

November 22, 2011

A special meeting of the Weston County Commissioners convened at 10:00 a.m. with Chairman Tom W. Bruce presiding. The purpose of the special meeting was to discuss the Weston County Event Center. Chairman Bruce announced that the meeting would be audio recorded for future reference. Fran Lehman was present to audio record the session. Present for the meeting were Commissioners: Tom W. Bruce, Marty Ertman, Lenard D. Seeley, Jerry Shepperson, County Clerk, Mamie C. Krank, and County Attorney, Donald B. Hansen. Commissioner Randy Rossman was not present for the meeting.

Also in attendance: Kyle Gillette, Schutz Foss Architects, Dean Kettley, Fairgrounds Manager, Bob Bonnar, News Letter Journal, Jerry Hunt, Weston Engineering, and Susan Overman, County Treasurer.

Weston County Event Center

Kyle Gillette, Schutz Foss Architects, met with the Commissioners to discuss findings at the Weston County Event Center. Mr. Gillette stated there were two major deficiencies at the Weston County Event Center. First, the investigative work initiated by Schutz Foss Architects, completed by a third party, revealed a major water leak in the main line to the building. Second, results of the completed bore testing indicated that there are areas of insufficient compacted fill under the pad footings of the Weston County Event Center. The Commissioners instructed the Fairgrounds Manager, Dean Kettley, to turn the water to the building off immediately to prevent further damage. This may also result in rental cancellations of the building indefinitely. The Commissioners agree that Schutz Foss Architects should continue to represent Weston County and discussed a change to the scope of work to the current contract. The Commissioners requested Schutz Foss Architects prepare a notice to the Contractor, Paul Reed Construction, stating the findings; and prepare a notice to the Contractor's bonding company of an anticipated claim. The Commissioners request both notices be reviewed by Weston County Attorney Donald B. Hansen before being mailed.

The hour being 10:40 a.m. County Attorney Donald B. Hansen left the meeting.

Discussion ensued regarding preparing a claim to submit to Paul Reed Construction for the repairs and or replacement of the damaged building. The Commissioners discussed having a meeting with the Contractor, Paul Reed Construction. Mr. Gillette raised concerns regarding payment for services rendered to investigate and determine the causes of the damage at the Weston County Event Center. At this time, the Commissioners do not feel the financial responsibility lies with Weston County. Mr. Gillette read a portion of a letter from Paul Reed Construction addressed to Schutz Foss Architects, requesting 50% of the payment currently retained by Weston County. A motion was made by Commissioner Shepperson to pay 50 % of the retained payment due to Paul Reed Construction, in order that sub-contractors who have no involvement with the issues at the Weston County Event Center may be paid. Motion failed due to a lack of a second. Mr. Gillette then addressed the Commissioners to request the release of payment due to Schutz Foss Architects. A motion was made by Commissioner Seeley, seconded by Commissioner Shepperson, to release the retained payment of \$4,050.00 to Schutz Foss Architects. Discussion ensued. Commissioner Ertman requested the name of the Weston County Event Center Project Supervisor. Mr. Gillette responded, stating Schutz Foss Architects was the project supervisor and his firm had not received any change orders from Paul Reed Construction with regard to the issues being discussed. Motion carried. The vote was as follows: Commissioners Shepperson and Seeley voted yea, Commissioner Ertman voted nay.

There being no further business to come before the Commission, the meeting adjourned at 11:18 a.m.

Attest: Mamie C. Krank
County Clerk

Tom W. Bruce
Chairman