

TRANSPORTATION COMMITTEE MEETING

April 26, 2017

5:30 P.M.

MEMBERS PRESENT

Kevin Meachum, Chair
Tim Dudley
Jay Dunn
Kevin Greenfield
Jerry Potts
Phil Hogan

COUNTY PERSONNEL PRESENT

Mike Baggett, State's Attorney's Office
Bruce Bird, County Engineer
Stuart Jacobs
Jeannie Durham, County Board Office

MEMBERS ABSENT

Kevin Bird

The meeting was called to order by Chair Kevin Meachum at the Macon County Office Building.

MINUTES

Mr. Potts made a motion to approve the March 22, 2017 meeting minutes, seconded by Mr. Hogan, motion carried 6-0.

CLAIMS

Mr. Dunn made a motion to accept the report of the claims as presented, seconded by Mr. Dudley, and the motion carried 6-0.

Public Comments - None

Old Business - None

New Business:

Macon County Board Resolution Approving the Purchase of Right of Way Parcel 002 from Joseph R. Beggin for a Bridge Replacement in Austin Township

Mr. Bird explained that this is on Drummer Road.

Mr. Dudley made a motion to approve forwarding the resolution on to the Finance Committee for consideration with the recommendation for approval, seconded by Mr. Hogan, motion carried 6-0.

Macon County Board Resolution Approving the Purchase of Right of Way Parcel 004 from Carl Bird for a Bridge Replacement in Austin Township

Mr. Bird explained that this is the same bridge / same project.

Mr. Potts made a motion to approve forwarding the resolution on to the Finance Committee for consideration with the recommendation for approval, seconded by Mr. Dudley, motion carried 6-0.

Macon County Board Resolution Approving an Intergovernmental Agreement for the Sharing of Certain Costs Related to the Improvement of County Highways at Progress City

Mr. Bird explained that this is reconstruction work that is done on Farm Progress Show years, which is this year. This year is a little different because a little more extensive work is being done because they are trying to get a lot of stuff that has been hanging out there for several years taken care of. Then, hopefully, for the next couple shows, not much will need to be done.

Mr. Dunn made a motion to approve forwarding the resolution on to the Finance Committee for consideration with the recommendation for approval, seconded by Mr. Hogan, motion carried 6-0.

Macon County Board Resolution Approving a Funding Agreement on the Baltimore Avenue Bikepath Project

Mr. Bird explained that this is with IDOT.

Mr. Potts made a motion to approve forwarding the resolution on to the finance committee for consideration with the recommendation for approval, seconded by Mr. Dunn, motion carried 6-0.

Macon County Board Resolution Approving Additional Right of Way Expenses for the Wyckles Road CH41 Whitetopping Project

Mr. Hogan made a motion to approve forwarding the resolution on to the Finance Committee for consideration with the recommendation for approval, seconded by Mr. Meachum, the motion carried 6-0.

Macon County Board Resolution Adopting the Macon County Qualification Based Selection Process

Chair Meachum announced that he was pulling this from the agenda.

Macon County Board Resolution Appropriating Funds for the 2017 Resurfacing Project

Mr. Potts made a motion to approve forwarding the resolution on to the Finance Committee for consideration with the recommendation for approval, seconded by Mr. Hogan, and the motion carried 6-0.

County Engineer's Report:

Mr. Bruce Bird reported that:

- The bridge on Sefton Road is going to be on the IDOT letting this Friday. It will probably be about a month or month and a half before the contractor will be given the go ahead out there. Not all utilities have been moved yet, but contact has been made and the work has been started. So that shouldn't really slow things down when they get going out there.
- The utilities on Wyckles Road are being moved now. There is one landowner who had a well for a house on the east side of the road and the house on the west side of the road. That has been moved. For that project, pretty much everything is taken care of. It was supposed to be on the June letting, but due to a paperwork issue with IDOT, it is now on the August letting. The same is true on the bike path project. The utilities are all getting moved on that. Those are two paperwork snafus on IDOT's end. Those projects will still be started this year. The nice thing about it is that the trees and utilities are out of the way and we are ready to go.
- The windfarm people are ahead of schedule because the weather has been so great. They are still looking at May 22nd to get the first turbine in the air. Some of the roads will be finished off this year, but not all of them will be finished off this year. That is 82 miles of public roadways that they are going to be reconstructing in some fashion. Chair Meachum asked how cooperative

they have been with the Road Commissioners. Mr. Bird said they have been great. In talking with other counties and other windfarm contractors, even this same contractor, it is all depending on the project superintendent. This project superintendent is great. They are very responsive and stay on top of things. If people call them with issues, they go out and take care of it. For the size of this project, not enough good things can be said about them. The department has been doing some crack sealing up there in preparation for a cave seal. About half of it is done and it will be ready when they come in and get it done.

- A lot of ditchwork and taking care of entrances is being done
- Mowing will start soon. The leased tractors have come in. They are very nice. They come from the company over in Monticello. It is the state lease. Mr. Bird said they started asking other suppliers and if you don't have that state lease which is somewhere around \$18 an hour, it goes up to about \$40 an hour.
- Mr. Dunn asked about tall poles being put up by Ameren on Reas Bridge Road and if they would have to be moved when the money comes in for that segment. Mr. Bird confirmed saying he has spoken with them. These are replacements and they understand, but said they couldn't leave the old ones there because they were beyond the serviceable life.
- Mr. Greenfield asked about land acquisition around the bridge by Hogan's house. Mr. Bird said they are done with that. There was one corner owned by a trust in the far SW corner. They just kept delaying and so the plan was modified so that ground was no longer needed.
- The bridge on School Road that had to have the beams on the side pulled off and new ones put on has been finished two weeks ago. They closed the CH30 bridge on Washington Street east of Maroa. They are about a week and a half into that.

Miscellaneous Business:

Mr. Bird reported that after the last meeting, Mr. Baggett had sent out a memo about the County Engineer's authority to hire. Mr. Baggett explained that the Illinois Highway Code as well as the County's Code does not give the County Engineer the independent authority to hire or fire employees at the highway department. That is a County Board power. It can be delegated to the County Engineer or it can have a different procedure built up. It is up to the County Board. There needs to be a consistent procedure spelled out in the Board's Rules or in the County Code via an ordinance.

Mr. Dunn asked if the policy is set that it has to go through the highway committee before hiring and firing can be done and Mr. Bird tells an employee to do something routine, but the employee refuses and gets upset and swings at Mr. Bird. Do we have to keep him employed until there is a committee meeting? Mr. Baggett said most employees are union employees and have collectively bargained rights in respect to discipline and termination. It would have to go through the appropriate process if they have those contractual rights. There probably would not be an issue with a suspension pending final board action. As an example, one way this could work, is that the County Engineer is empowered to hire or fire and discipline employees, but the decision is subject to the ultimate affirmation or rejection by the County Board or by this committee. Another way to do it would be to delegate the authority to hire, fire and discipline employees to the County Engineer and to require the County Engineer to prepare and submit a monthly or quarterly report. The County Board has primary authority over the highway department and if it disagrees with something the County Engineer has done, it can reverse that decision once it becomes aware of it. Another option is to make the County Engineer come before the County Board each and every time he wants to do something.

Chair Meachum explained that he has been there 18 years and has been chair of this committee for 12 of those 18. He explained that how it (hiring) has been done in the past is that Mr. Bird goes through every application and finds the best qualified candidates. He gets it down to 3 or 4 and then sits down with the committee. Committee members do the interviews along with highway personnel. After interviews,

there is discussion to determine the best qualified candidate. For the firing process, Mr. Bird has always had authority to take care of discipline as necessary, based on union contract. Then during a closed session at the regular meeting, he discusses it. If it escalates further, and employment has to be terminated, then Mr. Bird does the same process. Normally, it goes straight to the County Board Chairman and then it comes to the committee chair and then it is discussed in closed session. Chair Meachum said he cannot remember ever not following Mr. Bird's wishes. Chair Meachum said again that that is how it has been done in the past and he feels it is the right way because they've dotted "I"s and crossed "t"s to make sure we are equal opportunity employers.

Mr. Dunn asked what this is not done in any other office. Mr. Meachum said he thinks it is done in every office. Mr. Dunn asked if he helped the State's Attorney hire attorneys. Mr. Meachum said he is just saying this is what has been done at the highway department. Mr. Dunn said that this is the only department that he sees it happening in the county. He said he thought maybe this practice was put in place years ago because of a previous engineer. Mr. Baggett said there is a distinction between the Highway Department, P&Z, GIS, Board Secretary, Environmental Management, & Printing/Purchasing, but all other employees are employees of elected officials or boards that have independent control. The reason you wouldn't see that with the State's Attorney's, Auditor's, Clerk's or Sheriff's offices, etc. is because they all have the statutory authority to control the internal operations of their office and are not subject to board oversight in respect to employment practices. There is nothing wrong with the past procedures previously described, but it is currently not set out in an official Macon County edict, whether that would be an ordinance adopted into the Code or a rule adopted by the County Board that delegates authority. The only thing wrong with past practice is that it is not formal and has not been adopted by the 21 members of the Board. The Board is the ultimate governing authority. It can delegate its authority to this committee, to the Chairman of the Board, or to the County Engineer over the highway department.

Chairman Dunn said that the board secretary had been hired through the Workforce Investment process. They choose applicants and can conduct testing and then he said he sat in on the interviews. He said he has suggested it to several departments that have utilized it. They are very good at what they do. He said he especially does not agree with the County Engineer having to get permission to hire or fire employees. Mr. Bird said that the union contract has always been followed very explicitly. He went on to explain that in the 18 years he has been with the County, it has been in his contract, but that is the only place it is written. He said he basically works with the Transportation Committee and the committee is doing what the County Board . . . So, if what you would want to do is say that the County Board gives the Transportation Committee the authority, Mr. Bird said he would have no problem with that because it has worked for 18 years. He said he answers to the County Board as a whole.

Mr. Baggett explained that the Board Chairman has certain statutory powers, but at the end of the day, the Board Chairman can only do what the board says he is allowed to do. It is a legislative body, not executive.

Mr. Potts said it has been his understanding that the grievance procedures go to the Operations & Personnel Committee. Mr. Bird said that is what is written in the contract. Chair Meachum said it goes through the Transportation Committee first. Mr. Bird added that grievance procedures at O&P are the last step. Mr. Potts continued, saying that if any firing were to happen he thought it should be O&P under the advice of Transportation. Chair Meachum stressed several times that it has to come through Transportation first. Mr. Bird said it says that in the contract too.

Chair Meachum agreed that it needs to be written down. A formal procedure for hiring & firing is needed. We need to have policy to protect everyone. Then there is no gray area and it can be enforced. It needs to be in writing. Mr. Dudley suggested it be referred to SRO and they can start by writing a

draft through coordination with Mr. Baggett and the Chairman. Mr. Greenfield said he wouldn't have a problem leaving it up to the Chairman and the County Engineer. Everyone agreed there needed to be something written down. The question is what they want written. Chair Meachum agreed that the Board Chairman and County Engineer could draft up something they feel comfortable with. Chairman Dunn said he would meet with Mr. Baggett and Mr. Bird and they would work something up and bring it back to the committee.

Closed Session: None

Adjourn:

Chair Meachum made a motion to adjourn, seconded by Mr. Potts, the motion carried 6-0 & meeting was adjourned @ 6 p.m.

Minutes submitted by: Jeannie Durham, Macon County Board Office