

Minutes of the Transportation Committee

The Transportation Committee of the McLean County Board met Tuesday, May 1, 2001 at 7:30 a.m. in Room 700, Law and Justice Center, 104 West Front Street, Room 701 Bloomington, Illinois.

Members Present: Vice Chairman Hoselton, Members Emmett, Selzer, Owens

Members Absent: Chairman Bass, Member Johnson

Staff Members Present: Mr. John M. Zeunik, 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

Vice Chairman Hoselton called the meeting to order at 7:38 a.m. Vice Chairman Hoselton presented the Minutes of the April 17, 2001 meeting for approval.

Motion By Owens/Emmett to approve the minutes of the April 17, 2001 meeting of the Transportation Committee. Motion carried.

Vice Chairman Hoselton presented the bills as prepared by the Auditor's Office.

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

Vice Chairman Hoselton presented the Bridge Petition for the Arrowsmith Road District. He noted that this project is a non-Motor Fuel Tax (MFT) project. He stated that the County is obligated for the amount of \$27,500.00, and Arrowsmith will pay the balance.

Mr. Jack Mitchell, County Engineer, stated that the box culvert that is currently in place had a wing fall off a few years ago. It has since been replaced, but another wing is presently missing. The Township has temporarily provided rocks to cover the broken areas, and has placed barricades along the side in order to keep the road open, while it is awaiting repair.

Mr. Mitchell explained that on the other side of the culvert, both wings are leaning somewhat. The structure is old, and it is thought that the best way to remedy the disrepair is to install twin 84-inch arch pipe in place of the box. A large headwall and turning wall will be installed as well, in order to reroute water run off through the culvert. He noted that the twin pipes will be more economical than a concrete culvert and is thus a better choice for the project. The pipe is galvanized and coated with black plastic coating to prevent corrosion.

Mr. Owens asked what the timeline is for this project. Mr. Mitchell noted that this situation is somewhat dangerous and, therefore, the Highway Department wants to complete the project as soon as possible. He explained that they taking bids for the headwall in the upcoming week, and the pipe would be ordered immediately, in the event that the Committee approves the project.

Motion by Emmett/Owens to Approve the Arrowsmith Road
District Non-MFT Bridge Petition. Motion carried.

Vice Chairman Hoselton presented the Stipulated Agreement with the Illinois Commerce Commission and noted that it has been revised with regard to the dollar amount. Mr. Mitchell noted that the dollar amount is the only revision to the proposed Agreement. He noted that he sent a letter to the Commerce Commission last week stating that there is a concern over the fact that the County is being asked to pay the maximum, and that the Village of Towanda and the County are liable for any overrun, if there is any.

Mr. Mitchell noted that there is a reimbursement program with the Illinois Department of Transportation (IDOT). The funds originate with the Illinois Commerce Commission. Funding for these types of projects is administered by IDOT through the Grade Crossing Protection Fund.

Mr. Mitchell explained that there are three (3) crossings in the Village of Towanda. The first is Jefferson Street (County Highway 29; Towanda Barnes Road), where visibility is

very poor. It is located near a grain elevator, the structure of which partially obscures the view. The second crossing is the Madison Street crossing, which is located near the Towanda Post Office. This crossing will remain open.

The third crossing is located at Washington Street in the Village of Towanda. This crossing is to be closed, along with the Jefferson Street crossing. The Madison Street crossing is to remain open. Additionally, there will be a new crossing and approach added to the Adams Street crossing.

Mr. Mitchell explained that the incoming bids were 20% over the estimate. He advised the Commerce Commission that those bids were unacceptable, and that the proposed merger between Cullinan and Freesen has had the effect of reducing competition between those two (2) companies. The State agreed to raise the construction estimate 20% and the contingency to cover that.

Mr. Mitchell noted that he sent a letter to Village of Towanda Mayor John Jenkins before he contacted the Commerce Commission and noted that he is still bothered by the maximum being in the estimate. He stated that Mayor Jenkins is, at this time, attempting to set up a meeting between the Village and the Commerce Commission to determine whether he can get the Commission to change some of their requirements. Mr. Mitchell stated that it would be acceptable for the Committee to postpone action until after that meeting has taken place.

Mr. Mitchell explained that the reimbursement provision of the Stipulated Agreement could be addressed by sending a letter to Mr. Darrell McMurray at IDOT in Springfield to determine whether IDOT will expedite the checks issued to the County. In this way, funds will be more readily accessible immediately following a letting.

Mr. Mitchell remarked that it may be in the Committee's best interests to postpone any action until the results of the meeting between the Towanda Mayor and the Commerce Commission are known. He stated that anyone from the Committee may also attend that meeting. However, it must be noted that no more than two (2) Transportation Committee members may attend the meeting at one time, since the meeting is not scheduled as a public meeting. If more than two members attend, the Committee would be out of compliance with the Open Meetings Act.

Mr. Emmett asked what would be the split between the Village of Towanda and the County, in the event of a cost overrun. Mr. Mitchell responded that Farnsworth and Wylie are presently working on this issue. The County is working on the rail crossing that has the side street approaching it. The Village is working on closing a crossing and, as a result, the Commerce Commission or the railroad will pay to upgrade whatever

streets require an upgrade to allow for the crossing closure. Therefore, there are several streets currently under construction in order to allow for the change in traffic flow. He noted that the Village's expenses are higher than the County's as a result.

Vice Chairman Hoselton remarked that the only section of road that the County is obligated to upgrade is that section of Adams Street, which runs parallel to the railroad tracks.

Mr. Selzer asked when the meeting between the Village of Towanda and the Commerce Commission would take place. Mr. Mitchell responded that it would likely take place within the next two weeks. He stated that the Village's monthly meeting is the third Monday of the month. The County Board meets the third Tuesday of the month. It would be advantageous to have the Commerce Commission meeting completed prior to both those meetings.

Mr. Selzer asked whether the revised Stipulated Agreement could then be approved at a Stand Up Meeting immediately prior to the May 15, 2001 Board meeting, and still have it subsequently come before the full Board for approval. Vice Chairman Hoselton stated that he had questions regarding the financial capability of the Village of Towanda.

Mr. Mitchell noted that, as a part of the high speed rail project, the 12 rail crossings beginning at Airport Road, and continuing through to the crossing south of Chenoa, are on the State's first phase of the upgrade project to install quad gates at those rail crossings. Quad gates are defined as railroad crossing gates that are configured on all four (4) corners of the crossing, as deterrents to motorists who might otherwise ignore crossing gates. He noted that concrete crossings would be installed in place of some of the timber crossings that are presently in place. Hot mix pads will also be poured in order to be able to install detector loops within the pads so that rail gates may be opened in the event that a vehicle became trapped inside the gates when they are activated.

Mr. Selzer asked how the quad gates work. Mr. Mitchell explained that the process uses magnetic induction, which senses the metal in the vehicle and subsequently opens the gates.

Mr. Owens asked whether quad gates were previously installed at a crossing in Lexington. Mr. Mitchell responded that the safety device installed at that crossing is known as an arrestor net. He noted that this device never functioned correctly. As a result of the ineffectiveness of the net, quad gates have subsequently installed.

Vice Chairman Hoselton asked whether McLean County is the first County in the state to have quad gates and detector loops. Mr. Mitchell noted that quad gates with detector loops came into use about four (4) years ago.

Vice Chairman Hoselton asked whether once the award is made, the County has 24 months to complete the designated work, or the funds will become de-obligated. Mr. Mitchell responded that Village of Towanda Mayor Jack Jenkins committed the Village to pay 100% of the engineering costs in advance. At this time, the Village is seeking a reimbursement payment for this expense.

Vice Chairman Hoselton asked whether the proposed increase in the amount stated in the Stipulated Agreement was 15%. Mr. Mitchell responded that the increased amount is 20% of the construction costs, the construction costs being approximately \$300,000.00 of the total \$468,000.00.

Motion to table to a Stand Up Meeting the Request for Approval of the Revised Stipulated Agreement Between the Illinois Commerce Commission, the Village of Towanda, the County of McLean, and the Illinois Department of Transportation. The Stand Up Meeting is Scheduled immediately prior to the regular meeting of the County Board on May 15, 2001 in Room 700 in the Law and Justice Center.
Motion carried.

Vice Chairman Hoselton presented the Request for Approval of a Permit for the Christian Farmers International Bicycle Ride. Mr. Mitchell noted that this is the third year for this group's activity.

Motion by Owens/Selzer to Approve the Permit Application for the Christian Farmers International Bicycle Ride. Motion carried.

Vice Chairman Hoselton presented the information item regarding a question of jurisdiction over the interchange between Interstate 55 and County Highway 34 at Shirley, Illinois, the interchange at County Highway 29 at Towanda, and the interchange at County Highway 8 at Lexington. Mr. Mitchell noted that the interchanges are in varying grades of poor condition, with the Lexington location being in the worst condition and the Shirley location being in the best condition.

Mr. Mitchell noted that he has contacted State Representative Dan Rutherford with regard to clarification of this issue regarding maintenance jurisdiction of the locations in question. Mr. Mitchell provided each Committee member with a copy of his letter to Representative Rutherford, along with a copy of the Resolution for Providing for the

Construction and Maintenance of a Traffic Interchange and Approaches at the Intersection of Federal Aid Interstate Route 55 and Federal Aid Secondary route 473 (County Highway 8) in McLean County, Illinois. The State Department of Transportation has quoted this Resolution in its communications with Mr. Mitchell regarding jurisdiction. Mr. Mitchell noted that the dispute over maintenance jurisdiction has been ongoing since 1996, and that the Agreement could be interpreted as unclear with regard to maintenance jurisdiction of the interchanges in question. He stated that the State has maintained the interchanges since they first opened.

Mr. Selzer asked Mr. Mitchell to specifically describe the portions of road that are in question. Mr. Mitchell noted, with the aid of a freehand drawing, that the portions of road in question consist of on ramps and off ramps at each interchange, as well as the portion of road that crosses over Interstate 55 at each interchange. He explained that the ramps ascending and descending from each interchange are the State's jurisdiction, and are not in dispute.

Mr. Mitchell remarked that the crux of his position is that the State should also be responsible for the maintenance of the portion of road that crosses over the Interstate. The State, however, is insisting that such jurisdiction belongs to the County. He noted that, at the time the Agreement was executed, no Illinois Counties were sufficiently prepared to maintain concrete road, and therefore, concrete maintenance was exempted from County maintenance jurisdictions.

Mr. Mitchell explained that First Civil Assistant State's Attorney Eric Ruud and Civil Assistant State's Attorney Brian Hug have both examined the text of the Agreement repeatedly. Their conclusion is that the maintenance for all portions of the interchanges is the County's responsibility.

The County Highway Department contacted Illinois Senator Maitland in an attempt to locate any available funding for initial improvements. Following those improvements, the County would then take over the continuing maintenance obligation for the interchanges in question. However, at the time of the Highway Department's request, there was no funding available.

Mr. Mitchell noted that he will meet in the upcoming week with Illinois State Representative Dan Rutherford, in an attempt to locate any funding that might be available for the needed repairs to the three (3) interchanges in question. He explained that the County has been maintaining the interchanges while the dispute over jurisdiction is ongoing. It now appears that the County will shoulder the responsibility for their maintenance.

Vice Chairman Hoselton asked whether the County would now be responsible for the road that runs along the overpass. Mr. Mitchell remarked that the actual structure of the overpass belongs to the State of Illinois. The section in question is the portion of road that approaches the bridge and the road that descends from the bridge, where each section meets the concrete of Interstate 55.

The Shirley overpass extends from Route 66 on one end and across to about 1,000 feet. The road then becomes asphalt, which the County maintains. This section is currently being repaired. Mr. Mitchell noted that the approaches at the Towanda exchange were repaired last year. He explained that the Lexington exchange is scheduled for repair next year, and it is the location that is in the poorest state of repair.

Vice Chairman Hoselton asked that wherever concrete occurs, the State retains jurisdiction with regard to maintenance. Mr. Mitchell responded that previously the State had maintained the concrete portions of the road and the County had maintained the asphalt portions of the road. Under the new jurisdiction, the County will also maintain the concrete sections of road directly up to the bridge structure itself.

Mr. Selzer asked whether the County could make a case for the State to assist more regularly in the maintenance of the three (3) overpass sections in question. He remarked that, in view of the most recent census figures, which illustrate the growth level that the County has experienced, the State might be able to assist more productively.

Vice Chairman Hoselton noted that the amount of funds needed to effectuate the needed repairs to the interchanges is approximately \$1.7 million. Mr. Mitchell responded that there are actually a few different estimates under consideration at this time. The amount of \$3.2 million reflects the amount needed if road medians were removed so that farm-related traffic can be routed to one side of the road, leaving a portion of the road open to accommodate faster moving traffic. The \$1.7 million estimate includes patching, shoulder work, and overlay work on all three (3) overpasses.

Mr. Selzer asked how much Illinois First funding McLean County received. Mr. Mitchell stated that \$1.4 million was received for the Towanda-Barnes project, which was in the form of a legislative add-on, rather than actual Illinois First funds.

Vice Chairman Hoselton presented the comparison of County to Contractor Costs for Work Quantities on LeRoy-Lexington Road. Mr. Mitchell explained that most of the contractors' costs came from local contractors. He stated that the resulting figures are influenced by an increase in aggregate costs as well as a lack of competition between local companies.

Mr. Selzer asked whether the project has actually been bid. He noted that when it is bid, he would like to be informed of the figures. Mr. Mitchell noted that the County Highway Department would complete the work rather than having it bid. He expressed concern over the fact that many estimates are now coming in much higher than they have in the past, and does not foresee that trend to be advantageous to the County in the future. He stated that, for the LeRoy-Lexington Road project, there would be a letting for the asphalt work.

Vice Chairman Hoselton expressed his concern over the fact that there is such a wide discrepancy between the County's estimate for the work and the contractor's estimate for the same work. He noted that many construction companies are actually better suited to perform this type of work, while the County Highway Department, although highly qualified, is not in a position to handle large construction jobs.

Mr. Selzer asked how much overtime would be required to complete the job. He noted that overtime, minus snowplowing time in the winter, should be kept to a minimum whenever possible. Mr. Mitchell noted that overtime in the summer is primarily incurred by the engineering staff, rather than the maintenance crews.

Vice Chairman Hoselton noted that some of the numbers may not be accurate in their present form. He stated that in the event of a 20% increase, it should correlate with both labor and materials, and the present figures do not reflect that.

Mr. Mitchell explained that the Highway Department has done jobs such as the LeRoy-Lexington project and is therefore able to handle this type of job in the summer. The routine maintenance projects will suffice during the winter.

Mr. Selzer asked whether there are other projects that the County is missing by doing the LeRoy-Lexington Road project. Mr. Mitchell responded that any jobs that may be postponed are just small, clean-up projects.

Vice Chairman Hoselton noted that the County is currently in the second year of a bridge installation and asked whether this timeframe is out of the ordinary. Mr. Mitchell responded that it is not unusual for a bridge installation to take more than one year. He explained that the paperwork schedule, as well as the construction schedule, in combination with the acquisition of both right-of-way and funding, often dictates that the project will take more than a year to complete. He stated that bridges are often designed in advance of fund acquisition, in order to expedite the project when funds do become available.

Vice Chairman Hoselton observed that expense category figures break down to:

1) Equipment 35%; 2) Materials 37%; and 3) Labor 28%. He noted that it was surprising that the labor percentage is the smallest of the three (3) figures cited.

Mr. Mitchell stated that an equipment charge is based upon a per hour rate for equipment rental, although the Highway Department has much of its own equipment and does not need to rent many pieces. He explained that the rental charge has been factored into the estimate because, at some point, the equipment will have to be replaced, but that the Department is not actually charging a per hour fee for its equipment. He stated that, throughout the year, the Department does charge equipment rental for Motor Fuel Tax back to the County Highway fund to help pay for equipment rental.

Vice Chairman Hoselton stated that he will take the figures stated in the comparison and submit them to three (3) different contractors for their opinions. He cited labor costs as usually being the high end of a construction equation. He noted that such is not the case in this cost comparison. Mr. Selzer remarked that the results of such a query may be interesting to review.

Mr. Owens noted that, in several of the areas of the comparison, it appears to be more cost effective to have the project done outside the Highway Department. He asked whether the total project could be broken down into its individual components and contract out any of those components that are less expensive to have done by an outside firm. Mr. Mitchell noted that most contractors would not be willing to bid on a portion of a job, as opposed to the entire job.

Mr. Mitchell stated that under Other, he wished to inform the Committee that the section of Towanda-Barnes Road from U.S. Highway 150 to Ireland Grove Road was bid at \$4,546,000.00. The County's estimate, prepared by Farnsworth and Wylie last year, was \$3,710,000.00. They were \$836,000.00 over bid, which is 22% over estimate. He noted that the State did not reveal the State's official estimate.

Mr. Mitchell remarked that, because the County's original bid was placed last year, that it could have been updated this year by about 5%, which would have made the County's bid approximately 17.5% over estimate. He noted that there was one bidder on this project, which was Rowe Construction Company.

Mr. Mitchell remarked that the other project, Section 96-00168, which is from Ireland Grove Road to Illinois Route 9, was bid at \$3,045,000.00. The County's bid was \$2,500,000.00, which was \$545,000.00 over the estimate, or an overage of 21.8%. The State of Illinois marked the project as DO NOT AWARD, since it was too far over their estimate.

Mr. Emmett asked whether the County would rebid the projects. Mr. Mitchell stated that the projects would be rebid. They will also be reestimated to determine whether any changes need to be made.

Mr. Emmett asked who would pick up the difference between our estimate and the bid, in the event that the second round of bids come in high. Mr. Mitchell responded that the County would pick up the difference. He noted that there is a flat amount of both Federal and State monies invested in the projects. The smaller project, located on Ireland Grove Road up to Illinois Route 9, is being matched by the Central Illinois Regional Airport, so they would need to provide any difference in the event that the bids fall short of the estimate on that project.

Mr. Mitchell noted that the section of Towanda Barnes Road from U.S. Highway 150 to Ireland Grove Road is under the jurisdiction of McLean County. Therefore, the County would be responsible for the payment of any difference between bids and estimate on this project. He stated that the County has \$2,380,000.00 of Federal money, \$572,000.00 of State money, and \$349,000.00 TARP funding, for a total of \$3,300,000.00 million, aligned for the first project, which was bid at \$4.5 million.

Mr. Mitchell attributed the high bid numbers to elimination of competition between area construction companies and material suppliers' increase in prices. Vice Chairman Hoselton asked whether it would be advantageous to rebid and have some alternate bids included in combination. Mr. Mitchell responded that the bids were let in combination, but were not bid in combination. Again, this was attributed to a lack of competition in the marketplace.

Mr. Selzer asked whether the County could contact companies outside of the immediate local area and invite them to bid on local jobs, in an attempt to infuse competition into the process, and thus help lower costs. Mr. Mitchell responded that only companies who were actively looking to expand their operations beyond their immediate local areas would respond to such a situation. He noted that such action would not guarantee active participation by area contractors.

Mr. Selzer remarked that the County should attempt to contact other potential bidders to be sure that all options have been tried.

Mr. Mitchell explained that one-contractor markets are becoming a trend. The local proposed merger of construction companies into one company was not so much to eliminate marketplace competition, but rather to position themselves defensively in the event that an outside firm attempts to enter this area.

Mr. Mitchell stated that he has also spoken with representatives from the State regarding putting out an alternate bid for a concrete section instead of the asphalt section. He noted that asphalt has been the preferred material to date, but that may change. Mr. Selzer asked whether the project is currently concrete interchanges followed by asphalt road. Mr. Mitchell responded that the project is currently all asphalt.

Mr. Emmett stated that, with the new trend of construction companies combining into one entity, the bids received from a future large company may become even higher than those that are offered currently, which are still over estimate.

Vice Chairman Hoselton stated that if there is only one bid, suspicion of impropriety is likely to occur. Mr. Selzer remarked that the inclusion of alternate bidders would help avoid that situation.

Mr. Mitchell remarked that all roadwork done by the State is published in the State bulletin, which is available to all prequalified contractors. The information has also become available on the Internet. Therefore, any company that wants to bid, quote materials or subcontract work, can access the bidding dates through the State bulletin.

Mr. Selzer stated that the County should make jobs available for bid to companies from outside the immediate local area in order to force the marketplace to respond with bids that are more in line with reasonable costs.

Mr. Owens asked what companies are involved in the proposed merger. Mr. Mitchell responded that the proposed merger has not officially taken place at this time. However, the companies involved are: Rowe Construction Company (owned by Cullinan of Tremont, Illinois), Freesen, Inc. from Springfield, and Illinois Valley Paving from the Jacksonville/Springfield area.

Mr. Owens asked which company does the larger jobs. Mr. Mitchell responded that Rowe Construction Company and Freesen, Inc. customarily handle the larger local area jobs.

Mr. Selzer asked whether the job would be rebid. Mr. Moody stated that the job would be rebid, perhaps as a concrete alternate. He noted that the upcoming letting deadline has probably already passed. Therefore, he would like to address the project as an addendum, after the bids are out.

Mr. Owens asked whether the job could be done in phases, year by year. Mr. Mitchell responded that dividing the job into smaller portions would not be advantageous.

Mr. Selzer asked whether concrete has a longer life than asphalt. Mr. Mitchell stated that concrete is more expensive than asphalt, but it does have a longer life. It is a little rougher surface in the beginning than asphalt, as well.

Mr. Emmett stated that requesting a concrete bid might send a message to both Rowe and Freesen that the County is willing to entertain alternate bids for this project.

Vice Chairman Hoselton asked who was the single bidder on this project. Mr. Mitchell noted that Rowe Construction Company was the sole bidder on the project. Mr. Hoselton asked whether a letter or notice of some type could be sent out to local companies showing the location of the road to be bid, and asking companies to quote costs for the project. Mr. Mitchell remarked that the work is advertised in the State Bulletin and anyone interested in the work will see it.

Mr. Emmett remarked that in sending out solicitation letters, there may be a problem with omitting some potential bidders. Vice Chairman Hoselton noted that not all companies in the area may be able to handle all jobs. Therefore, only the most appropriate companies, from a capability standpoint, would receive notice of jobs that are appropriate for them. He remarked that such solicitation might be necessary if more bids are to be garnered in this current atmosphere of reduced competition.

Mr. Selzer stated that there surely must be companies in the general geographical that would consider bidding jobs in this area, if they were made aware that their participation was both sought and welcome. Mr. Mitchell explained that contractors in Champaign are aware of the proposed merger that may take place in McLean County, and are watching to determine the final result. He further explained that it is not likely that Champaign contractors will enter into the McLean County marketplace at this time.

Vice Chairman Hoselton stated that he understood the reticence of the Champaign area contractors to enter into the McLean County market. However, if some alternative action, other than what is the customary action, is not attempted, there will be no chance of improvement in the present climate.

Mr. Mitchell remarked that, in the event that the job would be done as a concrete alternate, it would have to be done with the approval of the State. For this reason, the State prefers that the job not be bid as an addendum, due to the fact that they want sufficient time to review and properly consider the proposal.

Mr. Selzer asked whether the work could commence on this project during the present construction season. In the event that no bids are approved and a letting is bypassed,

could construction still commence this year. Mr. Mitchell responded that the construction season will be lost in that event.

Mr. Selzer stated that the Committee should not be complacent in collecting alternative construction bids whenever necessary. He remarked that every source should be exhausted in the search for the most cost-effective means of construction.

Mr. Owens asked whether a bid on only a portion of project being concrete would be acceptable. Mr. Mitchell remarked that when an alternate bid is set up, contractors have their choice of bidding either asphalt or concrete. Or, they may bid both in the event that they are set up to bid both. However, the low bid is the one that is accepted.

Mr. Mitchell explained that this project also involves a portion of property owned by the Central Illinois Regional Airport. He stated that the Airport Authority must give their approval to whatever the Highway Department decides to do, since engineering money will be spent. However, he noted, if an addendum cannot be sent out, the project may just be rebid altogether.

Vice Chairman Hoselton remarked that he would still like to see postcards go out to contractors outside the local area to solicit their bids on the project. In this way, he stated that a signal would be sent to local contractors that there still is competition in the marketplace. Mr. Mitchell stated that he would comply with Mr. Hoselton's request.

Motion by Selzer/Emmett to move into Executive Session to discuss the acquisition of real property. In addition to the Committee members present, those participants to remain are: Mr. Mitchell, Mr. Zeunik, and Ms. Ross. Motion carried.

The Committee went into Executive Session to discuss the acquisition of real property at 9:10 a.m.

The Committee came out of Executive Session at 9:47 a.m. and returned to regular session.

Motion by Selzer/Owens to authorize Mr. Jack Mitchell, County Engineer, and the Civil Assistant State's Attorneys to negotiate with the Deneen Trust for the acquisition of 10 acres of property located directly East of the current Highway Department facility on Towanda-Barnes Road.

Mr. Owens asked whether the issue needs to go to the City of Bloomington for approval prior to submitting it to the Property Committee for its consideration. Mr. Mitchell noted that he has talked with representatives from the City of Bloomington.

Mr. Zeunik stated that negotiations will need to commence with the representatives of the Deneen Trust so that we know what their position is with regard to the sale of the property. The Committees should make no final decisions until we know where the Deneens stand.

Vice Chairman Hoselton asked whether the County's sole ownership of the property, with leasing portions to the City of Bloomington, would be the most appropriate course of action. Mr. Zeunik replied that the City would need to decide if they are interested in leasing property from the County or owning the property.

Mr. Mitchell noted that there is a need for a Stand Up meeting prior to the May 15, 2001 County Board meeting to consider the Revised Illinois Commerce Commission Stipulated Agreement #943. He further noted that the informal meeting between the Illinois Commerce Commission and the Village of Towanda would be open to attendance by no more than two (2) of the Transportation Committee members. Since this is an informal meeting only, it is important to comply with the provisions of the Open Meetings Act. Mr. Mitchell asked Mr. Hoselton, as Vice Chairman of the Transportation Committee, to attend.

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

There being nothing further to come before the Committee at this time, the meeting was adjourned at 9:52 a.m.

Respectfully submitted,

Martha B. Ross
Recording Secretary

Minutes of the Executive Session of the Transportation Committee
Tuesday, May 1, 2001

The Transportation Committee of the McLean County Board went into Executive Session at 9:10 a.m. on Tuesday, May 1, 2001 to discuss the acquisition of real estate.

Mr. Jack Mitchell, County Engineer, Highway Department, stated that he is seeking approval of the Transportation Committee to take a real estate acquisition request to the Property Committee for discussion. He explained that he would like to begin negotiations with the Deneen Trust to purchase land that is adjacent to the Highway Department.

Mr. Mitchell explained that the Highway Department's existing property faces the Towanda-Barnes Road. The County owns a rectangular-shaped piece of land that measures approximately 810 feet deep by 350 feet wide, as well as a triangular-shaped piece of land that measures 764 feet deep by 236 feet wide. The triangular-shaped piece occurred as a result of the Central Illinois Regional Airport's ("Airport") clear zone and lighting scheme, which requires that the shape be one of a triangle so that it will parallel the direction of the runway. The Airport owns the property to the south of the property in question.

Mr. Mitchell explained that the City of Bloomington ("City") is currently seeking approximately five acres of land on the east side of Bloomington, and has approached the County. Mr. Mitchell stated that the City has expanded so dramatically on its eastern perimeter that the Public Works Department can no longer adequately service the east side of town from its central location. They are, therefore, seeking a satellite location.

Mr. Mitchell remarked that expansion of the existing lot now occupied by the Highway Department is most appropriate to the east, or more precisely, toward the back of the existing lot. More ground is needed to stockpile clean fill dirt and materials. The proposed expansion is approximately ten (10) acres, not all of which would be needed at the present time. However, an eye to the increasing expansion of the future is needed.

The representatives of the Deneen Trust stated, during negotiations for the Towanda-Barnes Right-Of-Way, that they would be willing to talk about further property acquisition in the future. The Deneen Trust has indicated that they will need a road to service their property, and that access may need to be well-considered.

Mr. Selzer asked whether the current entrance that comes off of the Towanda-Barnes Road could be closed in the event that a new entrance is developed. Mr. Mitchell responded that this may be the case, but will not likely happen in the near future. In the meantime, the City will probably need to access their part of the proposed facilities through the County's property. Mr. Mitchell stated that there is a proposed access road located adjacent to the north line of the County's property.

Vice Chairman Hoselton remarked that at one time there was some discussion regarding the expansion of the property in a northerly direction to the existing east-west road. Mr. Mitchell responded that it is felt that access to the proposed new property at the north end is a more safe entrance off of the Towanda-Barnes Road.

Vice Chairman Hoselton asked where the outlet of the proposed new access road will be located. Mr. Mitchell explained that the new road will egress onto the Towanda-Barnes Road.

Mr. Mitchell stated that the representatives of the Deneen Trust would like one access to the Towanda-Barnes Road at the County's north property line, and another farther north near Illinois Route 9. He noted that the stated policy regarding access to the Towanda-Barnes Road is that there will be only two (2) accesses per side, per mile of road. This plan would give them an entrance within each half-mile area. There would not be room for any further entrances because of the Airport property.

Mr. Selzer stated that such accesses must be of value to the Deneens. Their property would be potentially more versatile with more access. Mr. Mitchell stated that the area north of the County's property, near Illinois Route 9, is a lucrative commercial location. The Airport's noise cone makes much of the Deneen property less suitable for residential development, but could be utilized for commercial development.

Mr. Mitchell stated that any kind of development cannot occur until there is a pump station in place and that sewer lines will need to be installed. He noted that water will be available in the area. The City is considering running a water main down the other side of the Towanda-Barnes Road to close their loop between Route 9 and the commercial park located on Towanda-Barnes Road.

Mr. Selzer asked whether there is a current estimate as to what the County would be willing to pay and what the Deneen Trust may request. Mr. Mitchell responded that some of the more recent appraisals and land sales in the vicinity of the Towanda-Barnes Road have been considered. When there is a fee purchase and easements added in, it is difficult to determine a price per acre.

Mr. Mitchell cited that some properties have recently sold in Normal, such as the Tipton property at \$43,000.00 per acre. He stated that the Tipton property was already surrounded by the City, so it is not totally indicative of prices. He then cited the Kelly property as being appraised at \$25,000.00 per acre, and another property is appraised at \$34,000.00 per acre. The Deneen's hold property on Ireland Grove Road that has been valued at \$5,600.00. The Brownfield property on the north side of Towanda-Barnes Road was valued at \$18,000.00 for 1/10th of an acre. The Hanely property, where the

Eagle Subdivision is currently going in, was sold at \$25,000.00 per acre. The King property off of Airport Road, near the Eastview Christian Church's new facility was sold at \$20,000.00. Therefore, there is a wide range of property value in the general area. Mr. Mitchell stated that he would like to target a range of between \$18,000.00 and \$20,000.00 per acre as a suitable price.

Mr. Emmett stated that the property values being cited by Mr. Mitchell are, in all likelihood, a result of easy access to roads. The property in question will suffer in terms of value unless adequate access is obtained. He noted that the County is in a good bargaining position in that the Deneens would like an access road and the County would like to acquire the land.

Mr. Selzer noted that noise, with regard to the property's proximity to the airport, may factor into the value of the property and its potential uses.

Vice Chairman Hoselton stated that many of the properties cited as examples of property values are being developed for residential use. The noise cone from the Central Illinois Regional Airport would also impact the use of the property and would factor into the negotiations. He asked Mr. Mitchell whether the price per acre may be approximately \$20,000.00, with the City receiving half of the acquisition.

Mr. Mitchell stated that he placed between \$45,000.00 and \$50,000.00 in the current year's budget for property acquisition. There is also \$45,000.00 budgeted for materials storage. He explained that the two budget categories could be combined for the property purchase and put off the materials storage cost for one more year.

Mr. Emmett stated that this is the optimum time to negotiate a good price for the land. If the negotiations are postponed until the land is under development, the County's bargaining position will not be as flexible.

Vice Chairman Hoselton asked whether the Deneens will be participants in the proposed access road. Mr. Mitchell responded that the County currently has the right-of-way for the Towanda-Barnes Road. Mr. Mitchell responded that the proposed access road would be built on property that is currently owned by the Deneens, but the Highway Department can be afforded access to the property without going through the Deneen's property, but it is a good negotiating tool.

Mr. Owens asked whether the County would split all costs associated with the property acquisition equally with the City of Bloomington. Mr. Mitchell responded that there would be one negotiation to acquire the property in its totality.

Mr. Owens commented that the County already has access to the proposed property. He asked how the City would obtain access. Mr. Mitchell stated that the County would allow the City to access the property by utilizing the County's access route.

Vice Chairman Hoselton asked how the property line would be established in order to distinguish between the two (2) entities. He stated that the reason he would like to see an establishment of property delineation is that, in the event of an injury or accident that occurs on the property of the other entity, he would not like to see the County become involved in the City's injury case, and vice versa.

Mr. Mitchell stated that a salt dome would be jointly owned and access to it would be available equally to both parties. He noted that there may be a need to delineate individual responsibilities through the utilization of an Intergovernmental Agreement.

Mr. Selzer stated that if growth continues at its present rate, the full ten acres will be needed by the County. If growth does not continue at its present rate, such a large tract of land may not be completely needed by the County. The County would then need to determine whether it would lease out some of the unused space. However, the space would ultimately be available for the County's use in the event that it was needed.

Mr. Mitchell commented that another option is to establish satellite facilities on both the east and west sides of town, in lieu of acquiring the proposed ten acres for a consolidated site. He noted that there are both advantages and disadvantages to both choices. The Road Commissioner in Arrowsmith has property that could be considered for such a venture, and is amenable to the idea. The Dry Grove area on the west side of town is also a possibility. He explained that, in considering satellite facilities, improved service to rural residents during the winter months is a primary consideration.

Mr. Mitchell remarked that the option being most strongly considered at this time is a centralized site, as it may be more cost effective and more efficient to manage. However, the satellite system is still viable, and if implemented, would eliminate the need for the proposed ten acre acquisition.

Mr. Selzer asked if the proposed satellite locations would be manned with full time or part time employees who could service other requests by the general public, other than highway-related business. An example of this service might include health permits, job applications, and other forms and services that would normally be addressed at the County's downtown Bloomington location. He explained that it may be difficult to cost-justify satellite facilities solely for one department. But, if other basic County services are also available at that location, for the convenience of the County's rural residents, the facilities may indeed be more likely to be considered cost effective.

Mr. Mitchell stated that, at this time, there are no plans for any proposed satellite facilities to be manned. The property adjacent to the current Highway Department location is utilized for storage. Since the Department has been in the same location for the past 30 years, the storage and stockpile capacity is nearly exhausted.

Mr. Selzer asked whether the proposed ten acres site is indeed still necessary, even if satellite locations are formed. Mr. Mitchell responded that adequate storage space for materials and supplies such as salt and clean fill dirt is needed as well as storage space for equipment. Therefore, at some time in the future, multiple sites may be needed.

Vice Chairman Hoselton stated that in the past, equipment storage was the main utilization for the satellite buildings. However, a central location from which to administer the satellites' equipment and activities would be effective. However, frequency of use must be considered when construction costs and land acquisition is involved. Mr. Mitchell explained that it has not been considered in the past to have any satellite locations manned.

Vice Chairman Hoselton explained to the Committee that motions and actions may not be made in an Executive Session, but that motions and their subsequent votes must be made in open session where the public may be privy to discussion and vote. He asked Mr. Selzer if he would plan to make a motion, in Open Session, to the effect that the County purchase the ten acre tract of land that is adjacent to the Highway Department, and negotiate a lease agreement with the City of Bloomington for their joint use of the property in conjunction with the County, as opposed to the two parties jointly purchasing the property and sharing the cost.

Mr. Selzer asked whether the City of Bloomington had expressed a preference for lease or purchase, regarding the land acquisition. Mr. Zeunik responded that he was not aware of a preference by the City. Mr. Zeunik stated that he would need to call the City Manager. The City's main objective was to make services available to the east side in order to address the growth that is occurring there.

Mr. Selzer commented that the acquisition of ten acres of land would provide the County Highway Department with a tract of approximately 20 acres total, which would allow the County to someday dispose of all or part of the parcel, in the event that the Highway facility is moved to a new location. Mr. Mitchell stated that the Highway Department does not have sufficient funding at this time to purchase the entire ten acre tract of land, and may need to rely on the City to purchase half, along with the County purchasing half.

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Mr. Emmett remarked that he would like the negotiations to begin, with a recommendation forwarded back to the Transportation Committee once there is something substantive to report. Decisions need not be made at this time.

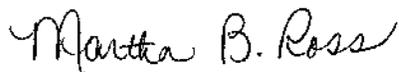
Mr. Selzer noted that he believes that it is important for the County to control the proposed new property. He asked the Committee to consider whether five acres would be enough for the County's future needs. Mr. Mitchell responded that the portion that the County had originally considered was approximately 4.8 acres that bordered a portion of the property owned by the Central Illinois Regional Airport. However, in considering the needs of the next ten to twenty years, it may not be sufficient.

Mr. Mitchell stated that the Central Illinois Regional Airport may acquire an additional 300 feet of land in order to extend a runway and the County may wish to make its acquisition prior to that time in order to ensure an appropriate tract.

Motion by Selzer/Emmett to return to Open Session. Motion carried.

The Transportation Committee of the McLean County Board returned to Open Session at 9:47 a.m.

Respectfully submitted,



Martha B. Ross
Recording Secretary