

MINUTES
Board of Trustees Meeting
Madison County Mass Transit District
One Transit Way, Granite City, Illinois
9:00 a.m., Thursday, October 31, 2019

Pledge of Allegiance

Trustee Hagnauer led the reciting of the Pledge of Allegiance.

Call to Order: Roll Call

Chairman Jedda called the meeting to order at 9:02 a.m.

MEMBERS PRESENT: J. Terry Allan, Christopher C. Guy, Edward Hagnauer, Ronald L. Jedda, and J. Kelly Schmidt.

MEMBER ABSENT: None

OTHERS PRESENT: Jerry J. Kane, Managing Director; Michelle Domer, ACT; Mark Steyer, ACT; SJ Morrison, ACT; Donna Price, ACT; Tonya Genovese, Legal Counsel, Scott Weber and Drew Nicol, Scheffel Boyle.

I. Consideration of the Minutes of the September 26, 2019 Regular Meeting for Inclusion in the Official Records of the District.

TRUSTEE ALLAN MADE THE MOTION, SECONDED BY TRUSTEE SCHMIDT, TO APPROVE THE MINUTES OF THE SEPTEMBER 26, 2019 REGULAR MEETING FOR INCLUSION IN THE OFFICIAL RECORDS OF THE DISTRICT.

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUR | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

II. Financial

A. Payments and Claims: Consideration of the September 2019 claims for payment:
Managing Director Jerry Kane submitted the payments and claims.

TRUSTEE HAGNAUER MADE THE MOTION, SECONDED BY TRUSTEE ALLAN, TO APPROVE THE PAYMENTS AND CLAIMS, **EXCLUDING** THE PAYMENTS AND CLAIMS TO THE CITY OF GRANITE CITY.

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

TRUSTEE GUY MADE THE MOTION, SECONDED BY TRUSTEE ALLAN, TO APPROVE THE PAYMENTS AND CLAIMS TO THE CITY OF GRANITE CITY.

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----------|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | ABSTAINED |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. TRUSTEE HAGNAUER ABSTAINED. MOTION CARRIED.

- B. Monthly Financial Report: Review of the monthly financial records as of September 30, 2019: Managing Director Jerry Kane submitted the report.

TRUSTEE SCHMIDT MADE THE MOTION, SECONDED BY TRUSTEE GUY TO APPROVE THE MONTHLY FINANCIAL REPORT AS OF SEPTEMBER 30, 2019.

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

- C. Presentation of the FY2019 Audit: Scott Weber, Scheffel Boyle, Presented the FY 2019 Audit.

TRUSTEE HAGNAUER MADE THE MOTION, SECONDED BY TRUSTEE GUY, TO ACCEPT THE FY2019 AUDIT AS PRESENTED.

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED

D. District's Financial Reserves Policy

Chairman Jedda asked Mr. Kane to work with his staff to create a Financial Reserves Policy for the District with amounts allocated to capital funds and operating funds. The Policy should be brought back to the Board for recommendation at a future meeting.

III. Transit Service

A. Managing Director's Report: Jerry Kane presented the report.

1. Proposed February 2020 service changes:

TRUSTEE HAGNAUER MADE THE MOTION, SECONDED BY TRUSTEE ALLAN, TO APPROVE THE FEBRUARY 2020 SERVICE CHANGES AS PRESENTED.

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

B. TRUSTEE ALLAN MADE THE MOTION, SECONDED BY TRUSTEE GUY, TO APPROVE THE FOLLOWING RESOLUTION.

20-02 AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT TO PROVIDE MANAGEMENT SERVICES AND OPERATE PUBLIC TRANSIT SERVICES BETWEEN MADISON COUNTY MASS TRANSIT DISTRICT AND THE AGENCY FOR COMMUNITY TRANSIT, INC.

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

C. TRUSTEE SCHMIDT MADE THE MOTION, SECONDED BY TRUSTEE HAGNAUER, TO APPROVE THE FOLLOWING RESOLUTION.

20-11 AUTHORIZING THE ADOPTION OF THE MADISON COUNTY MASS TRANSIT DISTRICT'S REVISED PROCUREMENT POLICIES AND PRACTICES.

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

- D. TRUSTEE HAGNAUER MADE THE MOTION, SECONDED BY TRUSTEE GUY, TO AMEND THE LANGUAGE IN ITEM 4 OF THE FOLLOWING RESOLUTION SO IT READS THAT ONE OF THE TWO, CHAIRMAN OR VICE CHAIR AND THE MANAGING DIRECTOR ARE HEREBY AUTHORIZED AND DIRECTED TO TAKE ALL ACTION NECESSARY TO EXECUTE, COMPLETE, AND PERFORM ALL OBLIGATIONS ASSOCIATED WITH THE AGREEMENT, INCLUDING ANY AND ALL CHANGE ORDERS, AND TO TAKE ANY SUCH FURTHER ACTIONS AS ARE NECESSARY AND APPROPRIATE ON BEHALF OF AND IN A MANNER MOST BENEFICIAL TO THE MADISON COUNTY MASS TRANSIT DISTRICT.

20-12 AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR LAND ACQUISITION SERVICES

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

TRUSTEE SCHMIDT MADE THE MOTION, SECONDED BY TRUSTEE GUY, TO APPROVE THE FOLLOWING **AMENDED** RESOLUTION.

20-12 AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR LAND ACQUISITION SERVICES

A ROLL CALL VOTE FOLLOWED:

| | |
|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

IV. Other Business

No items were presented.

Public Comments

No public comments were presented.

V. Executive session to discuss the acquisition, and/or sale or lease of property, and/or security, and/or litigation, and/or review of executive session minutes (5ILCS 120/2 et. seq., 2(c)5, 2(c)6, 2(c)8, 2(c)11, and 2(c)21 of the Open Meetings Act).

TRUSTEE SCHMIDT MADE THE MOTION, SECONDED BY TRUSTEE ALLAN, TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE ACQUISITION, AND/OR SALE OR LEASE OF PROPERTY, AND/OR SECURITY, AND/OR LITIGATION, AND/OR REVIEW OF EXECUTIVE SESSION MINUTES (5ILCS 120/2 ET. SEQ., 2(C)5, 2(C)6, 2(C)8, 2(C)11, AND 2(C)21 OF THE OPEN MEETINGS ACT).

A ROLL CALL VOTE FOLLOWED:

| | |
|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

TRUSTEE GUY MADE THE MOTION, SECONDED BY TRUSTEE HAGNAUER TO RETURN TO REGULAR SESSION.

A ROLL CALL VOTE FOLLOWED:

| | |
|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

A. TRUSTEE HAGNAUER MADE A MOTION, SECONDED BY TRUSTEE ALLAN, TO APPROVE THE FOLLOWING:

EXECUTIVE SESSION MINUTES OF THE SEPTEMBER 26, 2019 EXECUTIVE SESSION MEETINGS FOR INCLUSION IN THE OFFICIAL EXECUTIVE SESSION RECORDS OF THE DISTRICT.

A ROLL CALL VOTE FOLLOWED:

| | |
|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

B. Mr. Kane indicated MCT received a request from the Rails to Trails Conservancy (RTC) to join its effort in filing an Amicus Brief with the US Supreme Court. RTC made us aware of a recent decision made by the State Supreme Court of Alabama, in which it apparently ignored the railbanking statute, 16 USC 1247(d). The decision was detrimental to railbanking, and if not challenged, could stand as a precedent that could adversely affect all railbanked trail projects in the country. Although MCT was not a party in the Alabama case, it has an interest in the litigation, and therefore, it can support the preservation of railbanking by joining the Amicus Brief efforts along with RTC.

Mr. Kane recommends the District support this effort.

Chairman Jedda noted it is the consensus among the Trustees to proceed with the Amicus Brief to support this effort.

VI. **Adjournment**

TRUSTEE GUY MADE THE MOTION, SECONDED BY TRUSTEE ALLAN TO ADJOURN.

A ROLL CALL VOTE FOLLOWED:

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|--------------------|-----|
| J. TERRY ALLAN | AYE |
| CHRISTOPHER C. GUY | AYE |
| EDWARD HAGNAUER | AYE |
| RONALD JEDDA | AYE |
| J. KELLY SCHMIDT | AYE |

ALL AYES. NO NAYS. MOTION CARRIED.

Meeting adjourned at 10:40 a.m.

Respectfully submitted:


