

MINUTES OF THE MONTHLY MEETING
OF THE
PUBLIC BUILDING COMMISSION OF McLEAN COUNTY, ILLINOIS

Tuesday, October 3, 2017, 3:30 p.m. CDT

The Regular Meeting of the Public Building Commission of McLean County, Illinois (the “Commission”) was called to order by Chairman Novosad on October 3, 2017 in Room 404 of the Government Center, 115 East Washington Street, Bloomington, McLean County, Illinois.

Secretary Morel called the roll, with the following members answering “present”: Messrs. Novosad, Morel, Zimmerman, Funk, Harris, Farnsworth, and Schultz. Messrs. Good and Reid were absent.

Also present were Commission Attorney Robert Porter; Commission Treasurer James Mulligan; McLean County Administrator Bill Wasson; McLean County Director of Facilities Management Jack Moody; McLean County Director of Administrative Services Eric Schmitt; and Project Manager John Bishop of the Farnsworth Group, Inc.

Edith Brady-Lunny of *The Pantagraph* was present. No other members of the media, press, and/or radio were present.

Chairman Novosad presented the Minutes of the August 1, 2017 Regular Meeting of the Commission for approval. Chairman Novosad asked if there were any corrections, additions, and/or revisions to the Minutes. Hearing none, Chairman Novosad asked for a Motion to approve the Regular Meeting Minutes. It was moved by Mr. Zimmerman and seconded by Mr. Harris that the Minutes of the August 1, 2017 Regular Meeting be approved as submitted. Chairman Novosad called for a vote on the Motion to approve the Minutes and the Motion was unanimously approved by voice vote.

Chairman Novosad then asked Commission Attorney Robert Porter to present the Minutes of the April 7, 2015 Executive Session Meeting for review by the Commission pursuant to 5 ILCS 120/2.06(d). Mr. Porter noted that, under Section 2.06(d) of the *Illinois Open Meetings Act*, public entities are required to review the closed minutes of their executive sessions on a semi-annual basis. Mr. Porter further stated that, upon review, a public entity can vote to publish the closed minutes or vote that the closed minutes remain sealed. Although Mr. Porter indicated that the underlying circumstances necessitating the April 7, 2015 Executive Session Meeting had changed, he stated that he was still reviewing the matter to determine whether the Commission should in fact publish said Minutes at a subsequent meeting. In the meantime, Mr. Porter recommended that the Commission

simply vote to continue keeping its April 7, 2015 Executive Session Meeting Minutes sealed until further review pursuant to Section 2.06(d) of the *Illinois Open Meetings Act*. Mr. Porter noted that the Commissioners could discuss the matter further in executive session should they wish. Hearing no Motion for an executive session, Chairman Novosad asked for a Motion that the Minutes of the Commission's April 7, 2015 Executive Session remain sealed until further review in accordance with 5 ILCS 120/2.06(d). It was moved by Mr. Harris and seconded by Mr. Funk that the Minutes of the April 7, 2015 Executive Session remain sealed until further review in accordance with 5 ILCS 120/2.06(d) and the Motion was unanimously approved by voice vote.

Chairman Novosad next asked Commission Treasurer James Mulligan to present the Treasurer's Report for the fiscal year. Mr. Mulligan first (1st) noted that the Commission had recently received its second (2nd) lease payments from McLean County and the City of Bloomington in the combined amount of approximately six million three hundred thousand dollars and 00/100 (\$6,300,000.00). Mr. Mulligan then indicated that the Commission would soon be making debt service payments on November 1st (Series 2010 and 2013 Public Building Refunding Bond Issues) and December 1st (Series 2015 Public Building Revenue Bond Issue). Mr. Mulligan further stated that the Commission had received its first (1st) installment payments from McLean County and the City of Bloomington under the Capital Improvement Agreement in the combined amount of sixty thousand dollars and 00/100 (\$60,000.00).

Mr. Mulligan next indicated that the Commission would be making three (3) months' worth of operation and maintenance payments to McLean County in the amount of approximately six hundred thirty thousand dollars and 00/100 (\$630,000.00). Mr. Mulligan stated that the foregoing payment would bring the Commission current through September 30, 2017. Mr. Mulligan further noted that he had recently spoken with Dawn Carlson of Sulaski & Webb, CPAs about performing the Commission's Fiscal Year 2017 Audit. Mr. Mulligan stated that Sulaski & Webb, CPAs would once again perform this service for eleven thousand dollars and 00/100 (\$11,000.00). Mr. Mulligan lastly noted that the September 2017 payments to the Farnsworth Group, Inc. and River City Construction, LLC. would need to be ratified as the Commission failed to achieve a quorum at its September 11th Rescheduled Meeting.

Chairman Novosad then asked if there were any questions or comments for Mr. Mulligan on the Treasurer's Report. Hearing none, Chairman Novosad asked for a Motion to approve the Treasurer's Report and proposed payments as submitted. It was moved by Mr. Farnsworth and seconded by Mr. Zimmerman that the Treasurer's Report and proposed payments be approved as submitted. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next turned to the Commission's "Old Business" and asked County Director of Facilities Management Jack Moody to address the Government Center's mezzanine roof replacement. Mr. Moody first (1st) noted that Henson Robinson Company had recently completed the mezzanine roof's membrane and is currently fabricating the roof's metal flashing. Mr. Moody stated that the mezzanine roof replacement is nearly complete.

Chairman Novosad then asked Mr. Moody whether he was pleased with the work and Mr. Moody responded in the affirmative.

Chairman Novosad next asked if there were any questions or comments for Mr. Moody on the Government Center's mezzanine roof replacement. Hearing none, Chairman Novosad turned to the Commission's "New Business" and asked Mr. Moody, County Administrator Bill Wasson, County Director of Administrative Services Eric Schmitt, and Project Manager John Bishop to discuss the McLean County Law & Justice Center Expansion Project.

Mr. Moody initially noted that River City Construction was in the process of pouring concrete slabs for the new Jail facility's basement and would soon begin electrical work. Mr. Moody next stated that a "walk-through" for the new Jail facility's gas line runs would occur the day after the Commission's meeting. Mr. Moody then noted that steel erection remains ongoing and that the Project is progressing ahead of schedule.

Project Manager John Bishop noted that steel erection is progressing more quickly than Project Manager Matt Brown of River City Construction had initially anticipated. Mr. Bishop stated that the new Jail facility's steel framing was complete up to the third (3rd) floor. Mr. Bishop indicated that the new Jail facility's pre-cast concrete façade and interior cells would begin to be erected in November. Mr. Bishop then showed the Commission construction photographs of the new Jail facility's third (3rd)-floor roof line, penthouse, elevator shaft, and foundation. Mr. Bishop noted that the steel has been entirely fabricated and that the individual cells are approximately fifty-percent (50%) fabricated.

Chairman Novosad asked Mr. Bishop about the make-up of the cells and Mr. Bishop indicated that the cells were being constructed out of pre-fabricated steel.

Mr. Bishop then noted that the overall Project was ahead of schedule and that Mr. Brown wants the new Jail facility to be move-in ready at the time of substantial completion.

Chairman Novosad then specifically asked Mr. Bishop about the Project schedule and Mr. Bishop stated that the Project was one (1) to one and-a-half (1.5) months ahead of schedule. Mr. Bishop stated that the weather has been great and that there has been a general lack of surprises on site.

Mr. Farnsworth then asked County Administrator Bill Wasson about staffing needs for the new Jail facility. Mr. Wasson responded by indicating that McLean County's Fiscal Year 2018 Budget provides for staffing to stand up and occupy the new Jail facility, while, at the same time, turning over large sections of the existing structure to renovations.

Mr. Farnsworth then asked Mr. Wasson whether the County would be hiring new people to staff the new Jail facility or cross-training existing employees. Mr. Wasson responded by noting that

McLean County would both hire new employees and cross-train existing employees.

Mr. Harris then noted that River City Construction's cash-flow analysis listed projected construction expenses for September 2017 of approximately one million eight hundred thousand dollars and 00/100 (\$1,800,000.00) versus actual costs of three million two hundred thousand dollars and 00/100 (\$3,200,000.00). Mr. Harris asked Mr. Bishop whether this discrepancy was attributable to the fact that the Project was ahead of schedule and Mr. Bishop responded in the affirmative. Mr. Bishop further noted that he had backed down the steel fabricator's most recent billing.

Mr. Harris next asked whether River City Construction's cash-flow analysis included retained amounts and Mr. Bishop responded in the affirmative.

Chairman Novosad then asked if there were any additional questions for Messrs. Moody, Wasson, or Bishop regarding the status of the McLean County Law & Justice Center Expansion Project. Hearing none, Chairman Novosad asked Mr. Moody to address the issue of environmental remediation in the McLean County Law & Justice Center.

Mr. Moody stated that there may be a need to perform limited asbestos remediation in the near future. Mr. Moody specifically indicated that a room in the east side cell block of the existing Jail contained vinyl asbestos tile and mastics that may soon be disrupted. Mr. Moody indicated that McLean County was seeking the Public Building Commission's concurrence and authorization to seek quotes for this possible asbestos remediation.

County Director of Administrative Services Eric Schmitt added that the possible asbestos remediation would pertain to gas routing.

Mr. Porter stated his understanding that River City Construction would begin routing gas lines from the existing Law & Justice Center to the new Jail facility within the next several weeks. Mr. Porter noted that, as a part of this process, there may be a limited amount of asbestos remediation required as a part of laying new gas lines and fireproofing. Mr. Porter stated that this remediation would be separate and apart from the broader remediation work slated to be performed next spring or summer. Mr. Porter noted that the Commission was being asked to approve the County seeking quotes for this limited remediation work as well as authorizing Chairman Novosad to sign a remediation contract for a not-to-exceed dollar amount of five thousand dollars and 00/100 (\$5,000.00). Mr. Porter stated that the Commission's enabling statutes empower it to directly contract for professional services without a public bidding process provided that the contract does not exceed twenty thousand dollars and 00/100 (\$20,000.00). Mr. Porter indicated that he had previously explored the possibility of the Farnsworth Group contracting with an asbestos remediation firm and passing those costs along to the Commission through a Farnsworth Group invoice. However, Mr. Porter indicated that the Farnsworth Group would not agree to this arrangement absent changes to its contract with the Commission. Mr. Porter stated that he deemed these changes to be unacceptable.

Chairman Novosad then inquired as to the cost of the broader remediation set to take place next spring and summer. Mr. Porter responded by noting that the cost was expected to exceed twenty thousand dollars and 00/100 (\$20,000.00) and that, as a result, the remediation work would need to be put out for public bidding.

Chairman Novosad then remarked that he did not recall Mr. Bishop ever mentioning that the broader asbestos remediation would prove to be excessively expensive and Mr. Bishop agreed with Chairman Novosad's recollection.

Chairman Novosad then asked if there were any questions or comments regarding the issue of environmental remediation in the Law & Justice Center. Hearing none, Chairman Novosad asked for a Motion to authorize McLean County to obtain quotes for the performance of environmental remediation at the McLean County Law & Justice Center and for Chairman Novosad to execute a contract for said environmental remediation services at a not-to-exceed amount of five thousand dollars and 00/100 (\$5,000.00). It was moved by Mr. Harris and seconded by Mr. Funk to authorize McLean County to obtain quotes for the performance of environmental remediation at the McLean County Law & Justice Center and for Chairman Novosad to execute a contract for said environmental remediation services at a not-to-exceed amount of five thousand dollars and 00/100 (\$5,000.00). Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next indicated that the Commission received an invoice from the Farnsworth Group on September 6th in the amount of forty-four thousand nine hundred fifty-seven dollars and 41/100 (\$44,957.41). Chairman Novosad noted that the invoice constituted sums incurred by the Farnsworth Group for their work in August 2017. Chairman Novosad indicated that Mr. Moody had previously reviewed and approved the Farnsworth Group's August 2017 invoice. Chairman Novosad noted that Mr. Mulligan furnished the Farnsworth Group with a check in the amount of forty-four thousand nine hundred fifty-seven dollars and 41/100 (\$44,957.41), subject to ratification, on September 12th as the Commission failed to achieve a quorum for that meeting.

Chairman Novosad asked if there were any questions or comments regarding the Farnsworth Group's August 2017 invoice. Hearing none, Chairman Novosad asked for a Motion to ratify payment to the Farnsworth Group in the amount of forty-four thousand nine hundred fifty-seven dollars and 41/100 (\$44,957.41) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of August 2017. It was moved by Mr. Farnsworth and seconded by Mr. Harris to ratify payment to the Farnsworth Group in the amount of forty-four thousand nine hundred fifty-seven dollars and 41/100 (\$44,957.41) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of August 2017. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next indicated that the Commission had been presented with an invoice from the Farnsworth Group in the amount of seventy-nine thousand four hundred seventy-four

dollars and 60/100 (\$79,474.60). This amount represented the fee incurred by the Farnsworth Group during the month of September 2017.

Chairman Novosad asked Mr. Moody whether the invoice was in order. Mr. Moody indicated that the invoice was in order and that it represented costs associated with the completion of forty-percent (40%) of the Project's construction phase.

Chairman Novosad asked if there were any questions or comments regarding the Farnsworth Group's September 2017 invoice. Hearing none, Chairman Novosad asked for a Motion to approve payment to the Farnsworth Group in the amount of seventy-nine thousand four hundred seventy-four dollars and 60/100 (\$79,474.60) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of September 2017. It was moved by Mr. Harris and seconded by Mr. Zimmerman to approve payment to the Farnsworth Group in the amount of seventy-nine thousand four hundred seventy-four dollars and 60/100 (\$79,474.60) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of September 2017. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next noted that the Commission had received an invoice from River City Construction on September 6th in the amount of one million six hundred twenty-eight thousand eight hundred eighty-six dollars and 40/100 (\$1,628,886.40). This amount represented the fee incurred by River City Construction during the month of August 2017. Chairman Novosad noted that Messrs. Moody and Bishop had previously reviewed and approved River City Construction's August 2017 invoice. Chairman Novosad noted that Mr. Mulligan had previously tendered a check to River City Construction in the amount of one million six hundred twenty-eight thousand eight hundred eighty-six dollars and 40/100 (\$1,628,886.40), subject to ratification, on September 12th as the Commission failed to achieve a quorum for that meeting.

Chairman Novosad asked if there were any questions or comments regarding River City Construction's August 2017 invoice. Hearing none, Chairman Novosad asked for a Motion to ratify payment to River City Construction in the amount of one million six hundred twenty-eight thousand eight hundred eighty-six dollars and 40/100 (\$1,628,886.40) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of August 2017. It was moved by Mr. Zimmerman and seconded by Mr. Harris to ratify payment to River City Construction in the amount of one million six hundred twenty-eight thousand eight hundred eighty-six dollars and 40/100 (\$1,628,886.40) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of August 2017. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next indicated that the Commission had been presented with an invoice from River City Construction in the amount of two million nine hundred twenty-one thousand three

hundred seventy-seven dollars and 14/100 (\$2,921,377.14). This amount represented the fee incurred by River City Construction during the month of September 2017. Chairman Novosad asked Mr. Moody whether the invoice was in order and Mr. Moody responded in the affirmative. Chairman Novosad then asked Mr. Bishop whether he had approved the invoice and Mr. Bishop responded in the affirmative.

Chairman Novosad then asked if there were any questions or comments regarding River City Construction's September 2017 invoice. Hearing none, Chairman Novosad asked for a Motion to approve payment to River City Construction in the amount of two million nine hundred twenty-one thousand three hundred seventy-seven dollars and 14/100 (\$2,921,377.14) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of September 2017. It was moved by Mr. Harris and seconded by Mr. Farnsworth to approve payment to River City Construction in the amount of two million nine hundred twenty-one thousand three hundred seventy-seven dollars and 14/100 (\$2,921,377.14) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of September 2017. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad then turned to the Commission's "Other Business" and recognized Mr. Moody. Mr. Moody indicated that a column located near what will be the new Jail facility's south sally port had to be removed in order to facilitate sheet piling. Mr. Moody stated that this column contained electrical wiring for a police signal. Mr. Moody stated that McLean County had to hire an electrical contractor for one thousand four hundred dollars and 00/100 (\$1,400.00) to facilitate this work. Mr. Moody then requested that the Commission reimburse the County in this amount.

Chairman Novosad stated his concern about how these types of unforeseen costs could strain the overall Project budget.

Mr. Zimmerman then inquired about the availability of contingency funds to fund this request.


Mr. Porter stated that the Commission had built approximately one million dollars and 00/100 (\$1,000,000.00) of contingency into the contract sum. Of this amount, Mr. Porter noted that approximately nine hundred thousand dollars and 00/100 (\$900,000.00) in contingency remained. Mr. Porter stated that the Commission could not vote on Mr. Moody's request as it was not on the Agenda, but that the item could be added to the November 2017 Agenda.

Mr. Bishop then indicated that the approximately twenty-one thousand dollar and 00/100 (\$21,000.00) contingency allowance request that he had previously discussed with the Commission had become a thirty-two thousand dollar and 00/100 (\$32,000.00) credit. Mr. Bishop stated that these savings were achieved by changing the type of electrical conduit that will be used in the new Jail facility's pre-cast concrete walls.

Chairman Novosad lastly noted that the Commission's fiftieth (50th) anniversary open house had been a success and that *The Pantagraph* article on the Commission had been very complimentary and well-written.

Chairman Novosad then asked whether any Commissioner had any additional "Other Business" to discuss before the Commission. Hearing no "Other Business," Chairman Novosad asked for a Motion to adjourn and reconvene sine die to reorganize. It was moved by Mr. Harris and seconded by Mr. Farnsworth that the meeting adjourn and reconvene sine die to reorganize and the Motion was unanimously approved by voice vote. The meeting was adjourned at 4:10 p.m. The next regular meeting of the Commission will be Tuesday, November 7, 2017, at 3:30 p.m.

APPROVED:

November 7, 2017 
JOHN L. MOREL,
Secretary, Public Building Commission