

MINUTES OF MEETING OF THE BOARD OF
ROWAN COUNTY COMMISSIONERS
REGULAR MEETING
JULY 11, 1988

The Board of Rowan County Commissioners met in Regular Session in the Community Building on July 11, 1988 at 9:00 A.M.

PRESENT: Richard D. Messinger, Chairman
J. Newton Cohen, Sr., Vice-Chairman
Wilborn Swaim, Member
George C. Knox, Member
Jamima DeMarcus, Member

The County Manager, Finance Director, County Attorney, and Clerk to the Board were also present as well as various Rowan County Administrative Staff and organizations.

Chairman Messinger called the meeting to order and Commissioner Cohen gave the invocation.

APPROVAL OF MINUTES:

The Clerk provided the Commissioners with a statement as attached to these minutes stating the reason for the minutes not being submitted for approval. It was noted to the Commission by the County Manager that the System was down for eight (8) consecutive days. The Chairman stated that the approval of the minutes would be postponed until the next Regular Meeting.

Chairman Messinger announced that Mrs. Diane Franks would not present her proposal to the Commission. Chairman Messinger then announced that the Report on Negotiations for Acquiring White Tract would be handled in Executive Session. He added that the two items to be discussed in Executive Session are: 1) White Tract; and 2) Personnel Matters.

EXECUTIVE SESSION - WHITE TRACT:

Commissioner Knox made a motion to go into Executive Session to discuss the White Tract and Commissioner Swaim seconded with unanimous approval. Commissioner Cohen made a motion to come out of Executive Session and reconvene into Regular Session and Commissioner DeMarcus seconded with unanimous approval.

Chairman Messinger read the Resolution as attached to these minutes per the discussions in Executive Session. Commissioner Knox made a motion to adopt this Resolution and Commissioner Swaim seconded. Motion was passed with Commissioner Cohen voting against the motion. Chairman Messinger stated that the \$252,799.50 as

indicated in the Resolution represents the independent appraisal price by the same appraiser that appraised the McClamrock Property. This indicates \$1,500 per acre and the McClamrock Property was \$1,200. The general difference between the two (2) tracts is that the White Tract has road frontage and less flood plain.

Chairman Messinger stated although negotiations with the White family have been friendly, the Commission wants to acquire the property, but there is a limit to what the Commission feels the County should pay as they have been unable to agree upon price. Chairman Messinger entertained comment from Commissioner Cohen since he opposed the adoption of this Resolution. Commissioner Cohen stated that he would like to keep negotiations going. Chairman Messinger noted that this Resolution does not take effect for thirty (30) days and there may be some negotiation during this period. A cover letter was also provided as attached to these minutes.

ADDITIONS TO THE AGENDA:

Chairman Messinger made note of a letter he received from the North Carolina Recycling Association. He stated that this Association would like the County to join this operation.

Chairman Messinger then stated that a letter of June 14, 1988 to Tim Russell, County Manager, from the Council of Governments is offering its services for Land-Use Planning. The County Manager stated that the letter was an offer to the Commission to provide a service possibly before June 30. He indicated the idea was to put together a package to help the Commission adopt or create ordinances using a block of forty (40) hours of the Council of Government's time before June 30--meaning, a block of forty (40) hours next year. He stated that the Commission does not have this available to them because of the Strategic Planning Process. He stated that what COG wants to do is to put the two (2) together and in addition to this, they are requesting the County pay approximately \$6,300 to COG to provide the service. The County Manager noted that Mr. Jack Kiser was unaware of the Strategic Planning approval that was done as this will take away from the block of time next year. In essence, this would be an addition to add approximately \$35 to \$45 per hour.

Commissioner DeMarcus suggested receiving proposals from some others since the County is going to pay for this and would not be using free time. She also suggested finding out what the surrounding counties are doing as well. Commissioner DeMarcus noted to the Commission of a General Statute that states when a County goes into Land-Use Planning, that County must have a Planning Board. Commissioner Swaim stated that long range land-use planning by the County should be part of any strategic plan that the Chamber comes up with. Chairman Messinger recommended that the County Manager check surrounding Counties as suggested by Commissioner DeMarcus and bring a recommendation to the Commission for their consideration at the next meeting.

CORRESPONDENCE:

*Letter dated June 6, 1988 from Governor James G. Martin and June 7, 1988 Letter from Secretary David T. Flaherty of the Department of Human Resources--These letters were in response to the Commission's letters regarding the solid waste problem within the County. These letters also represented support for Special State Funds to be established to help counties in the area of setting up Solid Waste Disposal Sites dealing with liners, synthetic liners, and leachate collection systems.

*Letter dated June 8, 1988 from Congressman Bill Hefner--This letter was in response to Airport Funding as the Commission requested support to free up funds that are set aside in an Aviation Trust Fund to help counties facilitate the construction of the increased airport.

*Letter dated June 10, 1988 from Senator Jesse Helms--This letter was also in response to the same issue as mentioned above.

*Letter dated June 13, 1988 from Senator Terry Sanford--This letter is in response to obtaining Amtrak Services in the Piedmont area.

*Letter dated June 16, 1988 from the Federal Aviation Administration (Thomas M. Roberts, Program Manager)--This letter announced the FAA's approval and endorsement for the first phase of Expansion which is the Environmental Assessment outlined in the Master Plan. The amount set aside for this is approximately \$45,000. Due to the lack of funding at this time for Environmental Assessments, the FAA did agree to combine this amount into the total cost for Airport Expansion. The County Manager, Tim Russell, stated he was informally notified that the Rowan County Airport is No. 6 on the State Aviation's list for funding next year. If the Environmental Assessment is performed based on Federal Standards, the cost will be reimbursable at 90% as construction of the Airport Expansion Program gets underway.

*Letter dated June 20, 1988 from the Office of State Budget and Management--This letter represents the monthly statement for May for the Public School Building Capital Fund. The balance at the end of June totaled \$1,305,590.28 to be allocated to Rowan County for construction. This statement represents four (4) quarters as well as the interest earned on this fund.

*June 28, 1988--This is a copy of the Ratified Bill for the Rowan/Salisbury School Bill passed through the General Assembly this Session outlining the approval for the merger of the School System.

*Letter dated June 21, 1988 from Richard Lee, Director of State Personnel--This letter reported that the State Personnel Commission approved the County's request for a Substantially Equivalent Personnel System Exemption in the areas of recruitment & selection, training, equal employment opportunity/affirmative action, and political activity effective June 17, 1988. The effort to obtain this exemption from State Regulations allows the County to administer its own Personnel System in the areas of Health Services and Social Services.

*Letter dated June 30, 1988 from Harry Whalen, Executive Director of the Economic Development Commission--This letter represents notification to officials of the EDC's Regular Monthly Meeting to be held on Wednesday, July 13, 1988 at 8:00 a.m. in the Ramsey Room located in the Chamber of Commerce.

*Letter dated June 23, 1988 from Elizabeth E. Gish, President of Waterworks Visual Arts Center--Ms. Gish wrote to thank the Commission for the \$12,500 appropriation to the Waterworks Gallery.

*Minutes from the Soil & Water Conservation District held on June 16, 1988.

*Copy of the State Audit Report from the Office of the State Auditor for Rowan Technical College for the year ended June 30, 1987.

*Letter dated July 1, 1988 from Kathy Neal, Hazardous Waste Treatment Commission--The Technical Committee will meet July 15 and the full Commission will meet July 21 outlining some of the materials that will be discussed at this meeting.

ROAD PETITIONS:

Commissioner Knox made a motion to approve the following road petitions be abandoned from the State System and Commissioner DeMarcus seconded with unanimous approval.

- 1) Bost Road (SR1558) in Atwell Township--Leads to a private dwelling.
- 2) Dukeville School Drive (SR2174) in Providence Township--A circle leading into the School and back to the road.

BOARD APPOINTMENTS:

*ABC Board--Commissioner Swain nominated Mr. William D. Kenerly for appointment. Commissioner DeMarcus nominated Mr. Paul Propst

for reappointment. Commissioner Knox made a motion to close the nomination and Commissioner Swaim seconded with unanimous approval. Chairman Messinger and Commissioners Cohen and Swaim voted to approve Mr. Kenerly for appointment to the ABC Board with Commissioners Knox and DeMarcus voting to for Mr. Propst for reappointment.

*Rowan County Housing Authority--Mr. William Hannah's reappointment was deferred until such notice has been given to him by the County Manager and taken up at the next meeting.

*Domiciliary Home Community Advisory Committee--Commissioner Knox made a motion for all persons whose terms expire in August be reappointed to this Committee. Those persons include Mrs. Juanita Lagg, Mr. Albert Stout, Mr. Ned Norris, and Mr. Roscoe Giles. Commissioner Cohen seconded with unanimous approval. The two (2) vacant positions brought forth by the resignations of Ms. Ruth Sifford and Ms. Jean Honeycutt were deferred until the next meeting.

*Aging Advisory Council--A vacant position appears on this Board due to the resignation of Mrs. Addie Rhem Morris. Per the letter from Ms. Frieda Nikolai, Chairman, Commissioner DeMarcus suggested Ms. Bea Amendola be reappointed as a full member instead of an ex officio. Ms. Amendola could then fill the vacant position due to the resignation of Mrs. Addie Rhem Morris. Commissioner DeMarcus stated that not only will this fill the vacant position on this Council, but it will take care of a request this Council made as well. Commissioner Swaim made a motion that Ms. Amendola be made a full member of this Council therefore filling the vacant position of Mrs. Morris and Commissioner Knox seconded with unanimous approval. The County Manager announced that the Advisory Council had requested an opportunity to have the Commission present a Certificate of Appreciation to Ms. Morris originally scheduled for today, but Mrs. Morris could not attend. He stated that this would be taken up at the next Regular Meeting.

*Centralina Development Corporation--Commissioner Swaim made a motion to reappoint Mr. William O. Lombard, Jr. and Commissioner DeMarcus seconded with unanimous approval. Chairman Messinger stated that Mr. R. O. Everett has indicated to him, due to his lack of attendance on this Board, that should the Commission come up with a suitable appointment, he would resign. Chairman Messinger suggested that Commissioner DeMarcus discuss this with Mr. Everett.

*Region F Emergency Medical Services Advisory Council--Commissioner Cohen suggested deferring this until the next meeting and check with the Rescue Squad on Mr. Coyt Karriker's attendance. This was in agreement with the Commission.

*Town of Granite Quarry Planning Board--Commissioner Cohen made a motion to approve Mr. Greg Lowe and Mr. Tony Brown for appointment to replace Mr. Phil Harbinson and Mr. Tommy Kerns respectively. Commissioner Knox seconded with unanimous approval.

*Granite Quarry Zoning Board of Adjustment--Commissioner Cohen made a motion to reappoint Mr. W. O. Brown and Mr. Hugh Teague to this Board and Commissioner Knox seconded with unanimous approval.

TAX COLLECTOR'S REPORT - HELEN DEAL:

Ms. Helen Deal presented the Tax Collector's Report to the Commission as Mr. Wayne Simpson, Tax Collector, was out of town. No further discussion on this report was made as attached to these minutes. Commissioner Swaim, however, asked what the approximate total accounts receivable was for ambulance fees. The County Manager replied that the billable rates would be approximately \$30,000 or \$35,000 a month or approximately \$370,000 to \$380,000 a year which is about 65% in collections.

PRESENTATION TO ALCOA FOR DONATIONS TO PARKS:

Mr. Jim Foltz, Parks Director, introduced Mr. Ed Listerman and Tom Ball from ALCOA. The Commission then presented to ALCOA a Certificate of Appreciation for their support to the Parks. Mr. Foltz noted to the Commission that ALCOA has helped the Special Populations Program for many years.

MANAGER'S REPORT - TIM RUSSELL:

* The County Manager, Tim Russell, presented the Monthly Activity Report for the month of June from the Personnel Office.

* Interest--The County Manager reported that the total interest earned through June 30, 1988 amounted to \$707,194.

* Refunds--Commissioner Swaim made a motion to approve the following refunds reported by the County Manager and Commissioner Cohen seconded with unanimous approval:

TO: Randall W. Trogdon in the amount of \$33.00 from the County Assessor.

TO: Carolyn Glasgow in the amount of \$15.00 from the Toddler Seat Program at the Health Department.

TO: Ambulance payment for June, 1988 in the amount of \$251.64.

PRESENTATION FROM DOUG TENNANT:

*Tentative Project Schedule for Renovation Project at 110 W. Innes Street--Mr. Tennant indicated that at the September meeting of the Commission they could possibly have bids ready and Commissioners could approve them assuming it was in the budget. At this point, construction could begin for which he has allowed eight (8) weeks for completion. He stated that the earliest construction could begin would be November 1. Doug Tennant stated that he is planning on utilizing the bulk of the drawings done for the Quick Copy Shop Building. He felt there was no reason why this basic plan cannot work and if they use the plan the Post Office originally adopted, there should be no problem in getting approval on this. Chairman Messinger asked if this building was in a historic district. Doug Tennant replied that the building is not covered by the Historic District Commission but the entire downtown area is on the National Register. Mr. Tennant indicated that the Historic District Commission is not interested in the construction done to the inside as they are to the outside. Mr. Tennant stated that he is planning on obtaining the original design. Chairman Messinger noted that the Commission is doing something positive to improve downtown.

*Update on Study of Courthouse/Jail Space Needs--Doug Tennant was responsible for renovating the old jail as well as the Courthouse. Chairman Messinger announced that the Commission is in the process of getting a request from the Judges to increase the space for courtrooms and jails. Mr. Tennant indicated that a Committee has been formed to investigate this matter. This Committee has met one (1) time and from this Committee he has received a series of requests in either verbal or written form from Judge Seay, the Sheriff, and the Clerk of Court. He stated that some of this is urgently required. Mr. Tennant has gone through all the buildings on the sites that the County owns and listed the square footage and various functions that are involved in this footage. There is approximately 41,000 square feet in the Courthouse, approximately 8,700 square feet in the jail, approximately 7,000 square feet in the Sheriff's Department, and approximately 8,000 square feet in the Community Building. There is at least 20,000 square feet of Superior and District Court space.

Mr. Tennant indicated he would like to meet sometime in the next week or two (2) with the Committee to discuss these issues. He presented the concern to the Commission that 60,000 square feet is on this block, and should they have to add 50% of this square footage, it can only go up. The concern then would be--would this still be compatible with the Courthouse as well as this building. There is also a parking problem that needs to be addressed. If this

Committee could meet at least once or twice this month, it may be possible to have a report to the Commission by the next meeting.

In reply to Commissioner Swaim's concern, Mr. Tennant stated that using the Post Office for court facilities creates a problem with the Clerk of Court as well as transporting prisoners from the jail to the Post Office Building. Commissioner Swaim noted in discussions with a few attorneys, they had indicated that the Post Office could provide a very good superior courtroom as well as the possibility of moving the Clerk of Court's Office to this location. Mr. Tennant stated that the Committee would have to research this carefully. Chairman Messinger asked if the Red Room could be a Courtroom. Mr. Tennant felt it would be adequate but an elevator would need to be installed.

Commissioner Knox and Commissioner Swaim Chair this committee. Commissioner Swaim made a motion for Mr. Tennant to proceed with the recommendations of the architect for the renovation of 110 W. Innes Street and Commissioner Cohen seconded with unanimous approval. The County Manager suggested someone from the Building Committee work closely with Doug Tennant on the design and colors versus the full Commission due to the time element involved.

UPDATE OF COUNTY RECYCLING PROGRAM - PAUL CANUP:

Paul Canup reported that garbage is still being placed in the recycling cans as this continues to be a problem. The mixing of the paper products and glass products still continue to be a problem. With the help of a few of Mr. Sloop's men, they have been trying to clean these sites twice a week but the time element involved has limited them to some extent. This shows a desperate need for people to clean these sites two (2) or three (3) times a week on a regular basis. This would include separating, folding the cardboard, and disposing of garbage in the containers. There is also a problem with material not getting into the cans as many people do not wish to participate in recycling.

Mr. Canup provided a status report to the Commission for the month of June. Mr. Canup estimated that Rowan County is generating approximately 5,984 tons of garbage per month. Based on June figures, the weight for recycling is approximately 25.5 tons per month. This amount of material is approximately .43% (less than 1/2 of 1%) figured over one (1) year. This will save the County a little more than one (1) day in the landfill. His goal is to get much higher than this by providing an incentive for people to separate and bring materials to the sites. There is a tremendous amount of cardboard as well as aluminum cans being thrown away. Paul Canup feels a lot more material needs to be recycled as well.

Commissioner Knox described a need for the County to place signs at these sites requesting citizens to separate their trash. Mr. Canup reported that they are trying something new at the Spencer site where newspaper is being placed on one end of a three (3)-section container and cardboard on the other end. The middle section's contents are determined by which of the other two (2) is filled up first. As a result, this seems to be working well; however, there is still a problem of one (1) filling up and having to be emptied before the other end is filled.

Mr. Canup suggested purchasing a compactor for cardboard in the future. The compactors for cardboard are much smaller than the ones for garbage. More income could be generated from using a compactor. Mr. Canup reported that at 200 pounds of cardboard which is approximately one (1) section (\$3.50), the County is paying \$55.00 per month to leave the can there and approximately \$45.00 per month to have it emptied.

Commissioner DeMarcus feels these problems can be resolved. When the evaluation is done in September, a lot will then be determined. She stated that this project is a matter of education and motivation.

Commissioner Swaim asked the County Manager if they have made any progress on swapping the property near Bostian Crossroads. The County Manager replied that Mrs. Bostian is in possession of a tract of land that is basically in a flood plain. She is offering this land to the County as an alternative for a recycling center. He reported that the land has been surveyed and now they are working with Mrs. Bostian on a trade. The County does not want to make an even trade because what the County is giving up is much greater than what will be received. Even though the recycling center is being moved from her home, the proposed site is across from another home. Therefore, the County is having to engineer this property in such a way that there will be a tree buffer in front and adequate land space behind. Negotiations are still being made to obtain adequate space to engineer without disrupting the neighbors. Negotiations are also in process in the Liberty area for another recycling center as well.

REPORT FROM AGING ADVISORY COMMITTEE - CLYDE FAHNESTOCK:

Mr. Clyde Fahnestock, Director for the Office on Aging, presented this report to the Commission in place of Ms. Frieda Nikolai as she was out of town and was not able to attend. He stated that this Council is very active as well as deliberate in meeting monthly and considering many major issues that face older adults today. Ms. Frieda Nikolai, Chairman of the Rowan County Office on Aging Advisory Council, outlined in her report five (5)

matters of importance as attached to these minutes. Mr. Fahnestock expressed a major point of concern as outlined in the report regarding a set of bylaws that has been provided to the Commission to adopt.

Commissioner Swaim questioned Section V of Article IV--"If an Advisory Council member is appointed by the Council to attend a State or Out-of-State meeting, the Chairman of the Council will ask the County Commissioners to reimburse the member for out-of-pocket expenses". Chairman Messinger stated there has been some discussion that the Commission needs to review this issue with a number of Boards and set up a policy to cover this. The County Manager suggested setting up a uniform policy on per diem and reimbursement of compensation for all Advisory Boards. Commissioner DeMarcus recommended that a study be done on the cost. Commissioner Swaim was under the assumption that this cost was included in each Board's Budget. The County Manager clarified that there were only one (1) or two (2) Advisory Boards that receive a per diem. The County Manager did state, however, to his knowledge there is no designation for out-of-pocket costs and travel for any of the Boards. The County Manager noted that there should be some pre-approval process set up.

Commissioner DeMarcus called attention to Section II Number V under "Council Appointments"--"Representatives appointed from our Local Advisory Council to serve on the Regional Advisory Council for the Centralina Council of Governments...". She suggested that this be changed to "To have representation appointed from our Local Advisory Council..." as this could mean one (1) or more. The County Manager asked if the intent of this statement is to have the Local Advisory Council designate the appointee since this Commission designates its appointees. Mr. Fahnestock replied there is recognition that it is the authority of the Commissioners to appoint these representatives. Since most business conducted by Centralina has to do with funding through the Office on Aging, these representatives should be related to their Local Advisory Council. Even though there are two (2) representatives presently appointed to the Council of Governments that are not on the Board, they continue to give them invitations to attend their Local Advisory Board meetings. Commissioner DeMarcus concurred with the sense of having a direct communication link, but would like to keep the privilege of having some flexibility in appointing representation to the Regional Advisory Council.

Commissioner Cohen asked what the reasoning was to increase the size of this Board from ten (10) to sixteen (16). Mr. Fahnestock replied that the number of projects that they are now engaged in or intend to engage in requires more representatives working on committees as well as to broaden representation from more of the

County and Social Economic Groups. Commissioner Cohen asked him to state the projects that some of these committees are involved. Mr. Fahnestock replied that they are presently monitoring and evaluating feedback on existing services. Elder abuse is a current issue and major concern. Housing alternatives is a need to provide more housing alternatives for older adults. They are having their first meeting tomorrow on the issue of Telephone Reassurance. The Advisory Council is engaged in helping their office with this agenda.

Commissioner Knox raised the concern of Section V Article IV. He stated that this aligns with the way the State is doing their program. Everything goes on a travel or expense sheet. Once this form is filled out and signed, it is sent to the parent body for approval. Commissioner Knox suggested obtaining this type of form as it would be very beneficial. The County Manager stated that all Department Heads are required to notify him regarding any out-of-state travel to determine if the travel is in accordance with their job. Mr. Fahnestock interpreted the Commission as wanting a pre-approval process statement in this Section until a more uniform policy is adopted. Commissioner DeMarcus suggested that Clyde take these suggestions to his Board and the Commission will try to work on some type of uniform travel policy for all Boards in the next month. Commissioner Swaim noted that the Commission may only be able to ask for prior approval as all Boards are different regarding the number of trips. Chairman Messinger stated that the Commission would like to spend more time with the bylaws.

Commissioner Cohen suggested to Clyde to review the large number of members on their Board as it would be difficult to have a quorum at each meeting.

Chairman Messinger suggested that the County Manager prepare for the Commission to be mailed in advance an analysis of every Board the County has, what the policy is on administration and travel, the number of people on the Board, and special requests for travel that has been honored on an individual basis. The County Manager reported that Social Services, Health, and Parks are set by State Statutes.

UPDATE ON LIBRARY CONSTRUCTION PROJECT - BILL BURGIN:

Mr. Bill Burgin reported that they are still further behind on the masonry than is desirable. He stated that the industry that Bill Wagoner described to the Commission at the last meeting is one that is straining the construction industry because there are fewer masons than there are work. He reported that the rest of the projects seem to be on schedule--the dry wall is up inside and they are now finishing the sheetrock. The windows are installed on the

frontside but not installed on the backside due to the masons working on the scaffold. The mechanical portion is up to standard although they are still a little behind, they are working over to catch up. He stated that the electrical work is up to par. He indicated due to mason work being behind, this will effect the final Phase II finish work.

The other issue of concern presented to the Commission involved the shelving contractor. He stated that the contract was signed while this particular vendor was in Chapter 11 Bankruptcy. Under Chapter 11, this vendor can operate. This company has a July 12 date with the Courts at which time if they are not either purchased by another company or the court grants an extension, they will be forced into Chapter 7 Bankruptcy at which point the Commission can void this contract and proceed with another contract. Clarence Kluttz, County Attorney, stated that the Commission received a letter from Liberty Mutual's lawyer telling them not to pay the contractor due to bankruptcy. The lawyer will in turn contact the Commission on performing the bond. The County Manager added that the letter stated that they are in Chapter 11 and does not mention Chapter 7. Chairman Messinger stated that it does not look as though the material will be delivered; therefore, he recommended finding an alternate source. Mr. Burgin stated that as soon as the County releases the contract, they will move ahead to obtain another contract. Since they are bonded, the bond company can cut through most of the "red tape". He stated they could negotiate with a vendor to prevent having to bid. He feels they have this control since they are performing the contract under the performance bond which may also help them speed the process in construction. Mr. Burgin stated that the money for the County has never been at risk and they are not scheduled to pay any money until all the shelving is delivered. However, they are concerned with scheduling because all the contracts, they have bid (three (3) furniture contracts), shelving was the only one they needed before they can open the doors. Mr. Barton stated that they only have three (3) alternatives: 1) To make use of what shelving they have in the existing building. Up until just a week ago, he was under the impression that they could not use the bulk of the metal stack shelving in the rear part of the building. However, there may be a possibility of using some tie bars across the top which would allow them to utilize it temporarily in the new building. He stated he would want to experience with a section of this before this is done. 2) Borrow or rent shelving from someone. He is not sure of the possibilities for this; however, a colleague of Mr. Barton's has shelving in storage but once it is taken out of storage, his colleague does not want it back. 3) No Shelving--although it would be difficult, they would explore the idea of getting by without shelving. The contract states if the shelving is delivered on time and the building is not ready, then the County is obligated for a certain amount of storage but if the building is ready and the

shelving is not delivered on time, the vendor has the responsibility to provide them with something temporarily. Commissioner Cohen asked if this obligation would carry on with the bonding company. Mr. Burgin stated that the only question they have on this is some of it has to do with the limit of the bond, how much the bond covers, and is this an unlimited amount of money. He stated that since there has been no delivery at all, the County will need all the money to purchase the shelves. It looks as though the performance bond should cover them providing them with some temporary shelving. He stated that much past July, they will not have the shelving even though the building may end up being a little late and temporary provisions will have to be made. Commissioner Cohen stated that in their scheduling, the contractor was going to finish the new building and let the Library Staff move into the new building. They would then commence the renovations in the present building. If they do not have this shelving in place on time, it will effect the contractor's scheduling. This is why the statement was included in the shelving contract indicating if the vendor did not deliver, their obligation would be to obtain something for temporary use of equal capacity and quality. Mr. Burgin stated that adjustments can be made so the bonding company would be more inclined to accept the next bidder in terms of their expenditure.

The County Manager suggested to the Commission to authorize Clarence Kluttz proceed in this area to invoke the bond provisions should something happen before the Commission meets again. Commissioner DeMarcus made a motion to authorize the County Attorney and the Chairman as well to act in the Commission's behalf on routine items should a decision need to be made before the Commission meets again. However, should a problem occur, then the Commission will hold a Special Meeting. Commissioner Swaim seconded with unanimous approval.

EXECUTIVE SESSION - PERSONNEL MATTERS:

Commissioner Swaim made a motion to go into Executive Session on Personnel Matters and Commissioner Knox seconded with unanimous approval. Commissioner Cohen made a motion to come out of Executive Session and Commissioner Swaim seconded with unanimous approval. The Regular Meeting was adjourned at 11:45 a.m.

Respectfully submitted,

Wendy S. Powell
Clerk to the Board