual Tax Levy for FY 2021.

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

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

Board discussion and/or approval of Ordinance No. 2021-0-023 for an amendment to Ordinance No. 2021-0-019 establishing uniform rates for electrical lines to Ameren.

- Attorney Schooley informed the Board that Ordinance No. 2021-0-019 was passed at the last meeting and when this was sent to Ameren for their signature, they corrected the number of power lines. MESD thought there were five (5) power lines on the pole, and it was verified that there were in fact only three (3). The other two were “dead heads,” they were not actually conduits that transmitted. So, in essence we had to amend the previous ordinance to indicate \$1,000 per conduit. Therefore, the amount would be for \$3,000 instead of \$5,000.

Motion Commissioner Jackson; seconded Commissioner Darwin to approve the amendment to Ordinance No. 2021-0-019 establishing rates for Ameren electrical lines.

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

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

Board discussion and/or approval of Ordinance 2021-0-024 consistent with Ordinance No. 2021-0-013 for establishment of uniform rates for digital, optic fiber, analog cables, and conduits to AT & T.

Motion Commissioner Darwin; seconded Commissioner Jackson to adopt Ordinance No. 2021-0-024 approving uniform rates for AT & T.

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

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

Board discussion and/or approval of Ordinance No. 2021-0-025 consistent with Ordinance No. 2021-0-011 establishing uniform rates for pipelines to Spire Company and updating Ordinance No. 437.

Motion Commissioner Jackson; seconded Commissioner Darwin to adopt Ordinance No. 2021-0-025 approving rates for Spire Company.

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

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

Board discussion and/or approval of Ordinance No. 2021-0-026 consistent with Ordinance No. 2021-0-014 establishing uniform rates for electrical lines for Ameren Company to enter and use MESD land, levees, and easements.

- Attorney Schooley explained that this ordinance is being presented because there was a situation out at the racetrack in Madison, IL where the power went out completely during a race. This obviously created an issue with the owner of the racetrack and the sponsor of the event.
- Attorney Schooley stated that when Ameren contacted us regarding this matter, we added additional items to this ordinance. Not only are they paying for the license subject to terms and conditions of the contract but because they are putting in more poles, we are charging them an additional \$150 per pole and \$450 per year for the annual maintenance for around those poles.

Motion Commissioner Darwin; seconded Commissioner Jackson to adopt Ordinance No. 2021-0-026 approving uniform rates for Ameren to enter and use MESD land, levees, and easements.

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

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

Board discussion and/or approval of bid proposal of \$29,875.50 for pump replacement at the Venice Pump Station.

- Rick informed the Board that this is an emergency item. We have a base flow pump at Venice Pump Station that went out. We have received two (2) proposals on two different type of pumps. They are both different manufacturers, but they are the same pumps, but one is for \$47,000 the other is the \$29,000. Rick said that his recommendation is to go with the \$29,875.50.
- Rick stated that the lead time on this is 16 weeks that is why we wanted to get it ordered.

Motion Commissioner Darwin; seconded Commissioner Jackson to accept the bid proposal for the Venice Pump Station.

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

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

The review and approval of the dates for the 2022 Board Meetings.

Motion Commissioner Darwin; seconded Commissioner Jackson to approve 2022 Board meeting dates.

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

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

ANY FURTHER BUSINESS PLACED BEFORE THE BOARD:

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

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

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

So, adjourned at 9:37 A.M.


Clerk