

2015

STATE LEGISLATIVE AGENDA



**County Office Building
302 North Chicago Street
Joliet, IL 60432**

WILL COUNTY LEADERSHIP



WILL COUNTY BOARD SPEAKER

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CHARLES "CHUCK" MAHER

DEMOCRATIC CAUCUS CHAIR

HERBERT BROOKS, JR.

REPUBLICAN WHIP

MIKE FRICILONE

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TABLE OF CONTENTS

Introduction.....	Page 5
Will County South Suburban Airport.....	Page 6
Illiana Expressway	Page 7
Transportation Safety Highway Hire-back Fund.....	Pages 7-9
Cell Towers	Page 9
Property Foreclosures.....	Page 9
Sales in Error	Page 10
Court Ordered Interest	Page 10
Fund for Payment of Interest	Page 10
Probation Funding.....	Pages 10-11
Clean Construction and Demolition Debris	Page 11
Interstate 55.....	Page 11
Interstate 80	Page 12
Emergency Management.....	Page 13
Resource Recovery	Page 13
Health Department	Page 13
Emergency Telephone System Board	Page 14
Assessments	Page 14
Will County Road Projects.....	Page 14
29 th District.....	Page 15
34 th District.....	Page 16
37 th District.....	Page 17
38 th District.....	Page 18
41 st District.....	Page 19
75 th District	Page 20
79 th District.....	Page 21
80 th District.....	Page 22
81 st District.....	Page 23
82 nd District.....	Page 24
84 th District.....	Page 25
85 th District.....	Page 26
86 th District	Page 27
97 th District	Page 28
98 th District	Page 29

INTRODUCTION

Will County Board Legislative & Policy Committee

**SUZANNE HART, CHAIR
ROBERT HOWARD, VICE CHAIR
STEVE BALICH
LIZ COLLINS
KENNETH E. HARRIS
ANNETTE PARKER
BETH RICE**

The Legislative Agenda for 2015 is a product of the Will County Board's Legislative & Policy Committee and is endorsed by the Will County Board. The committee is charged with reviewing legislative proposals that may affect the county, and developing legislative proposals that enhance the ability of Will County Government to serve its citizens. The committee also takes positions on selected bills on behalf of the Will County Board.

It is the County Board's policy to support legislation granting additional authority to counties. We also may support legislation which allows counties to expand non-property tax revenue sources.

In general, we ask the Governor and all legislators to adhere to the following principles:

- Oppose unfunded mandates imposed by State and Federal governments, and fund programs as mandated by state law;
- Oppose legislation that reduces our existing authority;
- Oppose legislation that erodes our existing revenue base;
- Honor all of the state's financial obligations;
- Do not divert dedicated revenues including, but not limited to, sales, gasoline, income and RTA taxes, that should come to the county.

OUR LEGISLATIVE PRIORITIES

South Suburban Airport in Will County, Illinois

On May 30, 2013, the Illinois General Assembly passed Senate Bill 20 (SB 20) authorizing the Illinois Department of Transportation (IDOT) to construct the South Suburban Airport (SSA) in Will County through a Public- Private Partnership (P3). SSA P3 legislation is based on the Public Private Agreements for the Illiana Expressway Act, P.A. 096-0913. SB 20 provides a viable path forward for this regionally-significant project that will create jobs and economic opportunity and enhance Will County's status as a multi-modal transportation and logistics hub.

SB 20 authorized \$100 million for IDOT to acquire the remaining property in the 5,800-acre footprint of the Inaugural Airport including Bult Field, an existing general aviation airport. A SSA ombudsman was designated to provide services independent of IDOT and the county to assist local property owners who are impacted by the project.

IDOT is producing an Airport Master Plan for Federal Aviation Administration (FAA) review and approval that addresses the construction and operation of the Inaugural Airport. All required chapters of the Master Plan have been submitted to the FAA and four of nine submittals have been accepted and approved.

The FAA is preparing a Tier 2 Environmental Impact Statement (EIS) that will assess the environmental impacts associated with the construction and operation of the Inaugural Airport. The 2002 Tier 1 EIS established the Will County location for a new passenger and cargo airport to serve the greater Chicagoland region.

Will County is committed to lead on local planning in relation to the South Suburban Airport, and collaborating with the State of Illinois, local stakeholders including residents and municipalities impacted by the airport, as well as the Will County Business Labor Coalition and leaders from Kankakee and southern Cook Counties.

Illiana Expressway

The Illiana Expressway will stretch approximately 50 miles and connect Interstate 65 in Lake County, Ind., with Interstate 57 and Interstate 55 in Will County. This greatly needed project will ease east-west highway congestion for passenger and commercial vehicles, reduce the strain of heavy truck traffic on local roads, improve safety and provide accessibility to jobs.

Will County supports the efforts underway to make the Illiana a reality and is committed to collaborating with the State of Illinois, and local stakeholders including residents and municipalities in the vicinity of the designated corridor.

Transportation Safety Highway Hire-back Fund 625 ILCS 5/11-605.1 (f-5):

Funds can currently only be used to hire officers. Amend to allow use for purchase of law enforcement equipment and commodities that will assist in the education, prevention and prosecution of construction or maintenance speed zone violations.

(625 ILCS 5/11-605.1)

Sec. 11-605.1. Special limit while traveling through a highway construction or maintenance speed zone.

(a) A person may not operate a motor vehicle in a construction or maintenance speed zone at a speed in excess of the posted speed limit when workers are present.

(a-5) A person may not operate a motor vehicle in a construction or maintenance speed zone at a speed in excess of the posted speed limit when workers are not present.

(b) Nothing in this Chapter prohibits the use of electronic speed-detecting devices within 500 feet of signs within a construction or maintenance speed zone indicating the zone, as defined in this Section, nor shall evidence obtained by use of those devices be inadmissible in any prosecution for speeding, provided the use of the device shall apply only to the enforcement of the speed limit in the construction or maintenance speed zone.

(c) As used in this Section, a "construction or maintenance speed zone" is an area in which the Department, Toll Highway Authority, or local agency has posted signage advising drivers that a construction or maintenance speed zone is being approached, or in which the Department, Authority, or local agency has posted a lower speed limit with a highway construction or maintenance speed zone special speed limit sign after determining that the preexisting established speed limit through a highway construction

or maintenance project is greater than is reasonable or safe with respect to the conditions expected to exist in the construction or maintenance speed zone.

If it is determined that the preexisting established speed limit is safe with respect to the conditions expected to exist in the construction or maintenance speed zone, additional speed limit signs which conform to the requirements of this subsection (c) shall be posted.

Highway construction or maintenance speed zone special speed limit signs shall be of a design approved by the Department. The signs must give proper due warning that a construction or maintenance speed zone is being approached and must indicate the maximum speed limit in effect. The signs also must state the amount of the minimum fine for a violation.

(d) A first violation of this Section is a petty offense with a minimum fine of \$250. A second or subsequent violation of this Section is a petty offense with a minimum fine of \$750.

(e) If a fine for a violation of this Section is \$250 or greater, the person who violated this Section shall be charged an additional \$125, which shall be deposited into the Transportation Safety Highway Hire-back Fund in the State treasury, unless ~~(i) the violation occurred on a highway other than an interstate highway and~~ (ii) a county police officer wrote the ticket for the violation, in which case the \$125 shall be deposited into that county's Transportation Safety Highway Hire-back Fund. In the case of a second or subsequent violation of this Section, if the fine is \$750 or greater, the person who violated this Section shall be charged an additional \$250, which shall be deposited into the Transportation Safety Highway Hire-back Fund in the State treasury, unless ~~(i) the violation occurred on a highway other than an interstate highway and~~ (ii) a county police officer wrote the ticket for the violation, in which case the \$250 shall be deposited into that county's Transportation Safety Highway Hire-back Fund.

(e-5) The Department of State Police and the local county police department have concurrent jurisdiction over any violation of this Section that occurs on an interstate highway.

(f) The Transportation Safety Highway Hire-back Fund, which was created by Public Act 92-619, shall continue to be a special fund in the State treasury. Subject to appropriation by the General Assembly and approval by the Secretary, the Secretary of Transportation shall use all moneys in the Transportation Safety Highway Hire-back Fund to purchase law enforcement equipment and commodities that will assist in the education, prevention and prosecution of construction or maintenance speed zone

violations and hire off-duty Department of State Police officers to monitor construction or maintenance zones.

(f-5) Each county shall create a Transportation Safety Highway Hire-back Fund. The county shall use all moneys in its Transportation Safety Highway Hire-back Fund to purchase law enforcement equipment and commodities that will assist in the education, prevention and prosecution of construction or maintenance speed zone violations and hire off-duty county police officers to monitor construction or maintenance zones in that county ~~on highways other than interstate highways.~~

(g) For a second or subsequent violation of this Section within 2 years of the date of the previous violation, the Secretary of State shall suspend the driver's license of the violator for a period of 90 days. This suspension shall only be imposed if the current violation of this Section and at least one prior violation of this Section occurred during a period when workers were present in the construction or maintenance zone.

(Source: P.A. 97-830, eff. 1-1-13; 98-337, eff. 1-1-14.)

Cell Towers

The County's lack of authority over the siting of cell towers has led to a reduction in quality of life for many Will County residents. Despite county efforts to encourage appropriate siting with reasonable setbacks from residential property lines, several towers have been constructed dangerously close to homes.

Will County supports legislation that will grant counties zoning and planning authority similar to the authority municipalities currently have. We would further support legislation providing for assurances that a telecommunication carrier would be responsible for the removal of obsolete facilities and site restoration as technology is advanced and towers are no longer beneficial.

Property Foreclosures

Will County opposes legislation that will allow plaintiffs in foreclosure suits to select entities to conduct foreclosure sales. Efforts to allow private entities, rather than county sheriffs, to conduct the sales will cost the county more than \$1.2 million in lost revenue annually. We strongly believe that county sheriffs should conduct the sales. Will County opposes bills that attempt to change the current practice – a practice that ensures fairness to all concerned.

Sales in Error (35 ILCS 200/21-310)

Applications for Sales in Error have skyrocketed since a change to the law in 2011. The spike, in our opinion, is the result of a loophole allowing tax buyers to declare that a county sold property taxes in error because of a past bankruptcy. The intent of the law should be for active bankruptcies, not any bankruptcy.

Sample Language: Clarification to the code outlining how Sales in Error should be for “open bankruptcies at the time of sale,” i.e., cases that are currently in court.

Court Ordered Interest (35 ILCS 200/21-315(b))

The spike in court ordered refunds for Sales in Error force the county to bear the penalty costs. In 2012, Court Ordered refunds were more than \$1-million. The penalty is 1% per month, which is substantially higher than the county earns on its month in the same period. We believe the county loses 97-cents for every dollar it pays on Court Ordered refunds. By changing the language, counties can manage its losses.

Sample Language: “Interest shall be awarded and paid to the tax purchaser at the lesser rate of 1% per month or the 30 day U.S. Treasury Note from the date of the sale to the date of payment...”

Fund for Payment of Interest (35 ILCS 200/21-330)

Tax Buyers pay the county a \$60 fee to fund the Court Ordered Interest Fund. Because of the large number of Sales in Error, Illinois counties are paying more from this fund than they are taking in as fees, costing the county directly. We recommend a fee increase to \$100 from \$60.

Sample Language: “In counties of under 3,000,000 inhabitants, the county board may impose a fee of up to \$100, which shall be paid to the county collector...”

Probation Funding

In accordance with the *Probation and Probation Officers Act (730 ILCS 110)*, probation services are mandated by the State of Illinois as part of the Court Services program.

“Although an increase in salary reimbursement funding has been realized for SFY 2015, adequate funding for Probation and Detention services throughout the State of Illinois remains a critical issue. The continuation of the support for this positive trend in Probation and Detention funding is essential in order to maintain safer communities by insuring offender accountability. A reduction in funding will only serve to diminish the capability of

Court Services Departments to accomplish the mission of creating safer communities and insuring offender accountability.”

While Will County supports legislation for alternative funding mechanisms, we urge the legislature to fully fund probation services without diminishing other county revenues.

Clean Construction and Demolition Debris

Public Act 96-1416 allows the disposal of so-called *clean construction and demolition debris* in Will County and other state quarries. Will County participated in the Pollution Control Board’s rulemaking to ensure that the rules would provide for groundwater monitoring and effectively protect our citizens and environment. The promulgated rules did not, and although approved by JCAR (Joint Committee on Administrative Rules) the Pollution Control Board was asked to revisit the issue of groundwater monitoring.

The Pollution Control Board has not addressed this matter in over a year and is not required to. It appears the only way to require groundwater monitoring @ CCDD Facilities (which Will County has 9 active sites) is to adopt legislation.

Interstate 55

Will County supports the programming of funds for add-lanes on I-55 from I-80 south to at least IL 129 to provide safer and more efficient travel by the public, and to accommodate significant truck traffic traveling to and from intermodal developments within the region.

The area around the I-55/Weber Road interchange has experienced tremendous population and employment growth since the interchange was constructed in 1990, mainly within the Villages of Bolingbrook and Romeoville. The high concentration of manufacturing, warehousing and distribution companies located along I-55 depend on safe and efficient truck access to the interstate highway system. Due to increased traffic, severe congestion at peak travel times and delays, the interchange has become a chokepoint for commuters and freight. Additional manufacturing and distribution space is available in the I-55 and Weber Road corridors and important to local economic development.

Will County funded 100% of the cost of the Phase I study, which was scheduled for completion in late 2012. Construction is estimated to cost \$90 million. IDOT lists engineering design and construction costs for the project in its FY 2013-2018 multi-year highway improvement program, noting a requirement for additional local funds to implement. Funding for the project is contingent upon the sale of Illinois Department of Corrections property in the area. The Villages of Bolingbrook and Romeoville have committed local funds to the project.

Interstate 80

Will County supports the programming of additional funds to construct add-lanes on I-80 from Route 30 to Ridge Road in order to provide safer and more efficient travel for the public and to accommodate significant truck traffic traveling through the Midwest.

I-80 is an important link in the nation's interstate system, connecting California to New Jersey, and is an important east-west corridor for moving freight across the country and through Chicago.

The 16-mile corridor of I-80 through Will County from US Route 30 to Ridge Road carries over 110,000 vehicles, including up to 30% trucks. Within the 2-lane corridor, there are eight interchanges, over 40 structures, and four waterway crossings. In the center of the project is the Des Plaines River Bridges, aging structures anticipated to require over \$250 million for replacement.

Significant population and employment growth in the region and Will County have contributed to increased travel demand through the corridor. The segment of I-80 through Will County is the only location in the country to have a reduced 45mph speed limit and is a recognized bottleneck for national freight movement. Since 2002, two rail intermodal terminals have begun operating in Will County, attracting new warehousing and distribution facilities to the area. Container trucks access Will County's Inland Port from I-80 at Route 53, an interchange not designed for large trucks and currently a high accident location. Plans to construct a new bridge over I-80 directly connecting the northern end of the Inland Port with the existing Houbolt Road interchange have been discussed among local stakeholders as an alternative point of access from I-80. Future projections show truck traffic volumes growing dramatically on I-80 through Will County in future years without new east west alternatives, like the proposed Illiana Expressway.

IDOT initiated a Phase I study in this corridor in 2009. The project study team has been working with local stakeholders to develop and evaluate improvement alternatives with particular attention to the interchanges at Center Street, Chicago Street (IL Route 52/53) and Richards Street. Phase II funding included for I-80 in IDOT's FY 2013-2018 Multi-Modal Transportation Improvement Program is intended for near term corridor needs mainly focusing on bridge rehabilitation and is likely not sufficient for long term capacity type improvements. IDOT completed a resurfacing project on I-80 between US 30 and the Will/Grundy County line in 2011, in addition to an add-lanes project on I-80, east of US 30 to IL Route 45.

Emergency Management

The Illinois Nuclear Safety Preparedness Act, 420 ILCS 5/, includes provisions for annual licensing fees for commercial nuclear stations. This generates roughly \$24,000,000 each year, which goes to Illinois EMA. A provision within the act allocates \$450,000 annually (There is a provision which allows IEMA to fund up to \$600,000, which they usually do) to help fund related emergency management activities of the counties and local jurisdictions directly impacted by the nuclear stations. The last time this amount was increased was 1998. Since then, our responsibilities and the cost of doing business for our emergency management program have both increased significantly. In the case of Will County, the amount we receive each year covers only around 50% of our costs for our nuclear preparedness activities. The Illinois Nuclear Safety Preparedness Act should be amended to increase funding levels for counties.

Resource Recovery

- **Fix the Illinois Residential Electronics Recycling Crisis**

Amend the Electronic Products Recycling and Re-Use Act (Public Act 97-0287) so that the weight based goals of manufacturers is 100% of sales in order to sufficiently fund electronic recycling programs.

- Will County supports the consolidation of state revenue from the Renewable Portfolio Standard (RPS) into a single fund that cannot be swept by the State. 25% of Illinois energy is to be produced by renewable energy sources (wind, solar, biomass, etc.) pursuant to the *Renewable Portfolio Standard (RPS)*. RPS funding is provided by the main energy suppliers to support local energy efficiency programs. The distribution of that revenue into multiple funds has resulted in the diversion of those funds by the state. Will County supports legislation that places all revenue into a protected single fund that prevents the diversion of RPS revenue by the State of Illinois.

Health Department

Mental Health

- **Community Re-Investment:** The Community Services Act requires reinvestment in the community of money saved when psychiatric facilities are closed. Will County has historically had 300 patient admissions per year at the Tinley Park Mental Health facility. Will County desires that a portion of reinvestment dollars from the closure of the Tinley Park Mental Health Center be reallocated to Will County for community mental health programs.

Emergency Telephone System Board

Will County supports legislation that:

- Will not increase the wireless surcharge from its current \$.75,
- Redistributes the surcharge creating an increase for small downstate 9-1-1 systems and
- Removes the wireless carrier fund from the revenue stream to prevent sweeping of the fund.

Assessments

Pollution Control Equipment: Will County opposes an expansion of the definition for pollution control equipment.

Will County Road Projects

Will County is one of the fastest growing counties in the nation and is projected to have a population of approximately 1.2 million by the year 2030. Over the last decade, we have become a major inland port with three major intermodal facilities currently operating and two more in the development phase.

We are providing a list of road projects by legislative district that will need funding in the near future. We ask that IDOT, along with the Senator and Representative from each legislative district, consider these projects as funding becomes available through a capital bill.

We look forward to working with each of you to ensure that Will County and its taxpayers get a fair distribution of the resources identified in the capital bill.

State Representative Thaddeus Jones
29th Representative District

<u>Project</u>	<u>Location</u>	<u>Type</u>	<u>Cost</u>
Exchange Street	over Deer Creek	Structure repl.	\$ 1,500,000.00
		Eng – Ph III	\$ 50,000.00
		<hr/>	
		Total Cost	\$ 1,550,000.00

State Representative Elgie R. Sims, Jr.
 34th Representative District

Project	Location	Type	Cost
Will-Center Rd	at Peotone-Beecher Rd	Channelization	\$ 1,500,000.00
		Eng – Ph II	\$ 350,000.00
		Ph III	\$ 140,000.00
		R/W	\$ 60,000.00
		Total Cost	\$ 2,050,000.00

State Representative Renée Kosel
 37th Representative District

Project	Location	Type	Cost
80 th Ave	183 rd Street to 191 st Street	Add Lanes and Bridge Repl.	\$ 3,000,000.00
		Eng – Ph II	\$ 300,000.00
		Ph III	\$ 300,000.00
		R/W	\$ 250,000.00
80 th Ave	Over I-80	Structure Widening	\$ 5,500,000.00
		Eng – Ph II	\$ 550,000.00
		Ph III	\$ 550,000.00
		R/W	\$ 100,000.00
		<hr/>	
		Total Cost	\$10,550,000.00

State Representative Al Riley
38th Representative District

<u>Project</u>	<u>Location</u>	<u>Type</u>	<u>Cost</u>
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No County Highways in this district

State Representative Darlene J. Senger
41st Representative District

Project	Location	Type	Cost
95 th Street	at Plainfield-Naperville Rd	New Road (Add Lanes and Signals)	\$ 4,400,000.00
		Eng – Ph III	\$ 640,000.00
		R/W	\$ 200,000.00
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		Total Cost	\$ 5,240,000.00

State Representative John D. Anthony
75th Representative District

<u>Project</u>	<u>Location</u>	<u>Type</u>	<u>Cost</u>
County Line Road (Will Road)	over Kankakee River	Structure Repl.	\$ 500,000.00
		Eng – Ph II	\$ 50,000.00
		<hr/>	
		Total Cost	\$ 550,000.00

State Representative Katherine “Kate” Cloonen
 79th Representative District

Project	Location	Type	Cost
Center Road	at N. Peotone Rd	Channelization Two structures	\$ 1,550,000.00
		Eng – Ph II	\$ 390,000.00
		Ph III	\$ 160,000.00
		R/W	\$ 60,000.00
		Total Cost	\$ 2,160,000.00

State Representative Anthony DeLuca
 80th Representative District

Project	Location	Type	Cost
Laraway Road	at Cedar Road	Intersection	\$ 2,000,000.00
		Eng – Ph II	\$ 240,000.00
		Ph III	\$ 800,000.00
		R/W	\$ 650,000.00
Laraway Road	At Spencer Road	Intersection Widening / Signals	\$ 850,000.00
		Eng – Ph II	\$ 260,000.00
		Ph III	\$ 85,000.00
		R/W	\$ 80,000.00
Total Cost			\$ 4,965,000.00

State Representative Ron Sandack
81st Representative District

Project	Location	Type	Cost
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No County Highways in this district

State Representative Jim Durkin
 82nd Representative District

Project	Location	Type	Cost
Bell Road	at 143rd Street	Intersection Improvement And Signals	\$ 4,730,000.00
		Eng – Ph III	\$ 920,000.00
		R/W	\$15,000,000.00
Bell Road	159 th Street to 151 st Street	Pavement Widening	\$ 6,500,000.00
		Eng – Ph II	\$ 580,000.00
		Ph III	\$ 650,000.00
		R/W	\$ 700,000.00
		<hr/>	
		Total Cost	\$29,080,000.00

State Representative Stephanie A. Kifowit
84th Representative District

Project	Location	Type	Cost
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No County Highways in this district

State Representative Emily McAsey
85th Representative District

<u>Project</u>	<u>Location</u>	<u>Type</u>	<u>Cost</u>
135 th Street	New Avenue to Smith Road	Add Lanes and Signals	\$ 7,500,000.00
		Eng – Ph III	\$ 750,000.00
		R/W	\$ 50,000.00
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		Total Cost	\$ 8,300,000.00

State Representative Lawrence M. Walsh, Jr.
 86th Representative District

Project	Location	Type	Cost
Briggs Street	Mills Road to US Route 52	Reconstruction	\$ 2,000,000.00
		Eng – Ph II	\$ 230,000.00
		Ph III	\$ 200,000.00
		R/W	\$ 20,000.00
Manhattan Road	Baseline to Brandon	Roadway	\$ 2,100,000.00
		Eng – Ph III	\$ 320,000.00
		R/W	\$ 150,000.00
		<hr/>	
		Total Cost	\$ 5,020,000.00

State Representative Tom Cross
 97th Representative District

Project	Location	Type	Cost
Plainfield-Naperville	111 th Street to 119 th Street	Pavement Widening	\$ 5,000,000.00
		Eng – Ph II	\$ 100,000.00
		Ph III	\$ 500,000.00
		R/W	\$ 100,000.00
		Total Cost	\$ 5,700,000.00

State Representative Natalie A. Manley
98th Representative District

<u>Project</u>	<u>Location</u>	<u>Type</u>	<u>Cost</u>
Weber Road	at I-55	Add Lanes and Reconfigure	\$ 85,000,000.00
		Eng – Ph II	\$ 7,000,000.00
		Ph III	\$ 8,000,000.00
		R/W	\$ 200,000.00
		<hr/>	
		Total Cost	\$100,200,000.00