

**REGULAR MEETINGS OF THE BOARD OF COMMISSIONERS FOR THE
METRO EAST SANITARY DISTRICT
ST. CLAIR AND MADISON COUNTIES, ILLINOIS
HELD ON TUESDAY, FEBRUARY 15, 2022, AT 9:00 A.M.
LOCATED AT: 1800 EDISON AVENUE, GRANITE CITY, IL 62040**

9:01 A.M.- President Oney called the meeting to order, and the Clerk recorded the attendance.

The following were in attendance:

Present: Commissioners, Darwin, Brinza, Dixon, and Oney,

Absent: Commissioner Jackson

Metro East Sanitary District employees attending the meeting were:

Rick Fancher, Executive Director, Attorney Tom Schooley,

Attorney Robert Sprague and Kim King-Treasurer

Absent: None

Other Attendees: Joe Juneau with Juneau and Associates

PUBLIC COMMENT: NONE

PUBLIC CORRESPONDENCE: NONE

APPOINTMENT OF VICE CHAIRMAN FOR THE ELECTION OF OFFICERS:

Commissioner Brinza nominated Victor Darwin; Commissioner Dixon seconded the motion.

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

Ayes: Commissioners Darwin, Brinza, Dixon, and Oney

Nays: None

Absent: Commissioner Jackson

APPOINTMENTS:

President Oney made a motion to reappoint Amy Parkinson as the Information Officer for the District. Commissioner Brinza motioned first, and Commissioner Darwin seconded the motion.

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

Ayes: Commissioners Darwin, Brinza, Dixon, and Oney

Nays: None

Absent: Commissioner Jackson

REPORT OF EXECUTIVE DIRECTOR:

Rick Fancher informed the Board that he has been meeting with the Corp every week on the PL84-99 projects. There are several projects going on from South Pump Station to Madison Pump Station. This is 100% at the cost of the Corp. There are 8 to 9 locations that the Corp has Keller Construction working on them.

We met with Zayo Fiber Company again because they had some concerns over cost. Attorney Schooley and I had a Skype meeting to go over their information of cost at other locations because they wanted to compare. However, we informed Zayo that we were bound by what our Ordinance state.

- Attorney Schooley stated that essentially this is one line with four tables within and it actually crosses four (4) different places and 3 out of the 4 are MESD property. So, under that Ordinance it would be \$40,000 a year. Zayo thinks that figure is rather high so that is why they want us to revisit and come up with something different.
- Just so the Board is aware there is an FCC decision that states that the Public Taxing District can only recoup their cost and that is what they are hanging their hat on. They are stating that our Easement Ordinance Rates are excessive in light of that FCC decision. We will meet on this again and bring it back to the board next month when we have more information from them.
 - o Commissioner Brinza asked if we move forward and lose how will that affect everyone else that we have done an ordinance with?
 - President Oney asked if the order require us to give them the easement.
 - Attorney Schooley stated that “Yes, we could always take that position and tell them just to go around us.”

REPORT OF EXECUTIVE DIRECTOR CONT'D:

- President Oney stated that is what we should do because this is a liability to MESD.
 - Attorney Schooley stated that when they do bore using a hydraulic it will comprise the levee or ditch that could be a huge issue. We have apprised them of all our concerns.

Rick continued with his report by stating that he has met with Charlie Juneau to go over the PL 84-99 reports that are done and due at the beginning of March. Rick stated that he has a copy of the report if anyone wants to review them.

Rick said that we are still having FEMA meetings to go over the levee certification. There were some issues that FEMA wanted us to address which is just some housekeeping issues.

- Attorney Schooley stated that on a positive note that per FEMA if we complete "A & B" on their list then everything will go through, and we will get our certifications.
 - Rick told the Board that the representative from FEMA stated that once she gets the information it will be a very short turnaround.

Rick stated that the Route 3 meeting they had regarding the development off of New Poag Road the Corp was involved along with a representative from Barbara Murphy. Their representative received a quick education on dealing with the Corp.

We have a meeting with the Route 3 Corridor which is at the North end of Gateway Racetrack that they are wanting to connect right next to our levee. This has been going on for several years now.

Rick stated that he spoke with Joe Monroe wanting to get the issues resolved with 255 and the washouts because we are holding up the 111 projects because they will not respond to any of our correspondence. Mr. Monroe asked Rick what needed to be done to get this moving forward. We will be meeting him this week to go over the four (4) locations that need attention before we will sign off on this project.

- Attorney Schooley informed the Board that this is an issue that goes back several years. They keep giving us assurances that these issues will be resolved to no avail and that is why we took this firm stance of no more easement rights until these matters are settled. This will give us some leverage.

REPORT OF EXECUTIVE DIRECTOR CONT'D:

The last item that Rick addressed with the Board was regarding surplus equipment. Rick stated that we are going to put these items out for bid and will have them on the agenda at the next Board meeting. It will also be listed on our website with the description of everything. There are some tractors and trucks.

- Attorney Schooley stated that we must do this by Law.

REPORT OF ENGINEER:

Joe Juneau advised the Board to see the attached report from Charlie Juneau.

Joe updated the Board regarding the 78" sewer repair. Joe informed the Board that he and Attorney Schooley have been working with that company regarding the bond extension approval. The language has been accepted now and we are just waiting for the final bond to come in then we can release the project to move forward with construction.

Joe informed the Board that Tony has been working with Scott Hillman on the rate study. As soon as they finalize the rates then it will be presented to the Board.

MINUTES:

The Regular Minutes for the January 18, 2022 were presented for approval.

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

CLAIMS AND SPECIFIC CLAIMS:

The General Fund and Specific Claims were submitted for approval:

Motion Commissioner Brinza; 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, Brinza, Dixon, and Oney

Nays: None

Absent: Commissioner Jackson

The Lansdowne Claims and Specific Claims were submitted for approval:

Motion Commissioner Brinza: seconded Commissioner Darwin 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, Brinza, Dixon, and Oney

Nays: None

Absent: Commissioner Jackson

FINANCIAL REPORTS:

The General Fund Financial Reports for the month of January 2022 was submitted for approval:

Motion Commissioner Dixon, seconded Commissioner Darwin 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, Brinza, Dixon, and Oney

Nays: None

Absent: Commissioner Jackson

The Special Funds Financial Reports for the month of January 2022 was submitted for approval:

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

The Lansdowne Financial Reports for the month of January 2022 were submitted for approval:

Motion Commissioner Darwin; seconded Commissioner Brinza 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, Brinza, Dixon, and Oney

Nays: None

Absent: Commissioner Jackson

PAYROLL:

The Payroll for the period of December 26, 2021, through January 8, 2022, were submitted for approval.

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

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

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

The Payroll for the period of January 9, 2022, through January 22, 2022, were submitted for approval.

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

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

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

LANSDOWNE ADJUSTMENT REPORT:

The Lansdowne Adjustment Reports were presented for approval:

Motion Commissioner Darwin; seconded Commissioner Brinza to approve the Lansdowne Adjustment Report as submitted.

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

Ayes: Commissioners Darwin, Brinza, Dixon, and Oney

Nays: None

Absent: Commissioner Jackson

REPORT OF ATTORNEYS:

Attorney Schooley had nothing to report at this time

Attorney Sprague had nothing to report at this time.

OLD BUSINESS:

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

- President Oney informed the Board there are still discussions going on back and forth with Illinois American Water.
- The one issue that is holding everything up is if Illinois American Water does buy us out how are they going to treat or pay for the treatment of the water since that is controlled by Granite City. That is currently being worked out.
 - o Commissioner Brinza asked, "If they are still trying to get someone on the Wastewater Treatment Plant Board."
 - President Oney responded by stating "No, they know that is not going to happen and they are currently meeting with Granite so its out of our control."

Motion Commissioner Brinza; seconded Commissioner Dixon to table this discussion and or approval of Illinois American Water Lansdowne sale transaction

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

Ayes: Commissioners Darwin, Brinza, Dixon, and Oney

Nays: None

Absent: Commissioner Jackson

OLD BUSINESS CONT'D:

Board discussion of the salary rates for the appointed employees.

- President Oney stated that all four (4) appointed employees received a 3% increase. And, since we got rid of the Director / Manager at the billing office we decided to give Amy Parkinson a stipend of \$5,000 for managing that office just like we give Scott Hillman a \$5,000 stipend for being the I.T. person.
- President Oney stated that giving a stipend is a lot cheaper than paying for a Manager.
 - o Commissioner Dixon asked what Manger we lost at that location.
 - President Oney stated that when MESD eliminated the position that Roger previously held he went back into the union.
 - Commissioner Brinza reiterated that is just a 3% increase from the base salary last year.

President Oney brought up the TRAA easement construction near the Merchants Bridge.

- Rick Fancher informed the Board that this was an ongoing project. The Terminal Railroad wanted to do sheet piling at the Merchants Bridge. They are still working through the Corp to see if it can be done. Our problem is that there are two (2) sewer lines going through there that they will be sitting right on top of and be on our property in order to pound the sheet piling. Our concern is that one of those pipes from Madison is from 1918 and when you get closer to the River you are looking at the stability of the levee. This will be an ongoing process until they realize that this is not the best idea.

President Oney asked if the litigation case has been resolved.

- Attorney Schooley stated that it is still the same and that he spoke with Brian Funk. We are still waiting to hear back the Plaintiff's Counsel. Hopefully, we will have something for the next meeting.

NEW BUSINESS:

Board discussion / approval of Ordinance Number 2022-0-002 that is consistent with Ordinance Number 2021-0-013 establishing uniform rates for Everstream.

- Commissioner Brinza asked if these were just the regular rates.
 - o Attorney Schooley responded with “Yes, per the rate Ordinance.”

Motion Commissioner Brinza; seconded Commissioner Darwin to approve Ordinance Number 2022-0-002 establishing uniform rates for Everstream.

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

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

Board discussion / approval of Ordinance Number 2022-0-003 updating Ordinance Number 431 establishing uniform rates for electrical lines for Ameren.

Motion Commissioner Darwin; seconded Commissioner Brinza to approve Ordinance Number 2022-0-003 establishing uniform rates for Ameren.

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

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

Board discussion / approval of Ordinance Number 2022-0-004 that is consistent with Ordinance Number 2021-0-014 establishing uniform rates for electrical lines for Ameren.

Motion Commissioner Brinza; seconded Commissioner Darwin to approve Ordinance Number 2022-0-004 establishing uniform rates for Ameren.

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

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

Board discussion / approval of Ordinance Number 2022-0-005 approval of the District Clerk's annual salary and stipend.

Motion Commissioner Darwin; seconded Commissioner Dixon of Ordinance No. 2022-0-005 approval of the District Clerk's annual salary and stipend.

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

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

Board discussion / approval of Ordinance Number 2022-0-006 approval of the Madison County Superintendent's annual salary.

Motion Commissioner Darwin; seconded Commissioner Brinza of Ordinance No. 2022-0-006 approval of Madison County Superintendent's annual salary.

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

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

Board discussion / approval of Ordinance Number 2022-0-007 approval of the Superintendent of Storm Water Maintenance and Operation annual salary and Information Technology Stipend.

Motion Commissioner Brinza; seconded Commissioner Darwin of Ordinance No. 2022-0-007 approval of the Superintendent of Storm Water Maintenance and Operation annual salary and Information Technology Stipend.

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

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

Board discussion / approval of Ordinance Number 2022-0-008, approval of the Executive Director's annual salary.

Motion Commissioner Darwin; seconded Commissioner Dixon of Ordinance No. 2022-0-008 approval of the Executive Director's salary.

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

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

Board discussion / approval of Resolution 2022-R-001 regarding the appeal by NP Edwardsville, LLC.

- Attorney Schooley informed the Board that this Resolution and the next are referencing the warehouses out in Pontoon Beach. The Board of Review assessed them, and the Edwardsville and Granite City School District intervened because these two warehouses filed objections. The Board of Review sustained the assessments. These two warehouses filed appeals with the Property Tax Appeal Board in Springfield, Illinois. In order for us to intervene at the Property Tax Appeal Board and argue in keeping that assessment we needed a Resolution passed by the Board.
- Attorney Schooley wanted to make the Board aware that this is not costing MESD anything to pursue this matter. These were appealed last year. One is in Granite City School District, but both are in MESD jurisdiction. We are currently riding the coattails of that appraisal. This is just to cover our interest.
- All total it is about 40 to 50 million of the equalized assessed evaluation. It was increased due to the Choteau Township accessor increasing the square foot assessment from \$42 a square foot. Some of the newer constructed warehouses are going in at \$80 a square foot.

Based upon that information all the Taxing Districts feel that they have a chance at the PTAB. This probably will not come up for a hearing for a few years. In the meantime, they keep paying the taxes.

- Commissioner Brinza stated that the school district will be picking up most of the tab because they have the most to lose.

Motion Commissioner Darwin; seconded Commissioner Brinza to approve Resolution 2022-R-001 for the appeal by NP Edwardsville, LLC.

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

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

Board discussion / approval of Resolution 2022-R-002 regarding the appeal by Hersey Foods, Corp.

Motion Commissioner Darwin; seconded Commissioner Brinza to approve Resolution 2022-R-002 for the appeal by Hersey Foods, Corp.

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

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

ANY FURTHER BUSINESS PLACED BEFORE THE BOARD:

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

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

Ayes: Commissioners Darwin, Brinza, Dixon, and Oney

Nays: None

Absent: Commissioner Jackson

So, adjourned at 9:26 A.M.


Clerk