

**Transportation Committee  
Meeting Minutes  
Wednesday, April 6, 2011 – 8:15 A.M.  
McHenry County Division of Transportation  
Main Conference Room  
Woodstock, Illinois 60098**

Chairperson Anna May Miller  
Vice-Chairperson Paula Yensen    Scott Breeden  
Diane Evertsen    Virginia Peschke  
Nick Provenzano    Sandra Salgado

**CALL TO ORDER**

Vice-Chairperson Yensen called the meeting to order at 8:15 A.M.

**MEMBERS IN ATTENDANCE**

Paula Yensen, Sandra Salgado, Virginia Peschke, Diane Evertsen, Nick Provenzano and Scott Breeden

**MEMBERS NOT IN ATTENDANCE**

Chairperson Miller

Virginia Peschke arrived at 8:20 A.M.

Nick Provenzano left at 9:25 A.M.

**OTHER ATTENDEES**

In attendance were: James Heisler and Mary McCann, County Board; Peter Austin, County Administrator; Joseph Korpalski, Director of Transportation/County Engineer; Jeff Young, Division of Transportation, Assistant County Engineer; Cynthia Schaupp, State's Attorney Office (SAO); Mark Mathewson, MROWCO; Gary Blazek, Civiltech Engineering, Inc.; P. J. Fitzpatrick, Wills, Burke, Kelsey (WBK) Associates; Kelly Farley, Crawford Murphy & Tilly (CMT); Robert Rollings, Bollinger Lach & Associates, Inc. (BLA); Charlie Eldredge, McHenry County Economic Development Corporation; Ted Lachus, Primera Engineers, Ltd.; Sung Lee, McDonough Associates, Inc.; Glen Kirchen, Thomas Engineering Group; Nicole Lehmann, Christopher B. Burke Engineering Ltd. (CBBEL); Brian Smith, AECOM; Peter Quinn and Todd Destree, H. R. Green Company; Omar Nashif, Collins Engineers, Inc.; Mark Dvorak, Teng & Associates, Inc.; Ed Markison, Division of Transportation, Assistant Maintenance Superintendent; Mark Dammyer, Division of Transportation, Construction Manager; Brad Cousin, Division of Transportation, Traffic Engineer; Cha Lee, Division of Transportation, Consultant Project/Design Engineer; Sarah Chadderdon, Division of Transportation, Transportation Planner; Debra Kroll, Division of Transportation, Administrative Specialist.

**PUBLIC COMMENT**

None

Virginia Peschke arrived at 8:20 A.M.

**APPROVAL OF MEETING MINUTES – MARCH 16, 2011**

On a motion by Mr. Breeden, seconded by Ms. Evertsen, the meeting minutes of March 16, 2011 were approved as presented.

A voice vote was taken with all members present voting "aye"; motion carried.

**PRESENTATION**

***Land Acquisition***

The purpose of today's presentation was to explain the land acquisition process utilized by the McHenry County Division of Transportation (MCDOT) as part of the Highway Improvement Program (HIP).

The scope of discussion was to outline the technical aspects of acquiring property:

- How property to be acquired is identified, determined and why it is needed.
- What is done after the determination of need and that process.
- The process when a settlement is unable to be negotiated.

An overview of property identification, determination and need was discussed.

- Why the County buys right-of-way
  - Improvements
  - Context Sensitive Solutions
  - Land Acquisition discussed at Public Meetings.

An overview of the Land Acquisition process was discussed.

- Authority to acquire land
- Regulated Activity and Required Rules for land acquisition
- Process is a pre-requisite to litigation
- Requirements to condemn
- Pre-Negotiation Stage
- Negotiation Process
- Role of an Elected Official
- Concluding comments

Nick Provenzano left at 9:25 A.M.

An overview of the condemnation process was discussed.

- If negotiations cannot be reached, the issue is brought before the Transportation Committee to discuss options, and if condemnation is necessary, a resolution is brought forward from the Committee to the County Board for approval, to execute condemnation proceedings.
- Reasons for condemnation
  - Price cannot be agreed upon
  - Problems with the property title i.e., lien(s) against the property or foreclosure
  - Letters of notification are sent to property owners by the SAO advising them of possible condemnation if a settlement cannot be reached. However during the interim, communications between all involved parties remain open.
  - If all attempts fail, the case is brought to court for execution of condemnation.

Vice-Chairperson Yensen requested that all materials provided at today's meeting regarding this presentation be provided to all County Board members.

**RESOLUTION APPROVING AN ENGINEERING SERVICES AGREEMENT AND APPROPRIATING FUNDS FOR MATERIAL TESTING SERVICES**

The McHenry County Division of Transportation (MCDOT) staff requests the approval of the resolution approving the agreement for Construction Material Testing Services for FY2011. Per direction received at the March 16, 2011 Transportation Committee meeting, MCDOT staff entered into negotiations with S.T.A.T.E. Testing, L.L.C., of East Dundee, Illinois for these services.

The agreement provides for an annual service that the MCDOT contracts to an outside material testing company for the material testing required by the Illinois Department of Transportation (IDOT) in the performance of MCDOT's pavement management and contract construction programs.

S.T.A.T.E. Testing, L.L.C., was recommended by MCDOT staff based upon their qualifications stated in their submittal to the Request for Qualifications (RFQ), as well as their performance on the 2009 and 2010 contracts.

On a motion by Ms. Salgado, seconded by Ms. Peschke, the resolution approving an engineering services agreement and appropriating funds for material testing services was approved with a recommendation to the County Board.

A roll call vote was taken with all members present voting “yes”; motion carried.

**RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ILLINOIS AND APPROPRIATING FUNDS FOR THE CONSTRUCTION OF THE WALKUP ROAD PROJECT**

The McHenry County Division of Transportation (MCDOT) staff requests approval of the resolution approving an Intergovernmental Agreement (IGA) with the State of Illinois for Federal participation for the construction of the Walkup Road pavement widening and resurfacing, traffic signal modernization and shared use path project. This agreement is for the construction of Contract 2 (Crystal Springs Road to Bull Valley Road) and Contract 3 (Illinois Route 176 intersection). Contract 1 (Live Oak Road to Crystal Springs Road) is currently under construction.

The MCDOT has secured Congestion Mitigation and Air Quality (CMAQ) funds for the construction cost of the project. This agreement outlines the funding commitment from the State to provide Federal funds to the project. This project is scheduled for the June 17, 2011 letting, pending right-of-way availability (the Illinois Department of Transportation (IDOT) is the lead agency on the right-of-way for the Illinois Route 176 intersection).

This is a standard agreement with the State of Illinois for Federal participation. The agreement identifies that the County will be reimbursed \$6,684,785.00 for the construction agreement. The local (County) share is \$5,894,099.00. Of this amount, approximately \$1.5 million is the responsibility of the City of Crystal Lake for the south leg of Walkup Road and city water main upgrades under Illinois Route 176 and approximately \$2.8 million is the responsibility of IDOT for Illinois Route 176 work. A separate IGA between the County, IDOT and the City of Crystal Lake will be brought forward at a future Transportation Committee meeting. These IGA's will detail the funding responsibility at the Illinois Route 176/Walkup Road intersection and proportionately apply the Federal funding received to fairly reduce the local share of all participating agencies.

On a motion by Mr. Breeden, seconded by Ms. Peschke, approving an IGA with the State of Illinois and appropriating funds for the construction of the Walkup Road project was approved with a recommendation to the County Board.

A roll call vote was taken with all members present voting “yes”; motion carried.

**RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ILLINOIS AND APPROPRIATING FUNDS FOR THE RURAL LOCAL AGENCY TRAFFIC SIGN UPGRADE PROGRAM**

The McHenry County Division of Transportation (MCDOT) staff requests the approval of this resolution approving an intergovernmental agreement (IGA) with the State of Illinois for Federal and State participation in the Rural Local Agency Traffic Sign Upgrade program.

In March of 2010, the Illinois Department of Transportation (IDOT) notified MCDOT that a number of McHenry County townships and rural communities were selected to participate in this program which reimburses 100% of the cost of new highway signs to meet current retro-reflectivity requirements set forth by the Federal Highway Administration (FHWA) to smaller agencies across the state. As MCDOT oversees the Township Road District's funding and also assists with traffic engineering, it was the agency charged by IDOT with facilitating this program for all McHenry County agencies who were participating in the program. This required MCDOT Engineering and Maintenance staff trained in night time sign inspection to inspect over 1,000 lane miles of township and municipal roadway signage to determine eligibility for the program. In all, thirteen (13) township road districts and the Village of Hebron are participating in this program. As this program will be locally let by the MCDOT, a resolution approving bids for the signs will be brought forward for the Committee's approval once they are opened.

This is a standard agreement with the State of Illinois for Federal participation. The agreement identifies that the County will be reimbursed \$228,046.00 (maximum allowable) for the construction agreement. The Federal share is \$205,241.00 and the State share is \$22,805.00. The County is required to fund the costs of the signs up front and then seek reimbursement from the State.

On a motion by Ms. Peschke, seconded by Mr. Breeden, approving an IGA with the State of Illinois and appropriating funds for the Rural Local Agency Traffic Sign Upgrade program was approved with a recommendation to the County Board.

A roll call vote was taken with all members present voting “yes”; motion carried.

**RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ILLINOIS AND APPROPRIATING FUNDS FOR THE CONSTRUCTION OF THE BLIVIN STREET BRIDGE OVER THE NIPPERSINK CREEK**

The McHenry County Division of Transportation (MCDOT) staff requests approval of the resolution approving an Intergovernmental Agreement (IGA) with the State of Illinois for Federal participation for the Blivin Street Bridge over the Nippersink Creek reconstruction project.

The MCDOT has secured Highway Bridge Replacement (HBRP) funds for 80% of the construction cost of the structure. This agreement outlines the funding commitment from the State to provide Federal funds to the project. This project is scheduled for a June 17, 2011 letting. Substantial completion for construction is targeted for November 2011 (weather permitting). Right-of-way from one (1) parcel is required for this project, and is in the process of being donated by the Village of Spring Grove. Once the project is complete, the County will transfer ownership of right-of-way not needed for the bridge project back to the Village of Spring Grove. This will be brought forward in a separate IGA with the Village.

This is a standard agreement with the State of Illinois for Federal participation. The agreement identifies that the County will be reimbursed \$1,447,920.00 (maximum allowable) for the construction agreement. The local (County) share is \$361,980.00.

On a motion by Ms. Salgado, seconded by Ms. Peschke, the resolution approving an IGA with the State of Illinois and appropriating funds for the construction of the Blivin Street Bridge over the Nippersink Creek reconstruction project was approved with a recommendation to the County Board.

A roll call vote was taken with all members present voting “yes”; motion carried.

**RESOLUTION APPROVING A SUPPLEMENTAL ENGINEERING SERVICES AGREEMENT AND APPROPRIATING FUNDS FOR THE BLIVIN STREET BRIDGE PROJECT**

The McHenry County Division of Transportation (MCDOT) staff requests the approval of the resolution approving a Phase II Supplemental Engineering Services agreement with Bollinger Lach & Associates, Inc. (BLA) for the County owned Blivin Street Bridge over the Nippersink Creek.

The MCDOT needs to facilitate the replacement of the County owned Blivin Street Bridge in the Village of Spring Grove. This bridge meets the requirements for the Federal Highway Bridge Program (HBP) funds which will fund the project 80% of the the construction costs of this project. This project is scheduled for a June 17, 2011 letting. The contract with BLA for the Phase I contract was approved by the County Board on January 6, 2009. In September of 2010 the Blivin Street Bridge was closed due to structural deficiencies. At the October 6, 2010 Transportation Committee meeting, a Phase II Engineering agreement was approved in order to minimize the impacts to emergency services and residents in the area (at the sole expense of the County, no Federal reimbursement) in advance of completion of the Phase I work. During the course of design, MCDOT staff directed the consultant to perform various tasks that were out of scope items. This work included the required stream bank stabilization 500 feet up and downstream of the bridge, high scour velocity calculations, emergency structural inspections for the bridge and alternative solutions and costs and the Illinois Department of Natural Resources (IDNT) permitting process for the Black Sand Shell Mussels (endangered species).

On a motion by Ms. Salgado, seconded by Ms. Peschke, the Phase II Supplemental Engineering services agreement and appropriating funds for the Blivin Street Bridge project was approved with a recommendation to the County Board.

A roll call vote was taken with all members present voting “yes”; motion carried.

**RESOLUTION APPROVING THE ACQUISITION OF RIGHT-OF-WAY FOR HIGHWAY PURPOSES AND APPROPRIATING FUNDS FOR THE GRAF ROAD BRIDGE PROJECT OVER THE WEST BRANCH OF THE PISCASAW CREEK**

McHenry County Division of Transportation (MCDOT) staff requests the approval of the resolution approving the acquisition of right-of-way for the Graf Road Bridge reconstruction project over the Piscasaw Creek west branch in Chemung Township and appropriating funds for said property acquisition.

This resolution approves \$20,000.00 needed to start the purchase of property for the project.

While the project is funded through Federal Highway Bridge Program (HBP) funds for an 80/20 split, the land acquisition component is being funded through the County Option Motor Fuel Tax (MFT) fund at 100% in order to expedite the project.

The County is working towards an Illinois Department of Transportation (IDOT) letting this fall for construction.

There are four (4) parcels for the project.

On a motion by Ms. Peschke, seconded by Ms. Salgado, the resolution approving the acquisition of right-of-way for highway purposes and appropriating funds for the Graf Road Bridge project over the west branch of the Piscasaw Creek was approved with a recommendation to the County Board.

A roll call vote was taken with all members present voting “yes”; motion carried.

**OLD BUSINESS**

***Construction Updates***

McHenry County Division of Transportation (MCDOT) staff offered an update regarding the following projects:

**Rakow Road Project**

- Temporary paving started today.
- Plote has started stripping top soil on the relocated portion of Rakow Road.
- Storm sewer has progressed from Illinois Route 31 to Pingree Road.
- Ackman Road and McHenry Road temporary signals will be turned on Thursday. Other signals, with the exception of Illinois Route 31, will be turned on next week.
- Illinois Hydraulic Corporation working for AT&T, will start the removal of a duct in conflict along Randall Road, south of Ackman Road on the west side.

Vice-Chairperson Yensen stated that she was very impressed with the amount and the quality of communication taking place with the Rakow Road project, as well as the flow of traffic.

**Walkup Road Project**

- Storm sewer is continuing at Crystal Springs Road.
- Pavement widening will follow.
- Traffic signal work progressing well.
- Concrete bike path work to begin soon.

**Dunham Road Bridge Project**

- Driving pilings on the east abutment yesterday and today.
- Unknown NICOR 6 inch gas main was found and identified as “No Gas or Hazardous Material.” Can move forward and remove as needed.

**Union Road Bridge Project**

- The project has been let by the Illinois Department of Transportation (IDOT) and the low bidder was Herlihy Mid-Continent Company. The project has not been awarded and no start date has been set.

**NEW BUSINESS**

- ***Land and Water Article*** – The Land and Water magazine is a national resource management and restoration periodical that published an article regarding the Kishwaukee Valley Road Bridge Replacement project.

The Illinois Road and Transportation Builders Association (IRTBA) selected Illinois Constructors Corporation for one of their annual “Contractor of the Year” awards. Every year IRTBA selects projects that represent the best in transportation design and construction industry. These awards highlight innovation, sustainability, economy and the environment.

“This is the kind of project that the IRTBA holds up as a model,” said Michael J. Sturino, President and CEO of IRTBA. “Despite the challenges and the extreme conditions, projects rarely begin in February, in the water, and the Illinois Constructors Corporation and the McHenry County Division of Transportation were able to do a top notch job.”

The association was impressed with the erosion control process and how the endangered species were handled.

Vice-Chairperson Yensen suggested that a news release be drafted regarding the project that was published in the Land and Water magazine. Mr. Dammyer will work with County Administration in the development of a press release.

- ***Request for Qualifications***
  - ***Phase III Engineering Services***
    - Walkup Road – As requested by the Committee at a previous Transportation Committee meeting, the project description “Scope of Services” was provided to the Committee.
    - It was the consensus of the Committee that MCDOT post the RFQ for Phase III Engineering services.
- MCDOT staff thanked Committee members for taking time to attend the Highway Improvement Program (HIP) Workshops. Approximately three (3) County Board members from each District attended the Workshop meeting.

The HIP Workshop Summary and Updated Program will be available at an upcoming Transportation Committee meeting for the Committee’s consideration.

- Ms. Salgado stated that she felt very strongly about a Public Communication Liaison position as discussed at a previous Transportation Committee meeting and would like to see this matter looked into further.

**EXECUTIVE SESSION – Land Acquisition, Pending Litigation and Meeting Minutes**

On a motion by Mr. Breeden, seconded by Ms. Salgado, the Committee went into Executive Session at 10:00 A.M. to discuss land acquisition, pending litigation and to review meeting minutes.

A roll call vote was taken with all members present voting “yes”; motion carried.

**REGULAR SESSION**

On a motion by Ms. Peschke, seconded by Ms. Salgado, the Committee went into Regular Session at 10:21 A.M.

A roll call vote was taken with all members present voting “yes”; motion carried.

Vice-Chairperson Yensen noted that “no action” was taken in Executive Session.

The Executive Session meeting minutes of March 16, 2011 were reviewed and by direction of the Committee will be forwarded to the State’s Attorney Office (SAO) for review and release.

MCDOT staff wished to share an example of communication with the Committee, as it relates to the HIP discussion regarding public outreach. MCDOT received an e-mail from a resident along Cary Algonquin Road who had issues of concern and wanted to know what MCDOT could do regarding this matter. MCDOT sent staff out to the area to research the resident's concerns. A follow up e-mail from the resident was received by MCDOT thanking them for their prompt response to her concerns, stating that it meant a lot to families in that area.

The Committee was appreciative of MCDOT's efforts.

**MEMBER COMMENTS**

None

**NEXT MEETING DATE & LOCATION**

8:15 A.M. on April 20, 2011 – McHenry County Division of Transportation

**ADJOURNMENT**

On a motion by Ms. Peschke, seconded by Ms. Salgado, the meeting adjourned at 10:22 A.M.

A voice vote was taken with all members present voting "aye"; motion carried.

APPROVED