

## **Minutes of the Transportation Committee**

The meeting of the Transportation Committee was held on January 7, 2003 at 7:30 a.m. at the McLean County Highway Department, 102 S. Towanda-Barnes Rd, Bloomington, Illinois.

Members Present: Chairman Bass, Members Hoselton, Owens, Cavallini, Dean and Rodgers

Other Board Members Present: Member Johnson

Members Absent: None

Staff Members Present: Mr. Terry Lindberg, Assistant County Administrator; Ms. Jennifer Sicks, Transportation Planner, Regional Planning; Mr. John Mitchell, County Engineer; Ms. Kelli Johns, Office Support Specialist II; Mr. Mark Leake, Highway Maintenance Coordinator; Mr. Lafe Epperson, Fleet Manager, all of the McLean County Highway Department

Others Present: Mr. Walter Hunt, Internal County Auditor

Chairman Bass called the meeting to order at 7:33 a.m. Chairman Bass presented the Minutes of the December 10, 2002 meeting for approval.

Motion by Owens/Cavallini to approve the minutes of December 10, 2002 meeting of the Transportation Committee. Motion carried.

Chairman Bass presented the bills for approval. Mr. Hoselton asked about the new Nextel cell phones and how they are working for the Highway Department. Mr. Mitchell stated that the Nextel phones seem to have more of a coverage area than with Verizon.

Mr. Hoselton asked if you could use the Nextel "2-way" feature to contact other foremen out on a job without using minutes from the Nextel package. Mr. Mitchell replied yes.

Mr. Owens asked for an explanation of who Kar Products is, as they were listed under Equipment Maintenance/Repair Highway. Mr. Epperson stated it was bolts, fasteners and hydraulic connectors, etc. He also noted that he utilizes a general salesman from the area from whom he purchases such items from.

Motion by Owens/Hoselton to approve the bills for December 2002 as submitted. Motion carried.

Mr. Mitchell presented the results of a letting from January 3, 2003. He explained the letting was to cover the stockpiling of aggregates within most of the Townships. He noted there were a few Townships not included in the letting, but that there would be another letting for those Townships.

Mr. Mitchell noted that he was not recommending awarding the bid for McLean County Section 03-00000-00-GM Group 14. He explained the low bidder, Earl R Brad & Son, was 17% over the estimate. Mr. Mitchell stated that the estimate might be low because they used prices from last year to determine the estimate. He also noted that the bidder that was awarded most of the projects last year did not bid this year. This caused prices across the board to be higher. He further explained that with Motor Fuel Tax when a project is 10% over the estimate or more, you must re-bid it.

Mr. Owens stated that Earl R Brad & Son had been awarded a majority of the bids. He inquired as to where Earl R Brad & Son were located. Mr. Mitchell explained they are from Saybrook.

Chairman Bass stated Earl Brad was unhappy with the decision to not award McLean County Section 03-00000-00-GM Group 14. He also noted that since it was so much above the estimate, the estimate would prevail.

Mr. Owens asked what the increase in the estimate was from last year. Mr. Mitchell stated he thought the estimate was increased \$.25/ton over last year to cover the increase in material costs.

Mr. Cavallini asked if there were only two bidders on this project. Mr. Mitchell replied yes and that it surprised him. Mr. Cavallini then asked why there weren't more bidders. Mr. Mitchell stated some just chose not to. He stated we are required to receive a bid check from all bidders. He explained this job required a bigger bid check due to the larger tonnage that we will be stockpiling. McLean County will have approximately thirty miles of road to seal coat this summer where as the Townships are averaging five miles, this requires a lot of material and may be one reason for fewer bidders.

Mr. Hoselton asked Mr. Mitchell to explain why a bid check and if we accept bid bonds. Mr. Mitchell explained that on small bids like this we have not used bid bonds. Mr. Hoselton asked why and is it legal. Mr. Mitchell stated that on small trucking jobs, you have to write a bid bond into the proposal to allow it because in case of default it would cost so much in legal fees to collect that the bond becomes almost worthless. He explained on construction work, such as bridges and hot mix, we allow bid bonds, however on the trucking jobs we do not.

Mr. Hoselton stated if we're losing companies who are bidding more reasonably, due to holding up their funds in the form of a check for up to thirty days, maybe we should reconsider the bid bonds. He also stated that the criteria for a bid bond are probably tougher than just handing over a check. Mr. Mitchell stated that the checks have to be certified and therefore are guaranteed. He noted that most other Counties handle their trucking jobs the same way. We waive the bid checks on FOB projects so we don't tie any money up there.

Mr. Cavallini asked if the Group 14 Project would be re-submitted for bid. Mr. Mitchell stated there would be another letting on January 29, 2003 and this project would be re-bid.

Mr. Cavallini asked if all the companies that previously bid on this project would be notified of the new bid date. Mr. Mitchell explained that on a Motor Fuel Tax bid we do two things, the State has a contractors bulletin that we advertise in at least twice before the letting, which is required by the State on all Motor Fuel Tax work. We also advertise in the local paper, which is also required by State law.

Chairman Bass asked if we were obligated to notify the previous bidders about the new letting date. Mr. Mitchell stated no, that any bidders that attended the letting know it will be re-bid.

Mr. Mitchell stated that he recommended accepting the results of all bids listed from the January 3, 2003 letting.

Motion by Hoselton/Cavallini to approve all bids  
from the January 3, 2003 letting. Motion carried.

Chairman Bass asked Mr. Mitchell to talk about the Legislative Proposals to the County's Legislative Subcommittee. Mr. Mitchell stated he recommended these to Representative Keith Sommer as legislative interests to the Highway Department. He stated he had spoken with Mr. Lindberg who thought we should forward these proposals to the County's Legislative Subcommittee.

Mr. Mitchell explained the items on the Legislative Proposals list. He stated that Quick Take Authority is a form of eminent domain the State uses in the law to purchase property for road projects. He explained that Quick Take is a program where the State can file paperwork and a judge order title to the property before the court awards the price, or payment, of the property. An example of McLean County using Quick Take is on Towanda-Barnes Road. Quick Take Authority speeds up projects by nearly a year when someone is trying to fight a project. Mr. Mitchell explained that the Highway Department has the right of eminent

domain, but Quick Take speeds up this process. Positive progress is lost per year on various projects by the time you go through the regular process.

Mr. Cavallini asked if this jeopardizes the financial settlement that may come from Quick Take. Mr. Mitchell explained you pay the estimated amount to the landowner, begin your project and the court battle over the final dollar amount will be going on at the same time.

Mr. Mitchell continued with the next Legislative Proposal by explaining the need for a Resolution exempting County Highway Departments from manifesting and tracking construction debris. He stated two years ago there was a bill that went through the Legislature and was passed requiring that all construction debris be hauled off of project sites. This bill came about as a result of a problem in Chicago. He stated that we are trying to exempt downstate Highway Departments from the procedure currently in place.

Mr. Mitchell explained the possibility of creating revenue through taxation of Wind Farms. He explained the expense of the equipment that has to be brought in to create these Wind Farms. He noted that we should look at possibilities such as creating revenue through property taxes, or whatever becomes an equitable solution. Currently the taxing bodies assess the value of the lease and the base structure that holds the tower up. He stated that the Utility Lobby would probably be strongly opposed to such taxation.

Mr. Mitchell then explained why it was important for a Resolution to Establish a Road Improvement Fee Structure when developers affect County and Township Roads. He stated that in McLean County there are subdivisions that extend primarily onto Township roads and currently there is an impact fee in the law that provides minimal fees to the County in the collar Counties. He noted the Townships don't receive anything from that and there are many things you have to do or prove before receiving that money. He stated that we are looking for a way to establish a fee structure to help improve the Township roads to carry the traffic that is generated by the developers. He explained that currently some developers, on a voluntary basis, pay a fee to get the Township to support the project. If this Legislation were passed, it would affect nearly a dozen of McLean County's Townships.

Mr. Lindberg stated there are three staff recommendations for the Legislative Package this year. He noted the first recommendation would be for the State to not take any more funds away from us, that we want to maintain current funding levels. He stated that it's not sensible to balance the State budget on the backs of Counties and Cities.

Mr. Lindberg noted the second recommendation would be that the State should give us the flexibility to take responsibility for some of our own charges and fees for services. He explained we are providing certain services and levying certain charges that are fixed by statute and can't be changed. If our cost for providing the service is higher than the statutory fee, we want the latitude to do a fee study as to set our fees realistically.

Mr. Lindberg stated the third recommendation would be to have the State let us look at ways to be more efficient and effective in the delivery of services. He explained an example of how we are locked into doing things would be Quick Take. He stated we lose a lot of money by being delayed a year or more, in terms of closing on a land take, and costs are going up during that time.

Mr. Lindberg noted Quick Take and getting out of Manifesting and Tracking Construction Debris would be a benefit and congruent with this year's Legislative Package. He explained that taxation of the Wind Farms would be difficult because the State will probably be the first to take advantage of any revenue generated from the Wind Farms. He noted that the utility companies would be very protective as well. He stated if we are asking for Impact Fee Provisions on certain roads, the Legislatures would be very sensitive for taking responsibility for fee increases. He noted that wasn't our goal, but that the goal is to allow the County Board to consider options for fee increases.

Mr. Dean asked if in the past the impact fee has been done on a case by case basis. Mr. Mitchell stated there have been voluntary agreements between the Township Commissioner and the Developer to provide funding for access roads. He explained this was to get the Road Commissioner to be supportive of the project.

Chairman Bass asked Mr. Mitchell to give an update on what is going on with the Wind Farms in the County. He asked if there were any, if they have started building and if there was a road situation. Mr. Mitchell noted there was definitely a road situation, but there have been no Wind Farms started, yet. He explained developers would be hauling 100 foot long trailers to bring in the generators not to mention the weight of the generators. He noted that every County and Township intersection that the trucks would utilize would need to be improved to enable the trucks to clear the corners. Utilities may have to move poles because they will still not be able to turn a square corner.

Mr. Mitchell explained to the developers it would be likely they would need to bond or put money in escrow funds, up front, to repair road damage for the County and Townships. He stated that the developers would need a very large

crane to set up these generators. He noted that to set up and tear down the crane was time consuming and the developers were asking to drive the crane from site to site. Mr. Mitchell stated that this would require major work if the plans go through to set up Wind Farms in McLean County.

Mr. Hoselton asked Mr. Lindberg if these projects had been put on hold due to the Wind Farms needing to maintain a specific mileage per hour in order for them to maintain a profit. He stated that the ridge across Ellsworth would give them more miles per hour, but that it still did not meet their criteria. Mr. Lindberg noted that was correct.

Mr. Dean stated that originally there were two companies competing for the land to develop Wind Farms, but that they have merged to form one company.

Mr. Mitchell recommended proposing forwarding this item on to the Legislative Subcommittee for review. Chairman Bass concurred.

Chairman Bass asked Mr. Mitchell to go over the BLDD Architectural Agreement for a New Garage and Site Plan Review. Mr. Mitchell stated that this would be the third budget year we have had a new garage in our long-range plan. He explained he has reviewed many options for the layout of the new facility on the new property and displayed several drawings. He reviewed several layouts to give a general idea of what he had in mind. He explained what was previously on the property and what improvements would need to be made in order to build on the Route 9 property. He stated that the BLDD Architectural Agreement was to design approximately 120 X 100-ft garage. Part of the agreement was to tell us the projected cost of building the entire new facility as to determine how much we would need to sell the current property for. He noted BLDD would develop a site plan advantageous for future expansion of the Department.

Mr. Mitchell asked Carson Durham of BLDD Architects to explain his thoughts on the architectural agreement. Mr. Durham explained who BLDD was and why Mr. Mitchell had asked him to help with this project. Mr. Durham explained he did a few studies for the project and roadways. He noted the reasons for the choice of the location and placement of buildings. He stated that there were plumbing issues related to the site. He noted what types of engineers are employed within the BLDD firm that we could take advantage of if necessary.

Mr. Durham noted, if hired to work on this project, BLDD would provide preliminary site planning, site analysis and preliminary cost estimate for the entire project, for the first phase 100 X 120-ft garage, provide construction documents,

specifications, mechanical, electrical and plumbing design, bid the project publicly, construction administration and close out documents for the project.

Mr. Durham gave some preliminary estimates on what the building would cost based on BLDD's experience and historical data. He noted that if the bids come in under the estimate that BLDD's fee structure is based on the estimate and their fee would certainly reflect that.

Chairman Bass asked what the distance line was from the tributary and the property line and if there was a history of flooding. Mr. Durham explained there is an area where some flooding has taken place and therefore recommended the septic system be placed beyond this point. He noted they do have retention to maintain the water run-off that is created and are obligated to retain that water and allow the water to move slowly into the system.

Mr. Mitchell stated that in the past he has seen some flooding over Route 9 at the site. Since the State has put in a new culvert, he stated there is a wide flood plain.

Mr. Hoselton asked if the original quote for the garage was \$780,000 and BLDD's fee was \$68,000. Mr. Durham stated yes. Mr. Hoselton asked Mr. Durham to explain the cost. Mr. Durham explained that the building was 100 X 120 feet which breaks down to about \$65.00 per square foot. Mr. Hoselton asked what type of a frame they were thinking about using. Mr. Durham stated metal.

Mr. Mitchell explained the reason for proposing a heated facility. He noted the need to keep the trucks and graders inside in the winter in order to melt the snow off of them after plowing. He explained what problems could arise from not melting snow off of equipment.

Mr. Durham recommended bidding the project with alternate plans for certain aspects of the proposal to help keep costs down. He noted the Department could save money by utilizing their employees to help with insulation and lining. Mr. Mitchell stated another way intended to save money is that the Highway Department is equipped to do the site work themselves.

Chairman Bass asked about the long-range situation regarding water, considering the continued growth eastward in Bloomington. Mr. Mitchell explained that it might be many years before development would bring city water and sewer to the site.

Chairman Bass asked if in this situation they should make sure they have all pre-requisites for this site taken care of before going any further. Mr. Mitchell stated

that they should find out if water from a well is available before starting construction, but should still move forward with the building design.

Mr. Mitchell explained the necessity of the new garage. The Department has added equipment, which has included trucks that are too long to store in the current garage system, which was built in the early 1970's.

Mr. Owens asked if the Department was seeking other architects to compare pricing. Mr. Mitchell explained the law provides you make a professional selection and that you do not bid for their services. The law allows that if you have a good working relationship with an architect that it is fine to select that same architect, which is what they have done. Mr. Durham noted that their fee schedule is based on the Capital Development Board.

Mr. Mitchell noted that when a public entity does building work, state law requires that prevailing wage rates be paid.

Mr. Mitchell stated that there are two main questions. The first is what will an entire new facility cost and the other is what is the current facility worth. He noted that the new facility is a much better long-range facility for the Highway Department.

Mr. Mitchell explained what kind of storage is at the current facility and what expansions could be made at the new site to maximize productivity and stockpiling options. He noted some of the limitations of expansion of the current site.

Chairman Bass noted that this has been a great opportunity for the County to recognize the growth and the need for expansion and necessary relocation. Mr. Owens asked how much money was in the long-term budget for this building. Mr. Mitchell stated approximately \$660,000. He explained \$600,000 was intended for construction and the other \$60,000 for architectural fees. \$350,000 is in this fiscal year's budget and \$250,000 is in the next year's fiscal budget.

Mr. Owens asked where the remainder would come from. Mr. Mitchell stated it would need to come out of the 2004 fiscal budget.

Mr. Mitchell stated that they want to allow for expansion or growth at the new site. He noted that how much expansion you allow for is governed by dollars available. They don't want to overbuild now if they can expand later.

Mr. Hoselton noted he has seen pre-fabricated buildings for such things as salt storage and cold storage. Mr. Mitchell stated that they intend to look at other options before building salt storage and explained a few of those options.

Mr. Mitchell recommended keeping this project moving as to start construction before next winter. Pouring concrete in the winter can lead to cracking. Ms. Rodgers asked if we needed the drawings in order to do that. Mr. Mitchell replied yes.

Mr. Hoselton asked if they planned on using a water diverter at the new site. Mr. Durham explained their current plans on diverting the water.

Motion by Owens/Rodgers to forward the BLDD  
Architectural Agreement on to the Property Committee.

Mr. Hoselton voted no to forwarding the agreement to  
the Property Committee. Motion carried.

Mr. Mitchell asked Lafe Epperson to explain to the Committee his recommendations of leasing vs. purchasing equipment. His findings showed that it is more cost effective to continue purchasing equipment.

Mr. Mitchell updated the Committee on the progress of Towanda-Barnes Road. No changes on Section 97-00165-00-FP and Section 96-00168-00-FP. Section 98-00113-03-FP has had the binder completed. It is open to five lanes of traffic and 45-mph speed limit through the curb and gutter section. Section 99-00044-06-WR had no changes. Section 02-00038-04-WR they completed raising the man holes and will need to do some grading in the spring to touch up the gravel shoulders and the seeding area.

Mr. Hoselton recommended the City know how much money was spent on improving the Danvers Road. Mr. Mitchell stated they could do that. He noted that they did not have any problems with the City, but that a few residents were upset with the tree trimming. As a whole the project was received well.

Mr. Mitchell explained to the Committee who K & R Gravel was and described having a dispute with the owners of the company, Mr. Kirby & Mr. Riddle. He noted he wanted to make the Committee aware of the situation. K & R Gravel was not given copies of bid requests because they have not acquired a "special use" through the County Board and not entered into a "road use" agreement with the County Board. Mr. Kirby contends they are grandfathered. County staff and lawyers say they are not.

Minutes of the Transportation Committee  
January 7, 2003  
Page Ten

Mr. Mitchell asked Ms. Jennifer Sicks, Planner, Regional Planning Commission to update the new Committee on the East Side Bypass project. Ms. Sicks explained to the Committee what the East Side Bypass is and where the project currently stands.

Motion by Chairman Bass/Owens to move into Executive Session for the purpose of discussing acquisition or disposition of property in Lexington.

Ms. Kelli Johns, Mr. Terry Lindberg and Mr. Mitchell were asked to remain in the Executive Session.

Motion carried.

The Committee moved into Executive Session at 10:11 a.m.

The Committee returned to Open Session at 10:18 a.m.

Motion by Dean/Owens to re-advertise for bids for the sale of property in Lexington. Motion carried.

There being nothing further to come before the Committee at this time, the meeting was adjourned by Chairman Bass at 10:25 a.m.

Respectfully Submitted,

Kelli Johns  
Recording Secretary

E:\Ann\Min\Trans\T\_Jan.03.doc