

**REGULAR MEETING OF THE BOARD OF
COMMISSIONERS OF THE METRO EAST
SANITARY DISTRICT, ST. CLAIR AND MADISON
COUNTIES, ILLINOIS HELD ON WEDNESDAY,
MAY 9, 2018 AT 1800 EDISON AVENUE, GRANITE
CITY, ILLINOIS AT 8:00 A.M.**

Vice President McCall called the meeting to order and the Clerk recorded the attendance.

The following was the attendance:

Present: Commissioners McCall, Darwin and Sawicki.

Absent: Commissioner Brinza

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, Foreman Scott Hillman and Lansdowne Office Manager Cindy Worthen.

Also, attending the meeting was Chuck Etwert of Southern Illinois Flood Prevention District and Tracey Kelsey representing U.S. Army Corps of Engineers.

PUBLIC COMMENT: None

REPORT OF EXECUTIVE DIRECTOR:

Executive Director Adler reported:

First we will start with our employee reports:

Superintendent Fancher reported:

We contacted the Department of Labor a month ago and asked for some inspections to be set up. The first inspection was yesterday at the Madison Ave facility. The inspection went really well.

The Madison Office Safety recommendations have been completed. The window has been redone and the countertop trays have been put in. We are looking into cameras for the office.

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All the roads in the district have been graded from Hartford to Belleville. Tuck Pointing will start next week. We are in Madison and Venice pump station.

We had 2 employees one from each county took a 3 day training on pipe inspection. We are required to inspect the pipes every 5 years. We needed this training for our next United States Army Corps of Engineers (USACE) inspection. We are forty percent complete with the 2015 deficiencies identified that made us lose our PL84-99 participation. I am not sure when the next inspection is scheduled. Last I heard it was not going to be for 3 months. We should be in really good shape by then. Next week we also have training scheduled for several employees for right of way and mosquito spraying.

Foreman Hillman presented his report:

Executive Director Adler wanted to add that we have a seventy three thousand dollar bill for the work on Pump #4. It only ran for a couple days before it quit. I would like to know how the board would like to proceed. Would you like me to go back to the Machine Shop and ask them to take the costs of the new impellers from the \$73,000 bill? They inspected the impeller from Pump #4 and said it was ok to put back in service. Is that right Scott?

Foreman Hillman "Pump #1 failed but the impeller was found to be acceptable. The impeller on Pump #4 failed. They decided to use the impeller from Pump #1 on Pump #4. They balanced, machined and X-rayed the impeller and said they found a crack but that would not be impactful."

Attorney Craney "So we had 2 pumps that were identical. They both failed, one was because of the impeller and one was not due to the impeller. They took the impeller out of one tested, balanced, machined and X-rayed and put it back into the other pump and soon there after it failed. Did they issue us a warranty of any kind?"

Foreman Hillman "I am sure there is at least one year warranty. They came out after it was installed to make sure it spun the right direction. There was not enough water to run it. They gave me approval to run the pump once there was water."

Executive Director Adler continued that we will go forward with Attorneys and see about warranty and try to recoup our loss.

Foreman Hillman finalized his report by stating that they are eighty percent complete with the 2015 USACE deficiencies.

Superintendent Presswood reported:

Lansdowne pumps and lift stations are working fine. We are starting repairs on the fence at Blue Waters Pump Station. Heavy Equipment is out and running.

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REPORT OF LANSDOWNE OFFICE MANAGER:

Ms. Worthen reported:

Executive Director Adler continued:

We have a meeting coming up in June with Illinois Department of Resources (IDNR). They are unhappy with the level of Horseshoe Lake. When you are dealing with flooding season we need to keep the lake level low, as soon as the dry season starts we can raise the level. IDNR wants the lake raised so the fish can spawn. I informed IDNR if the lake was dredged this would not be a problem.

The new phone system seems to be working out fairly well. We are saving money. It is not as easy as the last phone system but for the money saved it is well worth it.

If it's ok with the Board I would like to give an update on the engineer report, Mr. Juneau is out of the country. The System Wide Improvement Framework (SWIF) will be potentially approved today and Tracey Kelsey from the Corps of Engineers will be talking to you about that later. We had a meeting on the deep cut off wall. No word on funding for this project as of yet. This will relate to the sponsorship agreement that you will be asked to approve today. We are still moving forward with the Illinois Environmental Protection Agency (IEPA) loan. Unless the Board has any objections, we will continue working to get approval. IEPA loan is sixty percent forgiveness and we cannot afford to leave that money on the table.

MINUTES:

The minutes for the April 11, 2018 were presented for approval.

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Motion Commissioner Sawicki; 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 and Sawicki

Nays: None.

Absent: Commissioner Brinza

CLAIMS AND SPECIFIC CLAIMS:

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

Motion Commissioner Sawicki; seconded Commissioner Darwin 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 and Sawicki

Nays: None.

Absent: Commissioner Brinza

FINANCIAL REPORTS:

The General Fund, Special Funds and Lansdowne Financial Reports for the month of April 2018 were submitted for approval:

Motion Commissioner Sawicki; seconded Commissioner Darwin to approve the General Fund, Special Funds and Lansdowne Financial Reports for the month of April 2018 as submitted and place them on file for audit.

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

Ayes: Commissioners McCall, Darwin and Sawicki

Nays: None.

Absent: Commissioner Brinza

PAYROLL:

The Payroll for the period of March 25, 2018 through April 7, 2018 and the Payroll for the period of April 8, 2018 through April 21, 2018 were submitted for approval.

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

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

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

REPORT OF ATTORNEY:

Attorney Craney reported:

I was approached by Attorney Baricevic who is representing Richard Mark. Mr. Mark owns some property and is land locked. The only way into his property that has a pond on it, where he fishes is to cross Metro East Sanitary District property. He wants to know if we would grant him an easement. I think the best way to go about this, so this gentleman can get to his property is to do it in a form of a license. If the Board so chooses a license will only be granted to him and if he sells the property there is not an easement that is running in perpetuity.

Yesterday there was arbitration for the union members that were laid off. I will talk about this more in closed session.

We need to talk about the Lansdowne issue in executive session.

There are a few things that give me pause about the sponsorship agreement. I feel we should meet with the attorney for the Southwestern Illinois Flood Prevention District (FPD) before we should sign this agreement. It's my understanding that the USACE wants us to move quickly on this.

Executive Director Adler "Tracey that was the impression you had given me, that this is a priority."

Tracey Kelsey "You have already executed this agreement. The FPD is looking for ways on how they can provide the required thirty five percent cost share. The original agreement does not contain the permissions to give you credit for work in kind. We are amending the existing sponsorship agreement to put the work in kind language in, so that you can earn credit for design and construction. I just need the signatures on the certifications today"

Attorney Craney Continued:

Attorney Calvo will discuss the ongoing issue with the Madison sewer.

Attorney Calvo reported:

The Corps had us enter into a lease agreement which stated that they own the levees and we lease and maintain them. The Corps replaced the sewer line in Madison because they didn't like the old one. Madison asked if the East Side Levee District would be responsible for the new line. The Corps response was yes. The problem is that the Corps had no right to give that line to anyone. The Corps replaced the Madison line and Madison is the owner of the line. Madison is responsible for that line and they never gave ownership of the line to MESD.

We have agreements with all the municipalities on charging sewer. We could amend our agreement with Madison if they agree to it and put a capital assessment fee in addition to their treatment bill. I would need to know how many users to figure out a fee and discuss how long it would take to recoup our money.

Commissioner McCall "How much money are we talking about?"

Five hundred thousand dollars Executive Director Adler answered.

Attorney Craney responded, Attorney Calvo and I will look up these agreements and put together some options for the Board to review.

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

Adopting a policy on confined space entry:

Executive Director Adler reported that I just wanted to make sure MESD has a policy in place currently adhering to Occupational Safety and Health Administration (OSHA) standards.

Motion Commissioner Sawicki; seconded Commissioner Darwin to adopt the policy on the confined space entry.

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

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

Adopting an Agreement with Johnson Controls:

Commissioner McCall “I spoke with the Executive Director about this item and we would like to table this indefinitely”.

Motion Commissioner Sawicki; seconded Commissioner Darwin to table the Johnson Controls agreement.

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

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

Approval of Sponsorship Agreement with Southwest Flood Prevention District for the United States Army Corps of Engineers:

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Motion Commissioner Sawicki; seconded Commissioner Darwin to approve the sponsorship agreement with the Southwest Flood Prevention District for the United States Army Corps of Engineers.

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

Ayes: Commissioners McCall, Darwin and Sawicki

Nays: None.

Absent: Commissioner Brinza

Attorney Calvo stated that there needs to be a motion and a vote for the Vice President McCall to be able to sign in place of Presidents absence.

Motion Commissioner Sawicki; seconded Commissioner Darwin to approve Vice President McCall to sign any documents needed for this Board Meeting in absence of the President.

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

Ayes: Commissioners McCall, Darwin and Sawicki

Nays: None.

Absent: Commissioner Brinza

Approval of the System Wide Improvement Framework:

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Motion Commissioner Sawicki; seconded Commissioner Darwin to approve the System Wide Improvement Framework.

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

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

Motion Commissioner Sawicki; seconded Commissioner Darwin; to enter into Executive Session for the exceptions noted under 5 ILCS 120/2(c) 1. Pending or threatened or imminent litigation of the MESD SSA No.1.

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

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

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

Motion Commissioner Darwin; seconded Commissioner McCall to return to regular session at 10:36 A.M

The Clerk recorded the attendance:

Present: Commissioners McCall, Darwin and Sawicki.
Absent: Commissioner Brinza

Also, attending the meeting at this time were Executive Director Steve Adler, Attorney Larry Calvo and Attorney James Craney

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

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

Ayes: Commissioners McCall, Darwin and Sawicki

Nays: None.

Absent: Commissioner Brinza

So adjourned at 10:37 A.M.

Clerk