

## **Minutes of the Transportation Committee**

The Transportation Committee of the McLean County Board met on Wednesday, September 7, 2005 at 8:00 a.m. in Room 404 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Vice Chairman Hoselton, Members Dean, O'Connor, and Baggett

Members Absent: Chairman Bass and Member Cavallini

Other Members Present: None

Staff Members Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator, Ms. Christine Northcutt, Recording Secretary, County Administrator's Office

Department Heads Present: Mr. Jack Mitchell, County Engineer, Mr. Eric Schmitt, Assistant County Engineer

Others Present: Mr. Mark Leake, Highway Maintenance Coordinator; Ms. Christine Brauer, Regional Planning Commission; Ms. Jennifer Sicks, Regional Planning Commission; Mr. Bill Whitlock, Horizon Wind Energy

Vice Chairman Hoselton called the meeting to order at 8:08 a.m.

Vice Chairman Hoselton stated that the first item for action is the approval of the minutes from the August 2, 2005 meeting. He asked for a motion to approve the minutes.

Motion by Dean/Baggett to approve the minutes from the August 2, 2005 Transportation Committee Meeting. Motion carried.

Vice Chairman Hoselton informed the Committee that the next item on the agenda is the payment of the August, 2005 bills. Vice Chairman Hoselton asked if there were any questions from the Committee. Hearing none, he asked for a motion to approve the bills.

Motion by O'Connor/Baggett to recommend approval of the bills for August, 2005 as submitted by the County Auditor. Motion carried.

Vice Chairman Hoselton stated that the first item for action is the letting results from the August 31, 2005 letting for County and Township projects. Mr. Mitchell, County Engineer, stated that the bid tab is located in the Committee's agenda packet. He noted that the first project is for the replacement of a culvert proposed in the Village of Chenoa. This project has been underway for awhile. The first bid from Stark Excavating for \$37,087.50 is to put the concrete headwalls on the end of the culvert. The second bid from Contech Construction for \$47,088.00 is for the aluminum box culvert that goes across the road. This work will be done by the Highway Department. Both estimates were well under the engineer's estimate. The last bid is for hotmix roadwork proposed by the Towanda Road District in the Lamplighter's Subdivision. The low bidder on this project is Rowe Construction at \$109,469.25. Mr. Mitchell stated that the Highway Department recommends award of those three bids.

Motion by O'Connor/Dean to recommend award of Letting results from August 31, 2005 for County and Township projects. Motion carried.

Mr. Baggett asked why all three of these bids were so far below the engineer's estimate. Mr. Mitchell responded that there were several bidders competing for each bid and that always contributes to lower bids. Mr. Mitchell stated that these projects are also small quantity jobs, which are difficult to estimate.

Vice Chairman Hoselton stated that the next item on the agenda is the Wind Farm Road Use Agreement. Mr. Mitchell informed the Committee that in the Committee's agenda packet there is a copy of the revised version of the Road Upgrade and Maintenance Agreement with changes highlighted. Mr. Mitchell stated that he also handed out a final copy of the agreement to the Committee this morning. He noted that Mr. Bill Whitlock from Horizon Wind Energy is in attendance at today's meeting. Mr. Mitchell asked Mr. Whitlock if he had any comments that he would like to make to the Committee. Mr. Whitlock stated that the agreement is fairly straight forward and there has been much work on the agreement over the past 12-month period. Mr. Whitlock commented that he believes that this is a very solid agreement. Mr. Mitchell asked Mr. Brian Hug, Assistant State's Attorney if he would like to comment on the agreement. Mr. Hug stated that a lot of effort went into this agreement and the agreement is as fair as either side could expect. Mr. Hug stated that he would be happy to address any specific questions.

Vice Chairman Hoselton asked what is the total cost of this project.

Mr. Mitchell responded that the estimate on the work is \$3.2 million. That includes both phases of work. Mr. Mitchell added that the agreement requires that Horizon Wind Energy establishes a \$500,000.00 escrow and a \$500,000.00 irrevocable letter of credit. Vice Chairman Hoselton asked if bills would be paid from the escrow account or from the letter of credit. Mr. Hug replied that the developer intends to pay the County directly on every bill. The escrow account and letter of credit are set up as a guarantee for the County should the developer fail to pay the County on a timely basis. Mr. Hug stated that the terms of how quickly payment is expected, etc. is specifically outlined in the agreement. The developer is also directed to refresh the escrow account and or the letter of credit account if it is ever necessary to withdraw funds from either one. Mr. Hug stated that if it gets to the point that funds are being withdrawn from the escrow account or the irrevocable letter of credit, there are probably major construction problems and the County will likely stop construction. That is not likely to happen.

Mr. Mitchell reviewed the major changes to the agreement. On page 17 of the agreement, paragraph (j) was added which deals mainly with the various ways that the agreement could be terminated. There were also changes to Exhibit B.

Vice Chairman Hoselton asked Mr. Whitlock if they have agreements with all of the landowners that this project will affect. Mr. Whitlock stated that Horizon Wind Energy has 5-year options signed with agreements signed with all of the affected landowners. The next step is to convert those options into easement agreements, which is expected late this fall.

Vice Chairman Hoselton asked if there were any additional questions or comments. Hearing none, he called for a motion.

Motion by Dean/O'Connor to recommend approval of the Road Use and Maintenance Agreement between the County and High Trail and Old Trail Wind Farm.  
Motion carried.

Vice Chairman Hoselton stated that the next item on the agenda is the Engineer's Agreement and Petition for work on the Schlipf Bridge in the Gridley Road District. Mr. Mitchell informed the Committee that Schlipf Bridge is a timber bridge on 1850 East Road in Gridley. The wing wall piling and planking are deteriorating considerably. The Township Road Commissioner has requested to replace the bridge. This is an agreement to complete the engineering to get the project underway. As with most bridge projects, the paperwork and project will not be complete for at least 2-3 years. Mr. Dean asked if this bridge is currently posted. Mr. Mitchell replied that it is not. Mr. Mitchell noted that this project will be funded 80% with the State Township Bridge Program Funds, 10% County Funds and 10% Township Funds. Mr. Mitchell recommended approval of the agreement and the petition. Vice Chairman Hoselton asked if there were any further questions from the Committee. Hearing none, he called for a motion.

Motion by O'Connor/Baggett to recommend approval of an Engineer's Agreement and Petition for replacement of Schlipf Bridge in the Gridley Road District – Sec. 05-18130-00-BR. Motion carried.

Mr. Mitchell stated the next item is a Motor Fuel Tax (MFT) Resolution for the improvement for Ireland Grove Road. This Resolution will complete the payment on Ireland Grove Road and Oakland Road. Originally, this was all to be paid out of Highway Funds, but the Auditor pointed out a problem with the amount that was appropriated. Therefore, we are proposing that the funds be appropriated from MFT Funds.

Motion by O'Connor/Dean to recommend approval of a Resolution for Improvement for Ireland Grove Road Sec. 04-00157-01-SM. Motion carried.

Mr. Mitchell stated that the next item is a request to replace a rubberized crack filler kettle. Mr. Mitchell noted that he had sent a memo to the Committee explaining that the Highway Department had a rubberized crack filler kettle that was purchased 16 years ago. The Department has experienced significant trouble with that piece of equipment for some time and the pump finally broke recently. The company that originally made the pump and the kettle is no longer in business. Therefore, the Highway Department requests permission to solicit bids for the purchase of a new kettle. Mr. Mitchell explained that this is an important piece of equipment. Crack filling preserves the road and seals the

cracks. This material bonds better than tar, which was previously used.

Motion by O'Connor/Baggett to recommend approval  
for the Highway Department to seek bids to replace the  
Rubberized Crack Filler Kettle.

Mr. Dean asked if this equipment is used on oil and chip roads or asphalt roads. Mr. Mitchell responded that it is primarily used on hot mix roads. Mr. Dean asked if this purchase could wait for the next budget cycle. Mr. Mitchell responded that the Highway Department is hoping to purchase this equipment and utilize it this fall. Mr. Mitchell advised the Committee that because of the problems with the current crack filler kettle, the Highway Department has not been able to complete as much work this summer as originally planned. Vice Chairman Hoselton asked if there were any further questions. Hearing none, he called for a vote on the previous motion.

Motion carried.

Vice Chairman Hoselton asked Mr. Mitchell to provide the Committee with a brief summary on the current roadwork.

Mr. Mitchell advised the Committee that Rowe Construction has completed their work on Stringtown Road. The Highway Department is nearly done grading the ditches and installing culverts. The Heller Bridge, east of Towanda, is complete and open. Rowe Construction has completed their work on Stanford Road. The Highway Department still has a small amount of drainage work to be completed in town. Stewart Construction has completed their work on the LeRoy-Lexington culvert extensions. The Highway Department just had the pre-construction conference with Rowe Construction on the LeRoy-Lexington Road. Rowe Construction plans to start work next week. Rowe Construction has completed the work on Ireland Grove Road and plans to begin work on Oakland Avenue in the next day or two.

Mr. Mitchell informed the Committee that he had handed out a fuel cost update to the Committee this morning. The Highway Department is at 84% of budget on fuel costs already this year. It is certain that the Highway Department will go over budget in this line item. The price of gas has seen a 39% increase over the course of this year. Clear diesel has increased 56% and died diesel has increased 46%. Mr. Mitchell stated that he had prepared this information due to a request by *The Pantagraph*. He noted that this information did appear in an article in *The Pantagraph*, so he just wanted to keep the Committee updated.

Vice Chairman Hoselton asked if there were any further comments. Mr. Hug informed the Committee that, two months ago, he informed the Committee that he was working toward a solution to the problems with the escrow account for the

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Gabriel Hills Subdivision. Mr. Hug explained that on Friday, September 2<sup>nd</sup> he received a release from the bank that holds the escrow for the Gabriel Hills Subdivision. They are going to pay the County the full amount of the escrow thereby releasing themselves from any further liability. Mr. Hug stated that this information came too late to be placed in this month's Transportation Committee agenda, so he asked if the Committee would consider approval of the release at a Stand-Up Committee Meeting before the September 20, 2005 County Board Meeting. The Committee agreed.

Vice Chairman Hoselton asked if there were any further comments or questions. Hearing none, he adjourned the meeting at 8:33 a.m.

Respectfully submitted,

Christine Northcutt  
Recording Secretary