

LAKE/AIRPORT COMMITTEE

July 10, 2014

MEMBERS

Alderman Vota
Alderman Walters
Alderman Dorchinecz
Alderman Budd

ALSO PRESENT

Airport Manager Newberry
Superintendent Jackson
Alderman Heberling
Mike Gianasi
Larry/Joy Laker
Mike Coady
Greg Mahan
Barry Oller

Mayor Brotherton
Alderman Burtle
Attorney Romano
Ted Burghoff
Mark Poling
Mark Coady
Andy Lasswell
Bev Morrison

Chairman Vota called the meeting to order at 6:00 P.M.

LAKER INTEREST PAYMENT

Larry Laker, representing Laker Petroleum again presented a billing statement for \$1,644.95 interest on the \$56,283.40 loan due on the airport tank removal project making the total \$57,928.35.

Attorney Romano stated he has had no response from Kent Metzger (KAM), Laker Petroleum, or Jon Miracle and recommends the issue be tabled until he hears from KAM's Attorney Barker clarifying whether or not Jon Miracle is still affiliated with KAM. If the IEPA decides to make any additional reimbursements an amended corrective action budget will need to be submitted. Whether this is done by Kent Metzger, Jon Mericle, or Larry Laker has yet to be decided.

Attorney Romano received an e-mail from Melanie Jarvis, an attorney for EPA regarding a May 29, 2014 meeting that was held at the IEPA. In attendance were representatives from the IEPA, the City of Taylorville, Larry Laker of Laker Petroleum, Jon Mericle. At that meeting the IEPA offered \$5,605.00 for the additional work for the "FAA barriers". A \$3,758.81 for personnel costs could be approved. The Consultant again requested money for the soil removed in excess of the 4 foot limit during early action which was budgeted at \$19,041.58. Larry Laker at that time indicated they would be willing to settle the appeal for \$10,000. Larry Laker mentioned that the asphalt & fence work (\$7,800) was approved after receipt of Attorney Jarvis' letter. With this additional reimbursement from the IEPA this would bring the amount close to \$27,163.81.

Mayor Brotherton, Attorney Romano, Chairman Vota and the Lakers will meet the next few days and see if we need an IEPA meeting.

Mr. Laker stated that he would sign the documents prepared by City Attorney Romano if that is what it would take to get the interest paid by the City.

Mr Laker again stated that KAM is no longer in business. However, Attorney Romano found that KAM continues to legally exist as a business. At this time Attorney Romano would like to hear back from KAM's attorney before moving forward on this issue.

This matter may be an item on the July 21st City Council Agenda.

AIRPORT MANAGER'S REPORT

Taxiway Extension

The taxiway extension was completed on July 3, 2014 and Runway 18/36 is now completely open. Grass seeding will be completed this fall.

South Hangar Door Seals

The seals in five hangar doors have now been repaired.

Solar Panels

Maintenance was completed on the solar panels on July 7th.

BIDDING OF LAKE PROPERTY FOR HUNTING

City Attorney Romano and County Assessor Mike Gianasi were present to discuss the legal issues of allowing hunting on City property. Mike stated that while researching the issue he found a Supreme Court decision that addressed a similar issue and that based upon the court's decision it appears that the City may be required pay taxes on leased property. (This may also affect Lake Lot, Campground and Hangar Leases.) Mike Gianasi explained that the amount and period of lease figure into the computation.

In regards to leasing of Lake Property for hunting, it was asked if it will be worth all this by trying to get money for Lake Restoration. A flat fee lottery was discussed. All were in favor of Sealed Bids (deposit required) and then an Open Bidding Process. The Committee then reviewed and approved several of Attorney Romano's "Deer Hunting Lease- Points to Consider" which will be incorporated into the lease.

Motion by Alderman Dorchinecz and seconded by Alderman Walters to recommend to the City Council to move forward with leasing land for bow hunting only on Sites 2 and 7 with the City Attorney to incorporate the bullet points discussed and with the minimum bid per site to be determined at a later date. Motion carried 4-0.

AMEREN TRANSMISSION LINE-ILLINOIS RIVER PROJECT

Attorney Romano stated he met with Ameren representative, Ted Burghoff, on July 9th concerning the Ameren-ATXI Illinois Rivers transmission lined planned to be installed through part of the Lake Taylorville Watershed south and west of the Owaneco Bridge Road. He forwarded several Ameren agreements for the Committee's consideration and copies of IDNR agreements for the silt dam project at the Lake in the 1990's and early 2000.

Attorney Romano explained to Mr. Burghoff, who was present at tonight's meeting that we will need the blessings of USDA & IDNR. He also explained that the City cannot agree to a confidential supplemental agreement as we are a public entity. Mr. Burghoff will review the changes, additions and deletions Attorney Romano had and would like to meet with City Officials before the July 21st City Council Meeting to continue negotiations. Attorney Romano stated that IDNR must approve the project and they do not make decisions that quickly. Alderman Walters also noted several areas he has a problem with. Mr. Burghoff stated they pay damages and they expect counteroffers to be made. He stated the portion of Pana to Mt Zion is scheduled to begin in November. Mayor Brotherton and Mr. Burghoff will meet tomorrow.

OWANECO SEWER CONCERNS

Mayor Brotherton told the Committee that we are limited as to what we can do about the potential Owaneco sewage discharge into the Lake. The Mayor will write a letter to the EPA asking them to look into the matter.

Motion by Alderman Dorchinecz and seconded by Alderman Budd to recommend to the City Council to request Mayor Brotherton draft a letter to the EPA asking them to look into the Owaneco Sewage issue concerns. Motion carried 4-0.

LAKE CAMPERS SCHEDULE

The Lake Campers would like to have a "Cruise to the Lake" on Saturday, August 30th, which is Labor Day Weekend. O'Reilly's Auto Parts has agreed to be their sponsor and will be providing trophies and advertising. There will be food, raffles, door prizes and fun.

Motion by Alderman Walters and seconded by Alderman Budd to recommend to the City Council to approve the Lake Campers "Cruise to the Lake" event on Saturday, August 30th, at the Lake Marina. Motion carried 4-0.

EQUIPMENT ISSUES

Lake Superintendent Jackson is having issues with one of the mowers. He received quotes from four businesses for a small ag tractor. He stated he had budgeted for a pickup but now feels he has a better need for this tractor. Committee members were not all in agreement but felt this should go to Council.

Motion by Alderman Walters and seconded by Alderman Budd to recommend to the City Council to accept the quote of \$15,000.00 less trade in of \$2,500.00 for a Farmall Workhorse 45 Tractor. Motion carried 4-0.

LAKE SUPERINTENDENT'S REPORT

Lake Superintendent Jackson reported that the Lake had a fairly good 4th of July Weekend, taking in approximately \$12,000.00.

Motion by Alderman Walters and seconded by Alderman Dorchinecz to adjourn. Motion carried 4-0. Meeting adjourned at 9:00 P.M.

Martin Vota, Chairman