

## Regular Township Meeting

DATE: August 11, 2009

TIME: 7:00 p.m.

LOCATION: St. Clair Township  
107 Service Street  
Swansea, IL 62226

MEMBERS PRESENT: Tim Buchanan, Supervisor  
Mary Carroll, Clerk  
Mark Burk, Road Commissioner  
Greg Bridgman, Trustee  
Richard Schobert, Trustee  
Bob Trentman, Trustee  
Dave Barnes, Trustee  
Robert Knee, Assessor

STAFF PRESENT: Bill Stiehl, Attorney  
Ron Stuckel, Engineer

OTHERS PRESENT: See attached list

### Roll Call:

The regular meeting of the St. Clair Township Board was called to order by Supervisor, Tim Buchanan with the Pledge of Allegiance. Roll call found that all board members were present.

### Minutes of Regular Board Meeting on July 14, 2009:

Supervisor Buchanan noted that on page 4 the Bank of Springfield received a “3 star out a 5 star rating” rather than a “5 star rating”. Motion made by Trustee Bridgman to approve the July 14<sup>th</sup> minutes as amended and seconded by Trustee Barnes. All in favor.

### Minutes of Special Board Meeting on July 21, 2009:

Supervisor Buchanan asked that under the Tax Abatement section it would be changed to read that “an abatement of part of the Road District Taxes would cause Township residents to see only a slight increase *or decrease* from last year’s taxes.” Supervisor Buchanan made a motion to approve the minutes as changed. Trustee Bridgman seconded it. All in favor.

Minutes of Special Town Meeting on July 30, 2009:

Trustee Bridgman made a motion to approve the Minutes of the Special Town Meeting held on July 30th as presented and Trustee Schobert seconded. All in favor.

Supervisor's Monthly Financial Report:

After a few questions from Trustee Barnes about what certain items represented, a motion was made by Trustee Schobert, and seconded by Trustee Bridgman to accept the Supervisor's monthly financial report as presented. Roll call vote. All in favor.

Monthly Bills:

After a question from Trustee Barnes and another one from Trustee Bridgman, Trustee made a motion pay the monthly bills out of the appropriate accounts, seconded by Trustee Trentman. Roll call vote. All in favor.

Communications:

Supervisor Buchanan informed the board there was a St. Clair County Township Officials Association meeting to be held on August 20<sup>th</sup> in Mascoutah, Illinois if any of the elected officials were interested. He provided a handout with details of the meeting.

Public Comment:

The floor was opened up for public comment. There was none.

Old Business:

Citizens has proposed a resolution regarding 9-11. There was discussion around the fact this was not a Township related issue.

Supervisor Buchanan said two bids to remove the tree in Loop Creek Creek near Mrs. Burkett's property were received. One of the bidding companies said that the tree had been burned by Mrs. Burkett and the damage from the fire will most likely rot the tree. American Tree Service bid \$1,500 to cut and haul the tree away and \$750 to just cut the tree down. Hudson Tree Service would charge \$1,650 to cut the tree and haul it away and \$450 to cut the tree down only. After dialogue among the board members, Supervisor Buchanan said he would call Mrs. Burkett to offer her to pay the \$450 to have the tree cut down and the Township would be responsible for hauling it away.

New Business:

Supervisor Buchanan said the current cell phone service is with Sprint. He has been doing considerable research to find a new service with a better rate and adequate service for the Township. He said that he discovered that he could get a government rate with Verizon. He said the

service would include 5 phones with full service and the others would have push to talk service. Trustee Schobert and Trustee Barnes both asked for a more detailed explanation of the service and how it would work for the Township employees. Supervisor Buchanan explained that five phones would have a full service plan. These phones would be for Supervisor Buchanan and Road Commissioner Burk, and the foremen. The rest would be charged 6 cents a minute for calls going out. In addition, there would be 10 numbers included in the plan that anyone can call at no cost. The cost would go from \$585 per month to approximately \$187 per month which would be a considerable savings. Supervisor Buchanan asked the Board to entertain a motion to proceed with negotiating with Verizon for this service. Trustee Bridgman made the motion and Trustee Schobert seconded it. Roll call vote. All in favor.

In follow-up to the discussion at the last meeting regarding the Township's sewer back up policy, Supervisor Buchanan provided back-up documentation that included the current policy, and e-mail from Attorney William Stiehl and also a Proposed Sewer Backup Policy Change for the Board members to review. Supervisor Buchanan underlined sections in the current policy and went over these items and why they should be changed. The Township has paid out over \$158,000 in repairs over that last three year that it was not legally responsible for. It is questionable whether the Township has legal authority to make these types of payments. Most of the money has been paid to homeowners who have not purchased sewer backup insurance. Supervisor Buchanan made a motion that the current sewer backup payment policy be terminated and the Township change the policy to only pay for damages that it is legally liable for.

Trustee Barnes asked if the sewer plant backs up, are we legally liable? Supervisor Buchanan said that if we routinely maintain and are not negligent then it is considered something beyond our control and it is an Act of God. Therefore, we would not be responsible. Almost never are we negligent. Most of the time the homeowners would be responsible.

Trustee Trentman asked if we pay the deductibles. Trustee Schobert said in the past we did pay the deductibles for the homeowners.

Trustee Trentman wanted to know when the current policy was adopted. Trustee Schobert replied that it was created in 2004. He said they had researched other policies and that time and felt we needed to help the homeowners out.

Trustee Bridgman commented that homeowners should know they need to have sewer backup coverage on their homeowners insurance. Trustee

Barnes suggested putting this on their sewer bills or in a newsletter to make them aware they need this coverage.

Supervisor Buchanan said we need to have some type of newsletter to keep our residents informed anyway and we could include something like this in it.

Trustee Trentman said he is not ready to move on this and would like to have some time to think about this further. Supervisor Buchanan withdrew his motion and offered to talk about this again at the next meeting.

The next new business item was regarding buying electricity. Because at the last meeting there was some question as to whether Ameren would be okay with the Township purchasing electricity from another source, Supervisor Buchanan sent the Board members an e-mail with a link showing that Ameren is actually promoting buying power from other companies. Supervisor Buchanan informed the Board that he had researched four companies, and the two finalists were Bluestar Energy Company, a privately held company and Constellation Energy, a publicly held company. Supervisor Buchanan explained that on June 1 of each year the new rates are published. With this in mind, we are guaranteed a savings for a nine month period, 9/1/09 through 6/1/10, assuming we have approximately the same usage. With Bluestar the Township could save \$13,800 for this nine month period. With Constellation the Township could save approximately \$14,472 for the nine month period. Although there would be a slightly higher savings with Constellation, Supervisor Buchanan had some concerns that Constellation's credit rating was not as good as Bluestar's.

Trustee Bridgman asked if this was for both gas and electric. Supervisor Buchanan said it was only electric. Trustee Schobert wanted to know if there would be a cost to Ameren for transmission. Supervisor Buchanan clarified that we do pay Ameren to get the electric to us. However we already pay a separate fee for that now, so that portion will not affect us. Trustee Trentman inquired as to where Bluestar was located. Supervisor Buchanan said his contact person is in Chicago.

Supervisor Buchanan asked to entertain a motion to allow him to purchase electricity for nine months from Bluestar Energy Company. Trustee Barnes made the motion and it was seconded by Trustee Schobert. Roll call vote. All in favor.

Supervisor Buchanan said he had a conversation with the sewer foreman regarding the basketball court in Loop Creek Court. After the conversation, Supervisor Buchanan thought it might be a good idea to

put the hoop back up. Trustee Schobert said he thought the problem might be more of the fact that the older kids would not allow the younger kids to play. He also added that it was taken down because of vandalism. He said that since it has been taken down, there have not been as many problems.

Trustee Trentman said he would like to visit the park and make himself more familiar with the situation before the Board makes a decision on what to do. Supervisor Buchanan said we can bring this up again next time after everyone has had a chance to visit the park and assess the situation.

All the Board members had a copy of a Standard Contract for Professional Services from Township Engineering firm Kuhlman Design Group (KDG). Engineer Ron Stuckel reviewed the contract with the Board. He said their firm had a contract in place in 2008 and they would like to stay contractually compliant with a new contract for 2009. Supervisor Buchanan said he did a comparison of last year's contract and the prices are the same. He also explained that these are on call rates and not really a contract. Trustee Barnes asked if we have researched other firms. Supervisor Buchanan said he is willing to do this, but for now we need to keep this relationship. Trustee Trentman asked how long KDG has worked for the Township. Mr. Stuckel said about 18 years. Trustee Schobert added that it has been since 1973 because it was originally owned by Randal and that was bought by SGR Engineering and then Kuhlman bought out SGR. Supervisor Buchanan said he believes the rates are reasonable and it does not oblige the Township to use them. Road Commissioner Burk said he has checked other rates and they are very similar to KDG's. Supervisor Buchanan asked for a motion to allow him to sign the contract with the current engineering firm, Kuhlman Design Group. Trustee Schobert made the motion and it was seconded by Trustee Trentman. Roll call vote. All in favor.

The last item under new business is negotiations with Swansea regarding sewer rates. Last meeting the Board members were provided a letter from the Village of Swansea demanding \$1.3 million dollars. Supervisor Buchanan informed the Board that Attorney Bill Stiehl has given the Township a written opinion regarding the contract with Swansea. Supervisor Buchanan also said that he is scheduled to meeting with representatives from Swansea soon and will keep everyone up to date.

#### Reports:

Supervisor Buchanan said that so he will be more informed, he has asked the two supervisors in the sewer department to provide a daily report of what they are involved with. He provided daily documentation

to the Board members to review from Luke Schutzenhoefer and Denny Milam.

Supervisor Buchanan also reported that by taking simple steps to cut energy in the Township building, the monthly bill has been cut in half. He said the furnace filter needed replaced; they adjust the thermostat at night when everyone is gone; and the lights and fans in the shop are turned off. He added that everyone in the office is helping to cut costs.

Mark Burk provided the Highway Commissioner's Report. He said the chipper was sold to Smithton Township for \$1,000. He said the Keeley got the bid for Villa Madero. He said the Shiloh Board approved to pay \$11,000 for the cost of the work to the front entrance of Villa Madero. Also, he said that a drunk driver hit a tree in the Township and we were reimbursed by his insurance company \$3,200. In addition, Commissioner Burk reported that Ameren caused damage to Farley Road, and the road collapsed. Commissioner Burk said he has contacted Ameren and they are going to make the repairs.

Trustee Bridgman asked how the sale of the car is going. Commissioner Burk said there are bids coming in for the car. He mentioned there was a "Sound Off" in the Belleville News Democrat this week wherein the person who commented asked why you would keep a truck and sell the car. Commissioner Burk said the car was not needed or necessary. He further added that the employees can't do their job with a car, but they do need a truck to do their job. He said he drives his own vehicle to work and if he needs to go to the job site he can use his own vehicle. He said by getting rid of the car, it will only benefit the taxpayers.

Ron Stuckel gave the engineers report. He said they met with the property owner on the Highland Hills project who asked if we could exclude certain companies from bidding. He said we can't do anything without the easement. He will check back with the property owner again.

Mr. Stuckel said he has also met with residents in Piper Hills regarding easements. He said one signed already and he expects to hear back from the other in about a week.

Supervisor Buchanan provided a report with a summary of delinquent sewer bills. Attorney Stiehl said the Township did file suit on the major delinquent account holder.

Trustee Schobert made a motion to adjourn the meeting. It was seconded by Supervisor Buchanan. All in favor. Adjourned at 8:31 p.m.

Respectfully submitted:

Mary Carroll  
Township Clerk