

Minutes of the 30 August 2017
Special Meeting of the Yancey County Board of Commissioners
Held at 3:00 o'clock p.m. in the Commissioners Meeting Room
Yancey County Courthouse, Burnsville, North Carolina

Present at the 30 2017 meeting of the Yancey County Board of Commissioners were Chairman Johnny Riddle, Commissioner Jill Austin, Commissioner Mark Ledford, Commissioner John Stallings, Commissioner Jeff Whitson, County Manager Nathan Bennett, Clerk to the Board Jason Robinson, County Attorney Donny Laws, County Planner Jamie McMahan, Finance Officer Brandi Burleson, Superintendent of Yancey County School Dr. Tony Tipton, Mike Cox with Architectural Design Services, Yancey County Economic Development Commission Executive Director Wanda Proffitt, and members of the general public.

Call to Order and Approval of the Agenda

Chairman Riddle called the meeting to order and welcomed everyone to the meeting. He then asked for a motion to approve the agenda. Commissioner Stallings made a motion to approve the agenda and it was seconded by Commissioner Ledford. The vote to approve was unanimous (Attachment A).

Update on Blue Ridge Elementary School

The Board first heard from County Planner Jamie McMahan and Mr. Mike Cox. Mr. McMahan stated that the Board of Education had awarded a contract for the construction of Blue Ridge Elementary School. The final price after negotiations with the low bid contractor was \$11,736,099. The lowest bidder was H and M Constructors, with whom Mr. Cox stated he has worked many times and it was clear that they wanted this job. Mr. Cox stated that the negotiations were fruitful and trimmed \$613,901 off the initial bid (Attachment B). Mr. McMahan stated that the bottom line number was a little above the approved amount in the capital project ordinance but that money could be taken from the \$500,000 contingency fund. Upon hearing from Mr. McMahan, Commissioner Austin made a motion to approve a revised capital project ordinance. The motion was seconded by Commissioner Ledford and the vote to approve was unanimous (Attachment C). Mr. McMahan also informed the Board that H and M would like to begin as soon as possible. They would like to be sure that some of their "soft costs" are covered for site preparation in case the County doesn't get the loan for the school. Mr. McMahan stated that as long as the loan was approved by the Local Government Commission (LGC) this wouldn't be an issue because it would be paid with the first payment to the contractor. Discussion followed about the loan financing. Upon conclusion of discussion, Commissioner Whitson made a motion to authorize the county manager to approve up to \$50,000 for the site preparation work for H and M. The motion was seconded by Commissioner Austin and the vote to approve was unanimous. Mr. McMahan stated that the next step was the LGC meeting on September 12th. If the loan is approved by the LGC, then the County hopes to close on the loan on September 19th and begin construction on September 20th. Mr. McMahan also stated that upon further clarification, the County would be eligible for Community Development Block Grant (CDBG) funds from the State for the extension of the sewer line from Altec Industries. In order to do this to comply with the CDBG regulations Mr. McMahan stated that the Board needs to authorize County Manager Nathan Bennett to put out a Request for Qualifications for engineering services. Mr. McMahan stated that this was a change from the request in August due to the CDBG requirements. Discussion followed concerning the new elementary school and about the sewer extension. After discussion was concluded, Commissioner Stallings made a motion to authorize County Manager Nathan Bennett to distribute a Request for Qualifications for engineering service to extend the sewer line from Altec Industries. The motion was seconded by Commissioner Ledford and the vote to approve was unanimous.

Economic Development Structure

The Board next heard from Mrs. Wanda Proffitt, Executive Director of the Yancey County Economic Development Commission (EDC). Mrs. Proffitt stated that she was bringing a proposal from the EDC Board for the commissioners to consider (Attachment D). Mrs. Proffitt stated that this proposal would be similar to how DSS works with the County providing funding and benefit package for a full-time EDC director and county planner. The EDC board would maintain control over the hiring and firing of the director and the town would continue funding of special projects. Mrs. Proffitt stated that she believed it to be crucial to have a full-time EDC director. Commissioner Whitson stated that he agreed but would like for the commissioners to have a say in who is hired and fired. This sentiment was echoed by Commissioner Stallings.

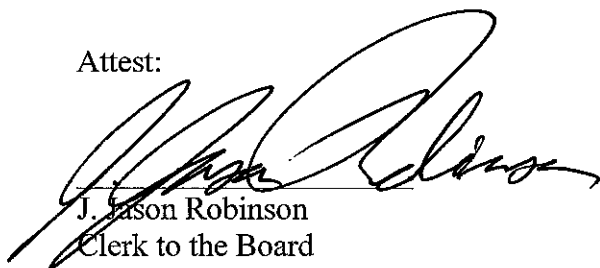
County Attorney Donny Laws stated that he wasn't sure that the County could do this legally, to have a county employee answer to another board without authorization in the statutes, which is the way DSS is set up. Discussion followed concerning funding by the town and the relationship between the town and county and a potential salary for a joint EDC Director/Planner. Following the discussion it was agreed that the Board would like to meet with the EDC board at 5:00 pm before their regular meeting at 6:00 pm for further discussion.

Adjournment

Having no further business Commissioner Ledford made a motion to adjourn and it was seconded by Commissioner Austin. The vote to adjourn was unanimous.

Approved and authenticated on this the 11th day of September 2017.

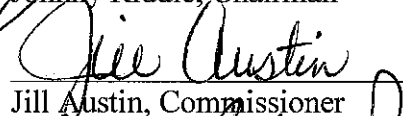
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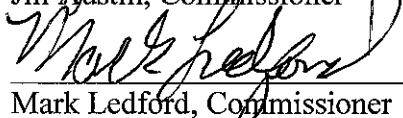

J. Jason Robinson
Clerk to the Board

(county seal)



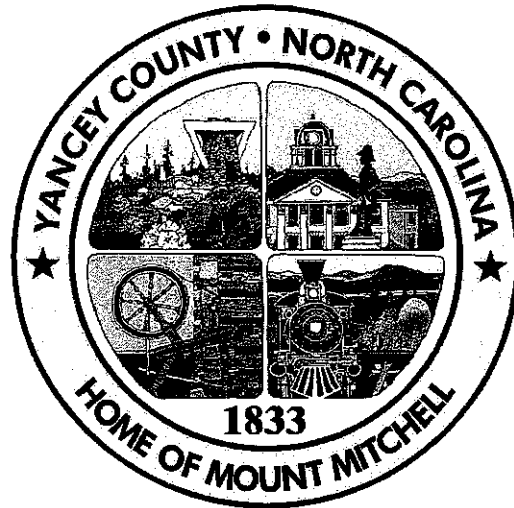

Johnny Riddle, Chairman


Jill Austin, Commissioner


Mark Ledford, Commissioner


John Stallings, Commissioner


Jeff Watson, Commissioner



**AGENDA
YANCEY COUNTY COMMISSIONERS
SPECIAL MEETING
August 30, 2017**

- I. Call to Order - Chairman Riddle
- II. Approval of Agenda
- III. Update on Blue Ridge Elementary School
- IV. Discussion of Economic Development Structure
- V. Adjourn



August 29, 2017

Dr. Tony Tipton
Yancey County Board of Education
PO BOX 190
Burnsville, NC 28714

Re: Blue Ridge Elementary School
Contract Award Recommendation

Dear Dr. Tipton:

Bids were accepted August 1, 2017 for the construction of Blue Ridge Elementary School. H&M Constructors was the low bidder with a base bid of \$12,350,000 and was also the low bidder with every combination of available alternates. Over the past three weeks, they have cooperated to successfully negotiate another [\$613,901] out of the project, which has been accepted by the Yancey County Board of Education.

I hereby recommend the award of the construction contract to H&M Constructors for the base bid proposal of \$12,350,000 with a negotiated credit (see attached negotiations) of [\$613,901] for a total contract award of Eleven million, Seven hundred and Thirty-six thousand and Ninety-nine dollars (\$11,736,099).

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Cox", written in a cursive style.

Mike Cox, FAIA
Architectural Design Studio, P.A.

attachment

BASE BID

\$12,350,000

RECOMMENDED

1	4.	Change the composite roof panels to concealed fastener standing seam and bag insulation.	-\$212,000
2	103.	Add Snowguards	\$17,650
3	5.	Delete allowance #1, \$4,500 plus O&P (rock excavation).	-\$4,500
4	6.	Delete allowance #2, \$8,000 plus O&P (replacement of unsuitable soil).	-\$8,000
5	7.	Delete allowance #3, \$9,000 plus O&P (gravel replacement).	-\$9,000
6	8.	Delete allowance #4, \$20,000 plus O&P (galvalume roof, gutters & fascia).	-\$20,000
7	9.	Delete allowance #5, \$2,000 plus O&P (conduit for is included in electrical).	-\$2,000
8	10.	Reduce allowance #6 to \$20,000,	-\$10,000
9	17.	Delete 1,000 sq ft of concrete walks.	-\$4,500
10	18.	Delete turned down slabs	-\$6,914
11	71.	Change corridor security gates to Cookson ESG 10.	-\$14,353
12	23.	Delete the folding side court goals and associated electrical.	-\$17,980
13	76.	Change P fixtures to Revolution Lighting	-\$960
14	92.	(not 25). Change 16" horizontal metal siding to vertical PBD metal siding.	-\$14,275
15	34.	Delete four D windows @ kitchen.	-\$1,740
16	96	(not 26). Change counter over lockers to laminated plastic with 3mm PVC edge	-\$11,580
17	30.	Delete one flagpole.	-\$1,815
18	31.	Change the fire access road to 4" of railroad ballast with 2" traffic bond.	-\$2,965
19	36.	Delete following 5 pieces of kitchen equipment	-\$32,379
20	41.	Change planting beds to 4" of topsoil and 2" of mulch.	-\$1,670
21	42.	Delete the disc golf addendum item 90.	-\$2,875
22	43.	Delete the small mud mat from the animal shelter drive.	-\$2,500
23	44.	Delete the concrete bench, pedestal and 1,000 sq. ft. of concrete walks.	-\$7,620
24	45.	Change walk to playing field to 6' x 2" asphalt.	-\$7,925
25	48.	Take out the book drop addendum item 56.	-\$978
26	49.	Delete the quilt square on the outside wall of the gym, Sheet A5.2.	-\$600

27						
28	50.	Change panel and service entrance feeders greater than 100 amps				-\$9,226
29	52.	Mechanical – Change copper plumbing to Type A PEX pipe.				-\$4,000
30	53.	Delete 30 of the 30" x 48" metal-faced acoustical wall panels in the gym.				-\$11,464
31	91. (not 60)	Provide metal building wall panels 7.2 profile with exposed fasteners				-\$17,250
32	61.	Reduce scope of curbs, per civil markups.				-\$14,000
33	62.	Change roof leader trunk lines from PVC to water tight HDPE, per civil markups.				-\$8,122
34	63.	Change thermal doors to standard aluminum doors				-\$15,400
35	64.	Change flat roof flashings from aluminum to 24 ga. Steel				-\$1,335
36	73.	Change waterproofing/antifracture membrane to Custom Building Products				-\$3,145
37	74.	Change F fixtures to Lithonia CDS series				-\$600
38	75.	Change L & L2 fixtures to Lithonia that dims to 10%				-\$10,600
39	82.	Change panelboard bussing to aluminum.				-\$1,000
40	83.	Change main switchboard bussing to aluminum				-\$500
41	88 (not 12).	Change window color to one color from 50 standard manufacturer's colors.				-\$17,000
42	89 (not 65).	Change window screens to standard aluminum in lieu of Vivid View				-\$3,470
43	90.	Change window interior stain to 1 of 10 standard colors.				-\$7,380
44	99 (not 84).	Delete lightning protection				-\$41,400
45	86. (not 85)	Delete grounding loop				-\$32,400
46	101.	Change Stainless Steel building letters to Aluminum				-\$1,000
47	51.	Change copper plumbing to Type A PEX pipe.				-\$5,350
48	15.	Delete three corridor display cases.				-\$2,068
	94. (not 54)	Change the wall tile shown on 17/A9.1 to 7'-2" high with bullnose at top edge.				-\$2,100

TOTAL PROPOSED DEDUCTS

4% O&P

TOTAL PROPOSED DEDUCTION

-\$590,289
-\$23,612
-\$613,901

TOTAL BASE BID with RECOMMENDED DEDUCTIONS \$11,736,099

YANCEY COUNTY

REVISED CAPITAL PROJECT ORDINANCE FOR THE
BLUE RIDGE ELEMENTARY SCHOOL PROJECT

BE IT HEREBY ORDAINED by the Yancey County Board of Commissioners that, pursuant to Section 13.2 of Chapter 159 of the North Carolina General Statutes, the following revision to the capital project ordinance is hereby adopted:

SECTION 1: That the project authorized hereby is the construction of the West Yancey Elementary School, with the purpose of providing an educational facility for the citizens of Yancey County.

Section 2: Yancey County staff is hereby directed to proceed with the revised capital project within the terms and provisions of Chapter 159 of the North Carolina General Statutes and the budget contained herein.

Section 3: The following revenues and resources are anticipated to be available to complete the project activities:

Revenues:

From:	Amount:
• Yancey County Board of Education ADM Funds	\$ 781,972
• Yancey County Board of Education Capital Outlay Match to ADM Funds	\$ 260,657
• Lottery Funds Allocated to the Project	\$ 457,371
• Yancey County Board of Education Property Purchase form Capital Funds	\$ 783,860
• Yancey County Board of Education Funds for Furnishings & Equipment	\$ 900,000
• Sales Tax Article's 40 & 42 Obligated in FY 2016-2017 and 2017-2018	\$ 1,000,000
• Loan Proceeds	\$ 11,474,390
 TOTAL	 <u>\$ 15,658,250</u>

Section 4: The following expenditures are hereby appropriated for the project activities:

Expenditures:

For:	Amount:
• Total Construction including Site Work & Contingency	\$ 11,736,099
• Architectural Fees, Design & Construction Administration	\$ 761,250
• Legal Fees, Bond Counsel	\$ 25,000
• Legal Fees, Local Counsel	\$ 25,000
• Property Acquisition including Due Diligence, Surveying, etc.	\$ 783,860

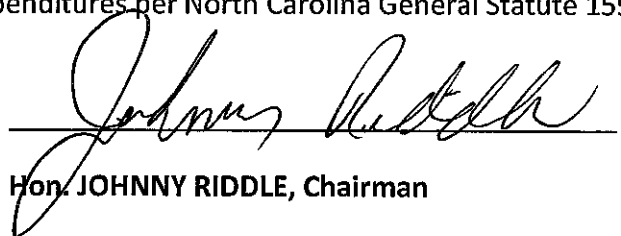
• Testing During Construction	\$ 50,000
• Furnishings & Equipment	\$ 900,000
• Contingency Including Cost of Contracted Building Inspection & Interim Interest, etc.	\$ 377,041
• Construction of Sewer Extension	\$ 1,000,000
TOTAL Project Cost:	<u>\$15,658,250</u>

Section 5: The Yancey County Finance Office is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to provide accounting information as required by Chapter 159 of the North Carolina General Statutes. Further that Finance Office staff is directed to include a detailed analysis of past and future costs and revenues of this capital project in every budget submission made to the Board of County Commissioners.

Section 6: The Yancey County Manager is hereby authorized and empowered to execute any and all documents necessary to commence, carry out, and complete the capital project set forth herein without any further direction, authorization, or consent, including without limitation any and all contract documents, change orders, and any other such documents as may be necessary to give direction to architects, contractors, and others in completing this capital project. Further that the County manager is authorized to transfer appropriations within the various line items of this capital project ordinance as he shall in his discretion deem necessary, according to law. Further that the County Manager shall from time to time report to the Board of Commissioners as they shall direct as to the status of completion of the capital project and/or the status of the budget for the capital project.

Section 7: Copies of this capital project ordinance shall be made available to all Yancey County and Yancey County Board of Education staff for the purposes of direction in carrying out the completion of this capital project.

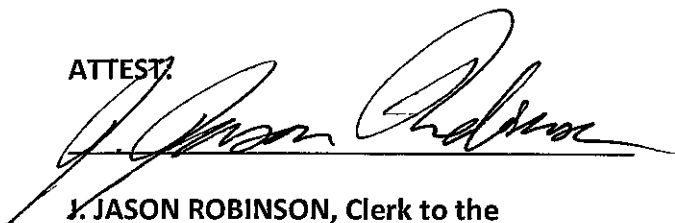
Section 8: This revised project ordinance is adopted on this the 30th day of August, 2017 for the purpose of revising the budgeted revenues and expenditures per North Carolina General Statute 159-13.2(c).



Hon. JOHNNY RIDDLE, Chairman

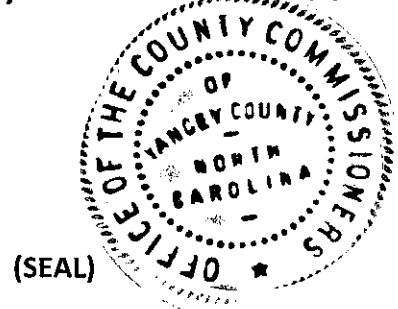
Yancey County Board of Commissioners

ATTEST:



J. JASON ROBINSON, Clerk to the

Yancey County Board of Commissioners



Attachment D

EDC Proposed Recommendation

Unanimous support from EDC Board of Directors

1) Create Independent Department within County to support and combine Economic Development Commission/County Planning

This would be similar to DSS – Independent Board like it is today with key components – EDC Board, hiring and firing decisions of Director

County to fund salary/benefit package of EDC Director

Town will continue support/funding of special projects - such as Hospitality Study & Sanford Holshouser Study, etc. and will allow EDC to continue to operate as it does today and have flexibility to do research/studies as needed for project as they arise.

2) Administrative Support - Salary & Benefits

With combining Planning & Economic Development, it is critical to have support staff for EDC Director – suggest using existing staff

3) Office Space and Support

Current office space not adequate for EDC Director and Administrative Staff and with CRC Building – no extra cost to County

EDC has completed extensive study and research of EDC Director Salaries for Western NC and for majority of active counties – salary ranges from \$100,000 and up. Recommendation is for minimum salary of \$60,000 to hire best person as EDC/Planning Director – full time – plus benefits.

Copy of current By-Laws attached

Historical Information attached – Winter Star Company, Inc.

Reasons for Independent EDC/Planning Board:

Economic Development Projects – require quick decisions/actions

Do not require public hearings/meetings open to public

Members are Volunteers selected from specific positions/areas of need

Greatest Asset are the EDC Board Members – Volunteers who devote considerable time, talent and funds to help our community prosper and grow!

County/Town still have control and final approval of appointing all Board Members.

County Commission & Town Council have active Board Member appointments!

County/Town still have final approval of all ByLaw changes.

County/Town still control funding.

Winter Star Board can purchase land/buildings necessary for EDC Projects

Economic Development requires this flexibility to be successful!