

MINUTES OF THE SPECIAL CALLED MEETING HELD ON APRIL 25th, 2022 AT 6 P.M.
IN THE COUNTY COMMISSIONERS OFFICE OF THE WILCOX COUNTY
COURTHOUSE.

Those present for the meeting were as follows:

Mel Powell	Chairman
Jowan Johnson	Vice Chairman
Lanier Keene	Commissioner
Alfonza Hall	Commissioner
Clay Reid	Commissioner
Michael Pomirko	County Manager
Indya Tisdol	County Clerk
Lance Woods	County Engineer
Ronnie Kent	County Engineer

Chairman Mel Powell called the meeting to order.

Commissioner Lanier Keene gave the invocation.

All gave the pledge.

County Manager, Michael Pomirko, spoke on the Statham Shoals Road project and where the county currently stands with East Coast Asphalt. Michael stated that the County Attorney, Toni Sawyer, drew up an agreement attempting to get the project back in motion.

Kyle Spivey was present at the meeting representing East Coast Asphalt. Mr. Spivey stated that it was not East Coast Asphalt's intent to drag the project out and that the company wants to honor their deal by doing the job and paving the road. Mr. Spivey stated that COVID-19 hit and it was hard for their business to get parts, trucking, and other material. Mr. Spivey mentioned he reached out to Lance, Ronnie, and Adam last year to discuss changing the material to soil cement to relieve pressure from their trucking company. He stated that materials have increased as well as their cost, but they want to honor what the county was told.

Kyle Spivey stated that he would love to change to soil cement instead of GAB. East Coast Asphalt doesn't see the need for a new contract, but if need be, to just consider changing the parameters of the contract instead. Mr. Spivey stated that the company was barely able to keep up with commitments between East Coast Asphalt and other counties that were made because of the shortage of materials and supplies they were not able to obtain. Mr. Spivey stated their business didn't bid on a \$4 million project in Glynn County because they haven't been able to get their hands on material. He stated there is no way they could do it. However, they want to honor the contract between Wilcox County and East Coast Asphalt.

Commissioner Keene stated if they honor the first project agreement, he doesn't have an issue with East Coast Asphalt doing the job. Commissioner Keene asked what would hold up the starting process for the job as soon as possible. Mr. Spivey stated that if the county decides to go with GAB then there will be a wait on production due the amount of material needed, so it would take a while to get the project done. The company would need time to get rock in, prep it and get trucks to get the rock to the job location.

Kyle Spivey stated if the county decides to go the soil cement route then the job could be done in half the amount of time if the commissioners choose to go with GAB. Going the GAB route would require more truck and more material. Spivey stated that unlike GAB, soil cement would not require as much wait time or material to be hauled in.

Commissioner Keene stated the soil cement isn't satisfactory and that other roads in the county are cracking, particularly, Mt. Olive road. Kyle Spivey stated that maybe too much cement may have been put into the soil cement and mentioned he didn't know what company had done those roads. He stated the company they work with have been doing it for many years and are good.

The original contract was bid two ways, stated Kyle Spivey, soil cement and GAB. The rock was what was chosen by the commissioners. Kyle Spivey stated that he was not a salesman and it is up to the commissioners to decide, but he likes soil cement best and soil cement saves the county \$60,000. He said a layer of surface treatment can help with the reflective cracking which should help. He also stated that soil cement would speed the process up.

Commissioner Clay Reid stated that the main issue is starting the project and not how long it will take and getting started seems to be the issue. Kyle Spivey responded that they could start as soon as the next day if the letter satisfies the commissioners.

Commissioner Keene as the quorum what were their thoughts on the soil cement. Commissioner Clay Reid and Vice Chairman Jowan Johnson responded that we should go with the rock (GAB). Chairman Mel Powell asked if the contract was bid for soil cement or GAB. Kyle Spivey and Lance Woods, county engineer, responded that the contract was bid both ways with the commissioners having authority to choose which option. Kyle Spivey stated again that there is savings with the soil cement. Commissioner Clay Reid stated that we should stick with the rock (GAB).

Kyle Spivey stated the original contract was for soil cement but the dollar amount reflected GAB. The county engineer Lance Woods, stated that we had an option and that the base bid was for soil cement, but we had an option to GAB and that money was available for GAB, in his opinion, which is better. Kyle Spivey that everyone's preference is different.

By using soil cement, there is a \$60,000 savings that could be used for surface treatment, stated by Kyle Spivey, which structurally, in his opinion, would be better and would prevent any cracking at least 5-10 years if the commissioners choose that option.

Chairman Mel Powell asked the representative from East Coast Asphalt if they could get the materials in quick with soil cement and Kyle Spivey responded, yes. Kyle Spivey stated that with the soil cement only 5 loads would be needed versus 100 loads for GAB.

County Manager, Michael Pomirko, asked longevity wise which of the two would be best and Kyle Spivey stated again, soil cement, in his opinion. Kyle Spivey stated that our county is on the line where trucking for materials can go either way, soil cement or GAB.

Road Superintendent asked about the surface treatment and thickness in regards to Statham Shoals road. Chairman Mel Powell asked if the cement would go down first and Kyle Spivey responded yes, in addition to a layer of rock going on top of that. He referenced the rock as a number seven or single seven. Also, Mr. Spivey stated that they'd be using 4 inches of asphalt and 8 inches of soil cement to top over the rock. He stated that when the cracks do come they won't come straight through the asphalt because of the surface treatment. Kyle Spivey stated that the road would be strong, 16 feet wide and that army tanks can ride down it. Chairman Mel Powell asked how wide each lane would and county engineer, Lance Woods, responded 8 feet wide.

Commissioner Lanier Keene asked when East Coast Asphalt could be able to show some sign of work being started. Kyle Spivey responded that they could begin as early as two weeks out if the option is soil cement and somewhere between 3-4 weeks, if the GAB route is chosen because

they would have to go down there and find somewhere to place the material and making sure enough rock is there for the project. Chairman Mel Powell asked how soon the road could be driven on after starting the project and Mr. Spivey responded the same day.

County Manager, Michael Pomirko, informed the Kyle Spivey that over this encounter of going back and forth trying to sort things out that the county accumulated attorney fees and stated that he would like to see the county receive some compensation back considering that the county doesn't have a big budget and wants East Coast Asphalt to keep that in mind and asked if the company could at least pay for the cost of the county attorney fees regarding this project.

Commissioner Lanier Keene asked Michael what did he estimate that cost to be and Michael responded by saying roughly \$300-\$500 maybe. Michael also emphasized that he would have to actually sit down and look at the logs for an accurate amount. Chairman Mel Powell mentioned that it was probably more than that if you consider her working away from the commissioner's office.

Road Superintendent, Adam Dowdy, asked Kyle Spivey once the commissioners decided whether or not they agree when he planned to put some equipment out. Mr. Spivey responded and said that he could get some grading done, dirt shifted, and get the proper mixture within the next couple of weeks.

County Manager, Michael Pomirko, asked Lance Woods, county engineer, if the county needs to enter a new contract regarding the Statham Shoals Road. Lance responded that the county has to decide what they are going to do about the liquidated damages. Commissioner Lanier Keene mentioned that it was agreed amongst the commissioners that the liquidated damages would be dropped if East Coast Asphalt takes care of the attorney fees. Kyle Spivey stated that their costs have increased and he is just trying to build the county a road. Lance stated that the county has a contract in place already and that it can be updated, or the completion date has been extended. Kyle Spivey mentioned that an addendum or change order can be made to the contract. Lance stated that the change order could be written by him and Ronnie extending the completion date. Kyle Spivey also said that if the commissioners decided to do the surface treatment then all of that would be included in the change order, in addition to taking the deduction for the lawyer fees, add surface treatment, and extend the contract out.

Chairman Mel Powell asked Kyle Spivey was he agreeing to cover the contract fees and Kyle Spivey responded saying he didn't know what he was agreeing to but yes, he would cover them.

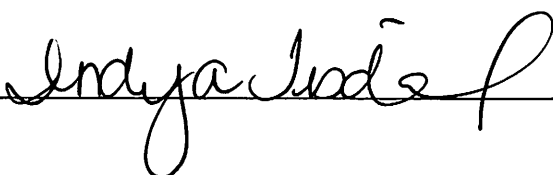
County Manager asked county engineer, Lance Woods, if changing the material would cause any backlash with TIA since the initial contract is being amending. Lance responded and said that he didn't think it would be an issue as long as the money worked out; also, since DOT has agreed then it should be okay and that the county just needs to inform TIA.

Commissioner Jowan Johnson motioned that the commissioners choose to go with soil cement contingent upon DOT being okay with the soil cement, also with the attorney fees being covered upon liquidated damages being dropped. Commissioner Clay Reid seconded that motion that carried unanimously.

Commissioner Clay Reid motioned to adjourn. Commissioner Lanier Keened seconded the motion that carried unanimously.



Chairman, Mel Powell



County Clerk, Indya Tisdol