

**REGULAR MEETING OF THE BOARD OF
COMMISSIONERS OF THE METRO EAST
SANITARY DISTRICT, ST. CLAIR AND MADISON
COUNTIES, ILLINOIS HELD ON WEDNESDAY,
OCTOBER 10, 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 Darwin, Brinza, Sawicki and Dixon
Absent: Commissioners McCall

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, Britt Donoho of Craney Law Group, Michael Brokering of Scheffel Boyle and Frank Dorris.

PUBLIC COMMENT:

Frank Dorris passed out St. Clair County Parcel map handouts:

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Frank brought the Parcel information in to show the area and that MESD owned the ditch by Harding Ditch in East St. Louis and MESD put in a new flap gate and the water was not flowing correctly due to the back log of trees and asked if MESD would please try and work on that area for him.

REPORT OF AUDITOR:

Michael Brokering presented the 2017-2018 Lansdowne Annual Financial Report:

Executive Director Adler added that he has concerns over there being a signature stamp for him in the office, due to the recent events of fraud going on in Woodriver. The auditor makes a comment on his report yearly about the signature stamp. The office has expressed concern about being responsible for keeping a stamp locked and secure. Therefore if the Board agrees I will just sign all the checks and if I am not available, the office would call Commissioner Sawicki to sign the checks.

REPORT OF EXECUTIVE DIRECTOR:

Executive Director Adler reported:

Commissioner Sawicki and I have had several meetings with Johnson Controls in the last month. We continue to move forward with the automation.

We attended the Southwest Flood Prevention District meeting. They are still promising to come up with the money for the cut off wall project.

Our meetings with Ameren have gone well. We have given Ameren permission to move forward with their projects with a little help from Charlie Juneau.

We had a meeting with Representative Duckworth and the Corps of Engineers. The Corps of Engineers puts safety ratings on different levees and our safety rating came in as a one. We wanted to know why and they could not give us a reason.

Charlie Juneau commented that the reason this area has the highest liability rating is because of the facilities behind it. The industry and the amount of population and what needs to be protected. It does not necessarily tie into how well the levees were constructed.

Superintendent Fancher and Foreman Hillman have done a great job at looking into our insurance to reimburse us for covered losses. The recent storm that damaged pump #4 is being covered by insurance.

We have set up 4 sites within the last month for wild cat residents.

Foreman Hillman presented his report:

Superintendent Presswood reported we are working on the Choteau, Nameoki, Venice Drainage and Levee District (CNV) area digging out ditches. CNV has never been maintained properly. We have given Caseyville dirt for their breach and then they asked for help. We took some equipment over and helped then fix some of their breaches.

Executive Director Adler “We like to provide help to neighboring entities. It is not our property but it could become our problem.”

Deputy Superintendent Irby “My goal is how can Madison County and St. Clair County work together to make sure with the amount of staff that we have working as effectively as possible before major things happen. How do we bring staff together to make sure we know what is going on with scheduling and making sure the staff is trained properly, making sure they are using safety protocols and doing maintenance on vehicles and equipment? We need maintenance schedule, staff training schedule. Maybe lead men have a meeting so we can know what is going on in real time. I measure how we get things done by results.

Superintendent Fancher reported we are in pump stations. Foreman Hillman and I are checking gates that the Corps operates to make sure they are closed.

REPORT OF LANSDOWNE OFFICE MANAGER:

Ms. Worthen reported that collections are good. We are working with companies on BOD and TSS charges. The surcharges are down. We had a change on the shut off procedure. We are now required to make calls before we shut off so there has been less shut offs. We are training to make sure all employees are well rounded to do all jobs when we have people out on vacations.

Executive Director Adler continued:

I want to give some credit to Ms. Worthen and her staff, a lot of the work that was done turning the Lansdowne situation around on the account receivable end was done by her office and Commissioner Sawicki for working on the treatment plant bills.

REPORT OF ENGINEER:

We are continuing to work on the design for the Lansdowne lining repair project, a lot of the manholes will have to be reconstructed.

We continue to have the monthly meeting with the U.S. Army Corps of Engineers (USACE) and they are very good meetings. They are moving ahead with their design of the cut off wall. MESD has the responsibility to get all the easements and the place to get rid of spoiled soil that comes out of the cut off wall.

We are continuing to work with Ameren and have monthly meetings with them to address their concerns. They have to get permission from USACE for their 408 permits. MESD will look at their plans and if we do not see any problems with them we will issue letters of no objections.

USACE ask for us to send a word document to them regarding the System Wide Improvement Framework and they will show us what changes they are making.

MINUTES:

The minutes for the September 12, 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 Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

EXECUTIVE SESSION MINUTES:

The executive session minutes for the September 12, 2018 meeting were presented for approval:

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

Nays: None.

Absent: Commissioners McCall

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 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 Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

FINANCIAL REPORTS:

The General Fund, Special Funds and Lansdowne Financial Reports for the month of August and September 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 August and September 2018 as submitted and place them on file for audit.

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

Ayes: Commissioners Darwin, Brinza and Sawicki.

Nays: None.

Absent: Commissioner McCall.

PAYROLL:

The Payroll for the period of August 26, 2018 through September 8, 2018 and the Payroll for the period of September 9, 2018 through September 22, 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 Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

REPORT OF ATTORNEY:

Attorney Craney reported:

Everyone knows we have had the ongoing arbitration with the union. We have received arbitration award back from the arbitrator. He ruled in favor of the union and the damages depending on how you calculate it should be less than ten thousand dollars. I want to discuss more in executive session.

The ongoing litigation with the Greathouse Lawsuit the court has not ruled on that yet. We continue to wait for that decision.

Executive Director Adler wanted to make sure if someone comes on our property to do work they have to get a right of entry. I have created a template for a right of entry. It will show where they are going, what they are doing and make sure they carry adequate insurance. They will clean up the property and be responsible for any damages to our property.

I am continuing to work on the master agreement with Ameren, we are making progress we have a template agreement in place.

Attorney Calvo reported:

Mississippi River Transportation is ready to start construction. Since it wasn't on the agenda we cannot vote on the permanent easement but we can give them temporary easement till we can vote on the permanent easement next month.

The CNV legal description, all they had were the permanent parcel numbers. I went to the court house to get the deeds for those permanent parcel numbers that only works up to 1955, before that the parcel number do not match up to anything. The title company will have to hand search for the deeds.

CORRESPONDENCE:

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

OLD BUSINESS: None

NEW BUSINESS:

Commercial flood and excess earthquake insurance policies were presented:

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Executive director Adler commented that we should be good on the flood insurance as long as we are under the PL 84-99 program with the Corps. The earthquake insurance I believe is needed and I recommend MESD invest in this policy.

Motion Commissioner Sawicki; seconded Commissioner Darwin to accept the excess earthquake commercial insurance package for 30 Million dollars from Dimond Bros., and award the earthquake insurance package dated 10/1/18 – 12/1/19 for the premium of \$35010.00 to RSUI Indemnity Company.

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

Approval of temporary construction easement for the Enable Mississippi River Transmission, LLC:

Motion Commissioner Darwin; seconded Commissioner Sawicki to approve the temporary construction easement for the Enable Mississippi River Transmission, LLC.

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

EXECUTIVE SESSION:

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

Nays: None.

Absent: Commissioners McCall

The Board entered into Executive Session at 9:43 A.M.

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Motion Commissioner Sawicki; seconded Commissioner Dixon to return to regular session at 10:38 A.M.

The Clerk recorded the attendance:

Present: Commissioners Darwin, Brinza, Sawicki and Dixon

Absent: Commissioners McCall

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 Sawicki; seconded Commissioner Darwin to adjourn.

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

Ayes: Commissioners Darwin, Brinza, Sawicki and Dixon

Nays: None.

Absent: Commissioners McCall

So adjourned at 10:39 A.M.

Clerk