

Moundsville
West Virginia
February 9, 2013

The Marshall County Board of Education met in workshop session Saturday, February 9, 2013, 8:30 a.m., at the Offices of the Board of Education, all members having been notified of business to be considered.

Present were: President Roger A. Lewicki, Vice President Lori E. Kestner, Members Thomas E. Gilbert, Jr., John Miller, Beth A. Phillips; Secretary Alfred N. Renzella; Members of the County Administrative Staff.

The purpose of the workshop is to review the Cameron Project with the Construction Manager, Architects and General Contractor.

The Board President turned the floor over to Rick Milhoan (RM) of PCS. RM advised the Board that he had been asked to provide a general overview of the history of the Cameron project for the Board. RM stated that it was not PCS's intent to assign blame, nor was it PCS's intent to provide legal advice. RM provided Board members and administration with a 3-ring binder. RM explained that the documents included in this binder were meant to provide the Board with a general overview and that these documents comprised the "tip of the iceberg" with respect to project documentation. RM explained that the binder was primarily comprised of e-mails and letters that were authored during the first 10 months of the project by PCS, McKinley and Associates or Nello Construction (General Contractor). RM reviewed the contents of the binder and answered questions as they arose.

RM also stated that PCS had been asked to review the various change orders on the project with the Board. RM provided the Board with a worksheet that summarized the change orders written to date. RM and Ron Blatt (RB) reviewed a few change orders with the Board and answered the Board's questions. The Board advised PCS that subsequent meetings may need to be held to review the change orders in greater detail. PCS stated that they would make time and staff available to accommodate the Board's request. RM also stated that a significant amount of his time would be tied up in the coming weeks to provide support to Mr. Fletcher for the pending lawsuit filed by Cost Masonry. The Board concluded that the change order review could be delayed to accommodate Mr. Milhoan's assisting Mr. Fletcher with the response to the Cost Masonry Lawsuit.

Superintendent Renzella gave a brief update regarding the Lawsuit filed by Cost Masonry. Mr. Renzella passed out an e-mail from Carl Fletcher, Esq. the Board's legal counsel for the lawsuit. According to Mr. Fletcher, the first step in the defense will be to request a change to the proper venue, which is the Court of Claims. This request will be generated by Mr. Fletcher prior to the deadline in the lawsuit.

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RM provided the Board with a brief update regarding the John Marshall High School project. Mr. Milhoan advised the Board that the project's design had advanced to the Design development (DD) phase. RM further advised that the design had been stopped at the DD phase because there was an interest on behalf of the Board to consider construction of the connector, which had previously been removed. RM advised the Board that if the connector was to be re-inserted into the project, that the design would likely have to start over as the change would dramatically effect where the cafeteria and science rooms would be. RM also suggested that if the connector was to be re-inserted into the project that Educational Specifications should be developed for the project. Mr. Milhoan also suggested that if the connector was to be designed, that PCS would highly recommend that the Board demand that the new connector be designed utilizing Building Information Modeling (BIM) or 3 dimensional design software for all design disciplines (civil, structural, architectural, fire protection, plumbing mechanical and electrical).

Supt. Renzella recommended that the board direct PCS to begin the process of reviewing documents, particularly related to scheduling, which will provide Carl Fletcher with valuable information. This information is critical to our defense and the development of a potential counter law suit initiated by the Board of Education.

Motion by Mr. Miller and seconded by Mrs. Phillips that the meeting be adjourned. Motion carried.

President Lewicki adjourned the workshop at 2:40 p.m.

President

Secretary

ANR/tw