

ILLINOIS POLLUTION CONTROL BOARD
June 29, 1984

TOWN OF ST. CHARLES,)
)
Petitioner,) PCB 83-228
)
v.)
)
KANE COUNTY BOARD AND)
ELGIN SANITARY DISTRICT,)
)
Respondents.)

CITY OF AURORA,)
)
Petitioner,)
)
v.) PCB 83-229
)
KANE COUNTY BOARD AND)
ELGIN SANITARY DISTRICT,)
)
Respondents.)

THE KANE COUNTY DEFENDERS, INC.,)
et al.,)
)
Petitioners,)
)
v.) PCB 83-230
)
KANE COUNTY BOARD AND)
ELGIN SANITARY DISTRICT,)
)
Respondents.)

ORDER OF THE BOARD (by J. D. Dumelle):

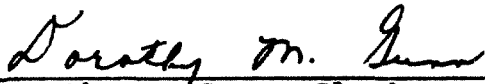
This matter comes before the Board upon a May 16, 1984, request for review of the hearing officer's orders regarding witness fees filed on behalf of the Elgin Sanitary District (ESD). The hearing officer had entered an Order denying such fees on April 26, 1984. This motion concerns the payment of \$717.75 for the services of Mr. Guillou in attending a hearing in the above-captioned matter in addition to \$114.96 for mileage, \$10.96 for meals and \$40.39 for a motel.

On June 25, 1984, the Board received notice that the petitioners in this matter on June 21, 1984 filed a Petition for Review of the Board's order of March 21, 1984, as reaffirmed on May 18, 1984. That petition, apparently being timely, has caused the jurisdiction over the case to pass to the Illinois Appellate Court, First District. The Board, now lacking jurisdiction, cannot rule upon the motion regarding witness fees. The Board will, therefore, take no further action in this matter unless, or until, it is directed to do so by the courts.

IT IS SO ORDERED.

Board Member J. Marlin abstained.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above Order was adopted on the 29th day of June, 1984 by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board