

[Editors Note: Response to article in Mountaineer by Bill Davis, KMD Construction LLc, August 19, 2011. This a personal opinion from an employee at KMD and not the opinion of KMD Construction LLc]

The Haywood County Commissioner's i.e.: Kirk Kirkpatrick is what we have come to expect from governmental elected officials- the comments made by Mr. Kirkpatrick are completely wrong!! There are obviously several things happening here! He apparently can't read or comprehend what he's read. He's misled the people so much he can't remember what he's said in the past, or he is looking to Chad Roberson with PBC & L for a job when he gets fired from this one (assuming Mr. Roberson doesn't get fired also).

1. KMD Construction was pre-approved to bid this project by the Architect (which was hired by Commissioner, Mr. Kirkpatrick who was Vice Chairman of the Board at that time).
2. PBC&L were the low bidders for the Architect design portion of work, who qualified them?
3. If Mr. Kirkpatrick and the standing board members were truly concerned about the project why was KMD barred from attending the Commissioner's meetings.
4. Why wasn't KMD contacted by the Commissioner's to hear their side of the story.
5. KMD tried to settle this before it went this far, however the commissioner's only offered up \$25,000.00 – Obviously the commissioners had no intent on resolving this issue.
6. When a bonding company takes over a project it is usually because the contractor has gone out of business. However, this was not the case (I believe the Architect and commissioners assumed KMD would).
7. When the bonding company took the project over they interviewed the county, KMD and inspected the project. The bonding company found that KMD was not the problem with this project and rehired them to complete the project (which they did).
8. Because the bonding company was trying to complete the project in a timely manner and PBC&L couldn't get them the right information (the same information that ultimately stopped KMD from moving forward with the project). Mr. Roberson tried to get them fired from the project.
9. After they withheld payments, again unjustly. The county taxpayers now have to pay \$110,911.32 in interest (you had not heard that from the commissioners yet.)
10. There are 70, 000 pages of facts to support the judges discussion.

While everyone who is familiar with this project knows it was a challenging job, having a spirit of cooperation with the design team, contractor and owner are fundamental to the positive completion of any project. PBC&L, i.e. Chad Roberson was very arrogant, demeaning and aggressive in nature; my opinion is Mr. Chad Roberson doomed this project from the beginning.

Here's my personal opinion of why this happened, PBC&L and their design team were low bidders the project, and started to run out of money. They knew if they fired the contractor they could recoup additional fees from the county, therefore not losing any money, and yes I think the county was in on it too.

I feel sorry for the good people of Haywood County who work hard, pay their taxes and have pride in their township, Commissioners like Mr. Kirk Kirkpatrick are dinosaurs and should be relieved of there jobs and made to give back all the money they have wasted, How many more closed door meetings are they going to have to make this issue go away and why didn't the County Attorney handle the case himself (isn't he already on retainer)? This could have saved the county more money but NO!! Why, was there not a case to begin with, and he knew it or did he just want to give work to a former employee, who's going to be the next victim of the good old boy's club.

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