

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
FEBRUARY 04, 2008

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap Building Classroom, 80 East Street, located in Pittsboro, North Carolina, at 11:20 AM on February 04, 2008.

Present: Chairman George Lucier; Vice Chair Mike Cross; Commissioners Patrick Barnes, Carl Thompson and Tom Vanderbeck; County Manager, Charlie Horne; County Attorney Jep Rose; Assistant County Manager, Renee Paschal; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

The Work Session was called to order by the Chairman at 11:23 AM.

Work Session

1. **Performance Contracting**
2. **Hal House Presentation**
3. **Annual Planning Report:** Sally Kost
4. **Construction Manager at Risk Contract:** Consideration of a motion to approve Barnhill Contracting Company as the Construction Manager At Risk, subject to successful contract negotiations; and consideration of a motion to authorize the Chairman to execute the contract, once finalized.
5. **“State of the County Address” Discussion**

PERFORMANCE CONTRACTING

The County Manager stated that performance contracting was an outgrowth of recommendations of the Green Building Task Force to conduct a performance energy audit of County buildings, and that performance contracting allowed such an audit without spending large amounts of money.

Richard Self, with Johnson Controls, introduced himself as well as Dave Hohns, and stated that they had met with the Green Building Task Force and believed that much could be achieved.

Dave Hohns provided some brief information about Johnson Controls and the work they were doing in North Carolina. He stated that they worked with customers to reduce energy use and operating costs and that sustainable organizations were dedicated to reducing energy costs, which had financial, social, and environmental impacts.

Mr. Self stated that with the financial impact, you were limited as to where you found that money, such as through taxes, State and local bonds, and impact fees. He explained that Guaranteed Energy Savings Contracts, NC General Statute 143-64.17, was a process put in place by the General Assembly to assist cities and counties to be able to afford to do the improvements needed without overtaxing their CIP programs as follows:

- Allows the use of future energy savings to finance facility improvements for existing buildings now.
- Requires the projects be 100% self-funded including the cost of financing.
- Requires a 100% guarantee.
- Allows the use of tax-exempt capital leases to finance the project up to 20 years.

- LGC oversight.

Mr. Hohns stated that savings could be found in facilities, HVAC and building operations, water meters, parking lot and park lighting, and others; that they would look at all facilities and then try to attach savings to them; that those would then be bundled together and financed over a set period of time; that the primary areas for such improvements would be in facilities and water distribution systems; and, that when looking at the life cycle of buildings, 75% of the cost was in alterations, energy and operations, another 14% went to financing, and 11% went to design and construction.

Mr. Hohns stated the types of improvement opportunities they would be looking at were heating systems, ventilation systems, air conditioning systems, automatic temperature controls, energy management systems, indoor air quality, lighting improvements, window, doors and seals, training and consultation, preventive and predictive maintenance, water conservation measures, and energy efficient motors. He noted the following improvements to be explored:

- Lighting: install new lamps and occupancy sensors.
- Electrical system: perform preventative maintenance and evaluate load shedding.
- HVAC control systems: review existing control strategies and update or replace as needed.
- Access Control and Security: evaluate current system and suggest updates or replacements.

Mr. Hohns then outlined the benefits:

- Reduced energy usage and costs
- Increased security
- Increase uptime and reliability
- Better environment for employees

Mr. Self described improvements to explore in automated water meter reading:

- Install more accurate water meters
- Install water meters that can be read automatically instead of manually
- Install more energy-efficient motors and pumps

Mr. Self then described the benefits:

- Increase billable gallons of water
- Reduce the time and cost associated with meter reading
- Make staff available for other responsibilities
- Reduce energy usage

Mr. Self stated what all of that meant for the Commissioners and for the County was no new taxes would be required to fund the program and that the program was guaranteed. He stated for the staff if meant new technology, more information, improved comfort, and, the program was turn-key.

Mr. Hohns described the typical process:

- Johnson Controls performs a preliminary assessment of energy and water.
- Present findings to County as to the feasibility of a Guaranteed Energy Savings Contract.
- Advertise for bids to select a partner to assist Chatham County to become energy efficient without using Capital Funds, Tax increase or Utility Rate increase.

Commissioner Vanderbeck stated Progress Energy offered a similar program in regards to the actual audit, and asked if their audit differed substantially and if so, how? Mr. Hohns stated he had not studied Progress Energy's audit methods, so he could not say; that he did know that Progress Energy had account managers throughout the State that would walk a facility and then offer advice; that Johnson Controls would initially walk through all facilities with an engineer to get a general idea of what kinds of projects could be undertaken; then once that list was done offer recommendations of what the potential projects might be.

Commissioner Vanderbeck stated that Progress Energy had recently conducted an energy audit for the Board of Education, and asked if Johnson Controls' recommendations would include such things as replacing inefficient motors which would then be replaced and carry a certain savings guaranteed. Mr. Self stated that was correct, adding that they would conduct a detailed audit which would take several months; that engineers and data loggers would be placed on equipment to get detailed information about that equipment; and, that information would then come back to this Board.

Commissioner Vanderbeck stated it was his understanding that Johnson Controls used automated monitoring, so after the lease expired would the County have to renew that lease in order to benefit from the monitoring system. Mr. Hohns described the process currently used in Cumberland County which had been in place for three years, with the ongoing piece being the measurement verification.

Commissioner Vanderbeck asked would they be bringing in lighting, security, and safety issues, since certain things would be automated and perhaps someone in their Raleigh office would have control of the building. Mr. Hohns stated the County would have control of its own buildings through its facility operator.

Chairman Lucier stated then Johnson Controls would come in and do the energy audit, they would estimate what the energy savings would be, then those energy savings would appear in the County budget, in that if they did certain things the energy costs would decrease by a certain dollar amount. He stated that what they were being promised was that if they did those certain things, that they would have that cost benefit. Chairman Lucier stated all of that would take some time, and they would not receive anything from the State up front to get them started. Mr. Self replied that the State did not provide any start-up funds, but there was also no up-front money to be provided on the part of the County since they were generally financed in arrears; that by the time the first payment was due they should already have enough savings to cover it.

Commissioner Vanderbeck stated that after the detailed audit was performed and those recommendations were made to the Board, was there a timeframe that they set that the County would take care of all these items in a certain time and at that point the lease started ticking. Mr. Hohns said it was something like a construction project, in that you selected your contractor with a scope of work, and then as work continued you had regular progress meetings to discuss the pieces of the project.

Mr. Self emphasized that there would be no Change Orders, in that the County was protected that nothing about the contract would change; it would all stay exactly the same.

Chairman Lucier stated the Board's next decision point was to decide on moving forward with an RFP. The County Manager stated that was correct. Mr. Hohns stated first they would like to take a walk through all of the facilities to determine the scope of the potential project, and provide the Board with some information on things that could be done; then they could move forward with an RFP. Chairman Lucier asked would that amount to a gratis period. Mr. Hohns responded that it would.

Chairman Lucier asked how this compared to what the school system had done. Gerald Totten, School Board Member, stated that the detail they had received was based on the initial walk through that Progress Energy's contractor had conducted, which took about two months. He stated that a copy of that report had been provided to the County, and it was not as detailed as what Mr. Hohns and Mr. Self were speaking of.

Chairman Lucier asked Mr. Totten if he believed the school system should be looked at again, using this new process. Mr. Totten responded yes.

Chairman Lucier asked the County Manager what was needed, noting he believed the Board was excited about this process. The County Manager stated if they were ready to move forward, then they would get started once that decision was made.

Commissioner Vanderbeck stated then there would be that gratis period, and after that the County would be able to re-access and determine if they wanted to go forward with a Performance Contract. Mr. Hohns stated that was correct.

The County Manager stated it would help them to understand the scope of an RFQ.

Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to take the next step and to start the gratis period with Johnson Controls.

Commissioner Thompson asked did they have any sense of how long it would take to recoup the funds that would be expended, and what percentage of savings during that period would go to Johnson Controls and what portion would the County keep. Mr. Hohns responded they did not share in the savings; that there were fixed costs and anything saved over that would all belong to the County. Commissioner Thompson stated he understood that, but asked how Johnson Controls would get paid. Mr. Self stated there would be a lending mechanism in place, and they would be paid as the project was put together. Commissioner Thompson stated then it would be through the savings the County accrued. Mr. Self stated that was correct.

Commissioner Thompson said then over a certain period of time the County would recoup money, and his question was what length of time it would take Johnson Controls to recoup its money from the savings the County realized. Mr. Self stated the County usually would recoup its money over a 15-year period, and once a year Johnson Controls would come in and do verifications and training and then report back to the Board. He added there would be a small charge for that.

Commissioner Thompson stated they may want to include the community college in this program, since maintenance and upkeep were the County's responsibility.

Commissioner Barnes stated this was just the start of a procedure for a contractor to show the County what could be done. Chairman Lucier stated that was correct and it would be done gratis. He stated there would be another process where a contract would have to be approved, and the purpose of this motion was to help them construct an RFP.

Commissioner Vanderbeck asked if they could provide the savings in energy units versus dollars, because the way fuel costs increased they would not know how much they were saving if it was provided only in dollars. Mr. Hohns stated that it was measured in energy units saved so that the County could determine if they had actually saved those units.

Mr. Self stated they were not ensuring dollars; they were ensuring therms of energy used.

Larry Hicks, a citizen, asked would the Board look at only the projects that would save money or would they also look at projects that might not save money. Mr. Self stated they would conduct an encompassing inspection and would work closely with staff, because money saved in one area might help to pay for more expensive projects, such as replacing an HVAC unit.

Mr. Hohns stated that roofs and windows were expensive, and likely had to be paid for over time, so you had to look at the payback for such items. Mr. Hicks stated you had to make good decisions on what to replace and also good decisions on the financial impact of those.

Chairman Lucier called the question. The motion carried five (5) to zero (0).

Commissioner Vanderbeck asked about the expected timeframe. Mr. Hohns responded you could expect the work to begin in about six weeks.

LUNCH WITH COOPERATIVE EXTENSION SERVICE

Cooperative Extension Service Luncheon and Annual Report: Luncheon with the North Carolina Cooperative Extension Service and consideration of Annual Report

The Chairman recessed the meeting until 2:00 PM for lunch with the North Carolina Cooperative Extension Service and for presentation of their annual report.

RECONVENE

The Chairman reconvened the meeting at 2:00 PM.

PRESENTATION BY HAL HOUSE

Feasibility of a Centralized Water Reuse Network for Chatham County:

Hal House, with Integrated Water Systems, presented a PowerPoint presentation on the feasibility of a decentralized water reuse network for Chatham County, as follows:

Presentation Overview

- Decentralized Water Reuse Concepts
- State of Water Quality in Chatham County
- Recent Water Quality Successes
- Decentralized Reuse Strategy
- Examples of Water Reuse
- Summary

Decentralized Water Reuse Concepts

- Water reuse balance
- Wastewater as a resource
- Reclaimed water uses: HVAC, landscape irrigation, agri-irrigation, toilet flushing, forest irrigation, biofuels irrigation
- Multiple use concept
- Linkage of individual and community
- Monitoring and preventive maintenance through residential, environmental, industrial, municipal and institutional monitoring and maintenance

State of Water Quality in Chatham County

- Map of major river basins and reservoir projects within the Wilmington District
- Map of Chatham County watersheds
- Picture of Jordan Lake impaired water quality
- Graph of projected Chatham County domestic water demand in millions, from 3.6 in 2006 to 8.4 in 2035
- Effects of uncertain weather, such as drought
- Erosion and sedimentation management

Recent Water Quality Successes

- Protection of streams and buffers
- Erosion and sedimentation management and control

Decentralized Reuse Strategy

- Throwing away an Investment? Re: pollution of streams
- Wastewater is a commodity – it can be cleansed and reused for non-potable uses
- Reuse water potential increases with population growth
- Centralized wastewater network
- Decentralized reuse network

Examples of Water reuse

- Photo of agricultural strategy: Monterey County, CA
- Chatham County agriculture: receipts valued at nearly \$134.5 million in 2006; uses nearly 15 billion gallons of water every year; 94.7% of farms are family owned
- Institutional uses, ex. Chatham Central School
- Commercial uses, ex. Jordan Lake Business Center

Summary

A Decentralized Reuse Network for Chatham County would:

- Provide alternative to economic and environmental costs of a sewer system or centralized reuse plants
- Help plan for drought and future growth
- Allow flexibility in future planning decisions
- Pay-as-you-grow approach

Commissioner Vanderbeck asked if Mr. House had spoken with David Hughes or a Public Works person. Mr. House stated if the Board wanted to see more information about this then Mr. Hughes would be the first person he would talk with.

Commissioner Vanderbeck stated something like this might lend itself well to a citizens subcommittee to help process the information, look at next steps, consider the costs, and recommend what could be done. He stated they needed to process this information and get the community on board to see what sort of buy-in they would have. Mr. House agreed, stating that obviously a lot more information needed to be gathered in order to make a critical decision about something so profound and important to the County. He added they had the benefit of being able to study what other jurisdictions had done and the successes they had enjoyed, and possibly improving on that.

Chairman Lucier stated obviously there were a lot of engineering and cost-benefit issues that had to be considered as they moved forward, but at some point they needed a detailed feasibility study to see where they were on those issues. He asked how much a reuse line would cost per mile. Mr. House stated that was the type of information that would result from a technical feasibility study, that is, an economic analysis and an engineering analysis. He added that 18 inches of PVC was \$12 to \$15 a linear foot; that as the terrain changed and the pipe got bigger the cost could go to \$100 a linear foot; and, that he believed Chatham County would be at the lower end of that spectrum.

Chairman Lucier stated if you used \$20 per foot, that would be about \$100,000 per mile.

Commissioner Barnes stated that basically it would be the same cost as running a sewer line, but this would have to be pumped as opposed to using gravity, which could cost anywhere from \$50 to \$100 per foot.

Chairman Lucier asked if that included the pumps. Commissioner Barnes said no, not including the pumps; that they had pumps stationed every so often because there was a limit as to what gravity would do for you.; and, that each individual line would have a different design and a different cost because they would not be relative depending on the terrain.

Chairman Lucier stated if the cost was \$20 it would be \$100,000 a mile; but if it were \$50 it would be \$250,000 per mile. He stated he understood Mr. House was promoting the use of more individualized systems. Mr. House stated there were a lot of different techniques and technologies using constructed wetlands. Chairman Lucier stated for something like the new high school, with an estimated 10,000 gallons per day of wastewater, how big of a constructed wetland would you need and how much would it cost. Mr. House stated you would have to factor in energy costs and the technology used; plant-based strategies used pumps that ran at all times; more passive technology used a pump that came on three or four times a day for a few minutes at a time versus mechanical strategies; package treatment plants could be placed in a smaller space; and, wetlands took more space but you could make other use of it.

Chairman Lucier stated he was trying to get an idea of how much open space would be needed and how would that compare to the area that would be taken up by a constructed wetland. Mr. House stated the limiting factor would be the land; that is, what the land could accept in terms of water. He said for 1,000 students, you would need about 6,000 square feet for the treatment, and then the reuse part would depend on the soil.

Commissioner Cross, referring to the slide where almost everything was removed from the water except for phosphorus and nitrogen, stated that during review of two large subdivisions plants the comment was made that if reuse water was put through charcoal filters, it would be safe to drink. He asked Mr. House how much worse was that than what was being pulled out of the lakes for drinking water. Mr. House stated re-cleansed water was certainly cleaner than Jordan Lake or Haw River water, and he would actually prefer that it be run back through a charcoal filter.

Chairman Lucier stated you had to look at the type of pollutants in the water, and asked what about pathogens. Mr. House stated once you removed from the water what made it smell bad, you had basically disinfected it.

Commissioner Barnes stated if this would work well in Chatham County the question was the quantity of land you would need; then the question would be what you wanted to do with the final product; and, if the land available was not big enough, you would have to pipe some of it off site. Commissioner Barnes said in theory, the affluent coming out of such a system would be 99.97% pure, and according to that, you could drink it.

Commissioner Vanderbeck stated what you were going to use the reuse water for was important, so if you were going to use it to flush toilets, in the condenser, or other uses, then it was not going back into the wetlands but kept circulating. He stated for the new high school site, he believed there was a wetland there already, so perhaps they just needed some special plantings in that area. Mr. House stated the best strategy at a school site was to treat and reuse what you had, and minimize what would have to leave the site. He stated that rather than having developments with their own systems, it would be better to have them send it to the County for treatment, and then you could re-sell it.

Larry Hicks, a citizen, stated that the biggest concern with developments with their own treatment systems was what would happen to the neighborhoods surrounding them; that the cost of the maintenance on that system would be reduced if what went into their treatment centers was sent on to a distribution system versus maintaining their own system; the County could then charge a fee for taking it away, they could then treat it, and then re-sell it; that another big issue was droughts and the need for another reservoir in the Siler City area, noting that areas to the west needed additional water; that at the present time Pittsboro had a moratorium in effect, so they could not expand their facilities to help those in the west; they needed to look at the big picture, and start with the typical reduce, reuse, and recycle of treated wastewater; and, that would save resources.

Chairman Lucier asked what the Board wished to do at this point, such as entertain the idea of a feasibility study that would include recommendations of where to run the lines and what was economically feasible, some cost-benefit analysis, as well as potential problems and solutions for those problems. He stated they had three options at the school: sending it to Westfall, sending it to Governor's Club, or treating it on-site with some sort of constructed wetland system. Mr. House stated the on-site approach was likely the best solution, adding he would be meeting with the School Board on February 11 to present some of these ideas.

Commissioner Barnes stated once Mr. House met with the School Board, then the School Board and the Board of Commissioners could get together and discuss the possibilities. He stated if they could start one and get it working, the idea would be easier to sell the next time.

Chairman Lucier stated that would work for the specific case of the school, but asked what they should do about a feasibility study.

Commissioner Barnes stated that would take good engineering work.

Commissioner Vanderbeck stated he believed they should look into doing that and determine how much it would cost.

Commissioner Barnes stated they could start that process, but that basically they would be looking at a County-wide sewer reuse system. He stated they would need a Master Plan for the entire County to determine what needed to be done, noting that would be a long-term plan.

The County Manager stated he believed they should begin looking at it in a gradual process, noting there were a lot of issues that needed to be studied, including State regulations.

Chairman Lucier suggested that the County Manager discuss this with the Public Works Director, and then bring a proposal back to the Board of its consideration.

Commissioner Barnes stated it would take several years just to do a County-wide feasibility study, and they would likely have to enlarge the Public Works Department.

Commissioner Vanderbeck stated at some point in the future perhaps they could look at County-wide sewer, but he saw this as two separate issues; the first was to tie in existing, private and other type of treatment plants, and reuse what was available for general uses; and, the other issue would be a County-wide system.

Chairman Lucier stated when they were talking about County-wide sewer, they were talking about involving other parts of the County, such as Pittsboro and Siler City, and not doing it alone. Mr. House added that in terms of timing, now was the time to have these conversations since the State was now very interested, noting the idea of improving crops with reuse water was of great interest to the State. He stated another point was to put a bigger plan on the table so you could see where you might go, but to start out with a small pilot program where you would link several reuse systems together and install a plumbing network, and then see how that worked. Mr. House said it was possible they could get funding from the private sector, in that some developers would rather install lines to pump off the wastewater rather than having to build a treatment facility.

Chairman Lucier thanked Mr. House for his presentation, noting the Board would begin looking at these issues in the near future.

ANNUAL PLANNING REPORT

Sally Kost, Planning Board Vice Chair, provided a PowerPoint presentation on the Planning Board's Annual Report, as follows:

Residential Subdivisions Reviewed

- 17 sketch designs
- 21 preliminary designs
- 25 final designs

Residential Units Reviewed (number of lots)

- 521 sketch designs
- 664 preliminary designs
- 817 final designs
- Does not include first submittals of Lystra Road and Larkspur, but does include the resubmittals of these subdivisions

Number of Residential Subdivisions Reviewed by the Planning Board

- January – 3
- February – 2
- March – 4
- April – 3
- May 13
- June – 7
- July – 9
- August – 3
- September – 8
- October – 6
- November – 5
- Workload was impacted by: 2006 election primary rush; pre-moratorium; post moratorium – 2 projects submitted for sketch, plus one subdivision of one lot

Common Themes – What We Heard from Citizens

- Concern for quality and quantity of well water
- Environmental concerns, particularly stormwater runoff and impact on our streams
- Connectivity between subdivisions needs to be carefully planned
- Traffic Concerns
- Accountability

Additional Concerns Raised by Board Members

- On Site Evaluation by Staff and Planning Board
- Coordination with the School System
- Protection of old growth trees

- Streams need to be properly identified and buffered
- Cumulative Impacts
- Water Availability
- Protect Natural Heritage Areas
- Encourage Green Building
- Suitability of Land to Zoned Density

Significant Accomplishments

- Stream Buffers increased beyond minimums on several projects
- Better communications between neighbors and community
- Environmental Assessments agreed to for some projects
- Coordination with the ERB
- Site Visits of many projects by many Planning Board Members
- Revised Planning Board Rules and Code of Ethics
- Review of Lighting Ordinance
- Review of Riparian Buffers
- Review of Environmental Assessments
- Work continues on Zoning Ordinance and Subdivision Regulations

2008 Priorities

- Major Corridor Ordinance Task Force Recommendations
- Revisions to the Zoning Ordinance
- Revisions to the Subdivision Regulations

Recommendations to the Board

- To comply with the State's Public Records law, the County needs to provide email accounts to the Planning Board members.
- County needs to be proactive in zoning areas that are likely to have development pressures – west of Highway 87 to Bowers Store Road
- Lighting Ordinance should apply to the entire County.
- Additional Planning staff is recommended.
- Water towers engineered to allow cell tower mounts.
- Zoning along major corridors needs to be revisited.

Chairman Lucier stated the Board had said on several occasions that zoning along the major corridors was a priority. He thanked Ms. Kost for her presentation, noting it had been a busy year and the Board appreciated the efforts of the Planning Board. Ms. Kost noted that last year, the Planning Board experienced 95% attendance, which was outstanding for an eleven-member board.

Chairman Lucier asked Attorney Jep Rose to look into the Public Records Law that was alluded to and determine what the County needed to do. Mr. Rose agreed to do so.

BREAK

The Chairman called for a five-minute break.

“STATE OF THE COUNTY ADDRESS” DISCUSSION

Chairman Lucier stated he had listed six major categories to be included in the State of the County Address:

- Open Government
- Implementation of the Land Use Plan, including subdivision zoning
- Issues with Economic Development, including development of the Strategic Plan
- Environmental Issues, including establishment of Environmental Review Board, Environmental Impact Assessments, Jordan Lake
- Interactions with municipal governments
- Issues with Schools

Chairman Lucier stated he believed that the presentation would likely be about thirty minutes in total.

Commissioner Thompson stated he believed that thirty minutes was about the right amount of time.

Debra Henzey, Community Relations Director, stated they had talked about having a PowerPoint-type presentation along with a handout that would include more graphs and charts for people to take away with them.

Chairman Lucier agreed the public should not be given the outline of the presentation but a brief summary of what was presented, noting the PowerPoint presentation would be available to the public as well. Ms. Henzey stated she would likely make it available in advance of the meeting.

Commissioner Vanderbeck asked if Chairman Lucier had developed his opening statement or a summary as yet. Chairman Lucier responded he had not reached that point. He asked the Board to make suggestions if they knew of something that needed to be covered that was not contained within the list he had proposed, or to speak up if something needed to be omitted. Chairman Lucier stated he would be working with Commissioner Cross on the presentation, and also would work with Ms. Henzey to develop an outline for the PowerPoint presentation, as well as the illustrations, charts and graphs that might be used.

Commissioner Thompson stated he was fine with the list Chairman Lucier had presented. He suggested that the Board leave it to Chairman Lucier and Commissioner Cross as to what or how they made the presentation.

Commissioner Barnes noted it was important to keep the material interesting so that people did not become bored.

Chairman Lucier stated he believed they needed to weave in somewhere the new hires that had taken place, noting they had filled several key positions over the last year or so. Ms. Henzey agreed to do so.

CONSTRUCTION MANAGER-AT-RISK CONTRACT:

Consideration of a motion to approve Barnhill Contracting Company as the Construction Manager-at-Risk, subject to successful contract negotiations; and

Consideration of a motion to authorize the Chairman to execute the contract, once it was finalized.

Renee Paschal, Assistant County Manager, explained that they had issued an RFP and received six good responses; that they had interviewed three of those and they were all excellent companies; that they had chosen Barnhill Construction because of their proven cost-estimating strengths; they were in the final stages of negotiating the contract; and, the contract had been sent to Barnhill late last week but no response had yet been received.

Ms. Paschal asked the Board to consider approving the selection of Barnhill subject to a successful contract negotiation, and authorize the Chair to sign the contract. She stated the only thing in the contract that might be somewhat controversial was an early incentive bonus of \$500 per day for each day that they were ahead of schedule. Ms. Paschal stated they wanted the project to come in on time or early so that the classroom building could be opened in the fall as planned; she added Barnhill would have to pay the County liquidated damages of \$850 a day for every day they were late with the project.

Commissioner Barnes stated if Barnhill finished a month early, the County would pay them a bonus of \$15,000. Ms. Paschal stated that was correct.

Commissioner Thompson asked if the County Attorney would review the draft when it came back from Barnhill. Ms. Paschal responded yes.

Commissioner Barnes moved, seconded by Commissioner Cross, to approve Barnhill Construction Company as the Construction Manager-At-Risk, subject to successful contract negotiations and authorize the Chairman to execute the contract once finalized.

Commissioner Vanderbeck stated that as long as the Attorney reviewed this, he would be fine with it. Attorney Jep Rose stated he had looked at it a number of times and would review it again when it came back from Barnhill.

Chairman Lucier called the question. The motion carried five (5) to zero (0).

ADJOURNMENT

Commissioner Barnes moved, seconded by Commissioner Cross, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 3:35 PM.

George Lucier, Chairman

ATTEST:

Sandra B. Sublett, CMC, Clerk to the Board
Chatham County Board of Commissioners