

MINUTES – FEBRUARY 10, 2011

The Caswell County Board of Commissioners met in special session at the Historic Courthouse in Yanceyville, North Carolina at 4:30 p.m. on Thursday, February 10, 2011. Members present: Nathaniel Hall, Chairman, Kenneth D. Travis, Vice-Chairman, William E. Carter, Cathy Lucas and Gordon G. Satterfield. Absent: Erik D. Battle and Jeremiah Jefferies. Also present: Kevin B. Howard, County Manager, Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Hall opened the meeting with a Moment of Silent Prayer.

AMENDMENT TO CONSTRUCTION MANAGEMENT AGREEMENT

Chairman Hall stated “We have one item on the agenda for this special meeting that is the amendment to construction management agreement that was proposed from this past Monday night. There was some discussion about the 2 ½% fee and how it would be applied. We talked to the representative during the meeting Monday and asked her to go back to her principals about the way this was applied. A change has been made. Our county manager and county attorney has reviewed this and it is now before this Board for action.

Commissioner Satterfield “This new fee, would you tell us about it?” Mr. Howard responded the original contract was for 2 ½ percent of the projected cost of the work. In the meeting the Board asked if the contract could be the actual bid amount. Now the contract will read 2 ½ percent of the projected cost of the work or the actual bid amount whichever is less.

Commissioner Travis stated “The question I have is not about the cost, well it is about the cost too. Is this the best way to handle this thing or can we save some money by hiring someone to come in and do this or can we use our building inspector we have now to do it?” Chairman Hall responded “My first reaction would be whether this is the best way or not. We did talk about these options. We did eliminate one and that is our building inspector. I don’t think our building inspector would have the expertise that we would need. We can use the architect firm here or use someone else outside.” Commissioner Travis stated “Which way is the cheapest way for the taxpayer? We are only looking at one option right now. We have not put it out for bids to see if we could find anyone cheaper. You said our building inspector cannot handle this job. He is not qualified to look at blueprints and read them?” Chairman Hall responded “He is capable of reading blueprints. I don’t think a construction project of this size that he has the training to handle the construction management.” Commissioner Travis stated “I disagree with you. I think he should be able to read the blueprints and he should be able to handle the job. I think we could hire someone part time to help do the building inspections so he can look after this project. Do you realize how much money we would save? From the people I have talked to I think the man is qualified to do this job.”

Commissioner Lucas asked "Where do we stand with the LGC on the project?" Mr. Howard responded that the county has not had any contact with the LGC. We have to have the public hearing first. Commissioner Lucas added "We are talking about expending more money now without having had the public hearing. Is this something that has to be done immediately?" Mr. Howard responded that this adds no upfront cost. Commissioner Lucas asked "What have we expended so far Kevin on the project?" Mr. Howard responded around two hundred to three hundred thousand. Commissioner Lucas stated "According to the audit report, I think it was closer to three. It was an appropriation made of four hundred thousand. I guess the assumption is made that we are moving forward with the project to the tune of eight to ten million dollars and renovation is not an option. Is that right? Has the Board taken a vote to move forward with the expenditure of the eight to ten million?" Chairman Hall responded "The Board has taken a vote. To answer your question the answer is yes. The assumption is we are moving forward with the project." Before the bids go out this will be the first time we will get the feel of what it will cost." Commissioner Lucas asked "When do the bids go out?" Mr. Howard responded "Roughly about three to four weeks from the day we approve." Commissioner Travis added "They want this approved before the bids go out." Commissioner Lucas stated "My question is why? Why do we have to approve this before bids go out?" Mr. Howard responded to determine whether it will be single prime versus multi prime bids. We are trying to find the cheapest subcontractors for the project.

Commissioner Satterfield stated "We had talked about it earlier in several meeting trying to fix this thing where local vendors in Caswell County could bid on plumbing, HVAC, electrical, etc. With construction management they can do that. If they go with just a general contractor all the bids could come in here from Florida or Georgia or wherever. Nobody here would get an opportunity to bid on it." Commissioner Lucas stated "But we have to pay Brennan two hundred and fifty thousand (\$250,000.00) dollars for that privilege." Commissioner Satterfield responded "No we don't have to pay Brennan. We don't have to pay anyone. I mean we have to pay someone. The County Manager has checked what other people are having to pay and this figure here is reasonable." Mr. Howard added "This is taking the place of a general contractor."

Commissioner Lucas stated "I guess my problem with this Chairman Hall is that the discussion is that it is already going to take place and I am still at the point why can't we renovate and not proceed with a new construction project. That is where I am right now." Mr. Howard stated that approving this does not mean we have to accept any bids. Commissioner Lucas asked "Then why do we have to do it now prior to the public hearing? What is the urgency?" Chairman Hall stated "I don't think it is necessarily an urgency thing. We have been working on this for a year now." Commissioner Lucas stated "I am coming into it in November." Chairman Hall added "We have been working with this, I think since last year about this time." Commissioner Lucas stated "The facts are still pretty much the same as far as the need."

Commissioner Travis stated "The way I understand this now is if we don't accept this right here these people are not going to put it out for bids to start with. We will have to put it out for bid or whoever we contract will look after it. Am I right or wrong?" Mr. Howard stated that is right. Commissioner Travis added "The way I see it is if we agree we are going to give them this percentage of this money to look after this jail they are going to get their crew that has already

built these jails to come up here and build this jail.” Chairman Hall stated “I think you are misunderstanding what we are trying to do here. Like Kevin said we either will go single prime or multi prime. The thought is that multi prime is the way to go. All they want to do is to bid it out. They will not have any control over who bids and they will not have any control over who is accepted. They will not decide this. They are just going to put it out there.” Commissioner Travis asked “Will they put it out there if we deny this?” Chairman Hall responded “They will put it out single prime. Then we will have four or five major contractors bid on it.” Mr. Howard added “With single prime you could have six contractors. With multi prime you could have ten bids on each part of the project.”

Commissioner Lucas asked “We are moving forward without the approval from the LGC?” Chairman Hall stated “Ms. Lucas I think you are missing something here. We started this project. The LGC does not require us to get approval through these steps. We have had our county manager and county attorney to tell us the steps to take. I think you have stated your position. You want it to stop.” Commissioner Lucas stated “I think you are moving quickly.” Chairman Hall added “Right. You said that.” Commissioner Lucas asked “Has the LGC approved the project or not?” Mr. Howard responded “The LGC will not approve the project until the bids are in. We will fill out an application once the bids are in. They will look at the bids. All indications are we will be approved.”

Commissioner Travis stated “What we are meeting about today is are we willing to give them 2 ½% like they are asking for. What happens if we say no? We will have to go back and bid it like he is talking about.” Chairman Hall responded “If we say no to them one of two things can happen. We can look for someone else to do the construction management or we can do it as a single prime.” Commissioner Travis asked “What is the difference in the way we are bidding it?” Chairman Hall responded “Experience has told us by others who have done this is the last year or so when you bid out to multiple contractors you stand a better chance to get a better price on plumbing, a better price on electrical. You also have a better chance of getting local vendors involved. A county like Caswell there are no major contractors here.”

Commissioner Carter stated “Brennan said he likes to use local people. We have local plumbers and local electricians. Commissioner Satterfield added “There may be some people in this area that certainly would be on it I would think or portions of it. Whereas if we bid out single prime and the contractor will have all of their subs already lined up. They are going to have their subs give them a price and add ten percent. We need someone who knows what they are doing like Brennan. Someone who will be there every day while construction is going on to make sure no short cuts are taken that will come back and bite us in two or three years. We had a similar situation with the Senior Center down here where there was no construction manager.” Commissioner Lucas stated “Lesson learned.” Commissioner Satterfield added “We had things go wrong down there and we still have some problems down there. If you would have had construction management on that little job and someone knew what they were doing.”

Commissioner Travis stated “Some of the things that went wrong down there would not have happened if they would have listened to this Board. They went behind our backs and changed that. That has nothing to do with this. We are talking about a whole lot more money here. We are talking about a lot of taxpayer’s money going into this jail right here. I don’t think we have

looked at all the options as far as hiring someone to look after this jail.” Chairman Hall asked “What other options are left other than construction management. What are the other options?”

Commissioner Carter moved, seconded by Commissioner Satterfield to enter into contract with Brennan Architects as the construction management for the detention center project.

Commissioner Lucas stated “I am curious about the infrastructure for the town. Has anyone talked with the town council to find out if the infrastructure for the town can support such a project?” Chairman Hall responded “I don’t know. I don’t think we have.” Commissioner Lucas stated “I know there are issues with the sewage or something.” Chairman Hall stated “We are starting a new building from scratch. Whatever we have to take care of on our property that is why we will have a construction manager and an engineer to take care of it. The problem has been the age of the sewage system.” Commissioner Carter stated “The jail that is there now has an underground spring. They had to put in a new system. In that area there was not enough room to have a fall. This will not affect the new building. It will feed to a different location.”

Commissioner Lucas asked “What is going to happen with the current jail?” Chairman Hall stated “That is not a part of this motion. Let’s finish the motion.”

Upon a vote of the motion, the motion carried by a vote of three to two with Commissioners Lucas and Travis voting no.

ADJOURNMENT

At 4:55 p.m. Commissioner Satterfield moved, seconded by Commissioner Carter to adjourn the meeting. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Nathaniel Hall
Chairman
