

Lake County Illinois

*Lake County Courthouse and Administrative Complex
18 N. County Street
Waukegan, IL 60085-4351*



Meeting Minutes - Final

Wednesday, October 8, 2008

10:30 AM

Assembly Room, 10th Floor

Public Works and Transportation Committee

1. Call to Order

Chair O'Kelly called the meeting to order at 10:39.

Present 5 - Chair O'Kelly, Vice Chair Stolman, Member Gravenhorst, Member Maine and Member Talbett

Absent 2 - Member Carter and Member Douglass

Others present:

Lee Fell, Village of Hawthorn Woods

Jim Bassett, Village of Hawthorn Woods

Jim Maiworm, Village of Hawthorn Woods

Carl Fischer, Baxter & Wood, Inc.

Karen Kabbes, Kabbes Engineering, Inc.

Peter Kolb, Public Works

Marty Buehler, Transportation

Barry Burton, County Administrator

Dan Jasica, State's Attorney

Amy McEwan, County Administrator

Linda Wisch, County Board

2. Pledge of Allegiance

The Chair led the pledge.

3. Approval of Minutes

None.

4. Public Comment

None.

5. Added to Agenda

None.

6. Old Business

Member Maine reported on a conversation at the Village of Riverwoods Board Meeting and noted that there were a lot of questions about the sewer agreement. Their consultant and attorney advised the trustees that they got a very good deal and the County had been more than fair. Chair O'Kelly reported that she had received an email from a woman from Mettawa and asked that someone respond to it. Member Maine stated that she was responding and she would advise her about the sewer service and she advised that she would be happy to meet with any residents with concerns.

Present 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

Absent 1 - Member Carter

Member Talbett entered the room at discussion for 6.1

6.1 08-0688

Joint Resolution authorizing execution of a Water Supply and Sales Agreement between Aqua Illinois, Inc., the Village of Hawthorn Woods and the County for the provision of water supply to the Hawthorn Woods / Glennshire Water System.

County Administrator Barry Burton stated that we are recommending approval of an agreement which has been modified since the last meeting. Director Kolb noted the changes in the water supply agreement and advised that the final version had been sent to the Village and to Aqua Illinois and we have an agreement that we recommend that you adopt as the final product. Chair O'Kelly asked what the changes were. Dan Jasica advised that main changes which included finalization of language outlining what circumstances would require the County to be paying connection fees and recapture fees to the Village and as long as that suit remains outstanding we don't know if we have the authority to surcharge the residents. The goal overall is that the County and the Village are on the same boat and recognize that we are in this together. There was a provision added that parties recognize that to fund the system there was to be the issuance of bonds to be paid out of local revenues. The main change is working on language that the village would accept and representations that we are in this together in terms of these recapture fees. Discussion followed. Mr. Burton noted that the Village will have a special call meeting on Thursday where they will take this up this issue. Mr. Jasica noted that we are not sure what Aqua will do with section 12 of the agreement. Discussion on Section 12 followed.

Director Kolb advised that we need this agreement so that Aqua Illinois will sign the IEPA permit. We can then proceed with the project. Mr. Jasica noted that IEPA action is still pending. It is set for a pre-trial conference with Judge Hoffman on October 20, 2008.

A motion was made by Member Stolman that this Resolution be Approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

6.2 08-0689

Joint Resolution authorizing execution of a Wholesale Agreement for Sewage Disposal between the Village of Hawthorn Woods and the County.

County Administrator Barry Burton reported that at this point we have not received letters from the school district. We have modified this agreement and provided the Village with two options - we proposed to

the the Village that there be a cap on the number of residential units allowed; this is in the school impact fee model. The schools are still working on a school impact ordinance with the Village. We are hopeful we will receive this prior to the County Board meeting. The other piece is a new provision that allows the County to be able to serve the Taubman property with sewer, which is currently within incorporated Lake County. There is an Agreement between Lake Zurich and Hawthorn Woods that says that Lake Zurich cannot provide sewer to that property by any other agency and that service can only be provided by Hawthorn Woods. We felt that provision is not appropriate because the property is currently within unincorporated Lake County. We put in a provision that says that Hawthorn Woods agrees to eliminate that provision within the Lake Zurich/Hawthorn Woods agreement. We also submitted another option to the Village of Hawthorn Woods because we know that they have an interceptor sewer line that they are trying to open bids on and they have a special service area designated for funding the sewer; because service to the Taubman property parcel is contentious maybe we should take it completely out of our sewer agreement with Hawthorn Woods. Mr. Burton advised that the village has a time constraint with respect to award of the sewer for this SSA. Chair O'Kelly asked how this will work with Village of Lake Zurich. Discussion followed.

Member Maine questioned what is the recourse if Lake Zurich School District says they will not support the school impact fees. Mr. Burton stated that we will contact the school district. If we do not receive a letter from the school district prior to Tuesday's board meeting, we can either table this or send it back to committee. Chair O'Kelly felt there should be agreement between Lake Zurich and Hawthorn Woods before we approve. Chair O'Kelly asked if the Committee was comfortable with the agreement. Assistant State's Attorney Dan Jasica stated that the idea is we are not guaranteeing that we will provide Taubman service; however through this agreement we are not precluding that possibility. Discussion followed.

Member Douglass entered the room.

Chair O'Kelly stated that a separate document with the Village Hawthorn Woods is needed. Member Talbett supported putting this forward so that we will know what their board will do. He urged moving forward so we don't wait another month, and we will know what the position of the Village of Hawthorn Woods it is going to be. Approval by the County will be contingent upon receiving a letter of support from the school. Mr. Burton stated that this agreement puts the burden back on Lake Zurich and the schools to resolve their issue. Member Douglas expressed concern that in the end we have to be the

bad guy if something happens. She stated that it seems we are backing ourselves into a corner again. Mr. Burton advised that we have two separate issues - a water agreement and a sewer agreement. We are trying to find common ground on both issues. Part of the problem is this does have a time constraint.

Member Stolman made a motion to approve the agreement subject to the condition that we receive a letter from the school district on impact fees and agreement from the village that they support the amended agreement prior to Tuesday. Seconded by Member Gravenhorst. Discussion followed.

A motion was made by Member Stolman that this Resolution be Approved and referred on to Financial and Administrative Committee. Seconded by Member Gravenhorst. The motion carried by the following vote:

Aye: 4 - Vice Chair Stolman, Member Gravenhorst, Member Maine and Member Talbett

Nay: 2 - Chair O'Kelly and Member Douglass

7. New Business

None.

7.1 08-0790

Joint Resolution authorizing execution of an agreement for consulting engineering services with Civiltech Engineers, Inc. for the provision of Phase II design engineering services for joint repair and pavement grinding of Arlington Heights Road/*County Highway 79*, (Illinois Route 83 to Lake Cook Road) and also the proposed add lane to Buffalo Grove Road/*County Highway 16* (Illinois Route 83 to Deerfield Road) at a maximum cost of services described of \$244,371; and appropriates \$150,000 of Motor Fuel Tax funds and \$145,000 of Sales Tax funds for Transportation and Public Safety; designated as Section 08-00999-02-EG.

Director Buehler noted that this was part of our Sales Tax usage plan.

A motion was made by Member Stolman, seconded by Member Talbett, that this Resolution be Approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

7.2 08-0748

Joint Resolution authorizing the execution of the final IDOT Local Agency Agreement for jurisdictional transfer of three (3) remaining segments of Harris Road from IL Route 137 to Peterson Rd from the Fremont Township Road District to Lake County, to become part of the Midlothian Rd Extension (*County Highway 48*).

Director Buehler reported that Items 7.2, 7.3 and 7.4 are all related. We had submitted jurisdictional transfer documents to IDOT previously and they were never acted on. IDOT's new staff has asked us to do this again - all new jurisdictional transfer paperwork for the municipal boundaries as they now exist to replace the documents that were done before. Discussion followed.

A motion was made by Member Gravenhorst, seconded by Member Douglass, that this Resolution be Approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

7.3 08-0749

Joint Resolution authorizing the execution of the final IDOT Local Agency Agreement for jurisdictional transfer of Casey Road from US Rte 45 to IL Rte 137 from the Village of Grayslake to Lake County to become part of County Highway 48.

A motion was made by Member Gravenhorst, seconded by Member Douglass, that this Resolution be Approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

7.4 08-0750

Joint Resolution authorizing the execution of the final IDOT Local Agency Agreement for jurisdictional transfer of the one remaining segment of Harris Road from IL Route 137 to Peterson Rd from the Village of Grayslake to Lake County to become part of the Midlothian Rd Extension (County Highway 48).

A motion was made by Member Gravenhorst, seconded by Member Douglass, that this Resolution be Approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

7.5 08-0754

Joint Resolution authorizing an emergency appropriation in the amount of \$200,000 in the Division of Transportation's budget due to an increase in fuel prices and consumption demands due to the severe winter, authorizing an increase in the expense budget; and request its adoption.

Director Buehler reported that this came through Finance Office - to make it to the end of the budget year that is what is needed.

A motion was made by Member Maine, seconded by Member Talbett, that this Resolution be Approved and referred on to

Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

- 7.6 08-0735 Committee Action Memo to approve the Fall 2008 Adopt a Highway Program

Director Buehler distributed copies of the Adopt-A-Highway participants and reported that we are down six sections and reviewed the documents with the Committee.

A motion was made by Member Gravenhorst, seconded by Member Talbett, that the Fall 2008 Adopt a Highway Program be approved as presented. The motion carried by the following vote:

Aye: 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

- 7.7 08-0733 Butterfield Road north of IL Route 176: Possible Disposition of Excess County Right-of-Way. (*Committee Direction*)

Director Buehler stated that this item is to be pulled from agenda because further discussion with the church is needed.

- 7.8 08-0738 Project on County Letting of Tuesday, October 21, 2008
(*Informational*)

Director Buehler presented upcoming projects on the letting.

A motion was made by Member that this Communication or Report be Received and placed on the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

- 7.9 08-0786 Director's Report - Transportation

Director Buehler presented a status report on RTA Transit Grants and the submittals after the August County Board approval. Lake County submitted two grant requests and RTA staff has recommended both. The recommendations are out for public comment until October 10th and the RTA board will act on October 23rd. If these are approved, then we will need to work with PACE on the agreements for their 1/2 share of the local share. Director Buehler distributed a handout on mass transit capital funding. This is a simplified version of why it is important for capital dollars.

- 7.10 08-0762 Review of recommendations developed by the Technical Advisory Group for mitigation of pollutant loading to Mill Creek due to expansion of the Mill Creek Water Reclamation Facility.

Director Kolb introduced consultants Carl Fischer of Baxter and Woodman and Karen Kabbes of Kabbes Engineering. Director Kolb distributed a summary of the Technical Advisory Group's Recommendations for the Mill Creek WRF Expansion followed by a powerpoint presentation showing the facility and a map of the area and design of the plant. It will take about 2 1/2 years to get the plant on line. This project is approximately an 8.3 million dollar project funded by a combination of connection fees and revenue bonds which have been being collected on resident property taxes, and user fees. Discussion on funding followed.

Mr. Fischer and Ms. Kabbes presented information on the Technical Advisory Group and members of the group and their work with environmental advocacy groups. Discussion followed. Mr. Fischer presented the 15 TAG recommendations. Mr. Fischer advised that if the committee accepts these recommendations what the County is doing is encouraging that the villages tributary to the treatment plant will commit to doing these things. Discussion followed.

Director Kolb stated that he will present a Resolution at the next meeting which will include a price tag. Member Maine stated that she would like to see a draft of the Resolution first so that we can look at the language. Director Kolb agreed to send out a draft of the Resolution for comments two weeks prior to the meeting. Comments will be redline and presented at the next meeting.

7.11 08-0763

Joint Resolution authorizing execution of an Agreement for Professional Services with Earth Tech, Inc., Sheboygan, WI in the amount of \$620,500 for engineering services associated with the Mill Creek Water Reclamation Facility Expansion Project.

Director Kolb noted that this is the actual design of the expansion project.

A motion was made by Member Maine, seconded by Member Gravenhorst, that this Resolution be Approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair O'Kelly, Vice Chair Stolman, Member Douglass, Member Gravenhorst, Member Maine and Member Talbett

7.12 08-0791

Director's Report - Public Works

8. Executive Session

This matter was Approved

8.1 08-0636

Executive Session

Director Kolb presented a list of minutes which were accepted as recommended.

9. County Administrator's Report

Amy presented update on Legistar and new split screen.

9.1 08-0743

Discussion of proposed initiatives for 2009 State and Federal Legislative Programs

Asst. County Administrator Gary Gibson distributed copies of the State and Federal proposed initiative for the PWT Committee. Discussion followed. Director Bueher advised that he will meet with lobbyist Trent next week. One change for this year is we did have language for the RTA operating bill last year and that was a big success and taken off. Chair O'Kelly suggested that the word "earmark" be changed to high priority. Discussion followed. O'Kelly asked for a motion to support the initiatives.

Member Douglas made a motion to support the initiatives; seconded by Member Talbett. Motion carried.

10. Adjournment

The meeting was adjourned at 12:15.

Minutes prepared by Linda Wisch

Respectfully submitted,

Chair

Vice Chair

