

Minutes of the Transportation Committee

The Transportation Committee of the McLean County Board met on Tuesday, May 6, 2014 at 8:00 a.m. in Room 404, Government Center, 115 East Washington Street, Bloomington, Illinois.

Members Present: Vice Chairman Cavallini Members Soeldner
Buchanan, Harris, and Pyne

Members Absent: Member Robustelli

Other Members Present: County Board Chairman Sorensen,

Staff Members Present: Mr. Bill Wasson, County Administrator, Ms. Hannah Eisner, Assistant County Administrator, Mr. Mark Messman, Assistant State's Attorney

Department Heads Present: Mr. Eric Schmitt, County Engineer

Others Present: Mr. Jerry Stokes, Assistant County Engineer, Ms. Laura Dick, Director of SHOW BUS Public Transportation, Jennifer Sicks, Regional Planning

Vice Chairman Cavallini called the meeting to order at 8:02 a.m. He found a quorum present.

Ms. Harris requested that Ms. Barb Heyl, a representative from Illinois People's Action, be allowed to speak to the Committee regarding the Enbridge Road Use Agreement. Vice Chairman Cavallini asked if the Committee had any objections. Mr. Soeldner asked if Ms. Heyl would be the only speaker. Ms. Harris responded that she would be the only speaker. Vice Chairman Cavallini granted Ms. Harris' request and indicated that he would allow her to address the committee before taking up the items on the agenda

Ms. Heyl asked all people who are concerned about the pipeline to stand. She noted that they are all concerned about the environment.

Ms. Heyl stated that she has lived in Bloomington for 45 years and knows the value of clean drinking water. She is opposed to the pipeline because it will cross Money Creek and it is within the Lake Bloomington watershed. She noted the fact that Money Creek is low flow does not prevent negative consequences and referred to a recent spill into the Kalamazoo River in support of that statement. Ms. Heyl stated that Normal's water supply comes from the Mahomet Aquifer that is already under threat. The pipeline will only add future threats. The pipeline will risk damage to the farmland, private wells, streams, lakes and our own water supplies. She noted that once the pipeline is installed another can be added without permission, doubling the risk.

Ms. Heyl stated that Enbridge is the only beneficiary to the construction of the pipeline. McLean County is only a place of transit for the toxic tar sands. A breach in the pipeline would release carcinogenic toxins into the air and the tar sand would sink into the ground.

Ms. Heyl advised that Article XI of the Illinois Constitution states that the public policy of the State and the duty of each person is to provide and maintain a healthy environment for the benefit of this and future generations. She added that the Road Use Agreement sets aside money to cover damage done to the roads. With this agreement, Enbridge does not need to apply for permits one at a time. She asked the committee not to make it easy for Enbridge to put our future at risk.

Ms. Heyl stated that the residents of McLean County did not have a chance to weigh in on the pipeline. She asked if there was a way for the public to have a voice. Ms. Heyl noted that this Committee is the people's voice. She asked the Committee to vote no on the Road Use Agreement and give the public time and a way to have a voice to protect the environment for future generations. Ms. Heyl thanked the Committee.

Vice Chairman Cavallini thanked Ms. Heyl.

Ms. Pyne commented that she is not comfortable with the spill record. Ms. Harris presented Enbridge spill records. Vice Chairman Cavallini requested the members to hold further discussion until the committee reached that item on the agenda.

Vice Chairman Cavallini presented the first item for action, namely approval of the minutes from the April 1, 2014 Transportation Committee Meeting.

Motion by Harris/Soeldner to recommend
approval of the minutes from the April 1,
2014 meeting of the Transportation Committee.
Motion carried.

Vice Chairman Cavallini asked the Committee to review the bills and transfers for March 31, 2014. The prepaid total was \$603,791.10.

Mr. Eric Schmitt explained the transfers. The line item transfers in fund 0120 were needed to cover the cost of a plan size printer, scanner copier and the purchase of natural gas. He had originally planned to lease the equipment but found it is more cost effective to purchase it. The cost of natural gas exceeded the amount budgeted due to the extremely cold winter. The transfer in fund 0123 was also needed to pay for the purchase of natural gas.

Motion by Soeldner/Buchanan to recommend payment of the March 31, 2014 bills and transfers as submitted by the County Auditor.
Motion carried.

Vice Chairman Cavallini introduced Ms. Laura Dick, Director of SHOW BUS Transportation.

Ms. Dick stated that McLean County has been partners with Rural Public Transportation since 1980. SHOW BUS began in the 1970's. The name "SHOW BUS" stands for Seniors and Handicapped on Wheels Bused to Urban Services. In the 1980's IDOT expanded rural public transportation. She advised that McLean agreed to be the recipient of Federal Funds for this expansion and SHOW BUS began to grow. Ms. Dick reported that in 2008 McLean County and 17 other rural areas were awarded access to the State funding through the Downstate Operating Assistance Program. This also fueled the growth. SHOW BUS now covers 7 Counties. Six have entered into an Intergovernmental Agreement:

- DeWitt
- Ford
- Iroquois
- Livingston
- McLean – non urban
- Macon – non urban

Ms. Dick presented a power point presentation on the History of Rural Transportation pointing out:

- 1964 – Federal Urban Mass Transit Act providing funding for urban areas.

- 1973 – Section 504 of the Rehabilitation Act prohibited discrimination based on disability. This opened the door to paratransit in the urban and rural areas.
- 1975 – Section 16 allowed funding for the purchase of vehicles for seniors and those with disabilities if public transit was unavailable.
- 1978 (5311) – Section 18 gave rural areas access to funding for the purchase of buses for seniors, those with disabilities and low income. This split the goals between urban and rural; urban focus, to move the masses and rural focus to seniors, those with disabilities and low income individuals.
- Full vs Effective Access – Full access means all people have the same access to service. Effective access allows for separate but equal systems.
- 1990 – Americans with Disabilities Act stated that you must provide full and effective access. The urban systems were required to have lifts on the bus stops and to provide paratransit services. Rural systems were already focused on folks with special populations.

Ms. Dick presented the current concepts that impact transportation:

- Universal Access – Don't design a system for the "normal person". Design instead a system for the needs of everyone, universal access.
- Mobility Management – Design a system for needs of the people not efficiency.
- Quality and Quantity – Evaluate programs on the impact of our quality of life.

Ms. Dick advised that the SHOW BUS mission statement has remained the same. "We recognize that mobility is a fundamental right for our citizens and an essential need to maintain a high quality of life. We at SHOW BUS therefore dedicate ourselves to provide safe, dependable, economical and courteous transportation options tailored to the unique needs and challenges of the communities and individuals we serve. Further we will provide the service in a manner consistent with our stewardship and the community's trust and resources." SHOW BUS provides door to door services, deviated fixed routes, flag down services, special medical services and contract services for not for profits.

Ms. Dick stated that SHOW BUS receives funding from:

- Federal 5311
- State
- Medicaid paid transportation
- Contribution
- DOAP
- Grants

The need continues to grow. McLean County has 21 buses. There are 27 that can be operated in the six county area. SHOW BUS is waiting for delivery of buses from IDOT. She presented a map of the SHOW BUS routes.

Ms. Harris asked where the fixed routes stop and whether there is a website available. Ms. Dick explained that they do not have fixed routes. They have a deviated fixed route

running along Route 24 and a limited stop route that runs all day on the outskirts of the urbanized area of Bloomington/Normal. The web site address is Showbusonline.org and is accessible to anyone who needs adapted technologies.

Ms. Dick presented the challenges facing SHOW BUS:

1. Need to be efficient in coordinating appointments and transit needs for rural residence.
2. Need to coordinate with urban systems while maintaining appropriate services levels for riders.
3. Need to continue to write service contracts with not for profits.

Ms. Dick ended her presentation with the SHOW BUS Mission Statement noting that safety is number one, along with courtesy.

Ms. Harris asked how the drivers are trained. Ms. Dick responded that a driver's training is extensive. IDOT provides updated training every two years. train peer to peer for a minimum of 40-80 hours. Drivers must also train and pass a test with a certified wheelchair securement specialist before going on the road.

Ms. Pyne asked if the five buses expected this month have been received. Ms. Dick responded that the official arrival date is May, 2014. SHOW BUS has not been given the vehicle identification numbers, which indicates the buses have not been built.

Ms. Harris referred to page 4 of the application for funding that was considered at the last Transportation Committee meeting. She ask why the statement concerning the support of your Public Transportation Provider was checked "not applicable." Ms. Dick responded that McLean County is the Public Transportation Provider.

Mr. Buchanan thanked Ms. Dick for an excellent presentation.

Vice Chairman Cavallini presented the first Item for Action, Illinois Department of Transportation (IDOT) FCY'2014 Consolidated Vehicle Procurement Rolling Stock Capital Assistance Grant Application for Six Vehicles.

There were no questions or comments.

Motion by Harris/Pyne to recommend approval of the Illinois Department of Transportation (IDOT) FCY'2014 Consolidated Vehicle Procurement Rolling Stock capital Assistance Grant Application for Six Vehicles.
Motion carried.

Vice Chairman Cavallini presented the next Item for Action, the Resolution and Bid Tab for the April 30, 2014 Letting for three (3) County and one (1) Road District 2014 Non-Motor Fuel Tax (MFT) Construction Section and one (1) County 2014 Non-MFT Maintenance Section.

Mr. Schmitt reported that section 12-00090-02 is the bridge on CH 36. It has significant deterioration and will be replaced with a cast-in-place concrete box culvert. The bid is 8.91% over the estimate. The estimated life span of the proposed box culvert is 80 years.

Section 12-00090-03 is the bridge on CH 36 which will be replaced with a steel girder beam bridge. The bid is 0.41% under the estimate.

Section 13-00005-04-FP is the surfacing of the Meadows Road from CH 8 to the Interstate 55 overpass, including curb and gutter, shoulder work and other work items. The bid is 1.8% over the estimate.

Section 13-05126-01 is the bridge repair project in Bloomington Township near Crestwicke Golf Course. The project includes permanent sheet piling, concrete work and installation of rip rap. The bid is 3.18% under the estimate.

Section 2014 McLean County Group 10 is hot mix asphalt projects on various County Highways and the salt storage facility on Route 9. The bid is 20.26% over the estimate.

Mr. Soeldner asked why the bid on the salt storage facility is 20.26% over the estimate. Mr. Schmitt responded that the contractor stated that prices increased due to the loss of money on last year's project.

Mr. Schmitt recommended approval of the following:

2014 Non-MFT Construction Section:

McLean County	Sec 12-00090-02-BR	Williams Bridge CH 36	
The successful bidder on the above section was:			
	Stark Excavating, Inc.		
	1805 W Washington Street, Bloomington, IL 61701		\$329,629.00
McLean County	Sec 12-00090-03-BR	Holder Bridge CH 36	
The successful bidder on the above section was:			
	Stark Excavating, Inc.		
	1805 W Washington Street, Bloomington, IL 61701		\$797,085.20
McLean County	Sec 13-00008-04-FP	Meadows Rd CH 23	
The successful bidder on the above section was:			
	Rowe Construction, a Div of United Contractors Midwest, Inc.		
	1523 N Cottage Ave, PO Box 609, Bloomington, IL 61702-0609		\$249,078.17

Bloomington RD Sec 13-05126-01-BR Hall Farm Bridge 910 North Road
The successful bidder on the above section was:
Stark Excavating, Inc.
1805 W Washington Street, Bloomington, IL 61701 \$104,628.00

2014 Non-MFT Maintenance Section:

McLean County Sec 2014 Non MFT GR10
The success bidder on the above section was:
HJ Epple & Co, Inc.
1400 Tuesburg Ct, Pontiac, IL 61764 \$52,981.00

Motion by Harris/Soeldner to recommend approval of the Resolution and Bid Tab for the April 30, 2014 Letting for three (3) County and one (1) Road District 2014 Non-Motor Fuel Tax (MFT) Construction Section and one (1) County 2014 Non-MFT Maintenance Section
Motion carried.

Vice Chairman Cavallini presented the Bridge Construction Petition – Cheney’s Grove RD – Structure #057-3605, Sec -2014 Cheney’s Grove Rip Rap.
There were no comments or questions.

Motion by Pyne/Harris to recommend approval of the Bridge Construction Petition – Cheney’s Grove RD – Structure #057-3605, Sec -2014 Cheney’s Grove Rip Rap.
Motion carried.

Vice Chairman Cavallini continued with the Bridge Construction Petition – Cropsey Road District – Sec 2014 Cropsey RD Non-MFT Joint Culvert #1 and #2 and Sec 2014 Cropsey RD Non-MFT Joint Culvert #3.

Mr. Buchanan asked what was meant by “joint” culvert petition. Mr. Schmitt replied that meant the petition was being submitted in conjunction with the Township.

Motion by Soeldner/Pyne to recommend Approval of the Bridge Construction Petition – Cropsey Road District – Sec 2014 Cropsey RD Non-MFT Joint Culvert #1 and #2 and Sec 2014 Cropsey RD Non-MFT Joint Culvert #3.
Motion carried.

Vice Chairman Cavallini presented the Bridge Construction Petition – Yates Road District:

1. Sec 2014 Yates RD Non-MFT Joint Culvert #1
2. Sec 2014 Yates RD Non-MFT Joint Culvert #2
3. Sec 2014 Yates RD Non-MFT Joint Culvert #3
4. Sec 2014 Yates RD Non-MFT Joint Culvert #4
5. Sec 2014 Yates RD Non-MFT Joint Culvert #5

Ms. Harris asked for an explanation of a nelson culvert. Mr. Schmitt responded that a nelson culvert is an old style culvert from the 1930's. He further explained that the nelson culverts had a tendency to separate and that corrugated metal pipes will be used to replace the nelson culvert.

Motion by Buchanan/Soeldner to recommend approval of the Bridge Construction Petition – Yates Road District:

Sec 2014 Yates RD Non-MFT Joint Culvert #1

Sec 2014 Yates RD Non-MFT Joint Culvert #2

Sec 2014 Yates RD Non-MFT Joint Culvert #3

Sec 2014 Yates RD Non-MFT Joint Culvert #4

Sec 2014 Yates RD Non-MFT Joint Culvert #5

Motion carried.

Vice Chairman Cavallini presented the Bridge Construction Petition – Gridley RD Sec 2014 Gridley Road District Non-MFT Joint Culvert #1. There were no comments or questions.

Motion by Soeldner/Buchanan to recommend approval of the Bridge Construction Petition – Gridley Sec 2014 Gridley Road District Joint Culvert #1.

Motion carried

Vice Chairman Cavallini continued with the Bridge Construction Petition – Anchor RD Sec 2014 Anchor Road District Non-MFT Joint Culvert #1, #2 and #3. There were no comments or questions.

Motion by Harris/Pyne to recommend approval of the Bridge Construction Petition – Anchor RD Sec 2014 Anchor Road District Non-MFT Joint Culvert #1, #2 and #3.

Motion carried.

Vice Chairman Cavallini presented the Lexington LeRoy Road – CH 21 – Sec 13-00041-05-RS:

1. IDOT Truck Access Route Program (TARP) Agreement
2. 80,000# Weight Limit Resolution – 2000N to 2225N
3. 80,000# Weight Limit Resolution – IL165 to 2000N

Motion by Buchanan/Soeldner to recommend approval of the Lexington LeRoy Road – CH 21 – Sec 13-00041-05-RS: IDOT Truck Access Route Program (TARP) Agreement, 80,000# Weight Limit Resolution – 2000N to 2225N, 80,000# Weight Limit Resolution – IL165 to 2000N.
Motion carried

Vice Chairman Cavallini presented the Emergency Appropriation Ordinances:

1. Fund 0123 – FY2015 Truck Access Route Program (TARP) and Illinois Jobs Now! (IJN) Funds
2. Fund 0120 – Dump Body Replacement Budget Amendment
3. Fund 0120 – Winter Overtime Budget Amendment

Vice Chairman Cavallini presented 1. Fund 0123 – FY2015 Truck Access Route Program (TARP) and Illinois Jobs Now! (IJN) Funds. There were no questions or comments.

Motion by Harris/Pyne to recommend approval of 1. Fund 0123 – FY2015 Truck Access Route Program (TARP) and Illinois Jobs Now! (IJN) Funds.
Motion carried.

Vice Chairman Cavallini presented 2. Fund 0120 – Dump Body Replacement Budget Amendment.

Ms. Pyne asked if this replacement is due to the fire at the Highway Department facility. Mr. Schmitt answered that it was not due to the fire. This vehicle caught fire while plowing snow in December. The truck cab was a total loss and the bed was warped by the heat. Ordinarily the bed could be transferred to another truck, but because this bed was warped it could not be safely used on another truck. This budget amendment will cover the replacement. The exact cause of the fire was most likely either an electrical fire or a leak in a hydraulic line.

Motion by Harris/Soeldner to recommend approval of 2. Fund 0120 – Dump Body Replacement Budget Amendment.
Motion carried.

Vice Chairman Cavallini presented 3. Fund 0120 – Winter Overtime Budget Amendment. There were no questions or comments.

Motion by Soeldner/Pyne to recommend
approval of the 3.Fund 0120 – Winter Overtime
Budget Amendment.
Motion Carried

Vice Chairman Cavallini presented the Enbridge Pipeline Road Use Agreement.

Mr. Buchanan asked if there was a deadline to approve the agreement. Given the information provided by Ms. Heyl and Ms. Harris, he did not feel the committee had sufficient time to evaluate the agreement. He suggested the committee schedule a work session. Mr. Schmitt indicated that Enbridge planned to start construction this year.

Ms. Harris stated her opposition to the pipeline. She distributed a list of oil spills since 2004 and stated that the list did not contain all of Enbridge's oil spills. She stated that others, not the citizens of McLean County, will gain from the construction of the pipeline.

Mr. Soeldner asked the ramifications of not passing the Road Use Agreement. Mr. Schmitt explained that the Agreement gives the County protection for damage to county roads and is not an endorsement of the project. He explained that the agreement establishes the routes to be used and requires Enbridge to perform a pre-construction and post-construction inventory of those roads. This will avoid any dispute as to damage.

Ms. Harris expressed concern about the agreement allowing super loads and questioned why the County should have to provide notice of mud on the road.

Vice Chairman Cavallini commented that the agreement was similar to the ones the County used for the wind farms and gravel pits.

Mr. Buchanan asked if Enbridge could obtain overweight permits whether or not the County approved a Road Use Agreement. Mr. Schmitt stated that Enbridge could apply for permits without the Agreement, just as others do.

Mr. Buchanan said he could understand the staff recommendation to approve the Road Use Agreement, but felt there were broader issues of concern and questioned sending the Agreement to the Board before considering the broader issues. Mr. Wasson reminded Mr. Buchanan that the Road Use Agreement was the only issue before the committee and he did not believe consideration of any other issues related to the pipeline was within the purview of the Transportation Committee. He reminded the committee that the County had intervened in the petition filed with the Commerce Commission in an attempt to gain some control over the decision to allow construction

to no avail. The County has no zoning authority or authority to issue permits for construction.

Ms. Pyne suggested that the County could send a message by delaying approval of the Road Use Agreement, even if it could not stop the project. Mr. Schmitt reiterated the protections afforded by having the agreement and the risk of not approving it. Ms. Pyne asked how many permits were expected to be issued. Mr. Schmitt explained that for the most part the equipment will move within the pipeline easements off of the road. Equipment will enter the road only when necessary to go around a barrier, such as rivers and interstates. The pipes will be carried in 80,000 lb. loads which do not require permits.

Mr. Soeldner remarked that the requirement for the pre-construction and post-construction road condition inventory was good for the County and that was not required under the normal permitting process.

Ms. Harris suggested the road conditions could be documented without the agreement. She further stated that she could not approve a contract that contained a recital stating it was in the best interest of the public for the County and Enbridge to enter into a Road Use Agreement.

Mr. Buchanan restated the suggestion to have a work session before voting on the Agreement. Mr. Soeldner felt the Road Use Agreement was straightforward enough and that there was no reason to delay action.

Vice Chairman Cavallini asked if other Counties had passed the agreement. Mr. Schmitt stated that most of the other Counties had already approved the agreement.

Ms. Harris expressed her opposition again and stated that a person at Enbridge had been fired for being a whistleblower.

Mr. Soeldner asked if the pipeline was a permitted use. Mr. Wasson stated that it was an exempted use under the County zoning code.

Motion Soeldner/Buchanan to approve
Enbridge Pipeline Road Use Agreement.
Roll call vote: Ms. Harris no, Ms. Pyne no,
Mr. Buchanan no, Mr. Soeldner no.
Motion failed.

Mr. Schmitt reported on electronic proposals for bid lettings. He indicated that many jurisdictions make bid documents available electronically. He would recommend adopting the practice because it saves on the cost of making copies.

Mr. Schmitt gave a progress report on the fire damaged building including photographs taken while the fire was in progress. He said they will be using less flammable building materials in the replacement structure.

Mr. Schmitt reported that the County received \$400,000 in ITEP funding to construct an extension of the Rte. 66 Bike trail south of Shirley. The County did not receive funds for a study to extend the trail north from Lexington. He indicated he would reapply for those funds.

Chairman Sorensen remarked on the discussion of the Enbridge Pipeline Road Agreement. He suggested that there may be other, more appropriate ways to engage in discussion about the project. He did not believe the Road Use Agreement could be used as a hammer to stop the project. He expressed dismay that the committee had abdicated its responsibility for the County Roads by not approving the agreement. Ms. Pyne commented that the action was to delay, not stop the agreement. Mr. Soeldner stated he was uncomfortable with the result, that the actions of one committee prevented consideration by the entire board. He asked if the agreement could be advanced to the board without committee approval. Mr. Sorensen discouraged that. He felt the committee should make further attempt to reach agreement and suggested members review it and submit recommended changes for consideration at the next meeting. Mr. Pyne asked how the fee was determined. Mr. Schmitt replied that \$10,000 was intended to cover administrative costs and \$15,000 was the estimated amount of permit fees that would be collected based on the expected number of loads. Mr. Buchanan indicated that he was now reconsidering his vote and asked if a motion to reconsider would be in order. Mr. Sorensen suggested that it would better to attempt to rework the agreement and bring it back to the committee at the next meeting.

Mr. Cavallini requested a motion to adjourn.

Motion by Soeldner/Buchanan to adjourn
The Transportation Committee Meeting.
Motion carried.

Meeting adjourned.

Respectfully submitted,

Diana Hospelhorn
Recording Secretary