

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

President Brinza called the 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, Foreman Scott Hillman and Lansdowne Office Manager Cindy Worthen.

Also, attending the meeting were Charlie Juneau representing Juneau Associates, Kathy Goclan, Frank Dorris and Dennis Woods of Lakeside Roofing.

PUBLIC COMMENT: None

REPORT OF EXECUTIVE DIRECTOR:

Executive Director Adler reported:

The United States Army Corps of Engineers (USACE) is scheduled our levee inspections for August 16, 2018. The Superintendents and Foreman will give you a quick update on what is going on to finish preparing for this inspection.

Superintendent Fancher responded we are ninety five percent ready. We have a few things we have to clean up and a little bit of mowing left, but other than that we are ready to go.

Superintendent Presswood reported all heavy equipment operators have been on the front levee helping to ensure the inspection is a pass. Lansdowne is good and all pumps are working.

Foreman Hillman presented his report:

Executive Director Adler continued:

The employees are working really hard to fix things that have been on the list as unacceptable since 2010 and make them acceptable.

I have some problems with the farmers. We have two relationships with farmers; one is in St. Clair County. The previous Executive Director made a verbal agreement to lease land with no formal lease. The other farmer had a lease that ran out in 2003 and has been paying yearly with no lease renewal. I have a file for attorney Calvo to look at and decide what needs to be done as long as the Board agrees. We need to do what is legally right for the District.

The Arbitration for decision is scheduled for thirty days from now.

We had a meeting with Johnson controls and expect a report by fall.

The pipe inspection that the CORPS requires has never been done. I have volunteered us to go into Illinois American and Granite City Regional and inspect their pipes for them, so it will not be held against us on the USACE report. If there is something wrong with their pipes I want to know it, so it does not serve as a conduit to a levee failure.

We are still negotiating on the homes for feral cats. They have some restrictions that we could not agree on so they have taken it back to their Board to discuss.

We have a meeting on August 22, 2018 to discuss alternative power for the North and South pump station.

REPORT OF LANSDOWNE OFFICE MANAGER:

Ms. Worthen reported:

We just sent out the billing. We have had a stall on water shut offs. Someone complained and the ICC ruled we now have to call twice before shutting off. Training has been done.

Bod and TSS have gone down by half.

We have been trying to get the Ordinance out but we have been shorthanded.

REPORT OF ENGINEER:

The System Wide Improvement Framework (SWIF) is in the process of review at the United States Army Corps of Engineers (USACE). We do not see any problems at this time. The Corps does have a contractor to fix the slide areas around Cahokia.

Levee Cut Off Wall there will be no funding for this project this year but we are still moving along with negotiations with Ameren and Terminal Railroad to get the necessary easements.

We have been asked to do some surveying to see if the farmers are encroaching on the tow of the Levy. There is some debate about what the tow of the Levy is and needs to be clarified.

Lansdowne Facility Plan received approval from Illinois Environmental Protection Agency (IEPA). The original draft stated that it would be funded by taxes. It needed to be redrafted to state it would be funded by existing user fees and if the user fees are not sufficient they would be adapted to cover debt service. We did not get sixty percent loan forgiveness. We only received forty five percent due to population.

MINUTES:

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

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Motion Commissioner Sawicki; 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:

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

Nays: None.

Absent: None

EXECUTIVE SESSION MINUTES:

The executive session minutes for the May 9, 2018 meeting were presented for approval:

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Motion Commissioner Sawicki; 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:

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:

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Motion Commissioner Sawicki; 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

FINANCIAL REPORTS:

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

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

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 1, 2018 through July 14, 2018 and the Payroll for the period of July 15, 2018 through July 28, 2018 were submitted for approval.

Motion Commissioner Sawicki; 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:

There is one thing we will talk about in closed session.

I have passed along some information to the people that requested an easement for Merchants Bridge and I have not heard back yet.

There are two other easements that are being requested. I believe it will be something that we can vote on the next meeting.

ROC Real Estate Solutions wants a transmission easement and Gateway Regional also wants an easement. Executive Director Adler and I will talk about it.

I have been in communications with Ameren about the master agreement. Their attorneys will send me something to review and as soon as I receive it I will send it to Executive Director Adler to review.

Greathouse Lawsuit set for a hearing next Wednesday.

Attorney Calvo reported:

I met with Mayor Hamm and Attorney Papa in my office on July 17, 2018. He is agreeable to allow us to recover our capital cost we incurred repairing the line. He would like to see how we are going to structure the increase.

Executive Director Adler “Mayor Hamm owes us money and he wants to be in charge of the rate structure. I don’t think we should give him that much authority.”

Commissioner Sawicki “We need to establish who owns the line.”

President Brinza “If it happens again we need to know.”

Attorney Craney “Remember we are foregoing litigation, they need to agree to the ownership of this pipe.”

Commissioner McCall “We need to move this discussion to closed session.”

CORRESPONDENCE:

BIDS:

Advertisement for bids for roof replacement at 2301 and 2305 Mullins Creek Road, which appeared in the Belleville News Democrat were received before 8:00 A.M. today.

Three (3) bids were received:

1. Lakeside Roofing.....\$48,162.00
2. Barch Roofing.....\$45,944.00
3. Joiner Sheet Metal and Roofing.....\$34,469.00

Executive Director Adler and Foreman Hillman will look over bids to establish that all materials and specs were the same.

Motion Commissioner McCall; seconded Commissioner Darwin to let Executive Director Adler choose the bid for the roofs as not to exceed \$48,162.00.

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

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

A letter from Illinois Department of Transportation was presented:

A letter from Southwestern Illinois Planning Commission was presented:

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A letter from Illinois Environmental Protection Agency was presented:

OLD BUSINESS:

Approval of the Executive Directors Employment Contract:

President Brinza moved to discuss this in executive session.

NEW BUSINESS:

Attorney Craney stated he would review the Executive Session Minutes and report back to the Board in thirty days if any of the Minutes should be opened to the public.

Motion Commissioner Darwin; seconded Commissioner McCall that all Executive Session Minutes remain closed to the public for an additional thirty (30) days and after that time will be re-evaluated to determine if any of the minutes will be opened to the public..

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

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

Temporary and Permanent Easement for the Village of Pontoon Beach was presented:

Motion Commissioner McCall; seconded Commissioner Darwin to approve the Temporary Easement for the Village of Pontoon Beach and table the Permanent Easement for next Board Meeting.

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 revised Illinois Environmental Protection Agency loan:

Motion Commissioner Sawicki; seconded Commissioner Darwin to approve the revised Illinois Environmental Protection Agency loan.

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:

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

Nays: None.

Absent: None

The Board entered into Executive Session at 9:13 A.M.

Motion Commissioner Darwin; seconded Commissioner McCall to return to regular session at 10:01 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 James Craney and Attorney Larry Calvo.

Attorney Craney commented that we have a proposed contract and we will attach a red lined copy to the minutes. What the contract represents as discussed in executive session is a draft of the contract from the last session. The red lines are the proposed changes from the Executive Director Adler to that contract. When the contract is referred to for purposes of a motion if someone were to make a motion is the attached contract with red lines except for the ninety days incompetence which was stricken and will be put back into the contract.

President Brinza “What Attorney Craney referred to and putting in the salary of \$97,500.00 into the contract.”

The contract was presented:

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Commissioner McCall “For the record I want to state that I believe this is a contract that totally benefits the Director and not the District.”

Motion Commissioner Sawicki; seconded Commissioner Dixon to accept the Employment Contract for the Executive Director with the addition of the incompetence clause and salary.

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

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

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 10:05 A.M.

Clerk