

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners held a Special Meeting with the Avery County Board of Education on Thursday, April 4, 2019 at 6:30 p.m. at the Avery County Board of Education Central Office, 775 Cranberry Street, Newland, NC. The purpose of the meeting was to discuss the proposed Avery County High School Addition and Renovation, including, but not limited to, discussion regarding the bids and any other issues pertaining to proposed construction/renovation and funding thereof.

Members Present: Martha Hicks, Chair; Blake Vance, Vice-Chair; Dennis Aldridge; Tim Phillips; Wood Hall Young, Jr.

Members Absent: None

Board of Education Members Present: John Greene, Chair; Kathy Aldridge; Jane Bumgarner; Pat Edwards

Call To Order

Motion by Tim Phillips and second by Dennis Aldridge to call the meeting to order at 6:30 p.m. Motion unanimously approved (5-0).

Recess

Chair Hicks called for a brief recess.

Chair Hicks declared the meeting to be back in order after a recess.

Dr. Bryan Taylor thanked everyone for being at the meeting. Dr. Taylor stated that the board had been working on a design for abatement and removal of the asbestos at a price of \$250,000. The company will be coming on site to do some test samples. There have been three companies that have reached out to the school system. We have also been working with the architect for potential changes and issues if the bids come in high. I will assure you when we open bids on the 16th of April that we will have a plan in place if the bids come in higher than expected.

Dr. Taylor stated that Mr. Phillip Barrier, Jr. had provided him with a list of six new questions yesterday that the Board of Commissioners had wanted answers to.

The first question is asking if there is an asbestos report for review? We do have that plan which includes a two page report of the high school.

The second question is asking if there is a hazmat assumption? We are working with a company to provide a design or plan for removal once that is finalized that will be given to us and then given to any contractor that would want to bid on that work.

The third question is concerning ground water disposal. The Architect and civil engineer have addressed this issue. We have had civil engineers on site.

The fourth question is concerning the keying system for the high school. This is part of the scope of work. There is an alternate in the bid documents for Schlage Keying Systems.

The fifth question is concerning a sewer leakage problem in the locker room. There will be a new system and the gym and locker will be cleaned out and a larger trunk line installed.

The sixth question is concerning class size numbers. We are required to submit every month to the state a principal monthly report. I went back to the 4th grade and I projected them to the 9th grade. In five years we are going to go from 550 to 630 at the high school.

These were the six questions that we were sent yesterday.

Dr. Taylor stated that there were some other questions that had come to light since the last joint meeting. He stated that last April at the high school at a joint meeting there was a presentation. We gave you an estimate of 19.5 million dollars which was only an estimate. You asked us to come back in December and give an update. The meeting in December was snowed out. There has been one addition to the base bid. In September of last year our maintenance crew came to me and said there was a boiler that was not working and then in November a second boiler went down. In mid-November the engineers came to the high school. The minute that they looked at the central plant they said that this needed to be addressed. This is a new need that we have. We had to add to the estimate in January approximately \$1,931,968; \$1,326,933 for the new central plant; \$500,000 to update the electrical service; \$66,475 for engineering fees on the mechanical side; \$38,500 for engineering fees on the electrical side. The onsite improvements went from 1.4 million to 1.6 million. We were originally estimating \$117 square foot; that went to \$129 square foot and that alone added \$681,455. That means the contingency is increasing by \$191,000 and soils reports went from \$50,000 to \$150,000. When you add all of those numbers, that is an increase of \$3,161,175. The base bid really only changed by the mechanical, HVAC and electrical work.

We were going to price as an alternate to build 4 classrooms and that was 70,092 square feet that was estimated to cost 1.3 million dollars. The architects said we can renovate almost twice that square footage and only cost an extra \$155,000. Once we vacate that front office area something has to happen to that, it can't be left open. If it is going to have to be renovated the architects said what about flipping the media center and instead of building new classrooms use the media center as four classrooms. That has not changed the base bid and that is an alternate.

We had hoped to have bid opening today but Mr. Johnson reached out to me and said we do not have enough subcontractors and we had to postpone the bid.

Dennis Aldridge stated “for me and the Board as we have been discussing the concern is knowing that once the first spade of dirt is turned we are committed to the end. We are what may seemingly be overly caution but we are just trying to do due diligence on behalf of the citizens in order to try as best we can to prevent surprises and a job of this scope there are unknowns but you try to eliminate as many of those unknowns as possible. Our concerns are not that there are knowns that may be expanded it is the fact that 24 turns into 26 and turns into 28, for example, and there is nothing we can do. That is why we have been trying to understand and trying to get answers and it may seem that it has been overly supervised but that is not the case it is that we have a responsibility and we have to be accountable and I don’t want to be the one to sign off on something that is 28% over budget. To leave things for a later determination is fearful to me. It is not judicious with the public trust.”

John Greene stated “ we have come to the conclusion at some point that the school needs to be done. My fear is that we have put in our heads a dollar amount on these things. We don’t know what it is going to be until we open the bids but at the same time we have to do this for our children. We would love to do all phases but we are cognizant of the budget and we are hearing that we are overspending so we have cut to the bone to get it to the number that we think you all will do. We are in a 50+ year old building that has failing systems and not adequate for the education of today’s students. We know that it has to be done.”

Blake Vance said “to pull together what Mr. Aldridge is saying I think the only way this project will work is if everyone is singing off the same sheet of music and I think for the past few months we have not been singing off the same sheet of music. I think that is a lack of communication between boards. We have had a history of working very well together. When we met last year we had a dollar amount of 19.5 million dollars.”

John Greene stated that the 19.5 million dollars was an afterthought when Mr. Young made the motion on May 7th. Mr. Young said “on the 23rd of April at a joint meeting Mr. Johnson told us 19.1 million was the estimate. At our meeting on May 7th I made the motion to not exceed 19.5 million. That motion passed 4 to 1. On January 15th you came back with a 25% increase.”

Mr. Vance said “That is the first explanation that I have gotten for that. I think we went to bid prematurely. We asked for a meeting before you went to bid because we had questions. I understand legally you can bring us a project and we can vote it up or down but that is not the way it has worked with this Board. There has been a good faith between the boards and I think that was violated a little by saying we are not going to meet with you we are putting this out to bid. We had a lot of questions because ultimately we are the ones that have to approve the payment. I want us to work together because it is our job to work together not against each other for the best of our citizens. We are the ones that have to look at the taxpayers and explain why we voted to spend the money. I am not comfortable giving a rubber stamp or a blank check. It is going to take meetings. We have had 25 plus meetings for a 3 million dollar swimming pool.”

Mr. Young questioned how many times the full board had met on this project. Mr. Greene answered "not as much". Mr. Young asked why they had not met much. We as a board of commissioners have discussed this project ten different times in a public meeting. We have done our due diligence.

Kathy Aldridge said we have met for the past seven years maybe not this board but with other boards also. If we keep putting this off it is going to get more expensive.

Mr. Vance stated that this should have been done a long time but we can't derail it now without working together but it feels like it is getting rammed down our throats. When we ask for a meeting before it goes to bid and it goes to bid that is just saying you are going to take it like it is. Mr. Greene said "we asked for a meeting with the chair and vice chair, county manager, county finance officer, superintendent together. You have to be able to have respect for your board members. There has to be that level of trust with your own leadership to take you the information. If we can't do that then it is so inefficient to try to get us all together when most of this can be done in committee and then we have our big meetings to air everything out." Mr. Vance stated that I am still an advocate for this. I will tell you when we ask for a meeting before it went to bid and we got a no and it went to bid that was very offensive to me. Mr. Greene said the bid was just a number. We had no information. Mr. Vance said that is not productive. What is the point in going to bid if we are not ready to go to bid. I don't feel like we were ready to go to bid. The ones that are writing the check said we have questions. Mr. Young said there were too many things that were undetermined. You have the best chance now with these two boards to get this built.

Chair Hicks stated that you are remodeling two pods and spending 25 million. You have five other pods that need work done on them. You are going to put the county in debt at least 15 or 20 years. We can't go back and keep borrowing more money. A lot of people think we are building a new school.

Tim Phillips stated that he thought what everyone was working for is a bottom line price. Until the bid comes in there is not a whole lot we can do. I think what this board is after so we don't waste time and more money we want to know if it does come in high is there a plan in place to get it down to a place where we can afford. Mr. Greene said we are working on that. Mr. Vance said there are still several things we are discussing about this project.

Dr. Taylor said "I am the new piece to this puzzle. You may not like everything that I do but I am honest as the day is long when it comes to dealing with people. From the moment that I took this job a gentleman said you have three things to do, fix this budget, get this calendar fixed, and get this high school project finished and I went to work that very day. Everything that has been asked of me from the moment I got here I have done. There is a commissioner in this room that I have been trying to communicate with since October and to hear that we are not on the same page of music and to hear that we are not communicating with you disturbs me. I have offered to come to Phillip Barrier's office to meet and talk with whoever wanted to talk with me. I have offered to

meet and it has been said that we can't trust him if we meet individually with him. If this is about information we want you to have the information. Mr. Aldridge you are exactly right anytime you put a shovel in the ground there is going to be unknowns. I am confident the numbers you have been given we are able to explain and justify. There may be numbers that come up that we are not prepared for. We feel like we have done our due diligence. If I have given anyone in this room any reason to be concerned, to not trust me then I am man enough to apologize to them. There is another commissioner in this room a day after you made the motion that said would you help us find the money for this. I told him yes sir I would be happy to. I want to be a partner with you but one thing I have learned about our community as wonderful as it is a lot of times we talk to everybody else but the person in question and I have made myself available to every person in this room. I am not sure why people will not respond to me or let me answer those questions. I am going to advocate for the young people of Avery County. My job is to partner with you. I have come here for another reason but to make this community better. I want each one of you in this room tonight to leave knowing that you can trust me, you can believe me, and if you don't then I want you to come to me and tell me why. I want you to have the information. I did not come to this community to divide it or these two boards but I will tell you if you will trust me we will go places. If you will work with me we will make this community and school system the best that it can be. I did exactly what I have been asked to do. In April I was asked to come back in December and give an update on the project. I was working in the scope of the project. The mechanical, HVAC and electrical we have to have. We are closer today than we have ever been. I promise you tonight we have a plan if these bids come in high we will sit down with you and we will say we understand the bids have come in high and we will work with the architects to address some of that. No one in this room wants to communicate any more than I do. I am afraid you are being told things that may or may not have come from me. I want this to happen more than anyone but this is not about me. If you want to know where my heart is and my passion is, it is the young people of Avery County. If you will work with me and you will support me, nobody will be a better champion of these young people than me. I am willing to step out of this room so you are willing to talk."

Mr. Young said "I think a concern is we spend 22 to 28 million dollars here and five years something is going to have to be done to the cafeteria and the gym. What needs to be considered is you have a middle school that is 40 years old and you have Crossnore that needs a roof, you have Banner Elk that has a walkway issue and a lot of water problems, you have problems at the Cranberry/Freedom Trail. We have got all of these other buildings that come out of our budget to keep up."

Dr. Taylor said that he would like to bring in a third party to evaluate the schools in this county and be able to come to you and say here is what has been identified as needs in these schools in our district and develop a plan to get those needs addressed. For example, the drainage at Banner Elk we will address with some of the capital money.

Mr. Young asked if Dr. Taylor's long term plan was to stay here as long as this project is going. Dr. Taylor said he would love to do that. I will say that none of us know what

tomorrow holds. I did not come here with the idea of coming and leaving. My first year has been hard, it is tough being an outsider coming to our community and having to make some of the decisions that we have to make. We have weathered that storm and we have a plan for the future. Yes, I want to be a part of that. I want to work with you.

Blake Vance stated that he wanted to address the meeting situation again. I think the rest of the board will agree with me that we prefer to have a united front and to see this as a Board and not a group of individuals. We prefer to look at this as a Board rather than individuals. Mr. Young said that he was the one that Dr. Taylor reached out to another official to meet with. I will not meet with the President of Mayland. It is not what goes on as much as it is the perception.

Dr. Taylor said “we knew that this bid was going to be so tight and so close anyway and we were worried that if we had another “public meeting” that it came across we were not on the same page that it would jeopardize the whole process. That was the rationale. I am the one that suggested to Mr. Greene that the leadership of the Board of Education and the leadership of the Board of Commissioners answer any questions that you have. That is where the idea came from.” Mr. Young said that is not how it was perceived. Mr. Vance said that the perception was that you said “no” to a meeting and that we had to take it. I am in full support of this project but have had hesitation about the process lately.

Dennis Aldridge stated “You ask about some situations that may cut into the assurance of integrity and cooperation. A lot of the things that we look at is not in isolation as much in totality. I met with you at one of the coffee shop meetings and because I had been the asbestos contact person at a job I had previously I understand the process. I asked you for the report and you said that you had trouble finding it and that you had come across it and it had been sent to the architects and a company from Asheville was bidding on that. This is a 2014 report; this should have been done in 2017. The last time we talked about this you told Phillip we were getting it together.”

Dr. Taylor said “we have entered into a contract in Asheville, we had to compile it; it was in different locations, it was there. This is a three year inspection process. A company in Asheville is finalizing the report and updating it. They are providing to us the document of the design plan to remove the asbestos from the 100 and 200 pod. What I told you has been in good faith. I was led to believe that we would have that document by tonight.” Mr. Aldridge said when we discussed it in January I do not feel that the response given to me was not an accurate depiction of the events. Dr. Taylor said we had this document and it was sent to Rob for review.

Jeff Jaynes said “that falls under my department. I was told by staff that our plan was up to date. I should have, as the director, followed up with those under me to verify that it was done in 2017. I did not do that. I took the word of my staff that said yes we were up to date and in compliance. Since that time I have had two staff members who that was their responsibility leave. The documents are maintained in the maintenance shop and over the course of time we worked out a plan, went through the filing cabinets and

found the 2014 document but not sure why the 2017 document was not there. I was told everything was good and I took the word of my staff. Immediately after finding that out we signed up for the class that has to be taken and we have the certification. We reached out to the company at Asheville to help us make sure that we have all of the documents and the paperwork. He said we are good and that we needed to get on to the re-inspection. The inspection has been completed and we are waiting on it to be returned. Dr. Taylor told you what he knew.”

Mr. Aldridge said that this report had been asked for three different times. When I saw that there was 0 dollars for hazmat, I thought this is ridiculous. That was one of the red flags that started a lot of the questions about if this is not addressed what else is not addressed. I was concerned about it because I know the costs that can be involved. It seemed to me that the reason that this was not presented because it was not current. I felt like it was not full disclosure. There are legitimate concerns and questions that we are asking not out of the sense of malice or ill will but what is going to happen on the 16th. That bid does not scare me it is what is going to come a year from now is what scares me. The hopefulness of having everything in place and full disclosure and being part of the process is what has lead us to this point.

Dr. Taylor said the only thing you can question is the asbestos cost. By the time we meet again we will have a document that says here is what the asbestos removal plan for pods 1 and pods 2. We knew that this would not be until later in the project. We do not know the exact number yet. We have been contacted by three companies that are waiting for the plan.

Chair Hicks questioned if Dr. Taylor had seen the DPI report from 2015/2016. Have any of the needs been taken care? Dr. Taylor said he had read it but he was not sure about that. Chair Hicks said that we need to stay on board with the DPI report and we may need to get another one. Dr. Taylor said he would like to bring in a third party to look at the buildings.

Mr. Aldridge said “the budget this year is 29.6 million. The whole county budget every department is 29.6 million. We don’t have a finite well. We are trying to draw out as much water as we can and leave some in the well and the only way to get more water in the well is to get some from somewhere else. It was told to me that the commissioners were the one that was stonewalling this whole process. We have met and got request for proposals for financing and we are going through the process. We want to do the right thing but we have to look at it in the cold hard facts of reality and not what we would like to do but what we can do. We are talking about paying a chunk down on this project in order to make it palatable.”

Dr. Taylor said we will have a plan for you if the bid comes in higher than we expect. Mr. Aldridge said the fact that the plan is not here tonight is what bothers me. There are contingency plans and we are working on them if we need them but it would be full disclosure to me if we had at least an idea. We have talked about possibilities that might have to be done.

Mr. Greene said that we have whittled and whittled this down until we are down to a bare minimum. There are things that we are looking at that we might do but we are not there yet; we haven't got that plan because we have cut and cut and cut. Now we are gasping for air through a straw under water. From this point on we are not going to cut into our wants we are going to cut into our needs. There is nothing in this plan that we don't need right now.

Dr. Taylor said we have been working with our architect for going on a month or more and we are scrutinizing this project heavily. We are trying to do what you have asked us to do. Dr. Taylor thanked both boards for being at the meeting and their input. Chair Hicks asked for a motion to adjourn the meeting.

Adjourn

Motion by Tim Phillips and second by Dennis Aldridge to adjourn this meeting at 8:31 p.m. Motion unanimously approved (5-0).

**Martha Hicks, Chair
Avery County Board of Commissioners**

Attest: _____
Cindy Turbyfill, Clerk

