

HIGHWAY COMMISSIONER'S MEETING

August 15, 2012
O'Fallon Township
801 E. State St.
O'Fallon, IL 62269

CALL TO ORDER at 7:00 P.M.

ROLL CALL

Supervisor Gary Ahle, Highway Commissioner William Peach, Town Clerk David M. Witter, Trustees: Glenn Loyet, Jeff Bevirt and Kenneth Joseph; Deputy Town Clerk/Recorder Debbie Allsup and General Assistance Administrator/Recorder Sheri Heil.

Others present: Gary Fohne, Vern Boekmann, Douglas Scott and Mark Downs.

A motion was made by Supervisor Gary Ahle to excuse Trustee Gary Hursey from the meeting and seconded by Trustee Kenneth Joseph. Motion carried.

APPROVAL OF PREVIOUS MEETING MINUTES

A motion was made by Trustee Jeff Bevirt to approve the minutes of the previous Highway Commissioner's Meeting as presented and seconded by Trustee Kenneth Joseph. Motion carried.

HIGHWAY COMMISSIONER'S REPORT

Highway Commissioner Peach stated the Road District had done the following during the period of July 18th, 2012 to August 15th, 2012:

- ☆ Mowed weeds and did weed eating
- ☆ Picked up trash
- ☆ Cleaned equipment and garage where needed
- ☆ Set mailboxes on Borcher's Lane – all completed except fertilizer, seeding and strawing
- ☆ Finished oiling on Thursday July 19th in Lebanon
- ☆ Yearly check on fire extinguishers
- ☆ Replaced damaged or stolen reference signs and brackets on Witte, Bowler, Country Lane, Lemon Settlement and Dressel Roads
- ☆ Cleaned up siding dumped on Old Lebanon Troy Road

Trustee Kenneth Joseph made mention that it was not mentioned in last month or this month's Highway Commissioner's report, the use of road district equipment and man hours to get the project completed on Borcher's Lane which should have come under the bid. Highway Commissioner Peach disagreed with Joseph because the project is completed. Peach also disputed the day (July 18th) and time (12:15 p.m.) that Trustee Joseph said he drove down Borcher's Lane and all the road district equipment being down there. Trustee Joseph commented that road district equipment was not needed out there because the contractor was supposed to finish the grading.

UNFINISHED BUSINESS

Discussion came up about the seeding and strawing on Borchers's Lane. Joseph asked Peach if he was planning to do this to which Peach said no. Supervisor Ahle asked Peach if the seeding and strawing has already been paid for and Peach said that it has not.

Joseph asked if the contractor set the mailboxes and Peach said they were considering doing it, but since they didn't get paid, according to Peach, they weren't going to do the work.

Trustee Jeff Bevirt had some questions for Peach regarding the change orders and money paid to Rite-Way Excavating. Per change order #5 (last one), the final amount owed to Rite-Way is \$595,037.50. Bevirt asked if change order #5 completes the project. Peach said #5 is the last change order and completes the job. Bevirt continued with payments made to Rite-Way including the one payment being held for \$99,927.34 would total \$599,048.83. This would result in an overpayment of \$4,011.33. Bevirt did not know what the Township procedure on projects like this is. He said that what he has typically used is to hold back a percentage (5%) of the money until the project is totally completed. Peach said that no money was held back. Bevirt stated that he wants Rite-Way and Christ to get paid. He suggests that we pay Rite-Way \$70,000 of the \$99,000 they billed for, pay Christ what they're owed and check the numbers to find where the discrepancy is. After that, Bevirt suggests then at the next Highway Commissioner's meeting, they go over Peach's line item transfer request. Trustee Joseph questioned the use of Township employees and equipment to do work the contractor should be doing. A brief discussion followed. Supervisor Ahle agreed that some money should be held back, but still pay them something. Trustee Bevirt stated that after they go over the numbers and find the \$4,011.33 discrepancy, they will not have to transfer as much money as originally anticipated. Bevirt suggested again to Peach that he should hold some money until completion of the job which includes seeding and strawing. Ahle asked if they are guaranteed the contractor will provide a "punch list". Peach said that's already been done. Peach stated that the seeding and strawing can be done later on, all else is done. Supervisor Ahle told the board that he does not want to come to next month's meeting and have a sixth (6th) change order. Peach said there would be no more change orders except for seeding and fertilizing. Ahle asked Peach if the board is guaranteed there will not be anymore change orders. Peach's response was "definitely". A brief discussion followed.

Peach stated he received a memo from Gonzalez Companies dated August 8, 2012 clarifying the invoice (#2642) for \$5,000 for Stormwater Management. The memo listed all the work that the township budgeted for in 2012-2013. It also stated as a good faith gesture, Gonzales Companies reduced the fee for the work from the budgeted \$15,000 to \$5,000. Trustee Bevirt asked Peach if the work that Gonzalez did is for the township as a whole, or just the township property lot. Peach answered that it is just for the 1.5 acre lot. Bevirt asked if the township could possibly be exempt from the stormwater program. Peach said that Supervisor Ahle has been looking into this since so much property originally township has now been annexed into the City. Bevirt asked if this program is for the whole O'Fallon Township or, just the facility. Peach responded that it is for the whole township. Bevirt asked if this is a one-time fee, or if we have to pay Gonzalez \$15,000 every year. Peach said it would be something ongoing. Bevirt asked Peach if he or Gonzalez is aware of all the funding programs pertaining to the stormwater management. Programs like: Municipal Stormwater Funding, Clean Water State Revolving Grant, Nonpoint Source Grant Programs and a catalogue for Federal Funding for Watershed Protection. Whether or not any of these would apply to us, Bevirt told Peach that he hopes that Gonzalez is looking into programs like these. Peach responded that a year ago, they applied for funding for a rain garden to be in compliance but was denied at that time. Bevirt said he would like an answer as to whether or not O'Fallon Township is exempt from this Stormwater program. A brief discussion followed.

NEW BUSINESS

Commissioner Peach announced that he attended a meeting at City Hall On Wednesday, August 8, 2012 at 10:30 a.m. about the Rieder Road Improvement Project. In attendance was; Bill Peach – O’Fallon Township; Mike Stead – IL Commerce Commission; Dan Bowman – City of O’Fallon; Brice Sheriff – Illinois Strategies, LLC; Pat Judge and Steve Ficker – Gonzalez Companies. Per the minutes provided by Gonzalez Companies, the purpose of the meeting is to introduce all parties involved in the improvement of Rieder Road and ensure that all parties understand the intent, scope and process as the project continues. Peach read a summary of the meeting provided by Gonzalez Companies to the board. Ahle summarized that the township is kind of being held hostage. If the township doesn’t have the money then ICC doesn’t go forth with funding. Ahle asked if anything is said about the City or the County having any money. Peach said there is no mention of them. Peach added that is does say there is other funding available.

Commissioner Peach is requesting a transfer of funds in the amount of \$20,000 from line item Provision For Contingencies (#6901) in the Permanent Road Fund to line item Borchers Lane Improvements (#6305) in the Permanent Road Fund. Trustee Jeff Bevirt said he believes that Peach should table this request until the next meeting when he has the correct numbers from Rite-Way for a final bill. Ahle said there is enough money in that line item to pay the bills owed right now while withholding some of the money from Rite-Way until the discrepancy is cleared up. Peach said he believes that Rite-Way invoice should be paid in full. Ahle reminded Peach that they have already been over paid by \$4,011.33. Bevirt again reminded Peach by paying a portion to Rite-Way and paying Christ Brothers in full, this will give Peach time to find the discrepancy in the money amounts. Then by next meeting, the board will probably not have to transfer as much money as Peach is wanting to right now. Discussion followed.

A motion was made by Trustee Jeff Bevirt to table the Transfer of Funds until the next Highway Commissioner’s Meeting and seconded by Trustee Glenn Loyet. Roll Call: G. Loyet - aye; J. Bevirt - aye; G. Ahle - aye; K. Joseph - aye. Motion carried.

READING AND APPROVAL OF HIGHWAY COMMISSIONER’S BILLS

A motion was made by Trustee Kenneth Joseph to authorize payment of the bill from Rite-Way Excavating with the exception of withholding \$15,000 from the total bill in the amount of \$99,927.34 until the figures are accurate. The motion was seconded by Trustee Jeff Bevirt. Roll Call: G. Loyet - aye; J. Bevirt - aye; G. Ahle - aye; K. Joseph - aye. Motion carried.

Permanent Road Fund	\$	149,462.51
Road & Bridge Fund	\$	104,212.95

Highway Commissioner Peach dispensed with the reading of the Road District Bills.

With regards to the remaining bills, Trustee Loyet made mention of payments to Gonzalez Companies in the amount of \$83,938.67 for Rieder Road and the \$5,000 for Storm Water. Supervisor Ahle stated there is nothing the board can do about those bills because contracts have already been signed by Highway Commissioner Peach.

Trustee Jeff Bevirt asked Commissioner Peach when Gonzalez Companies would be coming again to update the board members on what is going on with the Rieder Road project. Bevirt stated he understands paying the bills owed to them, but he would like to know exactly what they are doing on the project (surveying, reports, etc.) for \$83,938.67. A brief discussion followed.

A motion was made by Supervisor Gary Ahle to authorize payment of the remaining road district bills as presented and seconded by Trustee Jeff Bevirt. Roll Call: G. Loyet - abstain; J. Bevirt - aye; G. Ahle - aye; K. Joseph - aye. Motion Carried

PUBLIC INPUT

None.

ADJOURNMENT

A motion was made by Trustee Glenn Loyet to adjourn the Highway Commissioner's meeting and seconded by Trustee Jeff Bevirt. Motion Carried.

Meeting adjourned at 7:44 P.M.

Respectfully submitted by:

David M. Witter
Town Clerk