



**MACON COUNTY BOARD OF COMMISSIONERS
MAY 28, 2024
CONTINUED MEETING MINUTES**

Chairman Shields reconvened the meeting at 6:00 p.m. as recessed from the May 21, 2024, continued session. All Board Members, County Manager Derek Roland, Deputy Clerk Tammy Keezer, Finance Director Lori Carpenter, and County Attorney Eric Ridenour were present, as were a number of county employees, media, and citizens.

BUDGET WORK SESSION REGARDING THE MACON COUNTY SCHOOL SYSTEM BUDGET – Macon County School Board Chairman Jim Breedlove called the school board meeting to order and announced there would not be a public comment session at this meeting.

Mr. Roland spoke about capital priorities and funds spent in Macon County with \$146.2 million contributed to Franklin High School (FHS) and Highlands School projects. He shared information about the General Fund Balance Performance and intention to transfers \$20 million from the General Fund to the Capital Reserve Fund based on the Fiscal Year 2023 year-end results, consistent with prior Analyses. Mr. Roland said this still leaves the county with a 40 percent fund balance. He reported that the expenditures of the projects have increased \$10 million for FHS and \$2.5 million for Highlands School for a total increase of \$13 million since February. Mr. Roland said the current cost for FHS is \$137,624,444 and the current cost for Highlands School is \$8,575,068. He reminded the board that there will not be any financing for the Highlands School project, but that the county would be financing \$75.6 million for the FHS project.

Mr. Roland reviewed the recommended annual capital allocations for Fiscal Year 2024-2025 in addition to the school projects as well as the existing and proposed debt service, and indicated that all project are based on a five percent finance rate.

Mr. Roland said this is the first time in five years that operational funding has been increase by this board. He said we are in great financial shape even though costs have increase in the recent months. Mr. Roland indicated that the architects and Construction Management (CM) at Risk need project ceilings so they can move forward with planning for the groundbreaking at FHS this summer. He stated that consensus is needed on a ceiling of \$137,624,444 for the FHS project, to authorize the County Manager to execute contract amendments with LS3P for \$238,081 with the accompanying budget amendment from General Fund Balance, to authorize the County Manager to enter into a construction contract with Carroll Daniel containing a guaranteed maximum price (GMP) amendment 1 in the amount of \$411,644 with the accompanying budget amendment from General Fund Balance. Mr. Roland indicated that consensus is needed on a ceiling of \$8.5 million for the Highlands Project, and consensus for the architect contract to be amended in the amount of \$16,643. A copy of Mr. Roland's presentation is available in the office of the Clerk to the Board.

Mr. Breedlove opened a discussion with his board to discuss the Franklin High School Project and Highland School Project ceilings and actions as presented by Mr. Roland. After the discussion and unanimous votes by the Board of Education, Commissioner Shields asked for a motion from the Board of Commissioners. Commissioner Young said he wants to open this up to a work session as stated on the agenda and wants to have a Q&A so that everyone understands there are conversations of substance and put the architects on the hot seat to see why the costs have increased. Kyle Dorsey and Jess Hughes from Carroll Daniel Construction gave an explanation of the estimated GMP of \$137 million for FHS and said they will work hard to make sure that on bid day this is the figure that comes through. Commissioner Shearl said he has not seen any project plans in months that he had hoped the project would be below \$100 million or no more than \$100 million and signed letter to the State which said that if we got the \$60 million we would move forward with the project. He indicated that he has not seen anything that shows what we are getting in the athletic complex, FHS, or the cost associated with the tearing down of the current structures at FHS. Commissioner Shearl said at the last meeting he voted for a project without seeing plans because those plans were not done to spec and said he will not vote for any other project without first talking to his constituents or seeing plans. Commissioner Young said he came to this meeting expecting this to be a work session and that tonight is an opportunity to go over and discuss the projects and said he thought Commissioner Shearl had a valid point. Commissioner Shields said we need to move forward due to the timeframe that we are in and there are a number of things the construction folks need to start now and this summer and not wait until school starts. He said if we go into delay mode we will have a campus that becomes high risk for safety. Commissioner Antoine said he is absolutely for the FHS project and he is concerned about how the cost increased and thought this was a work session and did not know he was going to be expected to vote for anything tonight.

Mr. Dorsey and Mr. Hughes with Carroll Daniel Construction explained the summer work that needs to occur so that agricultural classes are not displaced when school starts in the fall. They said this needs to be approved in the next couple of weeks in order to have construction completed before school starts. Commissioner Shields said these things are a necessity and we need to find a way to allot the funds as this is a safety issue. Emily Kite with LS3P explained that the total cost of work for just construction is \$124,879,436, furniture, fixtures, and equipment are estimated at a cost of \$6,859,649, and estimated soft costs are \$5,704,620. A copy of the presentations are available in the office of the Clerk to the Board.

Mr. Breedlove said there had been community meetings and a mockup of the plan which is posted on the county website and that the Board of Education has looked at the information, has met, and feels this is as good as it gets. He said they took the action because they felt comfortable in the information they have and in no way to pressure the Board of Commissioners to take action.

Commissioner Higdon said he thought this was a work session to discuss the Board of Education capital projects and work them into our budget and that he is not ready to vote on anything until we work this into the budget. Attorney Ridenour said we are not signing anything at this time but that consensus is needed for the budget process. He said the only contracting piece tonight is the \$411,644 for Carroll Daniel and \$238,081 for the LS3P contract amendment.

Emily Kite with LS3P provided an overview and summary of the overall project including the athletic complex, drainage from the roundabout to Phillips Street, fill dirt plans, retaining walls, band room, etc. Commissioner Shearl said if we approve the \$411,644 that will commit the Board of Commissioners to build a new high school and that without seeing and understanding where all these

numbers come from he can't see how anyone can vote to spend this kind of money. Carroll Daniel representatives stated that approving the funds does not lock the Board in to moving forward which Mr. Roland clarified.

Ms. Kite and representatives from Vannoy Construction explained where the estimates are coming from with a Cost Estimator as well as the CM at Risk figures for the Highlands School as well as increases such as additional structural design needed based on the geo-tech findings that we did not have at the beginning.

Commissioner Young, made a motion, seconded by Commissioner Antoine, to enter into contract with Carroll Daniel in the amount of \$411,644 from General Fund Balance. In discussion, Commissioner Shearl questioned how this can be done without approving the ceiling and said he is not in agreement. Commissioner Higdon said he has expressed his feeling. The vote was 3-2 with Commissioner Antoine, Commissioner Shields, and Commissioner Young voting in favor of the motion and Commissioner Higdon and Commissioner Shearl opposed.

Commissioner Young made a motion, seconded by Commissioner Antoine to enter into a contract with LS3P in the amount of \$238,081 from General Fund Balance. In discussion, Commissioner Shearl said his reasoning stands. The vote was 3-2 with Commissioner Antoine, Commissioner Shields, and Commissioner Young voting in favor of the motion and Commissioner Higdon and Commissioner Shearl opposed.

Commissioner Shearl stated he wants the record to reflect that he does not support the ceiling of \$137,624,444 for the FHS project. Commissioner Antoine explained that the people of Macon County are not going to be on the hook for \$137 million and that this figure is a cap and not what is being financed. He said that approximately \$75 million would be financed. Commissioner Antoine said this high school should have been taken care of a long time ago, even in the 90's when we found out the facility was not ADA compliant yet we have drug it out for 30 years.

Vannoy Construction representatives gave an overview of the scope of work for Highland School and provided a PowerPoint with a breakdown by area. The indicated they will be at the June 11, 2024 regular meeting to present some total costs for summer work. Commissioner Young made motion, seconded by Commissioner Antoine, to enter into contract with LS3P for \$16,463 for summer work. After a brief discussion, the vote was 4-1 with Commissioner Antoine, Commissioner Shearl, Commissioner Shields, and Commissioner Young voting in favor of the motion and Commissioner Higdon opposed.

Mr. Todd Gibbs with Macon County Schools gave an update on the geo-tech report for the Highlands soccer field which he says was originally built on top of a pond and swamp muck causing the water to just sit on top of the field. He said the geo-tech report recommends taking out all the muck and refill the area with aggregate, or design a system that over time will fail. Mr. Gibbs said there are four streams that come in to that property as well as some spring heads all of which are problematic in trying to design the field.

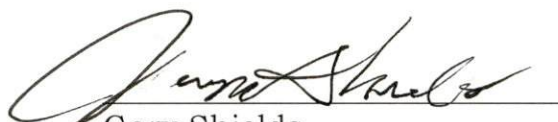
Mr. Breedlove said they did submit a request for total needs requests and requested the Board of Commissioners review those for consideration. After a brief discussion about East Franklin School, Mr. Breedlove said Macon County Board of Education Attorney Henning had prepared a Memorandum of Understanding (MOU) which will be delivered to the Board of Commissioners for consideration for approval at the June 11, 2024 meeting. Mr. Henning said it is a standard MOU that we have previously approved for other projects. Mr.

Breedlove spoke about a letter that the Board of Education proposed at their last meeting and requested that the Board of Commissioners join with them in standing up for the support of funding for public education.

RECESS - Commissioner Shearl suggested a budget work session before the June 11, 2024 meeting and made a motion, seconded by Commissioner Higdon, to recess to June 4, 2024, at 6:00 p.m. in the Commissioners Board Room. The vote was unanimous.



Derek Roland
Ex Officio Clerk to the Board



Gary Shields
Board Chair