

CUMBERLAND COUNTY FACILITIES COMMITTEE
MARCH 13, 2007 – 8:30 AM
REGULAR MEETING

PRESENT: Commissioner Diane Wheatley
Commissioner Billy King
Commissioner John Henley
James Martin, County Manager
Cliff Spiller, Assistant County Manager
Amy Cannon, Assistant County Manager
Grainger Barrett, County Attorney
Rick Moorefield, Assistant County Attorney
Sara VanderClute, Public Information Officer
Bob Stanger, County Engineer
Ed Grannis, District Attorney
Sam Lucas, Engineering Tech
Wayne Raynor, Public Health Director
Eddie Beale, Public Health
David Hohns, Johnson Controls
Jake Regennas, Johnson Controls
Andrew Barksdale, Reporter – The Fayetteville Observer
Marie Colgan, Deputy Clerk

Commissioner Wheatley called the meeting to order at 8:35 AM

MOTION: Commissioner King moved to adjust the agenda to add (1) selection of chair and (2) approval of meeting dates
SECOND: Commissioner Henley
VOTE: Unanimous

1. Selection of Chair

MOTION: Commissioner Henley nominated Billy King.
SECOND: Commissioner Wheatley
VOTE: Unanimous

2. Approval of Meeting Dates

Consensus of the Committee to continue to meet on the second Tuesday of each month at 8:30 am.

3. Approval of Minutes: October 17, 2006

MOTION: Commissioner Wheatley moved to approve.
SECOND: Commissioner Henley
VOTE: UNANIMOUS

4. Update: Parking at the Courthouse during renovations

Mr. Spiller advised that the City of Fayetteville has offered the use of 140 parking spaces located at the corner of Ann and Lamon Streets during the renovations of the parking lot at the Courthouse. Mr. Martin added that an estimate had been given of \$650.00 per day for use of the City FAST bus system, but he suggests utilizing the Extension Service's athletic type school

bus. An air conditioner would need to be added to it and it would be available between the times of 7 – 9 am and 4 – 6 pm (peak hours). A couple of 14-15 seat passenger type vans would be available for other hours of the day for “on demand service” when staff may need to return to the parking lot. Mr. Martin solicited suggestions from members, but they agreed that it was a sound plan.

5. Conversion of fourth floor lobby area into additional office space for District Attorney

Mr. Spiller explained that District Attorney Grannis has additional staff that require space and suggested that the fourth floor lobby be converted into two office spaces; alternately one oversized office be provided. Mr. Spiller advised that it would take about \$8,000.00 for the changes which would cover everything except furniture. Commissioner King questioned whether the changes would still meet the fire codes and Mr. Spiller assured him that they would. Commissioner Henley agreed that it would work for the short term, but also wants long range plans to be considered in the next few months. Commissioner Wheatley reminded members that there may be some space coming available in the Mental Health facilities due to their decrease in direct services.

MOTION: Commissioner Wheatley moved to approve the monies for the conversion of the fourth floor lobby area into additional office space for the District Attorney and to forward it to the full Board for consideration.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

6. Public Health Building – Amendment to Architecture’s Agreement

Mr. Stanger advised members that the information provided in their packet was presented to the Board of Health at its February 20, 2007 meeting and that it unanimously approved the recommendation from staff as outlined to be forwarded to this committee for its consideration. Background for this item was provided:

In May, 2004, a qualifications based procurement process was used to select and recommend the firm of Calloway, Johnson, Moore & West to provide architectural services for the Public Health Department Needs Assessment. This assessment process took place from May 2004 through October 4, 2004 when the Board of Commissioners approved the agreement. The cost of the scope of work was approximately \$66,000.00. Prior to proceeding with the first phase of the master plan, the agreement was amended at a cost of \$57,500.00 for required additional architectural services to conduct detailed functional space programming and schematic planning, which resulted in a proposal for an addition of 9,000 square feet to the Public Health building. Amendment # 2 in the amount of \$480,500.00 was later approved by the Board of Commissioners for providing construction plans and specifications, as well as construction administration services. This work began in late September 2005, but was suspended in February, 2006 as consideration began to be given to constructing a new facility in lieu of renovating the existing building. The total fees paid to the architect to date amount to \$475,357.00. The Board of Commissioners endorsed the plan to construct a new Public Health building located on the Department of Social Services site on Ramsey Street at its January 2007 planning meeting. With an approval from management, staff requested an amended scope of services and fee schedule for the new facility from Calloway, Johnson, Moore & West (letter from the firm is in packet). The proposed schedule would have a start date of March 20, 2007 with an estimated completion of construction by July 31, 2009. Discussion ensued regarding the staff’s reasoning to agree to another amendment instead of initiating a new professional services procurement process. County Attorney Barrett advised members that North Carolina law requires a

qualification process, not a bid process for design professionals. Members voiced concern raised from local vendors with regard to their non-involvement in this project. Mr. Stanger advised that only one local vendor had responded when the original process began in 2004 and explained that some local vendors have been included through Johnson Calloway (i.e., structural engineer). Commissioner Henley also voiced several concerns including his concern that no discussion had taken place at the Commissioner level when the scope of the project changed. He noted and Mr. Stanger agreed that the inflation rate for construction costs would likely be only about half of projection in the memorandum. Commissioner Wheatley questioned where the funds are coming from and felt that maybe a savings could be realized by re-bidding the project. Mr. Martin advised that funds would have to be borrowed and that the funding was laid out to the Board during the January planning session under the capital projects presentation. The Health Department has already budgeted some monies as well as the County for architectural services, and the LGC will not approve any debt until bids are in our hands.

MOTION: Commissioner Henley moved to approve the proposal presented provided that Johnson Calloway “puts a pencil” to its requested contract services amount and that the proposal be forwarded to the full Board for consideration.

Commissioner Henley advised that he wants to have the full figures regarding the fees provided to Mr. Martin this afternoon for architectural services which had been paid on the new DSS building so members can review them prior to the full Board meeting. County Attorney Barrett informed members that typically architectural firms “own” their work product and their work cannot be just turned over to a new firm, but he will have Mr. Stanger confirm whether that applies in this case.

AMENDED MOTION: Commissioner Henley amended his motion to direct the staff to re-negotiate the proposal for architectural fees and to include this item on the March 19, 2007 Board of Commissioners’ agenda.

SECOND: Commissioner Wheatley

VOTE: Commissioner Henley and Wheatley in favor. Commissioner King opposed.

Further discussion ensued and Mr. Raynor advised that he is not clear on the level of local resistance, and that delaying the project would cost taxpayers.

7. Annual update on Guaranteed Energy Savings Project

Mr. Stanger introduced David Hohns and Jake Regennas with Johnson Controls, an international firm with over 100,000 employees. Handouts were provided and Mr. Regennas referred members to the information. Mr. Hohns reminded members that this is a 12-year energy savings project and that this is the first year of the Performance Contracting Value Reports which provide insight into the dollar savings of \$665,494.00 as well as the energy usage savings. The dollar savings have been significantly above those projected. Mr. Regennas reviewed the information provided stressing that one community benefit is a reduction of 8,164 tons of CO₂ which has not been introduced into the environment, making it cleaner, a more comfortable place to stay and work in, and that results in higher productivity and satisfaction. The calculation methods were reviewed as well as the different savings realized for various County facilities. Members agreed that no formal presentation was needed for the full Board. Mr. Hohns presented members with Johnson Controls’ new 2007 calendar which features a picture of the historic courthouse for the month of March. In response to a question, he confirmed that they are supporting the North Carolina Association of County Commissioners’ annual conference in August and will have a booth. Mr. Stanger advised that the Maintenance

Department received a proposal from JCI to integrate the energy management system of the Department of Social Services and the County Detention Center to the Facility Management System. The cost would be about \$90,000.00 and he would like to request it for this upcoming fiscal year and to apply that amount from the \$200,000.00 additional savings that were realized this year. This would allow them to remotely monitor those facilities in many cases and to make adjustments without sending personnel to the location. Mr. Martin stated that he would like to bring this back to this Committee to include this in the current year.

8. Other matters of concern – none stated

9. Closed Session – Attorney Client Matter NCGS 143-318.11 (a) (3)

MOTION: Commissioner King moved to go into Closed Session for the above noted item.

SECOND: Commissioner Wheatley

VOTE: Unanimous

MOTION: Commissioner Henley moved to go back into Open Session.

SECOND: Commissioner Wheatley

VOTE: Unanimous

MEETING ADJOURNED: 10:17 AM