

**CASWELL COUNTY BOARD OF COMMISSIONERS**  
**MEMBERS PRESENT**

**March 11, 2024**  
**OTHERS PRESENT**

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Jeremiah Jefferies, Chair  
Finch Holt, Vice Chair  
Ethel Gwynn  
Rick McVey  
Frank Rose  
Tim Yarbrough

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Scott Meszaros, County Manager  
Melissa Williamson, Deputy County Manager  
Russell Johnston, County Attorney  
Carla Smith, Clerk to the Board

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The Board of Commissioners for the County of Caswell, North Carolina, met in a Regular Meeting on Monday, March 11, 2024 at 3:30 pm at the Historic Courthouse.

**WELCOME:**

Chairman Jefferies called the meeting to order, and welcomed everyone to the Caswell County Board of Commissioners meeting on March 4, 2024. Then all paused for a moment of Silent Prayer, and the Board of Commissioners and all the guest in attendance recited the Pledge of Allegiance.

**ACTION ITEMS:**

**ELEVATOR REPAIR AT THE COURTHOUSE:**

County Manager Meszaros said are you waiting on me? I'm sorry. So sir do you just want an update on the elevator project on the emergency action that's been requested. I'm assuming that John Satterfield has reached out to all of you individually. He is here to take any questions. Our Maintenance staff is also here. They do have one company that gave a bid. So we have them here to explain and walk you through that process. Also we did try to get a second bid on the work. I don't know how you would like to proceed. To have a presentation or would you prefer to just ask questions? Do you have any process that you would like for us to follow?

Chairman Jefferies said I guess we need to have these guys come and present what they got.

One of the gentlemen said hello everyone. It's nice to meet you. My name is Curtis Lesac, and this is Hunter Hurt. We're representatives of Kone Elevator. We are in the Elevator Constructors Union, or our company is. So we have been providing maintenance and repair work on the elevator in question, and it's our recommendation, which we submitted pricing for a full modernization of that elevator equipment. Right now you have a 1976 original Southeastern relay hydraulic elevator. So the design of this controller is off of relays and contacts. It's a hydraulic elevator so it uses oil going through a valve and a pump to push the piston up in the jack. Then it would go through the controller, which is the relay system I'm talking about. The current design is a microprocessor design, which is our recommendation to upgrade the entire system to that design, and which we have submitted pricing for.

Chairman Jefferies said any questions?

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Commissioner Rose said yes. When did you get called out on this to look at it? Curtis Lesac said to look at the design. Probably around August of last year would be roughly the time when we came out. Commissioner Rose said did you ever have to come out as far as any repairs to the current system that we do have? Mr. Lesac said yes. So last year, we did perform a door operator upgrade. So the motor mechanism that opens the elevator had to be replaced. We didn't charge for that component and removed that from the scope of the modernization quote submitted. Vice Chairman Holt said what did you say in the last part of that statement? Mr. Lesac said the cost for the door operator upgrade that was put in was removed from the scope, and the price reflects that. So we would keep that system. It's a current GAL closed loop harmonic door operator, which is an upgrade. We performed that work in July of last year.

Commissioner McVey said how much did we spend on that elevator last year? I believe that that scope of work was around \$32,000. Commissioner McVey said what was the total for the year? Do you know? County Manager Meszaros said so R.D, do you know the timing on the door. I think it was just performed. R.D Hayes, Maintenance Director said I know we put the door closure... Commissioner McVey said come up here. Come up here so we can hear you better. Mr. Hayes said we put the door closure on. The state of North Carolina has an elevator inspector that comes out. Prior to COVID, he has not been out. Prior to the ex-Maintenance Director, he said he couldn't get in touch with him. So he hadn't been out then. So he showed up about, what was it, two months ago or three months ago. He wrote us up on all of our elevators and was trying to shut all of them down at one time. With me, Mr. Lesac, Mr. Hurt, and couple of other ones, we kept the elevators up and running. Then I went to shuffling money back and forth trying to get this fixed, that fixed, and this fixed. Then I also talked to him and told him that I could get the others fixed when my budget kicked in. I didn't have the money to do all the repairs, but I was trying to get them safe enough to where people or the public wouldn't get hurt getting in and out of them and stuff like that. As far as cost in that elevator right now, John, they're coming out what every two to three weeks and working on it. When they pull up, it's anywhere from \$1,500 to \$3,500 a pop. Commissioner McVey said well my question was how much did we spend on that elevator, that particular one last year? We know we spent \$32,000. Mr. Hayes said I would say we've probably spent between service calls and the door closure \$50,000, and that's just a rough number. Commissioner McVey said all right.

Commissioner Rose said going off that, how many times in the last six months has somebody had to come out and work on it? Mr. Hayes said I would say 20 times. Probably 15 to 20 times maybe. Commissioner Rose said when you say work on it, what do you say? Mr. Hayes said I mean the door has been closed, we've had a capture in it or somebody got stuck in it, it has stopped way above... What's happened is when somebody gets in the elevator right now, when you push the button at any given time either the door won't open, or it's stopping or what they call getting hung in between floors. So when you do get the door open, the elevator is actually 3 foot above the floor. So if I had somebody in there right now, and the other day we did have somebody in it and apparently he had a trauma. My man responded within 6 minutes. I called

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Kone, and you all were here within 34 minutes to do the repair and get it back up and going. My guy got the guy out with a ladder, but if the guy would have been in a wheelchair or something, we would have been in a whole different ball game. That's what that elevator is used for is for disabled people. Commissioner McVey said but that elevator is used all the time. Not for just disabled people. Mr. Hayes said well mainly for disabled to get to the second floor.

Commissioner McVey said so is that stopping, is that because of the hydraulics? Mr. Lesac said well so we ran into an issue with the relay system. It's going off of relays in context. It uses IBM relays that are no longer supported. It went from a relay logic controller to a solid state controller, and now the design is a microprocessor being supported. So the IBM relay was the last failure that we ran into.

Commissioner Rose said you're saying the parts are obsolete? Mr. Lesac said yes. That design has been obsolete.

Vice Chairman Holt said is this price with the jack? Mr. Lesac said no. So the jack itself, which is why we included it as an alternate, is properly operational. It's double bottom jack. It's not a single bottom jack. It's code compliant. With a jack it's buried in the ground. Imagine a solid piece of steel tube that goes in the ground as far down as the elevator goes up. It's in a case. It's a piston inside a jack case. We have not been seeing any issues with the performance of the jack. That's not saying that there is not the potential for it. We cannot tell because we don't have a camera or anything that would go down to inspect the casing of the jack. So in the elevator industry, it's our recommendation to leave the jack alone until it fails, and then address it at that point in time. A lot of times if you do things preventative or proactive, you can run into issues where we just recommend getting the max life out until that component fails. Vice Chairman Holt asked what was the price of the jack? Mr. Lesac said it was \$45,000. So I think the mod itself was \$132,000 and some change, and then the alternate for the jack was \$45,000.

Commissioner Rose said what is the warranty? Mr. Lesac said so the warranty on the equipment with the service... So the parts warranty is one year, but with the service agreement, these parts are not obsolete. So they would be covered in the service agreement. R.D Hayes said and we do have standard up to-date service agreements with Kone right now. Mr. Lesac said correct. Yes. Mr. Hayes said I did try to get other quotes from other elevator companies, but elevator companies are union. So every elevator company has the exact same price as the next one. Mr. Lesac said yes. So our labor comes from the IUEDC, as does Otis, Tisson, Schenler, Southern, and all of them. They pull their labor from the elevators union, and if the scope of work is Apples to Apples, the price should be right in line or there shouldn't be that far of a separation. If there is a far separation, that's usually when I would raise a red flag and ask to compare because chances are on one way or the other. If there's a large gap, they're usually not Apples to Apples.

Commissioner McVey said you say the cost is going to be \$132,000. Mr. Lesac said correct. Yes. Commissioner McVey said that's without the jack. Mr. Lesac said correct. Yes.

Commissioner McVey said so we could be looking at \$200,000. Mr. Lesac said correct. Yes, if

you would like to go with the jack replacement as well. Like I said usually that's not our recommendation, but if it's something that you want to take head on now and avoid having possible issues in the future, yes it would be around that. Commissioner McVey said and at this point there's no other parts available for it. Mr. Lesac said so parts are usually supported around 20 to 30 years from installation. This elevator being a 1976 elevator, it's far past. The parts that are available now are being sourced through, we say, unconventional ways instead of calling up one of the elevator providers and them providing that component. You're finding a lot of rebuilt, resourced, and repurposed components truthfully speaking. So that's the issue that we're running into. Commissioner McVey said what's the estimated time on how long the rebuilt parts would last? Mr. Lesac said to rebuild components that fail for this, it all depends on what's available. We've seen on some rebuilt parts taken truthfully 16 weeks because it's not just somewhere in town that you go to and they swap something out. You have to send it out to a specialty group. So we've seen lead times as long as 16 weeks, worst case scenarios. Commissioner McVey asked what would these rebuilt parts cost in comparison to this? Mr. Lesac said it all depends on what would fail. So it all depends on what's being repaired on the components. R.D. Hayes said and there is a lead time on the parts and stuff to redo this elevator. We swapped the elevator out, I think it was what five to six? Mr. Lesac said five to six weeks. Mr. Hayes said yes, and then you got to do scheduling and getting them out here. Mr. Lesac said yes. So the downtime of the installation would be five to six weeks, and then typically with the hydraulic elevator, it's about 18 weeks lead time once it's ordered, approval drawings are approved, and down payment and everything like that. Usually that's the lead time on manufacturing phase, and then five to six weeks of downtime when we're on site working. Mr. Hurt said the reason for the long lead time for manufacturing is, it's for all intents and purposes, it would be the same as building a new elevator. It is a whole new elevator system.

Commissioner Rose said let me ask you this question. Say this Board decides to do something concerning your company. In this 18-week period of time this elevator goes down another four or five times, are we going to get charged all of that, or is that something you all can say well, we getting ready to put in a new system here. Mr. Lesac said we would work with your team for sure. Commissioner Rose said yes, so you see what I'm saying. Mr. Lesac said I do. Yes. Commissioner Rose said at 18 weeks and this thing has keep giving us problems, there is no telling how many times it'll mess up during that 18-week period of time. Mr. Lesac said correct. Yes. So in a partnership, if your team is giving us the work to redo the elevator system, we would be willing to work with your team for material. That would be a two-way street.

Vice Chairman Holt said let me ask you this. When I went over and looked at everything, I mean it looked like I was looking at an old 20s radio. He said you were replacing the tank and the pipes. The pipes are all underground. Mr. Lesac said yes. Vice Chairman Holt said if I understood you, you don't want to use those old pipes. Mr. Lesac said no. You would get new oil lines. So the price does include removing the existing oil lines that are underground and there's an electrical trough underground. We would remove that, and do new piping, wiring, and trough.

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Vice Chairman Holt said so it's a suspended ceiling in the hallway so you'd have to tear out that hard ceiling in the elevator room or equipment room. Are you all replacing that, or how's all that fit? Mr. Lesac said typically that cost is captured in the work by others, which we can recommend who to have do that work, but if your team has someone who can do the electrical work, the HVAC work, and the fire alarm system, we would recommend that that work take place by your team.

Commissioner Yarbrough said so that cost will be above and beyond what you quoted. Mr. Lesac said correct. Yes. Vice Chairman Holt said that's a big one when you start talking about the electrical and fire alarm system.

Commissioner McVey said so you're looking at \$132,000 plus? Mr. Lesac said correct. So whenever you modernize an elevator and I guess by definition is whenever you upgrade the controller is kind of when the state will deem you have to pull a permit for a modernization. There's additional work by others that has to be done to bring everything else up to code compliant with today's code. Electrical items, some HVAC could fall under that, lighting in your machine room and your pit, outlets, and stuff like that. Commissioner McVey said Mr. Hayes do you have any idea what that cost would be? Maintenance Director, R.D. Hayes, said if we just have to put back the ceiling and the HVAC, the HVAC should just be duct work that can be took a loose, slid to the side, and laid over in the drop ceiling and put back in. As far as the sheet rock repair, we should be able tear that ceiling out and put it back for, I would say, \$1,500 or less: tore out, painted, and put back as long as we do not have to put a sprinkler system or anything in there. As far as the fire detector, it should be able to be unwired, wire natted, and reinstalled back in the ceiling.

Vice Chairman Holt said electrical to the fire, let me get this straight because I know what today's codes mean compared to what those codes are over there. It was tough getting these things passed off on jobs. That didn't have a sprinkler in there, and that whole build was un-sprinkled. Mr. Lesac said so the state would want to see just the hoistway and the machine room brought up to code. So it wouldn't be for the whole building, it would just be for those two areas. Vice Chairman Holt said when you have zero sprinkler... Commissioner Rose said you got no sprinkler system, and you're talking about equipment has got to push that sprinkler system and monitor it? Mr. Lesac said that would be something we can get clarification on with the state. Vice Chairman Holt said that's a game changer.

R.D. Hayes asked does the whole ceiling have to come out of that room? Vice Chairman Holt said it would be just about as easy. Mr. Hayes said I was just thinking if the whole ceiling didn't have to come out of the room and we only had to do half the ceiling for the hydros and electric to run overhead, that means we're not taking out but 40-50% of the room ceiling so the inspector should not say nothing. If we leave the firewall where it is, cover it with a plastic bag, do the demo and the work, then we can repair the sheetrock around where the new hydro electric's going and leave it the same. Vice Chairman Holt said yeah and you're right, but he's saying it's

got to come up to today's codes with his. R.D. Hayes said well that would be something you would have to ask the inspector of the county. Mr. Lesac said correct. We would ask him and get clarification on that. R.D. Hayes said I don't see where they would make us put a sprinkler system in them two rooms unless we were doing the whole building renovation or if we were tearing the whole ceiling completely out of that room. Mr. Lesac said yes, we can. That's something we can get clarification on with the state inspector. It's typically or my experience with it is if there's an existing sprinkler, you have to make sure that meets code. There's not an existing sprinkler... Commissioner Rose said that's my question. Will it be a County Inspector decision or a State Inspector? Mr. Lesac said the state of North Carolina. Vice Chairman Holt said it won't be an inspector here. Mr. Lesac said yes, it would be the North Carolina Department of Labor. R.D. Hayes said and they are in very good contact with him. That's why we got the elevators that we got, how we got them, and where they're at right now is because like I said during his inspection three months ago, it was all about him shutting them down within 24 hours. Mr. Lesac said so we will get clarification for you.

Commissioner Yarbrough said two or three questions. You said if you replaced the jack, it was \$45,000. Correct? Mr. Lesac said correct. Yes. Commissioner Yarbrough said all right. You're recommending to not do that, correct? Mr. Lesac said yes. If it's properly operational, which it is at this point in time, we would not recommend it. Commissioner Yarbrough said okay. I know everybody hates a what if question. If 6 months from now that jack goes out is the cost still going to be close or around \$45,000, or can you say? Is it going to be more since you've done all this other replacements? Mr. Lesac said it would be close to 45. Commissioner Yarbrough said okay. All right. Payment terms, I know you talk about a down payment. What are you requiring down from the county? Mr. Hurt said 30%. Commissioner Yarbrough said when is the balance due? Upon completion. The balance is due at completion. Mr. Hurt said the balance like the final balance? Commissioner Yarbrough said yes. Mr. Hurt said so it's on page... Commissioner Yarbrough said I saw this when I walked in. So I hadn't had a chance to read over it. Mr. Hurt said on page 18, it has the payment terms. It will be billable to do at the following billing cycle starts. R.D. Hayes said normally what we do is like with the door closure. You all signed off on that on the budget prior to this one. We sent them a deposit, they order the parts, they do the work, and then they send me a bill. Then I'll make sure everything's up to snuff on our end. Then we send it through Finance, and Finance pays it. Commissioner Yarbrough said so you said 18 weeks to get whatever you have to have. Then five to six weeks after that is installation. So we're looking at close to six months. Correct? Both Mr. Hurt and Mr. Lesac said yes. Mr. Hurt said so obviously one caveat to that or one piece to that would be obviously if it were to be approved, when that happens, and how that would align with our other schedule as far as other jobs that are being worked or are already on the schedule. But it would be fair to say that six months would be a fair assumption.

Commissioner McVey said so are you going to try to keep this elevator going until the other one comes in? Mr. Lesac and Mr. Hurt said yes. Commissioner McVey said so if it's going to be 18

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weeks, you would have the opportunity to maybe put it on the new budget. R.D. Hayes said it was in my new budget. Commissioner McVey said okay. Mr. Hayes said this bid has been in the works like he said since last August. We've been working on this, and it was in my budget. It's been in Finance now for probably a good two weeks. I turned in all my budgets, and that written quote that you all have in front of you was in my budget book. I was just hoping I could get it passed through the new budget, and there's more elevator issues in that new budget that's going to have to be addressed at other buildings too. If it's not, the state's going to lock the doors on them.

Commissioner Rose said one more question. How long would it take you to get this other information? As far as from the Department of Labor, as far as electrical and this other stuff. Is that something you could find out this week? Mr. Lesac said yes, I would say by the end of the week at the absolute latest.

Vice Chairman Holt said if he says that, could you possibly get him to send you something in writing. Mr. Lesac said yes. Vice Chairman Holt said I'd appreciate that. Mr. Hurt said it would be coming from... We'll get an email from Jeff Cole. R.D. Hayes said this state inspector, he's actually a really nice guy. He's a very young guy, but he's a really nice guy. I mean we have an elevator at Guilford Mills that we've been working on that has a groundwater issue. It's mixing with hydraulic fluid, and we've been having to pump it out in tanks and disperse of it that way. That's actually in the new budget, but he's actually been working with us on this. He could say no cut it off and tag it out, but he's actually been nice enough to work with us on it. Mr. Lesac said yeah him and then Jeff Cole, being over the inspectors, he's the one who would enforce the code or have final say. If there's ever a discrepancy, the inspectors would reach out to him. Mr. Hurt said he's the one who also we would be reaching out to for his approval. R.D. Hayes said this is something that just didn't happen overnight. I've been here almost two years, and we've been fighting it ever since the day I walked in.

Commissioner Rose said I can actually say that more than likely that elevator probably has been used more since 2014 until today than it ever has. That's because of Courthouse security where everything was funneled in one location. The only way from downstairs to upstairs is the elevator or the back stairs.

Commissioner Gwynn said what was the length of time you said it would take if you were given the contract to do it? How long? Mr. Hurt said so it's 18 weeks from the time we get down payment and approval on like our submittal. So we submit to you guys fixture drawings and stuff like that for your approval. Once we get those, that kind of triggers the manufacturing, and that's typically 18 weeks. Then after that once the material was delivered and we had an agreed upon start date, it'll be about five or six weeks down time for the installation. Vice Chairman Holt said so it's 18 weeks from submittal. Mr. Hurt said yes. So once it's approved, I have a stack of paper or survey forms that we'd have to come back out and do very in-depth surveys. Obviously we've done a preliminary survey, enough to quote it, but then there's a lot of engineering drawings and

forms that we'd have to fill out Mr. Lesac said for our team. Mr. Hurt said for our side. We submit that to our engineering team, and typically they'll come back with questions. It might sometimes require another site visit sometimes, and sometimes it doesn't. Then once all those questions are answered, they will release the submittals to us. We review them on our end just to make sure everything works and makes sense, and we submit what we had to you for you guys to approval. Like I said the fixtures, the finishes, and stuff on that. Then once we have all that information that would trigger the manufacturing date.

Vice Chairman Holt said I hate to bring this up. I know it was new construction, but we had to do a whole lot of stuff for the elevator platforms for you to work on and all these kind of things. I know you said there was things that you were leaving out like we've already talked about; is there any safety issues like that? Platforms or anything? Mr. Lesac said so when you talk about like the new construction, there's not. Like the platforms and stuff like that, not really. The only other thing we would require, it's in here as well, is an agreed upon like storage location as close to the elevator as possible. Vice Chairman Holt asked does it have to be secure by us? Mr. Lesac said what do you mean exactly. I guess every job's different when it comes to storage. Vice Chairman Holt said so we've gotten busted on it had to be a secured place, and we were responsible for it. It got technical. Mr. Lesac said the difference with the new construction compared to this is that here it's an existing building. So a lot of times we just require a room nearby the elevator. We're not requiring you know it to be... R.D. Hayes said we do have a room. The old maintenance facility used to be in the courthouse, and we just cleaned it out what, John, three days ago. Vice Chairman Holt said yes, but they're going to want it in the building, I think. Mr. Hayes said well it's within probably 35 feet from the elevator. Mr. Lesac said which that's perfect. Mr. Hayes said the room is lockable from the outside with the padlock. We can give them a shared key with maintenance, and change the lock where only me and them have the key to it. Mr. Lesac said and as we near that date for the start date, we do a meeting with the onsite team where we walk through and just do a preconstruction meeting as we call it. R.D. Hayes said and that room would actually work out better because if they're cutting pipe, threading pipe, oil and stuff like that, I'd rather have it outside where they've got electrical and suitable lighting to do it. Vice Chairman Holt said you want to leave all the caps, all the pipes and cap them off underground. We're not jackhammering anything? Mr. Lesac said no. they'll be all capped. So obviously the electrical, we pull all that wiring out and cap that off. The oil line, obviously we drain the oil from the existing system and cap that off. Vice Chairman Holt said did you all have to look up and see to make sure you have room? Mr. Lesac said for the overhead line? Vice Chairman Holt said yes, a route between the two those. Mr. Lesac said I believe so. Our superintendent, that's one thing when he was on site that he would oversee that installation. He verified that there was a drop ceiling there. Vice Chairman holt said well you know sometimes there's high beams that you can't get through. Mr. Lesac said we can double check with him, but I think there was clearance. That's kind of why we ... That was a major concern for our technicians. So they made sure that he did check that.

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Chairman Jefferies said I think I heard you say something about OSHA. Is this thing going to be inspected by OSHA or a state inspector? Mr. Lesac said by the North Carolina Department of Labor. The state inspector. Chairman Jefferies said I think I read it somewhere. I think I read in here too about this is your bid only for 30 days. Mr. Lesac said yes. That is our boiler plate language, but we can extend that as needed.

Commissioner Gwynn said I understood you to say you going use the same jack. Mr. Lesac said yes. Commissioner Gwynn said if that jack has to be replaced, what would that cost to be like? Mr. Hurt said roughly \$45,000, and it's included in the agreement as an alternate. Vice Chairman holt said he said if it blew out later, it would be close to that. He couldn't hold it right to that.

Chairman Jefferies said and this is your contract. You're going to do everything you say in here? Mr. Lesac said yes. Chairman Jefferies said I had a chance to read this; you've got pretty much everything spelled out as to what they are supposed to do. Are there any more questions from the Board?

The Maintenance Director said can I ask one thing. Are you all going to need me anymore because I have to meet the general contractor at CoSquare? The Board said they did not have anything more for the Maintenance Director so he left the meeting. R.D. Hayes said thank you all.

Mr. Lesac said well thank you very much. We truthfully appreciate your partnership. We've enjoyed working with your team over the last years and definitely are thankful for your business. So thank you for having us here today. Chairman Jefferies and the Board thanked the guys from Kone Elevators.

Commissioner Yarbrough said Mr. Chairman, I got a couple of questions for the clerk, if he could answer for us. John Satterfield, Clerk of Superior Court, said absolutely. Yes sir, Mr. Yarbrough. Commissioner Yarbrough said if the Board proceeds with the replacement on the elevator, what's your plans on holding Court? Where? Mr. Satterfield said so already we have a continuity of operations plan, and this is not the first time that we've had to deal with an issue at the courthouse. So the plan does call for an alternate place, which would be this room for at least Superior Court for trials. The ground floor courtroom can accommodate District Court with some minor adjustments to Court calendars and working with the prosecutor's office. So it shouldn't be an issue. Already on days that the elevator has been down, my staff has utilized simply taking a clipboard and maybe receipt books and doing whatever we need to do on the ground floor to accommodate the citizens. So we'll just deal with it. We've dealt with it before and had to relocate, so it's nothing new for me or my staff to do it. Commissioner Yarbrough said so I know it'll be a hassle, but you can... you've got a plan. Mr. Satterfield said we can manage it. We have a plan. Commissioner Yarbrough said okay.

Commissioner Gwynn said it would be a lot of moving stuff though, or would it not be? Mr. Satterfield said offices in general just because the elevators down would not move. The only real issue that we would have is we have one courtroom in that building that is conducive to jury

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trials. Jury trials typically are only in the Superior Court division. All be it there are exceptions in District Court, but it is rare. So what it would mean is that we would relocate here or another alternate place. We negotiated with the Town of Yanceyville. Some of you may have recalled when the HVAC system went down, but obviously this room is conducive to setting it up and doing our operations. Yes, it is inconvenient, but you have high-speed internet. We can work with, I'm sure, the county I.T. Department to accommodate us on that. I don't see any alternatives. I mean there's only one elevator in the building, and if it's the pleasure of this Board to do what is necessary to get it back functioning again, then I think we'll just have to work with it within the confines of the contract and the dates that are required. The only problem would be should we have a failure because the failures are so erratic. Since the county spent this roughly \$30,000 on some upgrades hoping that we could get by for a while, I know that it has failed completely five or six times since then. The failures would cause us to be down for an entire day, and the major issue we had last Wednesday, when we had Criminal District Court, obviously you've heard about an entrapment. There was a gentleman in there; he was safely removed without incident. A timely removal, but the elevator was down for the balance of the day. Then the quandary we were put in is well who needs assistance in actually getting back to the first floor now that they've arrived on the second floor, but we overcame that. It was not an issue, but after they came and worked on it that Wednesday, the very next day it failed again and was down for several hours. So it's really a roll of the dice in my opinion from what I've observed. Commissioner Yarbrough said the elevator is a convenience, but it's also a necessity with ADA compliance. Mr. Satterfield said absolutely, it is. In modern times it is an absolute necessity.

Commissioner Rose said I think you answered the question Mr. Yarbrough asked.

Notwithstanding Court, just on a regular day, I guess you would just post somebody downstairs to deal with the ones that are handicapped. Mr. Satterfield said we can, Mr. Rose. Already we have a great working relationship with the Sheriff's office, and we told them when the elevator's down and the Clerk's Office is needed, then obviously we dispatch someone down the staircase to deal with it. Again we went through it with the HVAC system. We went out to people's cars and did what we had to do. Obviously we have no control over that, but we did need to keep our office running and open to the public too. Commissioner Rose asked do you have any money in the Courthouse, and Mr. Satterfield said no sir. Not in the least.

Vice Chairman Holt said I wanted to say, I went over and he opened that box. I was surprised. I didn't realize that building was so old. It was the old coils like, and you could see where some of them had burned. It's basically the relays tripping on and off, and this thing is ancient. Mr. Satterfield said Mr. Holt, I'm glad that you brought that up. You mentioned burning. I know that while Kone had their team there, I was asked was there a copy of any of the electrical schematics anywhere. I work with R.D., but they had actually burnt up at some point in time in that control room. Vice Chairman Holt said no, they're hanging up there on that pipe. Mr. Satterfield said oh, you did find them. Okay, good. Vice Chairman Holt said yeah, when he says he can't find a part, I believe it. I mean it's nothing. There's nothing in there that remotely looks new. So I can see

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that. It's all outdated. That building still looks fairly new; I did not realize it was 50 years old. Mr. Satterfield said I have to give credit to our Maintenance Departments over the years for doing what they're doing. I also have to give credit to the users, our citizens and people that come. I've been in plenty of other court houses, and it's antiquated. There are some particular things that we need to talk about in the future. There are plumbing issues, but they're minor. Overall the building I think still is a sound facility.

Chairman Jefferies said Mr. Satterfield, I guess you have instructed the cleanup crew not to use it at night when they are there by themselves. Mr. Satterfield replied they are aware. I think they do use the elevator to send up vacuum cleaners, mop buckets, and things like that. Obviously it's difficult to haul a water bucket up the staircase, but I think personnel is actually taking the steps. However, we still allow the public to do it because they say that it's operational. We haven't shut it down.

Commissioner Yarbrough said John, I want your opinion on something. This is not the clerk's or the courtroom's opinion, but I want John Southfield's opinion. Mr. Satterfield said sure.

Commissioner Yarbrough said is it a liability or a lawsuit just waiting to happen? I know last week when he got trapped there was no issues. Mr. Satterfield said I would rather...

Commissioner Yarbrough said if they had a half a dozen people on there... Mr. Satterfield said I would rather your county attorney advise you on your legal or on a legal opinion. Commissioner Yarbrough said if you had a half a dozen people per se on there, and one of them say went into cardiac arrest. I know that 99% of time that wouldn't happen. If something happens, the County would be at fault. Am I correct? Attorney Johnston said certainly Commissioner Yarbrough, Mr. Chairman, and members of the Board. Certainly this would be an issue of potential negligence, and county is providing this resource to the public. The public utilizes the resource, and if we fail to have adequate resources to provide to the public and there is an injury, certainly there is liability on the County's part. I spoke with the County Manager, and we definitely need to review our insurance policy as it relates to our buildings, in particular the courthouse, to see if there's any provisions that we need to update. Commissioner Yarbrough said I would like to know what Mr. Chairman, other cost like Mr. Holt was talking about as far as electrical and alarm before we move forward. I'd like to know what that cost is going to be approximately, if nothing else.

Vice Chairman Holt said what really scared me is the sprinklers, that could really get into a lot of money.

Commissioner Rose said I think he said he could have it by the end of the week. Commissioner Gwynn asked Commissioner Rose what he was referring to, and Commissioner Rose said what the additional cost will be for electrical and stuff like that.

Chairman Jefferies said are we talking about the cost for the sprinkler system. Commissioner Yarbrough said whatever it's going to take to get it up to code. Whatever they have to tear out, it has to be repaired or replaced to get it up to code. What that additional cost will be before we move forward. Chairman Jefferies said so Mr. Satterfield, this is something in addition to what it

will cost if we put it in. Mr. Satterfield said from what I understand. From what I heard today, yes sir.

Commissioner Gwynn said do you think you'll be able to get that amount by when we meet on Monday night? Mr. Satterfield said that would be up to the Maintenance Director to get those figures for you.

Vice Chairman Holt said I think we can work... I mean it's going to cost us to get the fire alarm, but what I'm going after is finding out about the sprinklers. Commissioner Yarbrough said that's the big unknown. We have to find out about the sprinkler system. But we still got to work on the elevator regardless of whatever we have to do otherwise. Mr. Satterfield said I agree. I think you have to make a good faith effort, and from what I heard from Kone today is that they were willing to do that. But as I've been told whenever they're there, again the shortage of parts, having to locate them, and every time that it goes down, it might be days on end. The only challenge would be, well just for example when the elevator was down several weeks ago for major repairs, we had a jury session scheduled. We worked with the Presiding Judge, made him aware of the situation, and all persons that were not able to navigate steps to come up were just deferred to a different session. That is not really where we want to be is to defer people because they say that they can't navigate a step and have only those physically able to serve as jurors. I'm not sure if one could argue if that's truly a jury of your peers.

Vice Chairman Holt said I'm not familiar with that building over there, please don't laugh at me, but there's nowhere to put any kind of ramp to that second floor. Mr. Satterfield said well I'm sure that one could be designed, but I don't know whether the Board would even want to consider the cost. I think the pitch, run, and everything of having to design something, and then it would have to be engineered. I just don't think... In an emergency situation, I'm sure we'd have to deal with it to get someone out of the front steps or down the back steps. Vice Chairman Holt said I was talking about like I guess east out of that building because I know that hill goes up. Mr. Satterfield said yes, I'm not sure. It would be an engineering feed, I'm sure, to make it happen.

Chairman Jefferies said I think right now we need to know if we're going to go and fix the elevator, but I think we need to go on and fix the elevator and then bring it up to par while he's doing it or bring it up to the par later. I mean the elevator need to be fixed. Vice Chairman Holt said it's running right now. Chairman Jefferies said yes. I know it is, but it stops any time. We had the problem of getting people out so we need to fix that problem now, and then later while they working, we going to bring it up to code. We can do it then. What we need to do is think about the public. It's running now. We had some problems where people got stuck in the elevator. We don't need to continue this; we need to go on and fix this now. Then as we fixing it, we can decide if we going to bring it up to the top. We can do it then. That's my opinion.

Commissioner Gwynn said it's going to be mandated that we bring it up to code. Is that correct? Vice Chairman Holt said well I would like to wait and find out about the sprinklers. Hopefully

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by maybe Monday, he's going to call the State and try to have us an answer. It still has to be fixed, but I'm just saying.

Commissioner Yarbrough said I think if we can roll all this elevator repair/replacement plus electrical, sprinkler, and whatever all into one budget amendment in Finance, I think it would be simpler. I think Mr. Manager, you need to impress upon Maintenance and the folks from Kone that we need this info by the end of this week so that we'll be able to look at it Monday night. Then make a decision and go forward. I see no reason that they shouldn't be able to find that that information by the end of the week I would say.

Commissioner Rose said Mr. Chairman, I just got a couple questions to put in the Manager's thoughts. If we look at where we're going to get this money from. County Manager Meszaros said so it's pre-budget, so this will be next year money since it's 6 months out. At some point we're going to come to you with the audit findings with some of the cash reserves that we have that we didn't anticipate. There is money sitting there. That's why we have reserves. Right now it would just be a budget amendment. You amend the budget, approve it, and proceed. So we have the whole budget process ahead of us to look at the taxes, to look at the package like we do every year. We have not initiated our departmental budgets, but I do know that maintenance has thorough requests with all the photos and all the issues. Just like all departments, we can't fund all the needs so it is prioritization, but something like this, I think it would be prudent to just move forth if you're okay with doing the repair. It sounds like they're union work so there's not going to be an A to B kind of bid comparison. I think that if that was the case, I'd like to see other numbers. But sounds like that doesn't work in that fashion. We'll build it into the budget estimate, and it'll have to go into all the other needs and values that get looked at when we do the budget. At this point, I don't think that the significance of the impact is going to be that huge. It's not half a million dollars; it's \$150,000 give or take. Commissioner Rose said I just don't want, if we have a way of not going into fund balance. I don't want to do that. You may want to take a look at lapsed salaries from July one of last year up until today to see how much we have sitting in lapsed salaries that was budgeted because that amount of money has been sitting there from July one to today is not going to be used. At the end of this fiscal year, it's going to roll back into fund balance. County Manager Meszaros said so typically we don't roll budgets from year to year. There are always cost savings in every budget but not every line item. Every department's got vacancies, and those are how we stay budget neutral and how they do the budget amendments. So if we didn't get police cars in or we didn't get specific general fund obligations... Commissioner Rose said so you're saying that if that lapsed salary money is not utilized, it just stays there and does not go back into the fund balance at the end of the year. County Manager Meszaros said generally unless you have a policy that says okay at the end of the year all the unspent dollars go to capital disbursements, then it goes into a capital fund where you actually take the dollars. Most annual budgeting or in North Carolina the Legislature does bi-annual budgeting, we don't do that. We just do an annual budget, but yeah so we have departments who have to do all the vetting and prioritization every year. So I have seen the

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school districts and the college sent us their budget. It has a lot of big asks just like all of the departments may have some asks. It comes down to prioritization and that comes when we do the budget allocation. I'm going to tell you right now that if you go budget neutral, you'll see a lot more of this stuff. Maybe not next year, but five years from now or 10 years from now, this will be a normal operating procedure to do these kinds of payouts to repair our aged infrastructure. A dollar of maintenance is like \$100. Vice Chairman Holt said what you're saying is that all the money that's left over stays in your little piggy, and you disperse it the way you think. County Manager Meszaros said it does not get expended. No, our encouragement is buy things lower than cost; don't extend your full budget. So we're not the federal government, where we want to spend 105% to maintain our budget. If we have 80% expenditure in Personnel, that extra 20% is cost saved, and that's how you build the reserve fund. That's how the reserves the next year get larger, but you can use those for obligations like this where we have the money budgeted. Vice Chairman Holt said or it could go back to the general fund. County Manager Meszaros said yes, it stays in the general fund. It's not like your checkbook; it's a general obligation. Commissioner Rose said that's what I'm saying. What I'm saying is if we got \$250,000 in lapsed salary funding, if we did not utilize it, it would go back into to general fund. I'm saying if we could utilize that money versus going into that general fund. I don't want to go into that general fund to pull this out. I'm trying to say find some different ways or look at some different paths that we can pull from. County Manager Meszaros said it's all coming out of the same pool of money if it's general funds. So whether we identify those specifically or just have that cost savings at the end of the year, we should know when we get to that last month or two. These are just normal operations. I normally wouldn't bring this to the council level because it's an operating issue. It is your decision to proceed with repairs. I think to be honest that we could incur several tens of thousands of dollars of maintenance bills before we get this done. So if it prolongs any of those for the next year or two, I think it makes prudent sense to get it accomplished and proceed. It's kind of like my car if I don't ever change the oil.

Chairman Jefferies said I want to say something. I think I heard your talk. This is an emergency like and what I'm hearing is we want to keep the money in the bank and make money. I mean this is an emergency. As long as we keep 8% above the State's cost, we can spend this money. We got where we going to get it from; we going to get it out of the fund balance. That's where it is going to come out of, but this is not a saving account. This is an emergency, and this money can be spent. We got the money, and I'm not going to even sit here and think that we don't. We already have money. It's not a saving account that we're trying to keep money to make money. We got a problem here, and we need to spend the money on the problem. That's what I'm seeing. Does anybody else have anything?

Commissioner Yarbrough asked are we going to wait until Monday night? Is that what we planning Mr. Chairman? Chairman Jefferies said well we'll wait until Monday night.

Vice Chairman Holt said let me ask this. I would like to do that, but I really would like to know about the sprinklers. Commissioner Yarbrough said yes, that's what I'm talking about until we

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get those other numbers for the additional cost that they talking about. We'll roll all of that in one for like one big budget item or amendment. Vice Chairman Holt said either way it's got to be fixed. Commissioner Yarbrough said oh yes.

Commissioner Rose said it's got to be fixed period. I'd rather like to know that we have the money that was quoted rather than have more cost. Commissioner Yarbrough said exactly. Their price is what \$132,000 I think. If it's going to cost 150 so be it, but if it's going to cost \$250,000 to upgrade everything, we're going to have to chew on that a little bit.

Vice Chairman Holt said I don't know about you all, but I have seen these glass elevators put in that they're out in the floor. I know that's really out on a limb, but if it's going to cost us \$300,000 might be something we look into. I don't want to do that. Chairman Jefferies said what you really got to look at is OSHA, if they will let you operate over there. It has to be halfway safe. It wasn't a sprinkler system in there. OSHA passed it. Vice Chairman Holt said codes have changed something terrible. Codes have really changed. Chairman Jefferies said they haven't changed that. Vice Chairman Holt said it's called the grandfather clause. They don't do it because of the clause. When he said we have to bring it up to today's standards, that's what threw me off. Because if it's today's standards, it has to be sprinkled, and that's what threw me off. I know what they are, and the elevator shaft has to be sprinkled. There has to be actual fire dampers in there so they don't have fire going up. The elevator equipment room has to be sprinkled, and today's standard is way different than what it was when they built that building. Because when he said it's a complete rebuild, then North Carolina might look at it like well you got to bring it up to today's standards. That's what scared me.

Chairman Jefferies said the point is if we don't have to bring it up to standard, I mean the inspection should tell us or OSHA should tell us. We got to bring this building up to code.

Commissioner Yarbrough said well I think he's going to get in touch with the state to make sure. Vice Chairman Holt said and asked him to try to get it in writing. So that's what he said. I hope we have it by Monday. It's just when he said that, it really threw me into a place of worry.

Chairman Jefferies said is there anything else.

Commissioner Gwynn said I would just like to ask Mr. Holt what do you think to bring it up to standard a round figure? Vice Chairman Holt said well I have no clue. I mean just to put a sprinkler in there, I mean you don't just run a water pipe in it because it has to be boosted. I mean I'd be scared to even throw what that could be. I mean the elevator wouldn't even start to be the cost. Commissioner Gwynn said really. Vice Chairman Holt said oh yeah. A sprinkler system has to be boosted where it throws a tremendous amount of water. Like it would take a 6-inch pipe that's pushing a boatload of water. So it would be scary what that could be. I don't think they going to make us do that. I really don't, but I just would rather find out. Commissioner Gwynn said you don't think they'll make us come up the code. Vice Chairman Holt said I don't think so, but when he said that, I just...I mean a couple more days won't break us.

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Chairman Jefferies asked is there anything else? Hearing none, he asked for a motion to adjourn.

**ADJOURNMENT:**

A **motion** was made at 4:31 pm by Commissioner Yarbrough and seconded by Commissioner Gwynn and **carried unanimously** to adjourn the meeting. (Ayes: Commissioners Yarbrough, Rose, Holt, Gwynn, McVey, and Jefferies)

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Carla R. Smith  
Clerk to the Board

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Jeremiah Jefferies  
Chairman

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