

**REGULAR MEETING OF THE BOARD OF
COMMISSIONERS OF THE METRO EAST
SANITARY DISTRICT, ST. CLAIR AND
MADISON COUNTIES, ILLINOIS HELD ON
WEDNESDAY, JANUARY 20, 2016 AT 1800
EDISON AVENUE, GRANITE CITY, ILLINOIS AT
9:00 A.M.**

President Pennekamp called the meeting to order and the Clerk recorded the attendance.

The following was the attendance:

Present: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.
Absent: None.

The Clerk reported that Executive Director Shipley and Treasurer Ken Davis called and asked to be excused from the meeting.

Also, attending the meeting were Attorney George Filcoff, Attorney Larry Calvo, Director of Operations Walter Greathouse, Superintendent Randy Presswood, Superintendent John Maeras and Lansdowne Office Manager Cindy Worthen.

REPORT OF EXECUTIVE DIRECTOR:

A report from the Executive Director was presented:

Attorney Filcoff, "The report states the fence at Missouri Avenue in Granite City was struck, was there any damage?"

Superintendent Presswood, "A truck driver from Maverick Trucking hit the fence. Maverick personnel asked me to get three bids for the repair of the fence, and then submit the bids to them. They will then determine if the claim is to be paid. I gave all of the information to Superintendent Fancher; he is responsible for filing all accident claims."

REPORT OF LANSDOWNE OFFICE MANAGER:

Ms. Worthen reported:

1. We are continuing to mail letters to customers with past due balances.
2. We have had several people off work due to illnesses and vacations.
3. The judge in St. Clair County that presides over MESD sewage treatment claims retired. Attorney Bradford will be addressing a new judge in the future.

MINUTES:

The minutes for the January 6, 2016 meeting were presented for approval.

President Pennekamp, "I would like to note a change; the minutes reflected the normal procedure of the Board. However, Commissioner Hanfelder actually conducted the election of officers and staff appointments. The minutes reflect that I conducted the election of officers and made the appointment recommendations. I would like the minutes to be amended."

Motion Commissioner McCall; seconded Commissioner Hanfelder to dispense with the reading of the minutes, approve them with the correction noted by President Pennekamp and place them on file.

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

EXECUTIVE SESSION MINUTES:

The Executive Session minutes for the January 6, 2016 meeting were presented for approval.

Motion Commissioner McCall; seconded Commissioner Laub to approve the Executive Session minutes of the Regular Meeting of the Metro East Sanitary District held on January 6, 2016, as presented under separate cover.

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

GENERAL FUND CLAIMS:

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

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Motion Commissioner Laub; seconded Commissioner Darwin to approve the General Fund Claims and Specific Claims as submitted and order them paid.

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

LANSDOWNE CLAIMS & SPECIFIC CLAIMS:

The Lansdowne Claims and Specific Claims were submitted for approval:

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Motion Commissioner Hanfelder; seconded Commissioner Laub to approve the Lansdowne Treatment Plant Claims and Specific Claims as submitted and order them paid.

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

LANSDOWNE REPORT:

The Lansdowne Adjustment Reports were presented for approval:

Commissioner Hanfelder asked, “Ms. Worthen, what determines if an account is written off or written off to the lien? Page 4 of the adjustment reports states the account was written off.”

Ms. Worthen replied, “Writing off the debt means we are not going to recover the money. Writing the debt off to the lien, means we are hopeful that when the property is sold, the District will receive the amount owed.

I believe the account you are referring to was lost for back taxes. The lien is void when the property is taken for back taxes. However, I can double check that information when I return to the office.”

Commissioner Hanfelder, “That is not necessary. I wanted to understand the difference, and I think that was explained.”

President Pennekamp, “There were articles in the Post-Dispatch and the Belleville News Democrat about the City of Alton passing an Ordinance making owners responsible for sewage services.”

Attorney Calvo, “The City of Alton is a home rule unit of government. There is not a statutory restraint on the City. The statute that applies to the District states we can only collect from the user or the tenant.

We can place a lien on the property and foreclose against the owner. We can also sue the owner for civil damages for the sewage treatment bill.”

President Pennekamp, “Do we place liens and foreclose on the properties?”

Attorney Filcoff, “It is very expensive to foreclose on a property.”

Attorney Calvo, “We can be more proactive and collect more from the owners than we have in the past. Ms. Worthen and I are going to meet in the near future to discuss collection procedures.”

Motion Commissioner Laub; seconded Commissioner Hanfelder to approve the Lansdowne Adjustment Reports as submitted.

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

PAYROLL:

The Payroll for the period of December 20, 2015 through January 2, 2016 was submitted for approval.

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

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

REPORT OF ATTORNEYS:

Attorney Filcoff, "Yesterday, I spoke to Riley Owens. Mr. Owens found a new location for a billboard sign along Route 157 and Route 15 in St. Clair County. The location is not on District property, but the sign cannot be seen because of trees on District property.

Mr. Owens wants to trim the trees, so the sign can be seen.

He currently has two signs on District property, and pays the District a yearly easement fee."

Superintendent Maeras, "Mr. Owens will be responsible for trimming the trees and hauling away the debris."

Attorney Filcoff, "I am preparing an agreement that will release the District from any liability that might occur as a result of trimming the trees."

Mr. Greathouse, "There is water on the property where the trees are located. I believe the area is considered a wetlands. Therefore, I asked Mr. Owens to get permission from the U. S. Army Corps of Engineers. Mr. Owens has received permission from the Corps."

Motion Commissioner McCall; seconded Commissioner Laub to table the discussion until Riley Owens presents documentation from the U. S. Army Corps of Engineers stating he has permission to trim the trees.

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

Attorney Filcoff and Attorney Calvo both stated they have additional items to discuss under new business.

CORRESPONDENCE:

A letter was presented from the Good Samaritan House of Granite City, Inc. thanking the District employees for the food donation:

UNFINISHED BUSINESS: None.

NEW BUSINESS:

The Executive Session Minutes through December 23, 2015 were presented for review:

Motion Commissioner McCall; seconded Commissioner Hanfelder 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 Hanfelder, Laub, McCall, Darwin and Pennekamp.
Nays: None.
Absent: None.

Attorney Filcoff presented a letter explaining the additional pay for three union employees:

A discussion was held regarding the letter presented by Attorney Filcoff. Attorney Calvo questioned who authorized the additional pay and if the union was aware of the salary increases. It was noted that the union was aware of the increases and that Executive Director Shipley and or the Metro East Sanitary District Board of Commissioners approved the pay.

Motion Commissioner McCall; seconded Commissioner Laub to accept the letter as is and place on file as part of the minutes.

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

Attorney Filcoff presented a Resolution declaring a flatbed trailer as surplus property, and to transfer title or ownership of the flatbed trailer to the United Steel Workers Learning Center in Granite City, Illinois. Resolution Number 2016-R-001 was assigned to this document.

Commissioner Laub asked, “Attorney Filcoff, the trailer is in a deplorable state, will the Learning Center sign an agreement or letter that they will not hold the District responsible for any accidents that may occur when training on, repairing or using the trailer?”

Attorney Filcoff replied, “I have prepared an agreement for the Learning Center to sign. The agreement states they will not hold the District responsible for any accidents or problems that involve the trailer.”

Motion Commissioner Laub; seconded Commissioner Darwin to adopt Resolution Number 2016-R-001.

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

A Resolution was presented authorizing the President of the Board of Commissioners, James R. Pennekamp, or the Treasurer of said District, Kenneth R. Davis, or the Executive Director of the District, Robert J. Shipley to sign checks or orders for the payment of money, withdraw or transfer funds on deposit of the Metro East Sanitary District. Resolution Number 2016-R-002 was assigned to this document.

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Motion Commissioner Laub; seconded Commissioner Darwin to adopt Resolution
Number 2016-R-002.

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.

Nays: None.

Absent: None.

Attorney Calvo presented an Ordinance appointing a Freedom of Information Act
Officer and a Public Information Officer for the Metro East Sanitary District. Ordinance
Number 2016-0-001 was assigned to this document.

Attorney Calvo, "This Ordinance names Rosemarie Heath and I as the Freedom of Information Act Officers for the District. Ms. Heath and I will continue working together, as we have in the past.

The Ordinance also names me as the Public Information Officer. The Public Information Officer will be responsible for making and or approving all communications with the public and the media."

Commissioner McCall, "No disrespect intended, but I believe as a Commissioner I have the right to speak to the media if I so choose."

President Pennekamp, "From time to time the District has to deal with sensitive issues, and this will allow time for us to speak with authority and confidence."

Commissioner Laub, "I agree, when I was on the Madison County Board we experienced fewer problems once we appointed a Public Information Officer."

Commissioner McCall, "As Board members we set policy, and I believe we have the right to speak to the public or the media if we so desire."

Motion Commissioner Laub; seconded Commissioner Hanfelder to adopt Ordinance Number 2016-0-001.

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

Ayes: Commissioners Hanfelder, Laub, Darwin and Pennekamp.
Nays: Commissioner McCall.
Absent: None.

Commissioner Laub, "I am happy to see the Superintendents at the meeting today."

Commissioner McCall, "I just want to say what an outstanding job the Superintendents and employees did during the recent heavy rains and high river. I saw Superintendent Maeras out working on Saturdays and Sundays."

Superintendent Maeras, "Six of the seven pump stations have been closed since Saturday, January 16th. A report has been prepared and given to the Board members regarding the status of the pump stations."

Superintendent Presswood, "A sewer break occurred in Washington Park along Forest Boulevard. Hank's Excavating was called to the site to repair the sewer line."

Mr. Greathouse, "Last year, Hank's Excavating repaired a sewer break in the same area. This break is nine hundred fifty-five feet (955')."

Superintendent Presswood, "There is approximately one thousand, one hundred feet (1,100') of sewer pipe next to this break and it is in terrible condition. I have asked Hank's for a quote to repair the additional pipe. It is less expensive to repair the additional pipe while they are working in the area. The area has been dewatered, so we will not have that expense."

Mr. Greathouse, "The sewer break is being repaired with PVC pipe that has been welded together at the seams."

President Pennekamp, "Is there disaster money available for the sewer break?"

Mr. Greathouse, "I submitted the sewer break, the Granite City Regional Treatment bill, pump station overtime and the electric bills to the Madison County Emergency Management Agency last Friday, January 15, 2016.

Since we do not have the electric bills, I asked Stacy Partney to go through the last fourteen (14) years of electric bills and find the highest usage. We used those numbers to determine the cost of electricity at the pump stations and Lansdowne."

Commissioner McCall, "Will the funds come from the County or the State of Illinois?"

Mr. Greathouse, "We submitted an estimated claim to Madison County Emergency Management Agency. All of Madison County has to have at least Nine hundred thousand dollars (\$900,000) in flood related expenses to qualify for assistance. I

understand from Joe Parente that the County has enough flood related expenses to qualify on their own.

Once the County as a whole qualifies, it will go to the State of Illinois and then to the Federal Emergency Management Agency. It is a lengthy process.

There is a large sink hole next to the North Pump Station. The Corps of Engineers was called to the site, as soon as the hole was discovered. We are monitoring it daily.”

Superintendent Maeras, “The Mississippi River will need to be below six or seven feet before we can get under North Pump Station to look at the problem.

Once the river goes down, we need to go through the tunnel and put a flap gate on at North Pump Station.”

Superintendent Presswood, “We have a piece of heavy equipment at each pump station to remove debris from the grates, to keep the water flowing.”

Commissioner Hanfelder, “I saw Heavy Equipment Operator Steve Stone out working over the weekend. He was operating a piece of equipment by himself. Do you think it is safe for him to be alone while working?”

Superintendent Presswood, “At the time you saw him, he was on overtime. We were trying to keep costs down and did not want to pay another employee overtime.

I constantly checked on him, and he had a cellular phone in case he experienced any problems. Steve Stone is very experienced, and I did not think there was any danger of him getting hurt.”

EXECUTIVE SESSION: None.

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

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

Ayes: Commissioners Hanfelder, Laub, McCall, Darwin and Pennekamp.
Nays: None.
Absent: None.

So adjourned at 10:01 A.M.

Clerk