

TRANSPORTATION COMMITTEE MEETING

January 23, 2019

5:30 P.M.

MEMBERS PRESENT

Patty Cox, Chair
Tim Dudley, Vice Chair
Kevin Greenfield
Kevin Bird
Pat Dawson
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

Rachel Joy

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

MINUTES

Mr. Kevin Bird made a motion to approve the 12/19/18 meeting minutes, seconded by Mr. Hogan, and the motion carried 6-0.

CLAIMS

Mr. Hogan 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 Appropriating Funds for Ameren for Utility Adjustments on the Brush College Road Connector Project

Chairman Greenfield asked, if that is on our right-of-way and you've given them permission to put it there . .

Mr. Bruce Bird explained that this was a line that ran along Route 48 where the intersection ties in. The way it works is if the utilities on the original right-of-way and it gets moved once onto a widened right-of-way, when they widened 48 back in the day, they only have to pay once and after that, it is on the authorities and that is why we got stuck paying. However, this is 100% reimbursement from the state. So, we will turn this in to the state and get reimbursed.

Chairman Greenfield commented that it looks like a lot of money. Mr. Bruce Bird said the bill is itemized and the headquarters in St. Louis too.

Mr. Kevin Bird made a motion to forward to the Finance Committee with recommendation to approve, seconded by Mr. Hogan, and the motion carried 6-0.

Macon County Board Resolution Appropriating Funds for the County's Share of the Decatur Supply Chain Study

Mr. Bruce Bird explained that this is for the portion of the work that we agreed to split the local share with the city. They are doing a study on how the freight moves in and out of Decatur. The results are being used to give a better chance when seeking funds for road projects. The industries in town are benefitting from this too because they are getting a better look at how their freight moves and how they can do things to improve their bottom line. Potential shipping savings up to 32% for some of the shippers here in town have been identified.

Mr. Hogan made a motion to forward to the Finance Committee with recommendation to approve, seconded by Mr. Dudley, and the motion carried 6 -0.

Macon County Board Resolution Appropriating Funds to County Contractors for a Bridge Repair on CH 55 Four Bridges Road South of Niantic

Mr. Bruce Bird explained that they had done some work on the pier supports where there were issues with scour. County contractors came in and put a concrete pad around the base of the piling and some extra riff-raff to keep it from being eroded so some more life could be gotten out of an existing bridge for a little bit of money.

Mr. Kevin Bird made a motion to forward to the Finance Committee with recommendation to approve, seconded by Mr. Hogan, and the motion carried 6 -0.

Macon County Board Resolution Appropriating State Township Bridge Funds for the Kruse Road Bridge Replacement Project

Mr. Bruce Bird explained that these funds are a mix of federal, state township bridge funds, and our funds. Our funds are being used to cover 16% of the cost of the bridge. The total cost of the bridge was approximately \$885,000 plus the engineering fees of \$85,000 making it a million dollar 3 span bridge.

Mr. Dudley made a motion to forward to the Finance Committee with recommendation to approve, seconded by Mr. Kevin Bird, and the motion carried 6 -0.

Macon County Board Resolution Appropriating Funds for the Payment of the County Engineer's Salary

Mr. Bruce Bird explained that this was done last month, but the form was filled out exactly like last year, but when it was sent in to IDOT, they said it was wrong and had to be redone. The dollars are exactly the same, just split up differently.

Mr. Kevin Bird made a motion to forward to the Finance Committee with recommendation to approve, seconded by Mr. Hogan, and the motion carried 6-0.

Macon County Board Resolution Appropriating Funds for the Beckett Group for an INFRA Grant Application

Mr. Bruce Bird explained that the amount is \$12,000 on the resolution. The actual amount on the proposal is \$11,100, but a little cushion was included in case there is any extras that pop up. Only the actual amount, up to \$12,000 will be paid. This is for the next round of the INFRA grant, mainly looking at getting \$7.5 million to fill a hole in the funding for the bridges where they go across the lake on Reas Bridge Road and to get them replaced. If the funding is received from this grant project, we will be able to do that project. This is the missing piece.

Mr. Dudley made a motion to forward to the Finance Committee with recommendation to approve, seconded by Mr. Hogan, and the motion carried 6-0.

Request to Solicit Interest for Engineering Services – Austin Township

Mr. Bruce Bird explained that this is part of the process of the new way of requesting proposals from consulting firms basically, as per the policy passed by the County Board, Mr. Bird said he has to request from the committee to seek proposals from consulting firms interested in doing the bridges. The bridge in question is a single span bridge on Strahan Road. It is only a mile or so from the North County line in Austin Township. State Township Bridge funds are being used, so that is why the request has to be made.

Ms. Dawson asked how this was handled previously. Mr. Bruce Bird explained that he would select them.

Mr. Kevin Bird made a motion to approve the request, seconded by Mr. Hogan and the motion carried 6-0.

Mr. Hogan left the meeting.

Macon County Board Resolution Requesting the States Attorney File a Complaint for Eminent Domain for Right of Way on 3 Parcels of Land (Parcels 012,013 and 014) on the 85th Street Bridge Replacement Project

Mr. Baggett explained that Mr. Hogan owns 3 parcels of land that the County needs to acquire rights-of-way on in order to complete the 85th Street Bridge project. There is a Statute that prohibits any elected or appointed office holder from being, in any manner financially interested in contracts upon which he may be called to vote as an elected official. Because this is a contract that would be entered into between the County and Mr. Hogan, the way the law works, County does not have the ability to enter into any such contract and if Mr. Hogan were to enter into a contract, he would be in violation of the Statute and it is a criminal Statute. Mr. Baggett said he has done research, consulted with outside counsel to confirm his opinion, and the only way the County can obtain rights-of-way from a sitting board member is to do so through eminent domain. The Quick Take process will not be necessary because a great deal of fight over the exercise of eminent domain is not anticipated. This is the only available option if the County wants to acquire the rights-of-way legally. This is a request by the County Board that the State's Attorney initiate an eminent domain case against Mr. Hogan as to the rights-of-way on these three parcels of land. Then, we'd go before the court, the court would determine just compensation and the county would pay whatever the court orders the County to pay. Chair Cox asked how long it would take to go through. Mr. Baggett explained that usually, it would be anywhere between a year and 18 months for the eminent domain trial to occur and then it can be another 18 months to 3 years for the appeals to work their way all the way through the system. Because a fight is not anticipated, Mr. Baggett said they would try to expedite it through the Circuit Court and hopefully have something done with it in the next couple of months. Ms. Cox questioned if it does take longer, would it stop the process. Mr. Baggett confirmed that yes, it does. Chairman Greenfield asked if the Macon County Courts would hear the case. Mr. Baggett said he assumed they would. Judge Little normally catches these types of cases. He said he did not know if Mr. Hogan and Judge Little have any familiarity outside. Barring that, Mr. Baggett said he would assume Judge Little would have no concern hearing the case. Chairman Greenfield asked why it would take a couple of months then and why they couldn't request it be heard as soon as it is filed. Mr. Baggett cautioned that they cannot assume that the Judge would be on their schedule. Despite the fact that a fight is not anticipated, there are still formal aspects of an eminent domain case that we have to proceed with. All the I's must be dotted and T's crossed. This can't be a

sham case or it will open both the County and Mr. Hogan to the same types of liability that entering into a negotiated agreement would. Everything has to be done by the book.

Mr. Greenfield made a motion to forward to the Finance Committee with recommendation to approve, seconded by Mr. Dudley.

Ms. Dawson asked if these are the only parcels needed. Mr. Baggett said no, there are lots of other parcels related to various other projects. These are the only ones owned by a county board member for this project. Chairman Greenfield asked about the total number of parcels for this project. Mr. Bruce Bird said 19. Mr. Dudley asked if these are the last ones needed for this project. Mr. Bird explained that there are these two that will go to Finance and then the house that will have to be taken and that will probably go to Finance so they can be expedited. Everything else has been secured.

The motion carried 5-0.

County Engineer's Report:

Mr. Bird reported that the last two weekends they had been out clearing the roads and used up a decent amount of overtime and salt. Both storms have kept the department quite busy. They are still looking good and in great shape in both categories.

In between, they have been doing tree trimming.

One thing that came up, there is a parcel out on Reas Bridge Road that there is not a resolution for, but a partial piece of right-of-way is being purchased from the Decatur Park District on the eastern shore. Mr. Bird said that he had been approached by employees of the Park District about whether the County would want to buy the entire portion since it is a cut off parcel. They want to get rid of it. It's not anything we need for the bridge and if we get it, its just timber land by the lake and will stay that way. He asked if the committee was interested in it. Chair Cox about how much money is involved. Mr. Bird said they just said they'd give us a good deal. There was a canoe ramp by the sub station and cemetery. When the road is widened, that will be wiped out. That ramp will be moved to the parking area where everybody fishes just south of the bridge, but that is owned by the city. The Park District just wants to get it off of their tracking list. For us, it would be right-of-way and we wouldn't be doing anything with it. He said he would ask for more information about how much they were thinking.

The Bridge on 85th Street is pretty much lined up. All the right of way parcels are getting in line. In order to get that project on the April IDOT letting, there are several major things that have to be moved around. We have to get all of the right of way certified by IDOT by March 13. It looks like we will probably be able to do that. That deadline is the only thing holding it up. One thing of concern is that we program things within the IDOT fiscal year. When it was originally on the June letting, it was FY20 which doesn't start until July 1. To move it into April, it had to be moved into the existing fiscal year. You can do that, but it involves the state having to move funds around statewide in order to fit it in. They called and said they will do that for us because the bridge is closed. There have been a lot of comments about the bridge closing. That bridge is beyond shot. It has been a miracle that we've been able to keep it open this long, but the inability of semi trucks to stay off that bridge and ignore the weight limits is the reason it is closed. Tree removal will start in the next two weeks. If people start calling about missing trees, its because that thing is being built this year. It's going to be a really nice project when it is done. The residents are going to have some interesting ways of getting in and out of their homes during the work, but they will all be able to get in and out. The working days, even if started in April, will stretch into next year. If a contractor wanted to use all the working days, it could stretch into two construction seasons, but once they get started, they will want to get it done. At the

price of the project, we will get some big contractors and they will come in and get it done. We have to wait to see who gets awarded the project, but it will be a good one when it's done.

Rights-of-way are in line for the other bridge projects that they will be doing. One of the road projects, resurfacing Lost Bridge Road from the intersection at 121 by Kenny's Ace all the way up to the intersection with Country Club and Maryland just south of the zoo and Children's Museum. It will be an interesting project because it will be a combination of the cold in place recycling Dunn Company does plus an overlay. That will be a really nice job when complete. They will take care of some spots where there are some pretty big bumps and dips. He said they are looking at ways to smooth those out and improve the guardrail at the same time. It will be a decent sized project that will look really nice when complete. This will be like a 30 to 40 year improvement.

The Bike Path project on Baltimore will get started as soon as the contractor can get out there and do dirt work. That could be the end of April or beginning of May.

The Connector Road Project contractor wants to get started in March and could be done in May.

There are a lot of big projects going on this year.

Miscellaneous Business: None

Closed Session: None needed

Adjourn:

Mr. Kevin Bird made a motion to adjourn, seconded by Mr. Dudley, the motion carried 5-0 & meeting was adjourned @ 5:55 p.m.

Minutes submitted by: Jeannie Durham, Macon County Board Office