

# CHAMPAIGN COUNTY BOARD COMMITTEE MINUTES

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## HIGHWAY & TRANSPORTATION COMMITTEE

Friday, November 9, 2007

Lyle Shields Meeting Room, Brookens Administrative Center  
1776 E. Washington St., Urbana

**MEMBERS PRESENT:** Cowart, Carter, Jay, Knott, Langenheim, Melin,  
O'Connor

**MEMBERS ABSENT:** Beckett, Bensyl

**OTHERS PRESENT:** Jeff Blue, John Cooper, Deb Busey,  
Debby Wagner, Susan McGrath

### **Call to Order**

Chair Cowart called the meeting to order at 9:00 a.m. A roll call confirmed a quorum present.

### **Approval of Agenda/ Addendum**

**MOTION** by Carter to approve the agenda and addendum as presented; seconded by Melin. **Motion carried.**

### **Approval of Minutes**

**MOTION** by Jay to approve the minutes of October 12, 2007 and the Performance Appraisal Subcommittee minutes of August 17, 2007 as presented; seconded by Langenheim. **Motion carried.**

### **Public Participation**

Mr. Knott arrived at 9:05 a.m.

Attorney Jason Barickman spoke on behalf of the property owners of the property at Windsor and Mattis. He explained in mid-June they came to an agreement on a proposed engineering solution that was satisfactory to everyone but since that time there hasn't been a lot of dialogue. The first of this month he received some proposed easements and an offer for compensation. The initial proposal was an 80 ft. wide ditch, and the new solution there is now a compensation of less than \$10,000 but a solution that works for the land owners.

He explained his clients never asked for this and it is important that their position is understood. The County is saying that area is unusable when the reality is the land owners have opted to make some of it unusable, they decided to put this waterway in and have grass on it, if there is an easement they are losing any rights to do anything with this. Land values are between \$20,000 – \$30,000 per acre and what is being offered is a slap in the face, they are willing to work with the county's schedule but he believes they should be given ample time to continue negotiations.

### **Monthly Reports**

#### **County & Township Motor Fuel Tax Claims – October 2007**

**MOTION** by O'Connor to receive and place on file the County & Township Motor Fuel Tax Claims for October 2007; seconded by Jay. **Motion carried.**

### **County Engineer**

#### **Resolution appropriating County Motor Fuel Tax Funds for County Road Maintenance for the period from January 1, 2007 thru December 31, 2007 – Section #07-00000-00-GM.**

**MOTION** by Langenheim to recommend County Board approval of the Resolution appropriating County Motor Fuel Tax Funds for County Road Maintenance for the period from January 1, 2007 thru December 31, 2007 – Section #07-00000-00-GM; seconded by Jay.

Mr. Blue explained this gives IDOT a checks and balances type of system to show what we are using our money for.

**Motion carried.**

#### **Resolution awarding of contracts for the furnish & delivery of Aggregate Materials for 2008 maintenance of various road districts in Champaign County**

Mr. Blue explained that the information passed out to the committee shows a comparison between 2007 prices and the bid prices shown as the 2008 prices, this information is to give the committee a reference as to how the costs have gone up. The average increase of prices is about 10%, this is furnished and delivered material and rising fuel costs haven't helped. As a county, we are purchasing about 28,000 less tons this year than last year due to the cost, Townships had to decrease their total buying to make it fit into their budgets.

**MOTION** by Jay to recommend County Board approval of the Resolution Awarding of Contracts for the Furnish & Delivery of Aggregate Materials for 2008 Maintenance of various Road Districts in Champaign County; seconded by Langenheim. **Motion carried.**

### **Public Works Mutual Aid Agreement**

Mr. Blue explained that Dennis Schmidt came to him asking if we would be interested in participating in this agreement. If there is a disaster or some reason we need aid from the other people signed onto this; the City of Champaign, the City of Urbana, the Village of Savoy and the Champaign Sanitary District; this gives us the avenue to be able to provide that assistance. It lays out the availability of the assistance and Section 8 talks about the documentation of cost and the reimbursement.

Ms. McGrath stated this is a subset of a larger agreement the County Board will see from the Policy committee which is an Intergovernmental Emergency Preparedness agreement addressing a whole range of issues including this one. That agreement comes from almost 12 months of two working committees discussing what would happen and how to make the response time better. This is sponsored by FEMA and initiated by the State preparedness officials.

**MOTION** Jay to recommend County Board approval of the Public Works Mutual Aid Agreement; **motion carried.**

### **Washington Street Intergovernmental Agreement**

Mr. Blue stated the committee has had many different discussions regarding funding and reminded them that Mr. Gray from the City of Urbana was here and requested we participate in the upgrade of Washington Street, due to Menards. We worked out an agreement with the City of Urbana that was agreeable to all and in the last week they came back and said this is not a City of Urbana project, it is a Menards project and they are going to do everything associated with it. Having that information he talked to IDOT to find out if we could do this with a private entity. IDOT said if Menards is not going to use the responsible bidder law, with no IDOT certifications, we cannot participate in this, so basically if Menards is going to run the project we cannot use MFT funds. Our only other source of money is the highway fund and that cannot be used off of the county highway system. He went to Ms. Busey about possible revenue sources and there are not any. He went back to Bill Gray and explained this to him, and he stated because the County already has an agreement to do this we could put more money into the Windsor Road project instead of putting money into Washington Street.

Mr. Blue explained that the IDOT process is that you go out for bids and you have to take the low bid, Menards has a lot more buying power than the County does and they will save themselves more money by being able to negotiate their own contracts.

Mr. Knott stated this has been a waste of time from the beginning.

Mr. Jay stated he was opposed to this from the beginning; they will not be putting more money into any other project and asked how they proceed to do away with the agreement.

**MOTION** by Jay to decline to enter into the Washington Street Intergovernmental Agreement and to decline to allocate other funds to other road projects in place of that money; seconded by Knott. **Motion carried.**

### **Windsor Road Agreement**

Mr. Blue reminded the committee he was given the charge to do all these agreements at one time so we could act upon them and know what we are paying. The original agreement for Windsor Road came before the committee some time ago for engineering utilities and right of way along Windsor Road; in that agreement it said there would be a further agreement when construction actually takes place, as a principal both entities agree to fund 50% of local cost share. This just formalizes the agreement between the city of Urbana and the County.

**MOTION** by Langenheim to recommend County Board approval of the Windsor Road Agreement; seconded by Jay. **Motion carried** with O' Connor opposed.

### **Lincoln Avenue Intergovernmental Agreement**

Mr. Blue explained this is a bridge on Lincoln Avenue which is a township bridge right now. There is a grant in 2010 to replace it and this agreement lays out what the responsibilities are with the three entities. The County is conduit for the money to come from the federal government for this project. 80% will be federal and the other 20% will be split equally.

**MOTION** by Jay to recommend County Board approval of the Lincoln Avenue Intergovernmental Agreement; seconded by Langenheim. **Motion carried.**

### **Construction Update**

Mr. Blue explained that the project from Penfield to Royal is complete.

## **Building Update**

Mr. Blue explained everything is coming along nicely and is all within budget.

### **CLOSED SESSION pursuant to 5 ILCS 120/2 (c) (5) to discuss the purchase of real property for the use of Champaign County**

Ms. McGrath stated the committee does not need to hold this closed session

### **CLOSED SESSION pursuant to 5 ILCS 120/2 (c) (11) to discuss imminent litigation on behalf of Champaign County**

**MOTION** by Knott to enter into closed session pursuant to 5 ILCS 120/2 (c) (11) to discuss imminent litigation on behalf of Champaign County with the County Engineer, Assistant State's Attorney and the recording secretary remaining present; seconded by Jay. Motion carried with a 7/0 roll call vote. Voting yes was Cowart, Carter, Jay, Knott, Langenheim, Melin and O'Connor.

The committee entered into closed session at 10:12 a.m.

The committee entered into open session at 10:40 a.m.

### **Approval of Closed Session Minutes**

**August 17, 2007 Performance Appraisal Subcommittee; September 17, 2007 Performance Appraisal Subcommittee; October 12, 2007**

Item deferred to the December committee meeting.

### **Addendum**

#### **Recommendation regarding the staffing budget for the County Highway Department**

Mr. Blue explained he is recommending they eliminate the secretary position in the Highway Department. By County Board rules this request has to go before the Finance Committee, which it did and it will be on the County Board agenda. He is bringing it to his committee for discussion so they will know where he is coming from. This position was filled before his time here and the job description lays out job duties including typing, and answering the phones and in a department such as his, those duties don't take a lot of time.

That position has a lot of free time and he has a hard time justifying funding that position, around \$46,000, when that money could be used differently. He stated the question will be raised about what happens to the employee in that position; they are an employee in high seniority and by union contract that person has the authority to exercise their rights within 5 days of layoff and if this person can find another position in the County that she is qualified for she can bump someone, she also has the right to assume any position that is open in the County.

Ms. Melin asked if they eliminate this position does that mean other employees will have to take on more responsibility and if they will be coming back asking for a change to their job.

Mr. Blue stated other employees will have to take on more and they are all aware of that, the work for that position is going to continue to decrease with changes in computer programs. There will be a 30 day notice of the lay off and the union has to represent the employee and assist them through the process.

### **Other Business**

There was no other business

### **Determination of Consent Agenda Item**

Committee consensus to include items 6 A, B, C and F on the County Board consent agenda.

### **Adjournment**

Chair Cowart declared the meeting adjourned at 10:49 a.m.

Respectfully Submitted,

Tiffany Talbott  
Administrative Secretary

**CHAMPAIGN COUNTY BOARD  
CLOSED SESSION MINUTES**

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**Highway & Transportation  
Lyle Shields Meeting Room  
Brookens Administrative Center**

**November 9, 2007 - 9:00 a.m.**

**MEMBERS PRESENT:** Cowart, Carter, Jay, Knott, Langenheim, Melin,  
O'Connor

**MEMBERS ABSENT:** Beckett, Bensyl

**OTHERS PRESENT:** Assistant State's Attorney, County Engineer, Recording  
Secretary

**MOTION** by Knott to enter into closed session pursuant to 5 ILCS 120/2 (c) (11) to consider the employment, compensation, discipline, performance or dismissal of an employee with the recording secretary remaining present; seconded by Jay. **Motion carried** with a 7/0 roll call vote. Voting yes were Cowart, Carter, Jay, Knott, Langenheim, Melin and O'Connor.

The committee entered in to closed session at 10:12 a.m.

Ms. McGrath spoke to the committee regarding the property at Windsor and Mattis, explaining there has been dialogue between both parties since June and after the August 22, 2007 meeting we invited them to make a counter proposal to what we told them our offer would be, we didn't hear anything back and now we are in the part of the process where we need to take some action soon. Their response to our offer to acquire the easements boils down to money. We have made some engineering changes and the County has spent \$30,000 on a consulting engineer, the easement language itself will be workable so now we need to decide how much money we want to spend. In this property we are talking about a ditch that already exists which we are not making changes to except to improve the drainage. We are looking at the acquisition of the ditch so we can improve the drainage flow and maintain the ditch, part of it is already in the Finney Branch District and they haven't done a great job maintaining. We offered almost \$11,000 and they want \$53,000. She explained we recognize that we need to go up in our offer and authority has been given to go up to a certain amount. We will be coming back in December for authority, probably offering something in the thirty thousand dollar range.

When asked about land prices for easements being different, Ms. McGrath explained that the \$30,000 per acre price is more relevant to the right of way acquisition, with the easements we are not looking at quite that value. She stated this is difficult for the land owners and we have tried to accommodate their time table without being pushy. Mr. Blue stated this is the first time we have talked money with them and that we have bent over backwards for them. If you look at their attorney's letter you can see all the documents they have received from us. She also stated in appraisal terms easements are not valued the same as right of ways, historically they have chosen to leave that area as a waterway, the design tried to respect the integrity of their land.

Ms. Melin pointed out that their attorney said they don't want the land devalued. Ms. McGrath stated the problem is that they are comparing two different things in the same way because selling and acquisitions are different. Now they have to care about money. We have to think about the City and that they may disagree with our position on what the land value is and if that is the case we may have to contribute more. The values of the land around them are all over the place because Carle made a purchase at Mattis and Curtis which messed things up. She stated they will continue to negotiate with them.

Regarding the Lo property, we will be filing our eminent domain next week, which they knew was coming. We are very close to agreeing on a number and she asked for a straw poll to tell her if the committee is agreeable to going up to \$70,000 for settlement. She stated the reappraisal came in at what we are more likely to pay if we go to court. Savoy has approved this, the City Council will be voting on Tuesday.

A straw poll showed committee support to go up to that amount.

Ms. Cowart declared the meeting back in open session.

Respectfully Submitted,

Tiffany Talbott  
Administrative Secretary