

**PUBLIC HEARING AND REGULAR MEETING OF
THE BOARD OF COMMISSIONERS OF THE
METRO EAST SANITARY DISTRICT, ST. CLAIR
AND MADISON COUNTIES, ILLINOIS HELD ON
WEDNESDAY, SEPTEMBER 12, 2018 AT 1800
EDISON AVENUE, GRANITE CITY, ILLINOIS AT
8:00 A.M.**

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

The following was the attendance:

Present: Commissioners McCall, Darwin, Brinza, Sawicki and Dixon

Absent:

Metro East Sanitary District employees attending the meeting were Executive Director Stephen Adler, Attorney James Craney, Attorney Larry Calvo, Superintendent Randy Presswood, Superintendent Rick Fancher, Deputy Superintendent Cedric Irby and Foreman Scott Hillman.

Also, attending the meeting were Charlie Juneau representing Juneau Associates, Kathy Goclan, Linda Knogel, Frank Dorris and Britt Donoho of Craney Law Group.

PUBLIC COMMENT: None

Charlie Juneau representing Juneau Associates read the IEPA Project summary and preliminary environmental Impact Determination on the IEPA Loan Project No.

175518:

President Brinza asked if there were any comments or questions regarding the proposed IEPA Loan Project.

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Motion was made by Commissioner Sawicki; seconded Commissioner Darwin to move to regular session

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

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

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

The following was the attendance:

Present: Commissioners McCall, Darwin, Brinza, Sawicki and Dixon
Absent:

Metro East Sanitary District employees attending the meeting were Executive Director Stephen Adler, Attorney James Craney, Attorney Larry Calvo, Superintendent Randy Presswood, Superintendent Rick Fancher, Deputy Superintendent Cedric Irby and Foreman Scott Hillman.

Also, attending the meeting were Charlie Juneau representing Juneau Associates, Kathy Goclan, Linda Knogel, Frank Dorris, Britt Donoho of Craney Law Group and Ryan Mathews of Dimond Bros. Insurance.

A moment of silence was held for the passing of our previous Board Member Helen Hawkins

PUBLIC COMMENT:

Frank Dorris commended Metro East Sanitary District and the Board for keeping the pumps running during the heavy rainfall.

REPORT OF EXECUTIVE DIRECTOR:

Executive Director Adler reported:

A levee in Caseyville broke, we do not own it but they have asked us for help. We are giving them some technical support.

We had some flash flooding at South Pump Station. We stayed on top of it.

The CORPS Inspection has happened since the last Board Meeting and it seemed to go well. The report is not in yet.

Commissioner Sawicki and I had a meeting with Johnson Controls regarding the energy efficiency project and it seems to be going well.

We are meeting with Senator Duckworth tomorrow to review the Levee safety rating

Superintendent Fancher reported CORPS Inspection went very well. They were very impressed with what we have accomplished. Everything unacceptable was upgraded to minimally acceptable or acceptable.

Superintendent Presswood reported part of the CORPS Inspection was to have cameras put into all the tunnels that go through the Levee. We have been damming and digging out mud at South Pump Station. We accomplished all 3 areas needed and it will not have to be done again for 5 years.

Deputy Superintendent Irby “I feel good about what we accomplished and spoke with CORPS about what we needs to be done in the future.”

Foreman Hillman presented his report:

Commissioner McCall “You are doing a great job on these pumps.”

Executive Director Adler continued:

The insurance adjuster came in to appraise our properties and it was determined we have some properties that are under insured. I asked about our coverages and found out we are only insured for 5 million dollars for earthquake and flood. I had the insurance raised to 10 million for the rest of the year. The Board will decide what they wish to do next year on coverages. Earthquake is my main concern. The geology of American Bottoms leaves us with the fact that the structure is built on bedrock. I asked Ryan Mathews to give us a quote on what the cost of more than 10 million dollars in coverage would cost.

Ryan Mathews exited the meeting at 8:34 AM.

REPORT OF ENGINEER:

We are trying to get all the easements ready for the Levee Cut Off Wall Project. We have some definitions of impact and clearances from the tow of the Levee. There are still some clarifications that need to be made.

We had a good meeting with Ameren. They are going to replace all their towers. Their easements have expired and they will need new ones once their soil boring test has been completed. We will have meetings at least once a month to work through it all.

Executive Director Adler “There was some conversation at the last CORPS meeting on the System Wide Improvement Framework (SWIFT) about our responsibility for the 108 inch sewer line in East St Louis. I guess the question is do we need a legal opinion that we do not have any ownership of that line?”

It is established that MESD does not own that line! Those pipelines are the responsibility of the owners to operate and maintain. The CORPS says MESD is responsible for the integrity of the Levee system. The pipeline will impact this if they fail, so MESD needs to be the heavy to tell these cities to fix their lines. The SWIFT says that MESD will monitor settlement of the 108 inch line. MESD will go out and check to see if work needs to be done.

MINUTES:

The minutes for the August 8, 2018 were presented for approval.

Motion Commissioner Darwin; seconded Commissioner McCall 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:

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

EXECUTIVE SESSION MINUTES:

The executive session minutes for the August 8, 2018 meeting were presented for approval:

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

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

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

Nays: None.

Absent: None

CLAIMS AND SPECIFIC CLAIMS:

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

Motion Commissioner Darwin; seconded Commissioner McCall 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, Sawicki and Dixon

Nays: None.

Absent: None

PAYROLL:

The Payroll for the period of July 29, 2018 through August 11, 2018 and the Payroll for the period of August 12, 2018 through August 25, 2018 were submitted for approval.

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

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

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

REPORT OF ATTORNEY:

Attorney Craney reported:

First I want to talk about the farm issues we discussed last time. There are certain places people are leasing and farming land we own. I have looked into it and there is no reason the district is not able to do that as long as the property is not collateral for an outstanding bond.

We thought we would have the results for the ongoing arbitration in August. We have not heard anything yet, but that is not unusual.

I have been talking about the Ameren Master Agreement for over a year now. The issue is that there are numerous Ordinances that go back over a decade that MESD has not been getting payments on, so we approached Ameren about a master agreement. We have received a draft from Ameren for a master agreement. Executive Director Adler and I have been looking through it and making changes. Hopefully next Board meeting we will be able to accept and vote on. We will talk more about it in executive session.

The Greathouse lawsuit we had a hearing last week on the pending outcome of the lawsuit. I will talk more about that in executive session.

Attorney Calvo and I met with Chouteau Nameoki and Venice Drainage District couple weeks ago and have all the paperwork drafted and everyone seems to agree. They need to give us their property through Intergovernmental agreement and then they can dissolve the District with no issues.

The Madison sewer break, we were talking about how MESD can recoup the cost. We talked about litigation and user fees. The Board will need to make a decision rather soon on legal action or the alternative arrangement on user fees.

Attorney Calvo reported:

The Mayor approved user fees tentatively. I need more information to set up a new rate Ordinance for user fees.

I have prepared the Mississippi River Transportation temporary and permanent easements for Executive Director Adler to review.

CORRESPONDENCE:

A letter from Mayor Mike Pagano of Pontoon Beach was presented:

President Brinza “Do we see any problems for drainage if the properties are built up?”

Executive Director Adler “They would not build without checking with their engineer.”

A letter from Mayor Edward Hagnauer of Granite City was presented:

Executive Director Adler “Superintendent Presswood says it has been fixed.”

OLD BUSINESS:

Executive Directors Employment Contract:

President Brinza “I wanted to ask if this needed an Ordinance.”

Attorney Craney “I went back and checked the minutes from the last meeting and the vote was to approve the contract. All we have to do at this point is sign it.”

NEW BUSINESS:

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

Motion Commissioner McCall; 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.

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

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

Nays: None.

Absent: None

Permanent Easement for the Village of Pontoon Beach was presented:

Charlie Juneau explained they are going to put in a box culvert it is funded through Illinois Department of Transportation (IDOT). IDOT requires them to get a temporary and permanent easement. MESD owns the property but the easement will give them the right to permanently put a pipe on your property. The pipeline will be owned and operated by Pontoon Beach.

Motion Commissioner McCall; seconded Commissioner Darwin to approve the Permanent Easement for the Village of Pontoon Beach.

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

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

Nays: None.

Absent: None

Approval of the additional five million in insurance coverage for the rest of the year:

Motion Commissioner Sawicki; seconded Commissioner Darwin to approve the additional five million insurance for the rest of the 2018 coverage.

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

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

Nays: None.

Absent: None

EXECUTIVE SESSION:

Motion Commissioner Sawicki; seconded Commissioner McCall; 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:

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

The Board entered into Executive Session at 9:30 A.M.

Motion Commissioner Sawicki; seconded Commissioner Darwin to return to regular session at 9:47 A.M.

The Clerk recorded the attendance:

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

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

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

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

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

So adjourned at 9:48 A.M.

Clerk