

Minutes of the Transportation Committee

The Transportation Committee of the McLean County Board met on Tuesday, April 2, 2002 at 7:30 a.m. in Room 700, Law and Justice Center, 104 West Front Street, Bloomington, Illinois.

Members Present: Chairman Bass, Members Emmett, Hoselton, Owens, Johnson, Selzer

Members Absent: None

Staff Members Present: Mr. Terry Lindberg, Assistant County Administrator; Ms. Martha B. Ross, County Administrator's Assistant, County Administrator's Office

Department Heads/
Elected Officials Present: Mr. Jack Mitchell, County Engineer, County Highway Department

Others Present: Ms. Christine Brauer

Chairman Bass called the meeting to order at 7:30 a.m. Chairman Bass presented the minutes of the March 12, 2002 meeting for approval.

Motion by Owens/Johnson to approve and place on file the minutes of the March 12, 2002 meeting of the Transportation Committee. Motion carried.

Chairman Bass presented the bills as prepared and recommended for transmittal to the Transportation Committee by the Auditor's Office.

Motion by Selzer/Johnson to approve the Bills as presented and recommended by the Auditor's Office. Motion carried.

Chairman Bass presented the results from a March 28, 2002 letting. Mr. Mitchell stated that the letting was for the award of a County and Road District Motor Fuel Tax project. The project involves the purchase of plastic PVC storm sewer material for tile replacement in Section 02-00000-00-GM. He remarked that this bid included between \$15,000 - \$20,000 worth of material. A generic bid is taken so that the Highway Department can order the specific lengths and sizes needed for the project. Mr. Mitchell noted that the bid was 7% over the estimate.

Mr. Owens asked who was the low bidder. Mr. Mitchell responded that the firm of Contech Construction Products, Inc. was the low bidder. Mr. Mitchell further responded that the bid included materials only. The County would perform the necessary work. Additionally, some of the materials listed in the bid tabulation for purchase by the County may later be sold to townships or municipalities.

Chairman Bass asked how long the Highway Department had been using PVC material. Mr. Mitchell responded that 2001 was the first year that PVC was utilized. It was considered for use again in 2002, since it proved to be a good material for specific applications. Strength and longevity are advantages to using the PVC material.

Mr. Hoselton asked whether the PVC material was restricted for some applications, due to the fact that it is only available in certain diameters. Mr. Mitchell remarked that the material is only available in certain sizes. He noted that his department took bids for material up to 15 inches in diameter. He explained that larger diameters are available, but are less economical.

Mr. Owens asked whether only one bid was received. Mr. Mitchell responded that during 2001, only a small quantity of the material was purchased, since it was the first year to use PVC. 2002 is the first year that bids have been taken on PVC. Although the bid was sent to several supply firms in the area, Contech Construction Products, Inc. was the only firm that returned the bid.

Chairman Bass noted that, in the past, the trade unions did not favor the use of PVC. However, once they realized that it was an easier material to install and work with, coupled with its longevity and durability, it became favored.

Motion by Emmett/Owens to recommend approval of a Resolution for Award of County and Road District Motor Fuel Tax Project for Section 2002 Non-MFT PVC Storm Sewer material to Contech Construction Products, Inc, Metamora, Illinois, for \$22,794.00. Motion carried.

Mr. Hoselton stated that the 7% over estimate price quote of the Contech bid is a concern for him. He noted that the Committees generally have become less strict about accepting bids that are over estimate. He suggested that firms who consistently do not bid for jobs or purchases offered by the County be removed from the County's bid list.

Mr. Hoselton remarked that the County is consistent in paying its bills when they are due. He stated that this should be a positive factor in encouraging businesses to bid on County projects.

Chairman Bass stated that the County cannot remove firms from its bid list. All firms have the right to bid on County projects. Mr. Hoselton stated that bids would still be accepted from firms who would like to bid on projects, but firms who bid only occasionally would have to consult the published legal notices for information on such projects, rather than receiving a bid list mailed directly to them.

Mr. Mitchell remarked that the Highway Department does not prefer to receive bids that are over the estimate. However, occasionally circumstances dictate that the estimate may change a few times before the bid is finally awarded. Prices of materials sometimes fluctuate upward before the bid process is completed.

Mr. Hoselton reiterated his observation regarding the fact that over-estimates bids are often routinely approved in all Committees. He expressed concern that too much leniency regarding bids may be developing. He would prefer to find ways to cut costs on bids whenever possible.

Mr. Emmett stated that surplus inventory, carried over into the next fiscal year, keeps money encumbered, which could be used for other projects or purchases. He suggested that instead of purchasing surplus inventory, the funds be placed in an interest bearing bank account until it is needed. Mr. Hoselton responded that such action was prudent in past years. However, interest rates are so low at this time, that such a plan is not as helpful as it once was.

Mr. Mitchell remarked that materials, which are anticipated to need a higher quantity, are bid with some surplus factored in. The PVC bid was bid in the same manner as pipe culvert. Specifically, it is bid on an "as needed, as ordered" basis. He noted that once the County Board approves the bid, some material would be ordered and placed into stock, to be used on an "as needed" basis. Subsequent material orders will be based upon estimated usage, from season to season. In this way, a large stockpile of material is not maintained. Mr. Mitchell stated that this is the most cost-effective way to handle such material, since no one knows how much actual material will be needed for any given job.

Mr. Hoselton remarked that the Highway Department should become more aggressive in ferreting out other pricing structures and options that companies do not advertise. He stated that special pricing may be available for certain quantities or specifications of materials. However, those will most likely be unadvertised.

Mr. Selzer expressed concern that the competitive bidding process is being eliminated, or at least circumvented, when single bidders are awarded bids. He commented that the County does not benefit from single bidders.

Mr. Lindberg commented that the County Administrator's Office has explored several web-based bidding systems. The Transportation Committee did approve one of those systems approximately six months ago. He explained that the system was subsequently not implemented, due to the fact that the company went out of business. Additionally, buyers were charged to use the system, which did not present an advantage to users over the traditional system. Mr. Lindberg noted that web-based bidding systems are not dismissed as a possibility, and may be considered again in the future.

Mr. Selzer asked whether the various companies listed on the bid tab sheet actually requested bids, or whether the Highway Department sent out unsolicited bid information. Mr. Mitchell responded that he was certain that his department solicited four of the six companies. The last two companies listed on the bid tab are unfamiliar to him, and he does not know how they became aware of the bid. He noted that the department advertises both in The Pantagraph and in the State Bulletin. Therefore, anyone who subscribes to either of those publications could easily become aware of Highway Department projects.

Mr. Mitchell suggested that that there is a good deal of construction work to be had at this time. Many companies may have as much work as they can realistically handle, and therefore, may not bid on smaller jobs.

Chairman Bass stated that he would need a motion from the Committee in order to go into Executive Session to discuss land purchase.

Motion by Selzer/Johnson to go into Executive Session to discuss a land purchase. Those people to remain for the Executive Session are: Chairman Bass; all members of the Committee; Mr. Terry Lindberg, Assistant County Administrator; and, Ms. Martha Ross, Recording Secretary.
Motion carried.

The Committee went into Executive Session at 7:51 a.m.
Minutes of the Transportation Committee Meeting
April 2, 2002
Page Five

The Committee came out of Executive Session at 8:35 a.m.

Chairman Bass introduced a letter from Mr. Mitchell regarding the Air Show at the Central Illinois Regional Airport, and its effect on the County Highway Department. Mr. Mitchell's letter stated that the road closure on Towanda Barnes Road, between Oakland Avenue and G.E. Road, and the designation of a "safety box" area by the military created difficulty and considerable inconvenience for the Department. Overtime for Highway Department personnel to put up and take down signs and barricades resulted in additional costs for the department.

Mr. Hoselton suggested that costs incurred by the County's Highway Department could be billed to the Air Show for reimbursement, since it is a for-profit activity.

Mr. Selzer commented that there should be a procedure in place for any road closures for any event. If there is a cost involved for assisting with events, the County should be reimbursed for any overtime or other costs incurred. Mr. Selzer noted that liability issues should be anticipated and examined, as well.

Chairman Bass asked how long it would take for Chief Civil Assistant State's Attorney Eric Ruud to develop a form for use by groups requesting road closures or other transportation-related requests for activities. Mr. Selzer noted that there is currently a permit request form to use County roads for bicycle activities. Perhaps that form could be modified for other uses.

Mr. Selzer noted that the group that puts on the Air Show is a not-for-profit organization.

Although they contract with a for-profit company to actually do the work, the Air Show governing board itself is a not-for-profit group. He asked whether it is appropriate for the County to shut down access to a public road in order to assist a group with its fundraising activity. Further, he asked whether a precedent would be set, requiring the County to honor all such requests from any not-for-profit groups who may inquire.

Chairman Bass asked who grants final permission for road closures. Mr. Mitchell responded that he grants final permission in the case of the smaller villages and municipal entities. In the case of the Air Show, permission for road closures and detours was given by former County Board Chairman Gary Riss.

Mr. Selzer remarked that there should be a charge for road closures and detours. There should also be a public notice regarding the closures and detours so that that public notification is assured.

Mr. Mitchell asked whether the Committee would really like to charge the smaller municipalities a fee for temporary road closures for their events. Mr. Selzer responded that the liability is too great not to do so. Mr. Mitchell stated that he could modify the existing bicycle form and present it to the Committee for its discussion and approval at the May meeting.

Mr. Selzer suggested that the form should indicate a deadline by which it must be submitted to the Highway Department. This is so that the Transportation Committee may receive it as part of their monthly agenda packets, and consider such applications for approval. Mr. Selzer further suggested that a section for estimated costs to the County for man-hours be included as a part of the new form.

Chairman Bass asked whether a position statement could be included in the form, and a determination of costs that the applicant would pay for. Ms. Johnson suggested that applicants should pay any publication fees for public notices. She stated that the County is placing itself in a position of liability and should not be too casual in its requirements.

Mr. Mitchell remarked that he was reluctant to charge fees to the small villages. Mr. Selzer responded that there could be an agreement not to charge another governmental entity. However, he noted that guidelines should be delineated to a greater extent than they are now.

Mr. Mitchell reminded the Committee that a public meeting regarding the East Side Bypass issue will take place from 4:00 p.m. to 7:00 p.m. at the Central Illinois Regional Airport.

Mr. Mitchell stated that he has recently met with representatives of the Stone Ridge Dairy, located near Bellflower. They are concerned with the limited access to the township road in the area of their property. They signed an agreement with the township Road Commissioner, who has posted the road to prevent damage from occurring due to heavy loads being transported via that road. Stone Ridge Dairy now disputes that.

Mr. Mitchell explained that, pursuant to statute, he must approve all township expenditures over \$10,000.00. The dairy is, in fact, trying to find State funding to pay for upgrade construction on that township road, which is 1.6 miles.

Mr. Mitchell noted that there is currently a question as to whether the neighboring County road should be upgraded instead of the township road, in the event that funding

for road upgrades is obtained. He asked the Committee whether it had any interest in having him pursue such funding for the County road.

Minutes of the Transportation Committee Meeting
April 2, 2002
Page Seven

Mr. Hoselton remarked that the initial commitment was that Mr. Kasbergen and the Stone Ridge Dairy would pay any road improvements.

Mr. Mitchell explained that one question to consider is the amount of money it will cost to improve the 1.6 miles of township road, which is located on the west side of the dairy location. An estimate has been proposed at \$400,000.00. However, that amount could actually be either higher or lower. The other question to consider is whether or not available funds should be spent on that township road, or the County road. If the township road is selected for upgrade, the County would then be required to make up any difference in costs to bring that road up to standard.

Mr. Emmett stated that he is absolutely opposed to the County becoming involved in the upgrade of roads in order to accommodate the needs of the Stone Ridge Dairy. Mr. Selzer noted that Mr. Kasbergen, owner of the Stone Ridge Dairy, previously rejected any dealings with the County regarding upgrading of the road accessing the dairy. He stated that this was the stance that Stone Ridge Dairy adopted in order to avoid having the road conditions become an issue with the State Department of Agriculture, who ultimately granted approval for the dairy facility. Now that the dairy has been approved for operation, Mr. Kasbergen is revisiting the issue of road conditions in the hope that he can obtain local government funds for necessary upgrades. Mr. Selzer stated that he is opposed to local funding for upgrades to the roads accessing the Stone Ridge Dairy facility.

Mr. Owens noted that he is opposed to the road upgrades using local government funds. He commented that the issue of road condition and adequacy was thoroughly examined prior to a vote on that criterion by the County Board.

Mr. Hoselton asked whether the County Board has any responsibility to the Township, with regard to assisting them with funds to upgrade the township road. Mr. Mitchell responded that he, as County Engineer, has a legal requirement to approve any township expenditures for roads, but the County has no financial responsibility.

Mr. Emmett asked whether Mr. Mitchell is also responsible for providing engineering services. Mr. Mitchell responded that he does not provide engineering services for this situation. There will be a consultant hired. In the event that Motor Fuel Tax Funds are utilized, the County Engineer has an obligation to be sure that the correct procedure is followed. However, he noted that if he denied approval for an invalid reason, his decision could be easily challenged in court.

Mr. Selzer asked whether there are any plans to improve the County road in this area. Mr. Mitchell explained that the road in question is not on the County's current Five-Year Minutes of the Transportation Committee Meeting
April 2, 2002
Page Eight

Plan for roads and highways. Rather, it is currently placed on a list of unaffordable projects.

Mr. Lindberg stated that the objective is for Mr. Kasbergen to obtain a combination of State funding and proponent funding. He must then decide whether to take the proponent's dollars and the State's dollars to improve the Township road. Or, in the alternative, use the same dollars to improve the County road. Mr. Lindberg remarked that the Committee may want to further consider this way of accomplishing improvements to the County road in the future.

Mr. Selzer asked, in the event that the Township road is improved, would the County's need to have an improved road still remain. Mr. Mitchell responded that such a need would still exist. He stated that the County road does carry considerable traffic.

Mr. Hoselton asked whether the new road near the dairy would funnel traffic from Bellflower to the dairy's road. Mr. Mitchell responded that the dairy's road would lead solely to the dairy, and the side road will still be a 16-foot, unimproved road.

Mr. Hoselton asked where the McLean County road continues into the Piatt County jurisdiction. Mr. Mitchell answered that the Piatt County portion of the road begins two (2) miles south of Illinois Route 136. McLean County only has two miles of road that could potentially be improved. Mr. Hoselton noted that McLean County would still need to contact Piatt County regarding any improvements it wants to make to the road. Mr. Mitchell stated that the Piatt County portion of the road is in better condition than the McLean County portion, as a result of more recent improvements made on the Piatt County side. However, despite the improvements, the Piatt County side of the road is not built to withstand 80,000 pound loads, which is the standard needed for the dairy traffic.

Mr. Hoselton noted that the dairy will attempt to utilize the Piatt County portion of the road in order to access Interstate 74, and the McLean County portion of the road to access Illinois Route 136. Therefore, Piatt County should be involved in any renovations or upgrades to the existing road.

Mr. Mitchell remarked that he understands the consensus of the Committee to be that, even though they are not in favor of providing funding to upgrade the road for use by the Stone Ridge Dairy facility, they should not entirely cease conversations with the dairy's representatives altogether. Mr. Selzer stated that although the Committee is agreed on

this stance, they would be willing to consider an option that may result in improvement to the County road, which is paid for by the dairy with funding from outside the County.

Minutes of the Transportation Committee Meeting
April 2, 2002
Page Nine

Mr. Emmett stated that he is opposed to anything that benefits the dairy in any form. He noted that, in his opinion, the dairy facility is an environmental disaster that is merely waiting to happen.

Ms. Johnson stated that she was not in favor of improving the road for the benefit of the dairy, when the issue was placed before the Board for a vote. However, it now appears that a road to benefit the dairy will be built anyway, and the County should try to benefit from the construction if possible.

Motion by Selzer/Owens to adjourn the meeting. Motion carried.

There being nothing further to come before the Committee at this time, the meeting was adjourned by Chairman Bass at 9:13 a.m.

Respectfully submitted,

Martha B. Ross
Recording Secretary