

Minutes of the Transportation Committee

The Transportation Committee of the McLean County Board met on Tuesday, June 1, 2010 at 8:00 a.m. in Room 404, Government Center, 115 East Washington Street, Bloomington, Illinois.

Members Present: Chairman Hoselton, Members Black, Caisley, Cavallini, Soeldner and McIntyre

Members Absent: None

Other Members Present: None

Staff Members Present: Mr. Terry Lindberg, County Administrator, Mr. Bill Wasson, Assistant County Administrator, Ms. Diana Hospelhorn, Recording Secretary

Department Heads Present: Mr. Eric Schmitt, County Engineer

Others Present: Mr. Jerry Stokes, Assistant County Engineer, Ms. Connie Johnson, Deputy County Auditor, Ms. Jennifer Sicks, Transportation Planner, Regional Planning Commission, Mr. Brian Hug, Attorney for Stringtown Lakes, LLC, Mr. Jerry Payonk, Clark Dietz

Chairman Hoselton called the meeting to order at 8:00 a.m. He stated that the first item for action is approval of the minutes from the May 4, 2010 meeting.

Motion by Soeldner / Black to recommend approval of the minutes from the May 4, 2010 meeting of the Transportation Committee.
Motion carried.

Chairman Hoselton asked the Committee to review the bills for May 31, 2010. The prepaid and fund total for May 31, 2010 is \$485,777.23

Mr. Soeldner asked for an explanation of the payment to the Sheriff's Department. Mr. Eric Schmitt, County Engineer, stated that the payment is for spring posting overweight control. He noted that several tickets have been issued.

Mr. Black asked if the telephone service is for cell phone services. Mr. Schmitt responded that the County Highway's cell phone service is through U.S. Cellular, Sprint is the long distance carrier, and the main service is provided by Verizon.

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Chairman Hoselton asked how overtime was paid. Mr. Schmitt informed the Committee that the Treasurer pays for overtime and the Department makes reimbursement through the appropriate fund.

Motion by Cavallini / Soeldner to recommend
payment of the May 31, 2010 bills and
as submitted by the County Auditor.
Motion carried

Chairman Hoselton stated that the first Item for Action is a Resolution and Letting Results from the May 26, 2010 Township TBP Construction Section. He asked Mr. Eric Schmitt, County Engineer, to address the Committee.

Mr. Schmitt advised that Mr. Brian Hug, Attorney, is here to address any questions or concerns on the Stringtown Lakes, LLC Gravel Pit Road Agreement. Mr. Jerry Payonk, Clark Dietz, is also here to address the East Side Highway Preliminary Engineering Agreement.

Mr. Schmitt noted that the Hendren Bridge is one of the remaining timber pile bridges in the County. Due to the problem with the slippery shell mussel, this project was moved up on the project list. He advised that the bid came in 5.5% over the estimate. The reason for being over budget is due to the location of the project. He recommended awarding the following contract:

2010 TBP Construction Section:

Bellflower Road	Sec 05-04139-00-BR	Hendren Bridge
The successful bidder on the above section was:		
Stark Excavating, Inc.		\$175,126.50
1805 W. Washington St, Bloomington, IL 61701		

Motion by McIntyre / Black to recommend approval of the Resolution and Letting from the May 26, 2010 Township TBP Construction Section.
Motion Carried.

Chairman Hoselton continued with the Local Agency Amendment #3 for Federal Participation, Towanda Overpass – Sec 05-00071-04-RS.

Mr. Schmitt stated that this agreement changes the money received for the project. \$27,000.00 was lost because the money received from the Stimulus funds for the Horse Farm Road was not able to be moved to the Towanda Overpass. He advised that the total cost of the project was \$2,310,000.00. With the Stimulus money received for the project, the County's share of the cost for the project was \$1,229,165.00.

Motion by Cavallini / Caisley to recommend approval of the Local Agency Amendment #3 for Federal Participation – Towanda Overpass - Sec 05-00071-04-RS.
Motion carried.

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Chairman Hoselton advised that the next Item for Action is the Local Agency Amendment #1 for Federal Participation, Pipeline Road – Sec 07-00073-09-WR.

Mr. Schmitt pointed out that this amendment to the original agreement is because Truck Access Route Program (TARP) money was received. The TARP funding reduced the County's share of the cost by \$182,400.00. The project will be on the June 11, 2010 Illinois Department of Transportation letting.

Motion by Caisley / Soeldner to recommend approval of the Local Agency Amendment #1 for Federal Participation, Pipeline Road – Sec 07-00073-09-WR.
Motion carried.

Mr. Schmitt continued with the Pipeline Road 80,000 lb Weight Limit Resolution. He stated that the resolution goes along with receiving the TARP funding. It is a requirement that the road be posted as a Class III Truck Route, 80,000 lb road.

Chairman Hoselton noted that the County is upgrading roads to the 80,000 lb weight limit. It is an ongoing effort.

Mr. Cavallini asked for an update on the progress of road upgrade to the 80,000 lb limit. Mr. Schmitt responded that an estimated 30% of the hot mix roads have been upgraded to 80,000 lb. Over all we are at approximately 15%. He informed the Committee that he would provide exact numbers next month.

Motion by Soeldner / Cavallini to recommend approval of the Pipeline Road 80,000 lb Weight Limit Resolution.
Motion carried.

Chairman Hoselton stated that the next Item for Action is the IDOT Truck Access Route Program (TARP) Agreement, Gillum Road – Sec 10-00074-01-RS.

Mr. Schmitt noted that this project was in the budget for this year. \$287,400.00 of TARP funding was received. The County's cost for the project is \$1,287,600.00. He stated that the Gillum Road project will go to a July 1, 2010 letting. Once the project is awarded, and approved by the County Board, the Department will bill the State for the funding.

Mr. Black asked if Mr. Schmitt anticipated any challenges in the State actually paying the TARP funding. Mr. Schmitt responded that the TARP fund is dedicated money set aside for funded projects.

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Mr. Soeldner asked if the project is strictly resurfacing or is there bridge work to be done. Mr. Schmitt stated that the project for Gillum Road is resurfacing only.

Motion by Caisley / Soeldner to recommend approval of IDOT Truck Access Route Program (TARP) Agreement, Gillum Road – Sec 10-00074-01-RS.
Motion carried.

Mr. Schmitt continued with the Gillum Road 80,000 lb Weight Limit Resolution. He stated that the resolution goes along with receiving the TARP funding. It is a requirement that the road be posted as a Class III Truck Route, 80,000 lb road.

Motion by Soeldner / Cavallini to recommend approval of the Gillum Road 80,000 lb Weight Limit Resolution.
Motion carried.

Chairman Hoselton informed the Committee that the next item to be presented to the Committee for action is the Local Agency Amendment #1 for Federal Participation, Old Route 66 Bike Trail – Sec 10-00001-01-BT.

Mr. Schmitt stated that this amendment to the agreement is deobligating Stimulus money. The project came in \$190,000.00 under the estimated bid. The amendment shows the expenses as they currently are. He advised that if the money is not obligated to a project by September 1, 2010, the money is lost. The State has asked the County to prepare the Local Agency Amendment.

Mr. Cavallini asked the total amount of the funding. Mr. Schmitt responded that the County received \$1,440,000.00. This amendment will reduce the funds to \$1,249,843.00. The Highway Department has no share in the costs of the Old Route 66 Bike Trail. It is funded through the County Parks and Recreation Department and municipalities under the Intergovernmental Agreement.

Mr. Schmitt noted that the County tried to transfer the money to the Towanda Overpass; however the State would not allow the transfer.

Mr. Caisley asked if the money could be used to extend the Bike Trail to McLean, IL. Mr. Schmitt responded that this is the Enhancement portion of the Stimulus funds and must be used on alternative modes of transportation projects with obligated funds that have already gone to bid by September, 2010.

Mr. Bill Wasson, Assistant County Administrator, explained that the Bike Trail project came in under the estimate. The funding was provided in a Stimulus Grant at our estimate. The State wants to recapture the leftover funds and allocate those funds to another active project before the September, 2010 deadline. Otherwise, the funds are returned to Washington DC.

Mr. Schmitt noted that all funds returned to Washington DC are given to States that have spent all of their Stimulus funding. It is important to spend all of our Stimulus funding and meet all of the State mandated deadlines. The returned Stimulus Funds could come back to Illinois.

Motion by Soeldner / Black to recommend approval of the Local Agency Amendment #1 for Federal Participation, Old Route 66 Bike Trail – Sec 10-0001-01-BT.
Motion carried.

Chairman Hoselton stated that the next Action Item to be presented is the Preliminary Engineering Services Agreement – Farnsworth Group for the Kappa Road (CH 6) Bridge Repair, Sec 10-00100-00-BR.

Mr. Schmitt pointed out the Bridge on the County Map. He noted that the bridge has concrete pile and deck with timber planking. The pile and deck are in very good condition; however the timber planking is rotting and needs replaced. The Department has done this before and successfully extended the life of the bridge.

Mr. Schmitt noted that the County will be doing the surveying on this project. The Historical/Archeological Level I Studies, IDOC Endangered Species Detailed Action Report, and the Storm Water Pollution Control Plan are not required for this project.

Motion by Caisley / Cavallini recommended approval of the Preliminary Engineering Services Agreement – Farnsworth Group for the Kappa Road (CH 6) Bridge Repair, Sec 10-00100-00-BR.
Motion carried.

Chairman Hoselton stated that the next Item for Action is the Stanford Good Ole Days Run and Special Road Closing Permit.

Mr. Schmitt advised that the Special Event Road Closure Permit is for a 5K Run/Walk. Ms. Jennifer Ho, Director of Risk Management has reviewed the

application and finds it acceptable. Only a short distance, ¼ mile, of County Highway will be used, from School Street, in Stanford to Stringtown Road. It will be a short term closure. The County Sheriff has been contacted and will assist in the road closure. The County Highway is the first section of the run and the road will be opened as soon as they complete that section of the run.

Mr. Black asked if the event has been held in the past. Mr. Schmitt noted that the Marion Nafziger Memorial 5k Run/Walk is a new event. He explained that typically, a Road Closure or Special Run Event will be approved at the Highway Department unless it is a new event. New events are required to be brought before the Transportation Committee.

Motion by Black / McIntyre to recommend approval of the Stanford Good Ole Days Run and Special Road Closing Permit.
Motion carried.

Chairman Hoselton continued with the Preliminary Engineering Agreement – Clark Dietz - East Side Highway – Sec 10-00183-01-RS.

Mr. Schmitt stated that pages 48-54 of the Preliminary Engineering Agreement contains the engineering agreement, followed by the scope of services, man hours and calculation follow. On page 165 is the planned schedule for the project. He noted that the overall cost is \$10,359,255.38. The project is funded 100% through the Illinois Jobs Now Capital Bill. Additional requirements of soil borings every 300 feet and the geo-technical increased the cost by an estimated \$700,000.00. Mr. Schmitt explained the soil boring process pointing out that samples of the soil are taken at different depths.

Mr. Schmitt noted that this phase of the project will have a Steering Committee: Mr. Schmitt, County Engineer, Mr. Terry Lindberg, County Administrator, Mr. Mike Hall, Director of Public Works, Town of Normal, Mr. Jim Karch, Public Works Director, City of Bloomington and Mr. Paul Russell, Director of Regional Planning Commission.

Mr. Soeldner asked for an estimated time of completion. Mr. Schmitt responded that the project is anticipated to be completed by June, 2014.

Mr. Black referred to page 53, Agreement Summary. He noted that there is prime consultant and a sub-consultant. Page 50, part 4 under Section III, it states “none of the services to be furnished by the Engineer shall be sublet, assigned or transferred to any other party or parties without written consent of the LA (County).” He asked if page 53 is written notification that sub-contractors will be used and what will the sub-consultants be responsible for. Mr. Schmitt

responded that page 53 is considered written notification that sub-consultants will be used. He pointed out that the prime consultant is responsible for everything under the agreement.

Mr. McIntyre referred to page 50, #7, "The upper limit of compensation for the services enumerated herein is: \$10,359,255.38." He wanted to clarify that this is the maximum amount of money the local agency will pay for this phase of the project. Mr. Schmitt in response pointed out that unless there is, for some reason, a change in the scope, \$10,359,255.38 is the maximum amount to be paid. He noted that if there is a change in scope or something unanticipated arose, the agreement would have to be amended through the Committee. If not approved, then that section of the project would not be done.

Mr. Jerry Payonk, Clark Dietz, stated that there are also elements included in the agreement that may not need to be done. As an example, a Corridor Protection Map may not have to be done. At the end of the project a Corridor Protection Map may need to be identified. Moratorium on development can be challenged without a legal document identifying specifically where the corridor is. He advised that the Corridor Protection Map has been included in the project agreement under the premise that the East Side Highway will be under IDOT jurisdiction. If the East Side Highway is under County jurisdiction, a Corridor Protection Map is not needed. Mr. Payonk informed the Committee that, to minimize any addendum, they have tried to anticipate and include items in this scope that they are not sure will be needed.

Mr. Payonk stated that based on the corridor report, when the East Side Highway is completed the estimated construction cost will be \$300,000,000.00. These types of funds come from State and Federal Government.

Mr. McIntyre asked for an explanation of the Corridor Protection Map. Mr. Payonk explained that the map is a legal document identifying specifically what the right of way is going to be. At this time, if funds are available, the owner of the facility can begin the purchase of right-of-way to avoid possible development of the area. Mr. Payonk noted that a plat of highways can also be developed by anyone; it is still legal documentation just not at the scale of a Corridor Protection Map.

Mr. McIntyre is concerned about growth during the time it takes to complete the project.

Mr. Soeldner asked if environmental studies were conducted in the previous phase. Mr. Payonk stated that mostly data base information was looked at. He advised that survey and data consumption will become much more rigorous in this phase of the project.

Mr. Schmitt added that part of this study is to find these environmental issues and either avoid or address them. Mr. Payonk noted that as part of this phase, three times a year Clark Dietz will meet with the Federal Highway Administration, the Corps of Engineers, Department of Natural Resources, Environmental Protection Agency, Department of Agriculture and all of the agencies that require Federal action to get their approval. He advised that by the end of this phase, we will have a centerline for the corridor base, down from a 500 foot corridor to a 250-300 foot final alignment.

Mr. Caisley asked if Centennial Farms were being given special protection. Mr. Payonk stated that they do try to identify Centennial Farms and avoid them. Severances, prime farm land and farm land productivity are considered more important to the Department of Agriculture. The Department is more concerned with the quality of land than with families. Mr. Payonk pointed out that with this 15-17 mile corridor, something and someone will be impacted.

Mr. McIntyre stated that he will be voting no on the agreement and is not in favor of the project. He pointed out that it has nothing to do with Clark-Dietz. His concerns include:

- Lack of an opportunity to vote on the selection of the corridor
- Project phasing creating traffic problems on Towanda Barnes Road
- Capacity of the roads
- Creation of zoning issues
- Concern the corridor will be a County Highway
- Timing of the corridor selection and protection from possible development
- Financial and economic situation that the County and State is in
- Concerns with the selection of the corridor being only ½ mile from Towanda Barnes Road
- Sequence of project with respect to Federal and State commitments
- There are too many "ifs".

Mr. Black noted that he also will be voting no on the Agreement. He is troubled by the number of questions the East Side Highway project has raised that have not been answered.

Mr. Caisley stated that there is a major north south highway ¼ of mile west of the proposed corridor in the form of Towanda Barnes Road. Mr. Caisley stated that a connection of Raab Road is what currently needs to be addressed. There is more of a need for an east west highway than for a north south highway. Raab Road needs to be thoroughfare from one high school to another high school to a

community college. He questioned if our priorities seem misplaced. The State cut off Raab Road while improving the interconnection between Pipeline Road, Veterans Parkway and Interstate 55. There is no access from Raab Road to the north south highway. Mr. Caisley stated that the County needs a major east west thoroughfare more today than we need a north south thoroughfare.

Mr. Soeldner stated that people in his district have voiced their concern with this project, especially those in the Ireland Grove subdivision. He noted that he is leaning towards voting in favor of the agreement because the money received from the State for this phase of the project would never be available through local funds. Mr. Soeldner advised that there was a comprehensive study done showing, with projected population growth; there is a definite need for the highway. He agrees with Mr. Caisley concerning the need for a major east west highway; however, during this study the east west transportation spurs will be looked at and provide an opportunity for something to be done with Raab Road.

Mr. Black stated that the projected growth studies show the acceleration going east. His constituents feel this is a bad idea. They believe it will move the center of town from the Main Street area to Veterans Parkway and the west side will be forgotten.

Mr. Cavallini pointed out that what he is hearing is nothing new, this has all been discussed before. He has received no calls in favor of or against the project. Mr. Cavallini stated that what is moving him in favor of the project is the use of the Context Sensitive Solutions (CSS) process. Mr. Cavallini noted that the public was given ample opportunity to convey their information and state their point of view. Mr. Payonk stated that there were 36 meetings held giving the public opportunity to voice their opinion. He noted that there was some opposition from the east side residents near the project.

Mr. McIntyre advised that he understands the process of the CSS and issues of opposition were brought up. He believes there was an impact from the public concerning the location of the corridor. Mr. Schmitt stated that the CSS was designed to not only give the public a voice in the process, but to also address those concerns. He believes the CSS was successful in doing that.

Mr. Terry Lindberg, County Administrator, added that if staff has missed concerns and did not address them he apologizes. If concerns were not voiced, there was not a chance to address them. He noted that the labor community board supported the project; the business community as represented by the Chamber of Commerce has sent a letter of endorsement. The Farm Bureau has concerns about impact upon farms but has chosen not to be in opposition of the project and do see the long term needs of the East Side Highway. Mr. Lindberg advised that

the CSS heard from the opponents, addressed the concerns and attempted to identify supporters.

Mr. Caisley stated that he is voting yes on the Agreement. He does want Raab Road to be put on the front burner. If it is not, he noted that he will be bringing Raab Road up again.

Mr. Caisley called for the Question. Chairman Hoselton recognized the motion to vote without objection.

Motion by Cavallini / Soeldner to recommend approval of the Preliminary Engineering Agreement – Clark Dietz - East Side Highway – Sec 10-00183-01-RS.
Motion carried with McIntyre and Black voting no.

Chairman Hoselton stated that the next item for Action is the Stringtown Lakes, LLC Gravel Pit Road Use Agreement

Mr. Schmitt stated that this Agreement is similar to the Stark Freesen Agreement that upgraded the Covell Road and the Stringtown Road in 1998 to 80,000 lb to allow for the Stringtown gravel pit. Part of the agreement was any new major user would pay a share and buy into the agreement. Stringtown Lakes, LLC cost to the County for the remaining three years remaining road life is \$7,853.37. They would also be responsible for a share of the resurfacing project.

Mr. Cavallini stated that the Stringtown Lakes, LLC Gravel Pit will be discussed at the June County Board Meeting. Should we not wait until after the outcome of the gravel pit is decided before this is approved? Mr. Schmitt responded that it is the intent to bring the Road Agreement to the Board at the same time as the Special Use Permit. There is a clause in this agreement stating that if Stringtown Lakes LLC does not open the gravel pit the Agreement is null and void. He referred to page 168 - 4, "This Agreement shall be binding upon the parties, their heirs, successors, and assigns. If the gravel pit is approved or approval is obtained through court action, then Stringtown Lakes, LLC is responsible for all the terms of this Agreement." This gives the County protection for the roads.

Mr. Soeldner asked how long the Road Agreement is valid. Mr. Schmitt stated that when the scales are removed from the gravel pit the contract is closed.

Motion by McIntyre / Black to table the Stringtown Lakes, LLC Gravel Pit, Road Use Agreement to the July 1, 2010 Transportation Committee Meeting

Mr. Caisley advised that the Agreement does need to be in place whether or not the Zoning is approved because if it is approved, we have it in place, if they go to court and force us to approve it, we will still need the agreement. The only way it would not be needed is if the zoning is voted down at the County Board Meeting, they go to court and lose. In this case the null and void clause of this agreement is effective. He pointed out that there is no benefit in not approving this agreement.

Mr. Cavallini noted that the motion is to delay the agreement until July. Mr. Caisley reiterated there is no benefit it delaying the agreement. Mr. Cavallini stated that he is favor of delaying the agreement.

Mr. Soeldner asked if there was a possibility of changes being made to the agreement if it was delayed until after the County Board vote. Mr. Schmitt responded that Stringtown Lakes, LLC's willingness to enter into the agreement may be affected. He pointed out that they are entering into this agreement as a cooperative effort. There is no requirement for them to enter into this road agreement.

Mr. Lindberg stated that the road use agreement is passed now so that you have a financial commitment from the applicant to participate and help in the road and maintenance. He advised that the risk is less by approving the Road Agreement now and having it in place in case it is needed.

Mr. McIntyre called for the Question to table the Stringtown Lakes, LLC Gravel Pit Road Use Agreement to the July 1, 2010 Transportation Committee Meeting.

Chairman Hoselton recognized the motion to vote without objection

Mr. Cavallini asked for a roll call vote.

Chairman Hoselton	No
Mr. McIntyre	Yes
Mr. Black	Yes
Mr. Soeldner	No
Mr. Cavallini	Yes
Mr. Caisley	No

Motion defeated.

Motion by Caisley / Soeldner to recommend approval of Stringtown Lakes, LLC Gravel Pit, Road Use Agreement.

Mr. Black stated that he is not against the Road Agreement; he is just against approving it now.

Mr. Lindberg noted that it is Staff's recommendation to pass the Stringtown Lakes, LLC Gravel Pit Road Use Agreement. Mr. Lindberg reminded the Committee that the applicant is under no obligation to commit to an agreement for financial obligation and that this may be the Committee's best opportunity to get a beneficial financial arrangement.

Mr. Schmitt advised that under the agreement with Stark, if we do not have an agreement in place, the County will be obligated to pay the applicant's share for any resurfacing of the road.

Mr. McIntyre stated that issues need to be dealt with as they arise. What are the chances of this going to Court. Mr. Caisley stated that it is probable. He added that it does not matter if it goes to Court or not. The Road Agreement does not commit us to a special use permit nor does it commit us to vote in favor of having the gravel pit.

Chairman Hoselton noted that he has enough confidence in staff to vote with their recommendation to approve the Road Use Agreement.

Mr. Soeldner stated that his vote to support the Road Use does not reflect his opinion on the gravel pit issue. He has not made that decision yet. Mr. Soeldner does not want to take the chance of losing the money Stringtown Lakes, LLC is committing to.

Mr. Black advised that though he felt it needed to be tabled until the July 1, 2010 Transportation Committee Meeting, it in no way sends a message to the County Board that the Committee is in support of the gravel pit. The Committee is only being pro active with the offer from Stringtown Lakes, LLC.

Mr. McIntyre asked for a roll call vote.

Chairman Hoselton	Yes
Mr. McIntyre	No
Mr. Black	Yes
Mr. Soeldner	Yes
Mr. Cavallini	No
Mr. Caisley	Yes

Motion carried.

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Chairman Hoselton continued with the Items for Information. Project Summary, Towanda Overpass – Sec 05-00071-04-RS.

Mr. Schmitt reported that the Contractor has completed the final punch list. Both lanes are open to traffic.

Chairman Hoselton asked if there was any other business to come before the Committee. Hearing none, he adjourned the meeting at 9:40 a.m.

Respectfully submitted,

Diana Hospelhorn
Recording Secretary