

NORTH CAROLINA
COUNTY OF GREENE

The Greene County Board of Commissioners met in regular session on Monday, August 3, 2009 at 7:00 p.m. in the Greene County Office Complex. Present for the meeting were Chairman Bennie Heath, Vice-Chair Jack Edmondson and Commissioners Denny Garner, Jerry Jones and James Shackelford. County Manager Don Davenport and County Attorney E. B. Borden Parker were also present.

The Chairman called the meeting to order, gave the invocation and led the Pledge to the Flag.

On motion by Commissioner Garner, seconded by Commissioner Jones the Board voted unanimously to approve the amended agenda as presented.

On motion by Commissioner Edmondson, seconded by Commissioner Garner the Board voted unanimously to approve the consent agenda.

**July 20, 2009 Regular Meeting Minutes
Consideration of Late Application for Elderly/Disabled Exclusion:
Annie Loretta Dupree – Disabled Exclusion
John Johnson, Jr. – Present Use Value**

BUDGET AMENDMENTS

Prawn Project	\$50,000	To budget for Golden LEAF award for project.
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RELEASES

Charles & Sarah Williams	\$1,026.95
Charles & Sarah Williams	\$1,002.79
Charles & Sarah Williams	\$1,006.08
Charles & Sarah Williams	\$992.32
Charles & Sarah Williams	\$986.44
Ray & Rochelle Speight	\$363.15
Sue Clark Webb	\$2.00
Michael & Wanda Ginn	\$346.94
Floyd & Lou Chase	\$36.00
Joe & Barbara Beamon	\$36.00
Leonard Roberson	\$36.00
Billy & Jeanette Hamm	\$36.00
Connie Marie Speight	\$80.29
Connie Marie Speight	\$6,719.44
Sarah Nethercutt & Shannon Harrell	\$40.05

The Chairman opened the public comments section.

Being there were no comments the Chairman closed the public comment section.

Mr. Mike Lovett, Transportation Director presented draft policy developed by the Greene County Transportation Advisory Board allowing advertising on the County vans. Mr. Lovett noted that he has been approached by a local business regarding this issue. He is asking for approval to advertise on the vans as well as develop a more detailed policy and bring back to the Board.

On motion by Commissioner Jones, seconded by Commissioner Edmondson the Board voted unanimously to allow advertising on the Greene County vans and to authorize the Greene County Transportation Advisory Board to develop a more detailed policy.

Mr. Chris Roberson, Assistant County Manager noted that the American Prawn Cooperative (APC) asks that the Board rescind the previous approval of a change order based on financing of the change order. The APC wishes to proceed with the project as originally designed.

On motion by Commissioner Jones, seconded by Commissioner Edmondson the Board voted unanimously to rescind the previous approval of a change order and authorize the APC to proceed with the project as originally designed.

Mr. Ed Causey, USDA advised that there is a shortfall of approximately \$4,800,000 for the Phase 1C water project. He is currently working with USDA in Washington, DC to possibly secure additional monies. He asked for authorization for the Chairman and Clerk to the Board to sign the formal paperwork when final numbers are received.

Mr. Van Lewis McDavid Associates presented further information regarding the Phase 1C water project. This included the awarding of the following contracts:

Phase 1C Contract #5	Ellington Contractors, Inc.	\$9,146,357
Phase 1C Contract #6	Ralph Hodge Construction Co.	\$1,226,840.85

It also included the filing of an application with USDA-RD for supplemental funding in the amount of \$4,800,000 which upon funding would bring the project into balance.

On motion by Commissioner Jones, seconded by Commissioner Shackelford the Board voted unanimously to authorization for the Chairman and Clerk to the Board to sign the formal paperwork when final numbers are received.

BE IT RESOLVED

That the **Greene County** Board of Commissioners desires to obtain additional funding from USDA, Rural Development to cover project overruns from the Greene County 1C project that received bids on 7/30/09. The board desires that Rural Development provide some of the assistance in the form of grant. The approximate amount of funding needed is \$4,737,000.

In regard to the above the **Greene County** Board of Commissioners authorizes the Chairman and Clerk to accept the conditions set forth in the amended Letter of Conditions when presented and RUS BULLETIN 1780-27, Loan Resolution (Public Body):

In addition to the above the Chairman and Clerk to the Board are authorized to execute all forms necessary to obtain a loan from Rural Development, including, but not limited to the following forms:

Form RD 1942-46	Letter of Intent to Meet Conditions
RUS Bulletin 1780-27	Loan Resolution (Public Body)
RUS Bulletin 1780-12	Water or Waste System Grant Agreement
Form RD 1940-1	Request for Obligation of Funds
Form RD 400-1	Equal Opportunity Agreement
Form RD 400-4	Assurance Agreement
Form RD 1910-11	Applicant Certification Federal Collection Policies
Form AD-1047	Certification Regarding Debarment
Form AD-1048	Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
Form AD-1049	Certification Regarding Drug-Free Workplace Requirements (Grants)
RD Inst. 1940-Q, Exh. A-1	Certification for Contracts, Grants and Loans
Unnumbered Form	Certificate of Compliance

That if the interest rate charged by Rural development should change between this date and the date of actual approval, the Chairman and Clerk be authorized to execute new forms reflecting the current interest rate and revised payments as required by Rural Development.

That the Board of Commissioners elects to have the interest charged by Rural Development to be the lower of the rate in effect at either the time of loan approval or loan closing.

This resolution is to become a part of the official minutes of the Board of Commissioners meeting held on August 3, 2009.

MOTION BY: Commissioner Jack Edmondson
 SECOND BY: Commissioner Jerry Jones
 TO ADOPT THE RESOLUTION.

MOTION PASSED 5 to 0.

By: /s/ Bennie Heath
 Chairman

Attest: /s/ Don Davenport
 Clerk to the Board

RESOLUTION NO. _____
 AMENDING CAPITAL PROJECT BUDGET ORDINANCE
 AND
 AWARDING CONSTRUCTION CONTRACTS
 FOR
 INTERNAL WATER SYSTEM IMPROVEMENTS - PHASE 1C
 GREENE COUNTY
 AUGUST 3, 2009

- WHEREAS, Greene County has received funding from USDA-RD and from the NC Rural Development Center for the construction of internal water system improvements consisting of 8", 10", 12" and 16" diameter water lines, three booster pump stations, SCADA upgrade and the conversion of all existing well disinfection systems to utilize chloramination, said project identified as Phase 1C; and
- WHEREAS, Bids for the construction of Phase 1C water system improvements were received on Thursday, July 30, 2009 by Greene County; and
- WHEREAS, Ellington Contractors, Inc. submitted the low bid for Contract No. 5 - Water Transmission Lines, BPS & Controls in the amount of \$9,146,357.00 and Ralph Hodge Construction Co. submitted the low bid for Contract No. 6 - Well Ammonia Feed Systems in the amount of \$1,226,840.85; and
- WHEREAS, Bids exceeded available project funds; and
- WHEREAS, A recommendation of award has been prepared by the Engineer subject to bid negotiations that reduce Contract No. 5 to \$9,022,397.00 and the award of Contract No. 6 for the low bid amount of \$1,226,840.85 and the filing of an application with USDA-RD for supplemental funding in the amount of \$4,800,000.00 which upon funding would bring the project into balance.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF GREENE COUNTY:

That Greene County submit an application to USDA-RD for supplemental funding in the amount of \$4,800,00.00 and that the Chairman and County Manager be authorized to execute all related documents associated with the application; and

That Greene County approves the transfer of \$200,000.00 from Phase 1A (excess funds) to Phase 1C; and

That the attached budget is hereby amended for the construction of the Alternative Water Supply Phase 1C project subject to receipt of the USDA supplemental funding request, and

That Contract No. 5 - Water Transmission Lines, BPS and Controls be awarded to the low bidder, Ellington Contractors, Inc., for the negotiated bid amount of \$9,022,397.00 subject to the satisfactory review of their Pre-Award Qualification package; and

That Contract No. 6 - Well Ammonia Feed Systems be awarded to the low bidder, Ralph Hodge Construction Co. for the low bid amount of \$1,226,840.85; and

That the Chairman and County Manager be authorized to execute all related documents associated with the award of construction contracts and the construction and administration of this project in conformance with the adopted budget; and

That the construction contract awards be subject to the receipt of the USDA supplemental funding as requested and the approval of all funding agencies and Local Government Commission.

Adopted this the 3rd day August, 2009

/s/ Bennie Heath
Chairman

ATTEST:
/s/ Don Davenport
Clerk to the Board

GREENE COUNTY
ALTERNATIVE WATER SUPPLY - PHASE 1C
AUGUST 3, 2009

		ADOPTED BUDGET <u>8-18-08</u>	CHANGES <u>8-3-09</u>	REVISED BUDGET <u>8-3-09</u>
<u>REVENUES - USDA Eligible</u>				
44-210-434510	USDA - RD Loan Income - (BAN Proceeds)	\$ 3,800,000.00	\$ 0.00	\$ 3,800,000.00
44-210-434520	USDA - RD Grant Income	\$ 1,600,000.00	\$ 0.00	\$ 1,600,000.00
44-210-434525	USDA - RD Supplemental Load	\$ 0.00	\$ 4,800,000.00	\$ 4,800,000.00
44-210-434526	USDA - RD Supplemental Grant	\$ 0.00	\$ 0.00	\$ 0.00
44-210-434527	USDA - RD Transfer From Phase 1A	\$ 0.00	\$ 200,000.00	\$ 200,000.00
44-210-434530	EDA Grant Income	\$ 0.00	\$ 0.00	\$ 0.00
44-210-	Rural Center Grant Income	\$ 0.00	\$ 0.00	\$ 0.00
44-210-434541	Rural Center Grant Income GC 2008-311-40101-112	\$ 500,000.00	\$ 0.00	\$ 500,000.00
44-210-434542	Rural Center Grant Income Hookerton 2008-312-40101-112	\$ 500,000.00	\$ 0.00	\$ 500,000.00
44-210-434543	Rural Center Grant Income Snow Hill 2008-313-40101-112	\$ 500,000.00	\$ 0.00	\$ 500,000.00
44-210-434544	Rural Center Grant Income Walstonburg 2008-314-40101-112	\$ 500,000.00	\$ 0.00	\$ 500,000.00
44-210-	N.C. Direct Appropriations	\$ 0.00	\$ 0.00	\$ 0.00
44-210-434560	Interest on BAN Investments	\$ 0.00	\$ 0.00	\$ 0.00
44-210-434570	Miscellaneous Income	\$ 0.00	\$ 0.00	\$ 0.00
44-210-434571	Interim Financing Loan From 61-940-580143	\$ 113,000.00	\$ 0.00	\$ 113,000.00
	SUBTOTAL USDA ELIGIBLE REVENUES	\$ 7,513,000.00	\$ 5,000,000.00	\$ 12,513,000.00
<u>REVENUES - Non-USDA Eligible</u>				
44-211-	Sales Tax Refund - Restricted	\$ 110,000.00	\$ 0.00	\$ 110,000.00

		ADOPTED BUDGET 8-18-08	CHANGES 8-3-09	REVISED BUDGET 8-3-09
435510				
44-211-435520	Surcharge - Greene Co. Collective Contribution - Restricted	\$ 0.00	\$ 0.00	\$ 0.00
44-211-435530	Interest Earned on Fund 44	\$ 0.00	\$ 0.00	\$ 0.00
	SUBTOTAL NON-USDA ELIGIBLE REVENUES	\$ 110,000.00	\$ 0.00	\$ 110,000.00
	TOTAL REVENUES	\$ 7,623,000.00	\$ 5,000,000.00	\$ 12,623,000.00
	<u>EXPENSES - USDA Eligible</u>			
44-910-540505	Contract No. 5 - Water Transmission Line & BPS	\$ 6,072,250.00	\$ 2,950,147.00	\$ 9,022,397.00
44-910-540506	Contract No. 6 - Ammonia Feed Systems	\$ 0.00	\$ 1,226,840.85	\$ 1,226,840.85
	Construction Subtotal	\$ 6,072,250.00	\$ 4,176,987.85	\$ 10,249,237.85
44-910-581101	Preliminary Engineering Report	\$ 12,500.00	\$ 0.00	\$ 12,500.00
44-910-581102	Basic Engineering Fees	\$ 301,200.00	\$ 236,900.00	\$ 538,100.00
44-910-	Additional Services Engineering Fees	\$ 51,607.28	\$ -22,000.00	\$ 29,607.28
44-910-	Inspection	\$ 262,300.00	\$ 200,700.00	\$ 463,000.00
44-910-581105	Geotechnical	\$ 0.00	\$ 0.00	\$ 0.00
44-910-581106	Environmental	\$ 0.00	\$ 0.00	\$ 0.00
44-910-581601	Legal	\$ 20,000.00	\$ 10,000.00	\$ 30,000.00
44-910-582101	Appraisals	\$ 10,000.00	\$ -10,000.00	\$ 0.00
44-910-582102	Land/Easements	\$ 199,250.00	\$ 2,467.12	\$ 201,717.12
44-910-	Temporary Financing Int Expense	\$ 225,000.00	\$ 125,000.00	\$ 350,000.00
44-910-589601	Administrative	\$ 5,000.00	\$ 0.00	\$ 5,000.00
44-910-589602	Administrative Paid By the Engineer	\$ 7,500.00	\$ 0.00	\$ 7,500.00
44-910-589603	Reimbursable	\$ 0.00	\$ 0.00	\$ 0.00
44-910-589604	Repayment of Interim Financing Loan to 61-940-580143	\$ 113,000.00	\$ 0.00	\$ 113,000.00

		ADOPTED BUDGET 8-18-08	CHANGES 8-3-09	REVISED BUDGET 8-3-09
44-910-589606	Audit	\$ 0.00	\$ 0.00	\$ 0.00
44-910-589609	Contingency	\$ 233,392.72	\$ 279,945.03	\$ 513,337.75
	SUBTOTAL - USDA Eligible Expenses	\$ 7,513,000.00	\$ 5,000,000.00	\$ 12,513,000.00
	<u>EXPENSES - Non USDA Eligible</u>			
44-911-596501	Funding Assistance	\$ 25,000.00	\$ 0.00	\$ 25,000.00
44-911-596502	Project Administration	\$ 25,000.00	\$ 0.00	\$ 25,000.00
44-911-596503	Grant Assistance	\$ 25,000.00	\$ 0.00	\$ 25,000.00
44-911-596504	Water Board Coordination	\$ 35,000.00	\$ 0.00	\$ 35,000.00
44-911-596509	Contingency	\$ 0.00	\$ 0.00	\$ 0.00
	SUBTOTAL - Non USDA Eligible Expenses	\$ 110,000.00	\$ 0.00	\$ 110,000.00
	TOTAL EXPENSES	7,623,000.00	\$ 5,000,000.00	\$ 12,623,000.00

Mr. Bradley Gillam, McDavid Associates presented information regarding work change directives for the Farmville-Greene County Alternative Water Supply Phase 1A. Contract 1 – Work change directive 2 – reroutes the water line through the Frog Level intersection due to the contractor’s failed drybore attempt (decrease of \$65,389.20). Contract 2 – Work change directive 1 – modifies the logo striping on elevated storage tanks 163 (Piney Grove) and 247 (Lang’s Crossroads) (increase of \$7,000.00).

On motion by Commissioner Jones, seconded by Commissioner Edmondson the Board voted unanimously to approve Contract 1 – Work change directive 2.

On motion by Commissioner Shackelford, seconded by Commissioner Jones the Board voted unanimously to approve Contract 2 – Work change directive 1.

Mr. Lewis advised that the County’s 1999 resolution adopting a 10% goal for minorities was just for SB1354 construction projects. To adopt a goal for all construction projects that have state funds included, it is recommended that the County and Water District 1 adopt a new resolution with a 10% goal and a new outreach plan. NCGS 143-128.2 requires that a public hearing be held prior to the adoption.

On motion by Commissioner Jones, seconded by Commissioner Shackelford the Board voted unanimously to set a public hearing for August 17, 2009 at 7:00 pm to consider the adoption of a minority participation goal of 10% and a Minority Business Outreach Plan.

County Manager Don Davenport presented the 2009-2010 Forestry contract in the amount of \$57,401.

On motion by Commissioner Garner, seconded by Commissioner Jones the Board voted unanimously to approve the 2009-2010 Forestry contract in the amount of \$57,401.

Mr. Davenport reviewed the bids that were received on July 31, 2009 for the paving of the Senior Center parking lot. The bids were as follows:

Bidder	Total Bid
CSJ, Kinston, NC	\$19,750.00
Ernie Everett, Kinston, NC	\$22,200.00
Garris Grading, Greenville, NC	\$23,610.00
Greenville Paving, Greenville, NC	\$19,878.65
Lanier Construction, Snow Hill, NC	\$26,566.50
Moses Asphalt, Winterville, NC	\$20,412.00
S.T. Wooten, Wilson, NC	\$22,116.00

On motion by Commissioner Edmondson, seconded by Commissioner Garner the Board voted unanimously to award the contract to CSJ out of Kinston in the amount of \$19,750.

Commissioner Edmondson advised that the Scuffleton Volunteer Fire Department has recently added 2 bays and have asked NC DOT to pave the area in front of the bays. NC DOT told them that they would need a request from the Board of Commissioners to do so.

On motion by Commissioner Edmondson, seconded by Commissioner Jones the Board voted unanimously to authorize the County Manager to request that the area in front of the 2 new bays at Scuffleton VFD be paved.

Mr. Davenport presented a request from Mr. William Chapin to purchase foreclosed property in the Brook Meadow Subdivision in the amount of \$4,000. Mr. Davenport reviewed steps that would need to be taken in order to sell the property.

On motion by Commissioner Garner, seconded by Commissioner Edmondson the Board voted unanimously to reject Mr. Chapin's offer.

Mr. Davenport presented a request from Mr. Mike Barnette, McDavid Associates to set 2 public hearings for September 8, 2009. 1) 2006 CDBG Scattered Site (SSH) program amendment to increase the 2006 SSH grant amount to accommodate the last house; 2) 2009 CDBG Community Revitalization (CR) application.

On motion by Commissioner Garner, seconded by Commissioner Edmondson the Board voted unanimously to set the 2 public hearings for September 8, 2009.

There were no County Attorney comments or recommendations.

Chairman Heath reminded the Board of the tank raising at Lang's Crossroads on August 19, 2009.

On motion by Commissioner Edmondson, seconded by Commissioner Jones the Board voted unanimously to enter into closed session for real property acquisition and attorney/client privilege.

On motion by Commissioner Garner, seconded by Commissioner Jones the Board voted unanimously to adjourn closed session and return to open session.

On motion by Commissioner Edmondson, seconded by Commissioner Jones the Board voted unanimously to adjourn.