

YADKIN COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
Monday, February 1, 2010

The Yadkin County Board of Commissioners met in Regular Session on Monday, February 1, 2010, in the Yadkin County Human Services Building (Commissioners' Meeting Room), 217 East Willow Street, Yadkinville, North Carolina.

Present were:

Chairman Chad Wagoner
Vice Chairman Kevin Austin
Commissioner Tommy Garner
Commissioner David Moxley
Commissioner Brady Wooten

Staff present: County Attorney, James Graham; Interim Manager, Jim Haynes; Deputy Manager, Aaron Church; and Clerk to the Board, Gina Brown

CALL TO ORDER by Chairman Wagoner at 9:00am.

INVOCATION led by James Graham.

PLEDGE OF ALLEGIANCE led by Chairman Wagoner.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Commissioner Moxley made a motion to approve the agenda as presented. Commissioner Garner second.
Vote: 5/0

PUBLIC COMMENTS

The Public Comments portion of the meeting opened at 9:02am. There were no speakers under this heading. The Public Comments portion of the meeting closed at 9:02am.

APPROVAL OF MINUTES

The following adjustments were requested...

Vice Chairman Austin

- 1) Minutes of January 4, 2010, page 6, 3rd paragraph from the bottom: add "and asked to be excused from further discussion on the subject."
- 2) Minutes of January 19, 2010, page 21, top of page: add the motion approving the resolution.

Chairman Wagoner

- 1) Minutes of January 19, 2010, page 23, 3rd paragraph: change "Chairman Wooten" to "Chairman Wagoner" in the 3rd sentence from the last.
- 2) Minutes of January 19, 2010, page 14, second sentence from the last: change to "Haynes' "
- 3) Minutes of January 4, 2010, page 9: add the original resolution as page 9A or as page 10, increasing the entire number of pages to 13.

Commissioner Garner made a motion to approve the January 4, 2010 Regular Meeting Minutes; the January 19, 2010 Regular Meeting Minutes; and the January 19, 2010 Closed Session Minutes with noted adjustments. Vice Chairman Austin second.

Vote: 5/0

PUBLIC HEARING

There was no action for public hearing at today's meeting.

BOARD APPOINTMENTS

There were no board appointments for today's meeting.

BOARD REPORTS/REQUESTS

(1) Eddie Weatherman, Fire Marshal, appeared before the Board for various updates on the fire departments. Mr. Weatherman reported that Courtney Fire Department had received a split rating of 6/9E for areas within 1000 feet of a fire hydrant. The rate is effective on May 1, 2010. New ratings have not yet been received for the West Yadkin Fire Department due to a discrepancy on the insurance district maps. A corrected map was submitted to the Office of State Fire Marshal on January 4, 2010. Commissioner Garner questioned the discrepancy. Mr. Weatherman responded that the map contained a small section that extended beyond the 6 mile radius. Once new ratings have been assigned, the Department of Health and Human Services will provide a press release to be placed with the local news media.

Forbush Fire Department has hired a consultant to assist with obtaining a lower insurance rating. If successful, Forbush homeowners within a 5 mile radius of the station would receive a lower insurance rating.

Due to the construction of a sub-station in the Clingman area, the Arlington Fire Department will be losing the Wilkes district as of July 5, 2010. Chairman Wagoner questioned the impact on tax revenue. Mr. Weatherman estimated \$5000 based on last year's budget. It was also noted that the fire tax rate for this Wilkes district is \$0.08 and determined by Wilkes County. Buck Shoals continues to have a district in Wilkes County and the remaining fire departments of Yadkin assist in Wilkes County where appropriate.

Mr. Weatherman reported that the departments of Boonville, Courtney, Forbush, West Yadkin, and the Rescue Squad have part-time, paid staff Monday through Friday from 8:00am to 5:00pm. Commissioner Garner asked if this helped reduce the insurance rating. Mr. Weatherman responded that this may have an indirect impact; in so much as, staff is

available to service the equipment, complete inspections, and maintain documentation; but has no direct bearing on the rate. Response time has an impact on the insurance rating. There must be 2 engines available, 1 of which may be 'in route.' Fall Creek Fire Department is also considering a part-time paid position.

Commissioner Garner asked Mr. Weatherman to address the issue of engines and trucks out on the roads in non-emergency situations. Mr. Weatherman responded that the engines must be driven occasionally for proper maintenance. The engines are also used for state-mandated drivers' training.

Commissioner Moxley questioned the availability of grants for part-time staff. Mr. Weatherman replied that there are grants available but they are getting exceedingly hard to get. Most grants for staffing require a match or are start-up grants only. The Boonville Fire Department recently received a grant for a new truck that only required a 5% match. The Courtney Fire Department has applied for various construction grants. Commissioner Garner commented that waterlines contributed to Courtney's new rating.

Vice Chairman Austin questioned Boonville's rating. Mr. Weatherman reported that the town of Boonville has a rating of 5, while the outside rural areas have a 9E rating. All of the rural areas of each department have a 9E rating. The "E" represents "extended to 6 miles beyond the station." The Town of Yadkinville has the best rate at 4. Vice Chairman Austin asked if this was due to the availability of water. Mr. Weatherman explained that there are many factors that determine the rating; such as, response time, communication, number of trucks, equipment testing, pre-planning on commercial structures, amount of equipment, testing of fire hydrants, number of staff, and the availability of water.

Commissioner Garner pointed out that all fire department budgets had been accepted as presented during the time he has served on the Board. Mr. Weatherman added that the departments would not have their current equipment without grant assistance. There is a \$30,000 matching grant available for turn-out gear and other protective equipment that the departments are applying for. The Rescue Squad has received many grants for equipment over the years. Vice Chairman Austin noted that the Jonesville department is currently applying for a grant to assist with the purchase of a pumper truck.

(2) David Swann, Executive Director of Crossroads Behavioral Healthcare, appeared before the Board for a semi-annual report. Mr. Swann stated that Crossroads Behavioral Healthcare (CBH) is doing good things for the citizens of Yadkin County. Referring to the Crossroads Behavioral Healthcare Briefing Book 2009-2010, Mr. Swann provided the following overview:

Pg. 3 – CBH received its accreditation on Friday, January 29, 2010. The accreditation is for a 3 year period.

Pg. 5 – CBH has 8 key functions; which include managing contracts with providers, accessing all public resources for the benefit of the client, and access to care.

Pg. 6 – The Strategic Plan for 2009-2012 has been developed.

Pgs. 6-8 – CBH has determined the top 5 initiatives over the next 3 years. Mr. Swann drew attention to priority #2 which is to *improve the effectiveness of the Crossroads crisis response and hospital diversion system*. Budget cuts have forced hospitals to downsize by one half resulting in long waits for voluntary commitment. A diversion plan has been developed with Forsyth Medical Center and Catawba Hospital. Thus far, 80 patients have been admitted. CBH has also established a relationship with Davis Medical Center in Statesville. CBH will allocate \$1.2 million annually for hospital bed space. In doing so, CBH will have first priority for those beds.

Pg. 8 – There are 5 mental health legislative highlights.

Pg. 9 – Revenue sources and the percentage amount per county was reviewed. Mr. Swann noted that 24% of the CBH budget was appropriated from fund balance.

Pg. 10 - Expenses by category were reviewed. Mr. Swann reported the greatest expenses are services related to developmental disabilities.

Pg. 11 – Budget decreases, legislative changes, and future initiatives are the highlighted topics for the North Carolina Mental Health System.

Pg. 12 – Further attempts at consolidation are being made. Of the original 41 LMEs, there are now 24. This change is financially driven. The challenge is to save funding dollars while providing a quality level of care.

Pg. 13, 14 – The strengths, challenges, and initiatives of CBH were briefly reviewed.

Pg. 16 – CBH has responded to the 2009-2010 budget cuts. CBH has determined that service to the most severely disabled will continue to be the first priority.

Pg. 21-23 – CBH has an extensive list of contract provider organizations.

Pg. 25 – Mr. Swann noted the value of the access to care provided by CBH.

Pg. 26 - Mr. Swann noted that 1,365 citizens of Yadkin County were served in the prior year.

Commissioner Garner noted an article he had recently read in the newspaper regarding the national health plan. Mr. Swann commented that there is new legislation that prevents insurers from specifically limiting services to disabled individuals. This is called mental health parity.

Commissioner Garner noted his experience with his own disabled daughter. Mr. Swann commented that the Omstead Law required more mental health patients to return to their communities to reduce institutionalization. CBH complied with the required budget cuts resulting in more mental health patients returning to this local area than any other.

Referring to the financial data, Vice Chairman Austin asked Mr. Swann to address the reduction in administrative costs. Mr. Swann responded that cuts had been made and every effort was being made to balance the budget with fewer appropriations from fund balance. Further, Mr. Swann reported that providers must be paid within 45 days of the service. However, State reimbursements are 2 months in arrears. In order to meet those financial obligations, CBH must appropriate funds from the fund balance. Mr. Swann does anticipate additional appropriations from fund balance in the coming fiscal year.

(3) Bobby Todd, Director of the Yadkin Chamber of Commerce, appeared before the Board for various economic development and tourism updates. Mr. Todd reported the following:

- a) The unemployment rate in Yadkin County rose to 10% in January. Yadkin County may experience further increases in this rate, but still remains lower than surrounding counties.
- b) Economists believe that the U.S. is just beginning to cycle out of the recession.
- c) Yadkin County has manufacturers that continue to hire.
- d) The Economic Development Partnership is just beginning its industry visits. Thus far, industries are reporting that 2009 was a decent year with some reporting that 2009 was their best year.
- e) Economic development activity is down somewhat. This is typical during the holiday months. However, 2 new projects were reviewed during the week of Christmas and 2 new projects will be reviewed this week.

- f) The Yadkin Chamber of Commerce held its annual meeting on Tuesday, January 26, 2010. Economic Development Awards were presented to:
 Divine Llama, Saunders' Ridge, Brandon Hills, Cellar 4201, Uptown Wine and Gallery
 Service Award was presented to: Leah Hanes of New Horizons
 Volunteer Award was presented to: Thyra Wagoner
 Farmer of the Year Award was presented to: Hassell Brown
 Chairman's Award was presented to: Kevin Austin
 Duke Power Service Award was presented to: Mayor Hubert Gregory
 Governor's Award for Outstanding Volunteerism and Service was presented to:
 John Willingham, Debbie Sharp
- g) The Tourism Development Authority has planned its first major event. Borrowing an idea from the New York wine industry, all 14 of the Yadkin County wineries will participate in Yadkin Winter Red in which patrons will receive a 2oz pour of red wine with the appropriate food pairing.
- h) The Tourism Development Authority will also be hosting a tour of Yadkin County for the visitor center volunteers.

Vice Chairman Austin joked about the simultaneous opening of wineries 13 and 14 for Yadkin County so that neither had the supposedly unlucky #13 designation. Vice Chairman Austin did commend the Arts Council and Surry Community College for their collaboration in the Uptown Wine and Gallery.

Commissioner Garner congratulated Vice Chairman Austin for his award. In addition, Commissioner Garner asked Mr. Todd if he was familiar with Daddy's Girl Dairy. Mr. Todd had some knowledge of this operation and commented that the owner should affiliate herself with all of the local wineries in order to be more successful.

BOARD ACTION

(l) Interim Manager Haynes reviewed budget amendments for the health department. It was noted that the amendments represent the receipt of grant money and no new monies are involved.

DATE: January 19, 2010
 SUBJECT: Health Department Budget Amendments

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Revenue				
WIC-BFPC	104517044221	\$7300.00	\$1751.00	\$9051.00
Expenditures				
WIC-BFPC Travel/Training	105517054010	\$500.00	\$875.50	\$1375.50
WIC-BFPC Supplies	105517052010	\$300.00	\$875.50	\$1175.50

*Additional WIC monies for Breastfeeding Peer Counselor

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Revenue				
Diabetes Today Grant	New Line Item 5190-???	0.00	\$2750.00	\$2750.00
Expenditure				
Diabetes Today Contract Services	New Line Item 5190-???	0.00	\$2750.00	\$2750.00

*Regional Grant Monies received for Diabetes Education

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Revenue				
EH-Food and Lodging	104518044211	\$750.00	\$925.00	\$1675.00
Expenditure				
Food and Lodging Supplies	105518052010	\$6627.00	925.00	\$7552.00

*Additional State monies for new GS130A-497 (No Smoking Indoors (Restaurants), smokefreenc.gov)

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Revenue				
Smart Start Grant	104516044190	\$25925.00	\$500.00	\$26425.00
Expenditure				
Smart Start Supplies	105515952010	\$2475.00	\$250.00	\$2725.00
Smart Start Travel/Training	1055515954010	\$2585.00	\$250.00	\$2835.00

*Additional Smart Start monies.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Revenue				
DPH- Preparedness and Response (H1N1)	104512044178	\$60,000.00	\$78,678.00	\$138,678.00
Expenditure				
H1N1 Contract Services	105512051740	\$16,450.00	\$78,678.00	\$95,128.00

*New State Funds received for Pandemic Influenza Activities.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Revenue				
Admin Donations	1045110-???	-0-	\$50.00	\$50.00
Expenditure				
CFPT Supplies	105516052210	\$521.00	\$50.00	\$571.00

*Donation for CFPT Kids Fun Day

Commissioner Wooten made a motion to approve the budget amendments for the Yadkin County Health Department as presented. Commissioner Moxley second.

Vote: 5/0

(2) Christopher Ong, Director of Planning and Development, appeared before the Board to present information regarding an energy audit. The potential for grant money through the American Recovery and Reinvestment Act had been brought to the attention of Mr. Ong too late to make an application for this year. However, Mr. Ong would like the Board's blessing to pursue technical assistance in the completion of an energy plan for Yadkin County. Having this plan in place by the next application cycle would place Yadkin County that much ahead in the process. Even if grant money is not received, Yadkin County will have an energy plan to apply to operations. Commissioner Garner questioned the service provider. Mr. Ong explained that the provider was chosen solely based on geography. Deputy Manager Church offered a brief statement of his experience in Burke County in developing an energy plan. The Board gave Mr. Ong its blessing in this pursuit.

(3) Interim Manager Haynes reviewed the documents honoring the Boy Scouts of America. The Forsyth County Manager had forwarded the documents and suggested that Yadkin County may want to adopt a similar resolution or proclamation. Upon review of the options, the Board agreed on a suggested proclamation.

Yadkin County
Administrative Offices

PO Box 146

C. Chad Wagoner, Chairman of Board
Kevin Austin, Vice Chairman
Tommy Garner, Commissioner
David Moxley, Commissioner
Brady Wooten, Commissioner

217 East Willow Street
Yadkinville, NC 27055
336-679-4200
336-679-6005 (fax)
www.yadkincountync.gov

Jim Graham, County Attorney
Jim Haynes, Interim Manager
Aaron Church, Deputy Manager
Gina Brown, Clerk to the Board

PROCLAMATION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS
Honoring Scouting Values

WHEREAS, the Boy Scouts of America has been at the forefront of instilling timeless values in youth since its founding in 1910; and

WHEREAS, this national youth movement has made serving others through its values-based program its mission; and

WHEREAS, the Boy Scouts of America is committed to helping millions of youth succeed by providing the support, friendship, and mentoring necessary to live a happy and fulfilling life; and

WHEREAS, the Old Hickory Council of the Boy Scouts of America and its 330 Cub Scout packs, Boy Scout troops, Venturing crews, Exploring Posts and Learning for Life Groups are celebrating Scouting's 100th anniversary with the theme "Celebrating the Adventure, Continuing the Journey;" and

WHEREAS, there are more than 200 community organizations that make Scouting available for more than 10,000 youth members in our area who participate in the Scouting program as a means of character building, citizenship training, and personal fitness; therefore, be it

RESOLVED, that the Board of Commissioners of Yadkin County designate February 7–13, 2010 as Scouting Anniversary Week and express the appreciation of our citizens to the Old Hickory Council and the Boy Scouts of America for their interest in and dedication to America's youth.

Adopted this 1st day of February, 2010.

s/C. Chad Wagoner
Chairman, C. Chad Wagoner

s/Gina H. Brown
Clerk, Gina H. Brown

Commissioner Moxley made a motion to approve the PROCLAMATION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS Honoring Scouting Values. Commissioner Wooten second.
Vote: 4/0 (Commissioner Garner had left the room)

(4) Interim Manager Haynes referred to the Amendment to the Professional Services Agreement – Document #G802 from Moseley Architects; incorporated herein for reference...

MOSELEYARCHITECTS

1430 NORTH COMMUNITY HOUSE ROAD
 GREYHOUND BUILDING - SUITE 225 • CHARLOTTE, NORTH CAROLINA 28277
 PHONE: 704.540.1755 • FAX: 704.540.3754

TRANSMITTAL LETTER

PROJECT: Yadkin County Detention Center

PROJECT NO: 470270

TO: Yadkin County
 217 East Willow Street
 Yadkinville, NC 27055

DATE: January 7, 2010

ATTENTION: Mr. Jim Haynes, Interim County Manager

WE TRANSMIT:

- herewith
- under separate cover
- in accordance with your instructions

FOR YOUR:

- approval
- review
- use
- distribution to parties
- record
- information
- other

THE FOLLOWING:

- drawings
- specifications
- change order
- shop drawing prints
- shop drawing reproductions
- samples
- product literature
- other documents

COPIES	DATE	REV. NO.	DESCRIPTION	ACTION CODE
2			G802 - Amendment to the Professional Services Agreement	

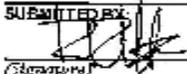
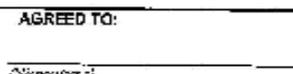
ACTION CODE
 A. Action indicated on item transmitted.
 B. No action required.
 C. For signature and return to this office.
 D. For signature and forwarding as noted below under REMARKS.
 E. See REMARKS below.
 F. See Submittal Review Comments attached.

REMARKS: Please execute and retain one (1) original for your records and return one (1) original for our files. Thank you.

COPIES TO:

W/Enclosure

BY: Dan Mace

SUBMITTED BY:	AGREED TO:
	
(Signature)	(Signature)
Daniel R. Mosee, AIA, Vice President Moseley Architects	Jim Haynes, Interim County Manager Yadkin County
(Printed name and title)	(Printed name and title)
1-7-10	
(Date)	(Date)

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Interim Manager Haynes explained that some building code issues for jail structures have developed since the County's drawings were first complete. The existing jail plans would not be acceptable to DHHS. Moseley has submitted a change in the original work order to add a smoke evacuation system in the plans as required. Expected completion is 12 weeks. This redesign does not include rebidding.

Dan Mace of Moseley Architects appeared before the Board. Mr. Mace reported that the Yadkin County jail plans were completed over 1 year ago. In July 2009, DHHS updated the building codes to include a smoke evacuation system in all parts of the structure. Moseley must review the existing plans, make any necessary changes, and submit to DHHS for approval.

Mr. Mace pointed out that no structural changes are needed. The agreement presented today does not include re-bidding because the contractor is willing to hold at the current bid amount. Once under construction, the contractor will submit change order #1 for the additional smoke evacuation systems.

Commissioner Garner questioned the cost of the evacuation system. Mr. Mace estimated a cost of \$40,000 to \$60,000. Mr. Mace suggested that the County has a contractor that is still motivated and holding costs at what was originally submitted. Further, Mr. Mace stated that Yadkin County is buying a jail at 'rock-bottom' prices. The contractor is reputable and Mr. Mace feels that competitive pricing will be offered. Rebidding is not necessary unless the County chooses to go in that direction. In either scenario, Moseley is still under the original agreement for services.

Vice Chairman Austin commented that concrete prices are down, fuel costs are down, and perhaps it would not be a bad idea to re-bid. Further, Vice Chairman Austin noted that Robert Smith had not been entirely confident about the work of Edison Foard, yet Mr. Mace seemed quite comfortable with their abilities. Mr. Mace replied that Edison Foard has no specific experience in jail construction but a long tenure of business in the Charlotte area. Mr. Mace predicted that construction prices would remain steady until the 4th quarter of this year; particularly in steel. Fuel costs are more unpredictable. Rebidding the project is a risk that the Board must weigh. Mr. Mace remarked that the bids received one year ago were most favorable and much less than anticipated. At this point, new drawings and approval will take 2-3 months. Construction could begin in 4-5 months. Rebidding the project could take an additional 2-3 months.

Commissioner Wooten questioned Mr. Mace on who had asked him to appear today. Mr. Mace responded that Interim Manager Haynes had asked him to appear to answer questions regarding the amendment to the professional services agreement. Commissioner Wooten questioned Mr. Mace on who engaged Moseley Architects to update the drawings. Again, Mr. Mace responded that Interim Manager Haynes had engaged Moseley.

Vice Chairman Austin asked how often the building codes change. Mr. Mace responded that it varies. Once an issue has been identified; the changes are prepared, reviewed, analyzed, revised, and then adopted. Commissioner Garner asked if these changes were a direct result of the Mitchell County jail fire. Mr. Mace replied that a smoke evacuation system has been in place but has evolved over time. Vice Chairman Austin asked if Moseley could provide a copy of the code. Mr. Mace explained that this code change is a very large document. Vice Chairman Austin feels that the Board should have verification that the State is ordering this change now after giving approval on the plans just one year ago. Mr. Mace stated that he could provide a letter from the State explaining the required change. Commissioner Garner pointed out that having these code changes prior to construction, rather than after construction has begun, is a blessing and will ultimately save money. Vice Chairman Austin questioned the State's authority to force changes after construction. Mr. Mace responded that the State can order modifications at any point up to the final inspection. Commissioner Garner agreed that the County should have some sort of verification from the State.

Commissioner Wooten asked Mr. Mace how the current jail plans were determined. Mr. Mace responded that numerous meetings were held with Sheriff's staff, stakeholders, previous management and the jail committee. Commissioner Wooten stated that there was no jail committee authorized by the Board of Commissioners and asked Mr. Mace how he met with a non-existent committee. Mr. Mace replied that his staff met with a subcommittee that included

Commissioner Garner. Commissioner Wooten stated that there is no record in the minutes that a jail design committee was appointed. Commissioner Wooten read the following excerpt from the Regular Meeting Minutes of January 7, 2007...

“Commissioner Cornelius made the motion to appoint the following individuals to the Architectural Selection Committee for a new Yadkin County Jail facility: Eric Williams, Interim County Manager, Chair Kim Phillips, Commissioner Garner, Major Danny Widener, Roy Douglas, Vice President-Southern Community Bank and Joe Hennings, former President-John S. Clark Construction Co. It will be the responsibility of this committee to review and evaluate all Requests for Qualification submittals, conduct interviews and submit to the Yadkin County Board of Commissioners their choice for an architect on this project. In their selection process the committee should adhere to the recommendations of the “Selection Criteria” section of the Request for Qualifications approved by the Yadkin County Board of Commissioners on December 18, 2006. Commissioner Wagoner seconded.”

Commissioner Garner reiterated that this committee was formed to facilitate the design of a new jail. Commissioner Wooten contended that the architectural committee was created for the specific purpose of selecting an architect and is defined as a special committee. Commissioner Wooten read the following excerpt from “Robert’s Rules of Order”:

“A special committee is a committee appointed as the need arises to carry out specific tasks; at the completion of which, that is, on presentation of its final report to the assembly; it automatically ceases to exist.”

Commissioner Wooten further remarked that the jail committee was non-existent. Moseley had met with a group of people but it was not a jail committee working under the authority of Yadkin County. Chairman Wagoner pointed out that committees and subcommittees have no authority to approve. Regardless of what entity brought forth the jail plans, the Yadkin County Board of Commissioners approved them. Chairman Wagoner asked Attorney Graham if he concurred, which Attorney Graham did so.

Commissioner Wooten made a motion to enter a closed session for consultation with attorney per NCGS 143.318-11 (a) (3). Vice Chairman Austin second.

Vote: 5/0

Commissioner Garner made a motion to end the closed session. Commissioner Moxley second.

Vote: 4/1 (Wooten against)

Commissioner Wooten expressed his belief that Attorney Graham should step down as the County’s attorney on jail issues due to the attorney’s lack of counsel on these matters.

Vice Chairman Austin made a motion to hire substitute counsel for all jail matters; specifically excluding Bell, Davis, and Pitt; Michael Robinson; Michael Ferrell; and any other firms that have been previously engaged in the jail issue. Commissioner Wooten second. Vice Chairman Austin stated that with the number of eyes that are on this Board, any potential for the perception of bias should be avoided.

Vote: 2/3 (Motion failed with Garner, Moxley and Wagoner against)

Returning to the original discussion, Chairman Wagoner asked Attorney Graham to confirm that committees and subcommittees have no approving authority and that the power of approving the jail design was the Board of Commissioners. Attorney Graham agreed. Commissioner Wooten stated that there was no committee or subcommittee authorized by the Board. Chairman Wagoner responded that regardless of the entity that presented the plans, the Board of Commissioners ultimately approved them. Commissioner Wooten contended that a jail committee should have been created to work with Moseley Architects under the authority of the Board. Chairman Wagoner asked Attorney Graham to confirm that this issue had already been reviewed in court and found to have no legal basis. Attorney Graham confirmed.

Commissioner Wooten stated that the Board of Commissioners did not have adequate input on the design of the jail. Further, Commissioner Wooten asked Mr. Mace if he felt the new design work should be completed at no charge since Moseley took direction from an unauthorized committee. Mr. Mace responded that Moseley Architects is under a contract with Yadkin County that was executed by Eric Williams. The project was properly advertised and bids were received. The design changes are necessary and Mr. Mace stated that he is not inclined to complete the service for free.

Commissioner Moxley asked Attorney Graham if an infrastructure project had to go through a committee. Attorney Graham replied that it did not.

Chairman Wagoner stated that the action before the Board is the Moseley Architects Agreement for redesign of the jail plans in conjunction with new smoke evacuation building codes at a compensation of \$36,750 and asked if there was a motion.

Vice Chairman Austin made a motion to suspend this action until a letter from the State explaining the code changes and required redesign could be reviewed by the Board. Commissioner Wooten second.

Chairman Wagoner made a substitute motion to approve the Amendment to the Professional Services Agreement with Moseley Architects and the expenditure of \$36,750 contingent upon the receipt of the noted letter from the State. Commissioner Garner second.

Mr. Mace reported that he had already made the call requesting a letter on this matter. Vice Chairman Austin asked Mr. Mace to explain the nature of the agreement. Mr. Mace explained that Moseley Architects remains under contract with Yadkin County for construction administration services. The agreement presented today provides for a 1-time service that will get the project construction back underway. Vice Chairman Austin asked what the delay had been in construction. Mr. Mace responded that the County had not executed a contract with the low bidder to begin construction. Vice Chairman Austin questioned the current time frame to begin construction. Mr. Mace stated that redesign, DHHS approval, and construction could likely begin in 3-5 months. Vice Chairman Austin asked Mr. Mace to confirm that no order to construct is being given until DHHS approves the redesigns. Mr. Mace stated that the Board has the authority to engage construction prior to the redesign but it is not recommended.

Vice Chairman Austin asked Mr. Mace about language on the contract that reads, "authorization to Architect to proceed with the construction of the 40 bed dormitory..." Mr. Mace explained that this language was part of the

original contract. The project included an add alternate in the base bid. The option was added when the base bids were less than projected. Vice Chairman Austin asked if redesign is also necessary for the 40 bed add-on. Mr. Mace responded that the 40- bed dormitory already has a smoke evacuation system. The proposed redesigns are for areas that have not previously required these systems; such as the corridors and kitchen area. Mr. Mace stated that this language can be removed from the agreement.

Vice Chairman Austin noted language on the agreement that reads:

“Authorization is requested
____ to proceed with Additional Services
____ to incur additional Reimbursable Expenses”

Mr. Mace stated that the services being discussed today are not a reimbursable expense, but rather a one-time additional service to implement the necessary revisions. The original base contract contained a clause stating that projects that are placed on hold and later reinstated would likely require additional services. Mr. Mace further explained that construction projects follow a sequence of events. Once that sequence is broken for any length of time, the parties must “blow the dust off” of the project in order to resume.

Vice Chairman Austin noted that rebidding is not included which results in a looming change order. Vice Chairman Austin asked if there were statutes that regulated known change orders and if that constituted an abuse of the bidding system. Mr. Mace responded that he is not aware of a statute or a percentage basis in that regard. Further, Mr. Mace explained that bids are often received that exceed the budget. In this situation, the parties would meet with the contractor to see if there are items that can be eliminated or altered to reduce the cost. Immediate change orders would be the result. Mr. Mace reiterated that rebidding the project would be at the discretion of the Board. Chairman Wagoner pointed out that the Board would know the cost of the change order prior to executing the contract. Mr. Mace added that this would be part of the negotiation with the contractor. Vice Chairman Austin stated that he agreed with these remarks but wanted to insure that all legalities were addressed.

Vice Chairman Austin noted the recent bids for plumbing work at the existing jail and that the original estimates were close to the required amount for bidding. Formal bids were subsequently requested and the lowest bid remained only slightly lower than the bidding required amount while the highest bid was over the bidding required amount. Though the Board may have been able to justify their actions, there was the potential for a statutory violation. Mr. Mace recommended that the Board meet with the contractor for a price estimate on the revised drawings and then decide if the project should be re-advertised. Vice Chairman Austin asked if the jail committee should be reactivated to manage these issues. Mr. Mace stated that he currently communicates through the Interim Manager and the reactivation of the jail committee is a Board decision.

Chairman Wagoner restated the current motion on the floor:

Chairman Wagoner made a substitute motion to approve the Amendment to the Professional Services Agreement with Moseley Architects and the expenditure of \$36,750 contingent upon the receipt of the noted letter from the State. Commissioner Garner second.

Commissioner Wooten called for the order of the day. Commissioner Wooten explained that the agenda was adopted at the beginning of the meeting and must be followed as approved. According to the agenda, the Board should now be discussing Calendar Notes and Commissioner Wooten again called for the order of the day. Attorney Graham remarked that the Chairman has the authority to continue discussion on any item. Commissioner Wooten stated that the Chairman has the authority to follow procedure and as this Board adopted "Robert's Rules of Order" in the spring of 2009, the order of the day is proper at this time. Attorney Graham stated that there is a motion on the floor. Commissioner Wooten stated that it was time to lay the motion on the table temporarily and follow the order of the day. Attorney Graham disagreed. Chairman Wagoner stated that he would follow advice from counsel and continue with the motion on the floor. Commissioner Wooten demanded that the Board follow the order of the day. Chairman Wagoner noted Commissioner Wooten's demand and Commissioner Wooten stated that he would continue to demand the order of the day. Chairman Wagoner asked Clerk Brown to read the current motion. Commissioner Wooten demanded that the Board take up the proper business and order as agreed earlier in the day.

Clerk Brown restated the current motion...

Chairman Wagoner made a substitute motion to approve the Amendment to the Professional Services Agreement with Moseley Architects and the expenditure of \$36,750 contingent upon the receipt of the noted letter from the State. Commissioner Garner second.

Chairman Wagoner called for the vote. Commissioner Wooten demanded the order of the day stating that Chairman Wagoner was wrong and must follow the order.

To accept the substitute motion: 3/2 (Austin and Wooten against)

Commissioner Wooten asked Chairman Wagoner to follow the order of the day.

Vice Chairman Austin asked for a recess which was denied by Chairman Wagoner. Chairman Wagoner restated the current motion...

Chairman Wagoner made a motion to approve the Amendment to the Professional Services Agreement with Moseley Architects and the expenditure of \$36,750 contingent upon the receipt of the noted letter from the State. Commissioner Garner second.

Vice Chairman Austin had additional questions for Mr. Mace. Vice Chairman Austin reported that a comparison of costs between a downtown jail location and the Hoots Road location was completed in February 2008. There was an estimated cost of \$85,000 for redesign. Mr. Mace was familiar with this service but did not have that data with him today. Vice Chairman Austin stated that the services were to include civil, plumbing, electrical, and architectural redesign. The agreement presented today describes those same services; which indicates a great deal of overlap.

Vice Chairman Austin presented a Moseley document dated February 4, 2008 extracted from the minutes of the Board meeting of that same date. The document is entered herein for reference...

MOSELEY ARCHITECTS

A PROFESSIONAL CORPORATION

CHARLOTTE February 4, 2008

WARRINGTON
 WARRINGTON
 WARRINGTON
 WARRINGTON

Mr. Eric Williams
 Yadkin County Manager
 P.O. Box 146
 Yadkinville, NC 27055

Re: Preliminary Site Analysis
 Yadkin County Jail
 Yadkinville, North Carolina

DISTRIBUTED AT
 THE 2/4/08 DEC
 MTS.

\$ 108,000.00
 156,000.00
 115,000.00 +/-
 85,000.00

 \$ 464,000.00
 150,000.00 MSB

 \$ 614,000.00
 275,000.00

 \$ 339,000.00

Dear Eric:

As discussed in our last fall committee meeting, we have completed our preliminary site study showing the estimated potential implications for each site as follows:

Downtown Site (bounded by East Hemlock, North Van Buren and East Cherry Street)

A
 CONCEPT
 FROM THE
 ASSEMBLY
 ABOUT THE
 SIZE OF
 THE WALL
 18' CY
 96,000

The retaining wall required to keep the building finish floor at 938+/- will be approximately 16' in height along the north edge. We will also need walls along the east and west sides. This wall area may be 6,000 SF. At \$16.00 per square foot of wall, that equals \$96,000.00. The close proximity of the walls to the buildings will require the building foundations to be lowered to the at least the toe of the retaining wall. (Note: We are currently investigating relocating the building so that the entrance would be off of East Hemlock Street. This would lower the finish floor - less fill and less retaining wall)

The site will need to be filled. We have estimated that it will require approximately 12,000 CY. Fill cost vary depending on the type of fill, availability and length of haul to the site. \$13.00 per CY is a fair estimate. Therefore, the cost of fill may be \$156,000.00.

If stormwater attenuation is required, an underground (pipe) storage system will average around \$75,000.00 per acre of development. The site is roughly 1.5 acres; therefore the underground storage system should be \$112,500.00.

It is unknown at this time if we will be required to provide storm water quality treatment. If we are required to provide it, we will need a structural BMP. If it needs to be underground, we will most likely install a sand filter. If required, we anticipate that such a system will be in excess of \$150,000.00. (This will probably not be required)

Relocation of existing utilities has not been investigated at this time for the preliminary study. It is also unknown of the soils condition at this time for additional bearing capacity for structural, site classification and soils condition.

85,000
 108,000
 96,000

 289,000
 - 375,000

 86,000 S/NOTES

AGENDA
 ITEM 2 B

Downtown Site (Continued)

Reduction of fencing required at this site would be approximately 200 linear feet at (-\$25,000). We would recommend the fencing at the top of the retaining walls and along the sides of the building to end along the front to the vehicle's sallyport.

Additional Services for Architectural redesign (includes CIVIL, Plumbing, Electrical and Architectural redesign) \$85,000.00

Hoots Road Site (Bounded by Hoots Road and Butler Road) (See attached cost estimate from December 2007)

300,000 # 300,000 w/s
50,000 50,000 ratios
350,000 # 250,000
25,000 25,000 ratios
375,000 # 275,000

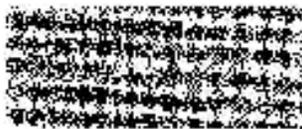
Offsite utilities that include water and sewer at this site could hood the cost for this approximately \$200,000.00.

Graded retention ponds for stormwater would be achieved for this project \$50,000.

These numbers are our best estimates at this time with the known information for a comparison of both sites. We feel that both sites are acceptable; however the downtown site would allow for easier transactions between the existing Sheriff's offices and if phased appropriately the existing parking could be utilized between the Sheriff's site and the proposed jail site.

These again were our preliminary findings for each site and should you have any questions regarding the site, please feel free to call.

Sincerely,



Robert L. Smith, Jr.

Moseley Architects

CC: Don Waco, AIA Moseley Architects

Vice Chairman Austin noted the figures in the upper right corner. Those figures were written by former Manager, Eric Williams. Figures on the lower left of the page were written by Vice Chairman Austin. Vice Chairman Austin stated that it was earlier agreed that \$13 per cubic yard was excessive and that \$8 per cubic yard was still a conservative figure.

Commissioner Wooten questioned an exchange between Attorney Graham and Chairman Wagoner. Chairman Wagoner announced that Attorney Graham questioned what this line of discussion had to do with the motion at hand.

Vice Chairman Austin responded that there are many things to consider before going forward; such as, defining 'other services.' Continuing, Vice Chairman Austin stated that fill costs should be \$96,000 rather than \$156,000. Secondly, stormwater accumulation and filtration is a mute point as the Town of Yadkinville adopted a resolution stating that the Town would address those issues. Additionally, offsite utilities for Hoots Road were estimated at \$200,000. It has since been learned that \$300,000 is a more accurate figure. Costs of retention pond and fencing for the Hoots Road site remained the same for a total of \$375,000. Actual relevant costs for the downtown site would be \$85,000, a portion of which would be absorbed by the action being discussed today; \$108,000 for the retaining wall; and \$96,000 for fill dirt for an estimated cost of \$289,000 for the downtown site versus \$375,000 for the Hoots Road site. There are additional costs associated with the Hoots Road site that will include clearing, grading, and leveling at an estimated \$200,000. Vice Chairman Austin commented that funds received from the sell of the Hoots Road property could be used to buy property in the downtown location.

Vice Chairman Austin stated that Commissioner Moxley had campaigned that he would agree to a downtown location if the cost was the same or less. In that regard, Vice Chairman Austin made the following motion...

Vice Chairman Austin made a substitute motion authorizing Moseley architects to redesign the drawings to include the smoke evacuation system and any other necessary redesign to locate the jail on the previously discussed downtown property. Commissioner Wooten second.

Commissioner Wooten presented 2 documents, one of which was an email communication from former Chair, Kim Phillips to Yadkinville Town Manager, Ken Larking. Commissioner Wooten read the following statement from the email: "We rezoned the Hoots Road property on Monday night. I agree that the best place for our jail would be in Yadkinville." Commissioner Wooten added that this statement from former Chair, Kim Phillips, says a lot. Chairman Wagoner pointed out that the statement does not say 'downtown.' Commissioner Wooten countered that Hoots Road is not in Yadkinville. Vice Chairman Austin quoted the remainder of the email statement: "It just seems highly unlikely to me, based on the experiences we've had, that we could overcome the rezoning and cost issues that would allow it to be built in Yadkinville." Vice Chairman Austin stated that the figures he just provided indicated a cost savings and no additional zoning issues.

Commissioner Moxley pointed out that a downtown design would also require a smoke evacuation system which is the issue at hand. Vice Chairman Austin stated that his motion included the smoke evacuation system.

Clerk Brown restated the current motion...

Vice Chairman Austin made a substitute motion authorizing Moseley architects to redesign the drawings to include the smoke evacuation system and any other necessary redesign to locate the jail on the previously discussed downtown property. Commissioner Wooten second.

To accept the substitute motion – Vote: 2/3 (Garner, Moxley, and Wagoner against)

Commissioner Wooten made a motion to refer the standing motion to the jail committee that is currently in place for a review of the smoke evacuation agreement and other design issues and report their findings to the Board of Commissioners in 4 to 6 weeks. Vice Chairman Austin second.

Vice Chairman Austin strongly believes that input is needed from the Sheriff on these issues. Vice Chairman Austin presented a document dated December 17, 2007 titled POTENTIAL COST REDUCTION IDEAS. The document is entered herein for reference...

Architectural				
A1	Delete Vehicular Sally Port and use a secure Fence enclosure in that area.			254,260
A2	Use Fencing around outdoor Rec. Yard instead of Masonry Walls			87,900
A3	Delete Vestibule and enter directly into Lobby			35,640
A4	Delete Roof Parapet and slope roof to outside. Use gutter and downspout to handle roof drainage.			150,000
A5	Use Metal Wall Panels on exterior of Jail Facility in Lieu of Brick			65,980
A6	Reconfigure the gang restrooms and shower Area to enter from the lobby area and delete the corridor A115 from project.			65,780
A7	Eliminate one foot from width of mechanical chases in jail facility			80,910

Structural	
S1	Investigate change to design to use pre-cast concrete cells, external wall panels, and roof structure
S2	
S3	
Food Service	
F1	No Cost Reduction Changes At this time.
F2	
F3	

Vice Chairman Austin noted that this document had been provided by Lee McClure during prior jail discussions. Vice Chairman Austin felt that Commissioner Wooten's motion to refer these issues to the jail committee was a good idea stating that the jail committee and the Sheriff should weigh in on the potential cost-savings. Commissioner Garner remarked that these figures have already been discussed. Commissioner Wooten stated that \$1 million in savings is important and asked Commissioner Garner if he felt the same. Commissioner Garner stated that the Board should discuss Commissioner Wooten's attorney fees. Commissioner Wooten responded that he would be willing to discuss any attorney fees. Chairman Wagoner asked the members to remain on topic.

Commissioner Moxley reiterated that the issue at hand is the redesign for a smoke evacuation system at a cost of \$36,750. Regardless of the location of the jail, the smoke evacuation system must be added according to the new building codes. Vice Chairman Austin responded that Moseley Architects must know what work to do before the work can begin. Vice Chairman Austin continued that it would be pointless and costly for Moseley to make these design changes only to make any additional changes recommended by the jail committee at a later time. The same is true for DHHS review. Any subsequent redesigns will also require DHHS approval. Commissioner Moxley commented that if a downtown location was approved, the existing jail design would be used. The redesign proposed today would allow an apples to apples comparison. Vice Chairman Austin noted that the \$85,000 redesign for a downtown location would incorporate the \$36,750 being discussed today. Commissioner Wooten commented that the jail committee could potentially recommend a new design. It was noted that a redesign or \$1 million in alterations would certainly require re-advertisement of the project.

Mr. Mace, offering all due respect, stated that Mr. McClure is not an architect. Mr. Mace drew attention to A1 and A2 of the document and stated that he would highly recommend that the sally port be left in the design as is. Commissioner Wooten asked for additional information. Mr. Mace explained that the sally port is designed for ultimate protection, allowing the inmate to enter directly into booking inside a secure area. Commissioner Wooten asked if there was a statute that regulated this design. Mr. Mace responded that this is an operational design. Commissioner Wooten stated that this design was not required by statute and was added with no input. Mr. Mace replied that input was received from the County Manager, the Sheriff, and others. Commissioner Wooten stated that Moseley staff worked with individuals that were not appointed by Yadkin County. Mr. Mace stated that he worked with the individuals that were put before him. Commissioner Moxley added that Sheriff Cain had stated in earlier discussions that he would like a sally port in the design. Commissioner Wooten commented, as a member of the jail committee, that he will work to provide what is safe and what is needed.

Clerk Brown restated the motion...

Commissioner Wooten made a motion to refer the standing motion to the jail committee that is currently in place for a review of the smoke evacuation agreement and other design issues and report their findings to the Board of Commissioners in 4 to 6 weeks. Vice Chairman Austin second. Commissioner Wooten stated that the jail committee members; David Moxley, Bodie Wingler, Gray Garrison, Sheriff Cain, and he would be willing to make periodic reports to the Board if this motion is approved.

Motion failed by Vote: 2/3 (Garner, Moxley, and Wagoner against)

Commissioner Wooten made a motion to amend the standing motion to strike the first 3 paragraphs of the Amendment to the Professional Services Agreement. Motion died for a lack of second.

Vice Chairman Austin made a motion to amend the standing motion to strike the 4th paragraph of the Amendment to the Professional Services Agreement. Commissioner Wooten second.

Chairman Wagoner restated the motion with the potential amendment...

Chairman Wagoner made a motion to approve the Amendment to the Professional Services Agreement with Moseley Architects, striking paragraph 4 of the amendment, at the expenditure of \$36,750, contingent upon the receipt of the noted letter from the State. Commissioner Garner second.

To accept the amendment – Vote: 5/0

Commissioner Wooten made a motion to amend the standing motion by striking the amount of \$36,750 and replacing with “to be negotiated.” Vice Chairman Austin second. Vice Chairman Austin stated he would like to see other issues addressed while awaiting the letter from the state and potentially be able to renegotiate this agreement at that time.

To accept the amendment – Vote: 1/4 (Austin, Garner, Moxley, and Wagoner against)

Commissioner Wooten made a motion to amend the standing motion by inserting the sentence “The effective date of this document is April 30, 2010.” Motion died for a lack of second.

Vice Chairman Austin made a motion to amend the standing motion by inserting the sentence “The effective date of this document is March 15, 2010. Motion died for a lack of second.

Commissioner Wooten stated that additional review would be needed prior to Moseley beginning the design work. Chairman Wagoner reminded the Board members that they are discussing a smoke evacuation system. Commissioner Wooten responded that the Board is reviewing what Moseley Architects proposes Yadkin County should build. Commissioner Garner stated that the Board has already reviewed the proposal, chosen the design, selected a contractor, and chosen the Hoots Road site by a majority vote. Commissioner Garner stated that these are stall and delay tactics. Vice Chairman Austin responded that these are tactics to perform what he was elected to do. Commissioner Garner commented that Judge Craig got involved in this issue because the Board had failed to carry out the action that it approved to do. Commissioner Wooten responded that Judge Craig became involved because of the lack of advice from counsel. Vice Chairman Austin stated that the bottom line is the Board’s responsibility to do what is right for the County. Commissioner Garner stated that Vice Chairman Austin and Commissioner Wooten have their opinion of what is right and Chairman Wagoner, Commissioner Moxley, and he have another opinion of what is right. Commissioner Wooten stated that the Board members do agree on one thing and that is the County’s need for additional facilities to house its inmates. Commissioner Garner stated that the Board has already voted to do just that.

Commissioner Wooten made a motion to postpone any decision on the Hoots Road facility until the jail committee has an opportunity to meet with Moseley Architects and review the possible uses of the facility either on Hoots Road or a downtown location and all decisions by the jail committee, whether majority or split decision will be brought to the Board. Vice Chairman Austin second. Motion failed with Vote: 2/3 (Garner, Moxley, and Wagoner against)

Chairman Wagoner restated the standing motion...

Chairman Wagoner made a motion to approve the Amendment to the Professional Services Agreement with Moseley Architects, striking paragraph 4 of the amendment, at the expenditure of \$36,750, contingent upon the receipt of the noted letter from the State. Commissioner Garner second.

Commissioner Wooten made a motion to amend the standing motion replacing the compensation amount of \$36,750 with \$0.

Mr. Dan Mace asked to be excused from the meeting stating that he had another commitment. Chairman Wagoner apologized to Mr. Mace for taking so much of his time.

Commissioner Wooten made a motion to postpone the decision on the Amendment to the Professional Services Agreement until Mr. Mace can return to answer questions and complete the discussion. Motion died for lack of a second.

Chairman Wagoner called for a recess at 12:00pm. The meeting resumed at 12:15pm.

Clerk Brown restated the standing motion...

Commissioner Wooten made a motion to amend the standing motion replacing the compensation amount of \$36,750 with \$0.

Commissioner Wooten asked the Chairman's attention on the order of the day. Chairman Wagoner thanked Commissioner Wooten for acknowledging the order of the day.

Commissioner Wooten made a motion to adjourn. Motion died for lack of a second.

Commissioner Wooten stated to the Chairman that he could not continue to overlook the parliamentary procedure that was adopted by the Board. Chairman Wagoner stated that his concern was duly noted. Commissioner Wooten stated that the rules of order could not be ignored. Chairman Wagoner asked Attorney Graham if there was action the Chairman could take to expedite this process. Attorney Graham stated that the Chairman has the authority to call a Board member out of order when it becomes apparent that the member is delaying the process with intent. Commissioner Wooten questioned Attorney Graham on the order of the day and the agenda that was approved by the Board at the beginning of the meeting. Attorney Graham responded that the agenda is being followed. Commissioner

Wooten contended that the agenda was not being followed; pointing out that the meeting was on schedule until calendar notes. Chairman Wagoner stated that the order of the day was "thrown out" at the point that Mr. Swann provided his presentation before Mr. Todd. Commissioner Wooten stated that Mr. Swann spoke out of turn but the agenda went forward within its time schedule. That schedule was broken at 11:00am. The Board should be entering a closed session at 12:00 noon and then adjourn. Chairman Wagoner stated that the Board was going to continue with the business of the County and that Commissioner Wooten could adjourn himself. Commissioner Wooten stated that he did not wish to excuse himself.

Clerk Brown restated the amended motion as made by Commissioner Wooten...

Commissioner Wooten made a motion to amend the standing motion replacing the compensation amount of \$36,750 with \$0. Motion died for a lack of second.

Chairman Wagoner restated the standing motion...

Chairman Wagoner made a motion to approve the Amendment to the Professional Services Agreement with Moseley Architects, striking paragraph 4 of the amendment, at the expenditure of \$36,750, contingent upon the receipt of the noted letter from the State. Commissioner Garner second.

Vice Chairman Austin made a motion to amend the standing motion adding that the agreement will be effective on March 1, 2010. With Chairman Wagoner asking if there was a second to this motion; Commissioner Wooten stated that he had additional questions that Mr. Mace should be available to answer. Commissioner Wooten stated that are several sally ports in the design that should be reviewed. Chairman Wagoner stated that the action on the floor is to approve the redesign to include smoke evacuation systems in non-residential areas of the jail and has nothing to do with sally ports. Vice Chairman Austin stated that Commissioner Wooten's point was valid in that there are a large number of sally ports that would also require the smoke evacuation system. Commissioner Wooten stated the jail committee can review all of these issues adequately.

Chairman Wagoner asked if Commissioner Wooten was still interested in a motion to adjourn.

**Commissioner Wooten made a motion to adjourn. Chairman Wagoner second.
Vote: 3/2 (Garner and Moxley against)**

Meeting adjourned at 12:25pm.

Prepared by the Clerk to the Board

Date Approved by the Yadkin County Board of Commissioners
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