REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 22.

Date of Request: July 10, 2008

Board Meeting Date Requested: July 21, 2008

Short Title: Items From County Manager/County Attorney/County Commissioners

Background: The following items are included in the Agenda packets:

1. 2008 NCACC Annual Conference: Voting Delegate Form: Appoint Mr. Rivenbark as Voting Delegate.
2. Pender County Code Enforcement Quarterly Report: Second Quarter 2008.
3. Pender Utilities Project Update.

Specific Action Requested: Review Items from County Manager/County Attorney/County Commissioners.

Requested by: County Manager's Office
Department:
Title:
Contact Phone: 910-259-1200
Contact Fax:

Date Request Received: July 10, 2008

Board Meeting Date Assigned: July 21, 2008

Request Status:
- ☒ Request is proceeding to Board of Commissioners
- ☐ More information is needed – see attached
- ☐ Request on hold – no further information needed
- ☐ Other:

(Administrative Use Only)

CONTRACT TYPE

- ☐ Renewal
- ☐ Revision
- ☐ For Service(s)
- ☐ For Equipment
- ☐ Intergovernmental – County as Grantee
  - ☐ Federal Grantor
  - ☐ State Grantor
  - ☐ Grant or
- ☐ County as Grantor
  - ☐ County Funds
  - ☐ Other Funds:

PURCHASING
Date Rec'd:
Budgeted Item: ☐ Yes ☐ No
☐ Reviewed and Approved
☐ Comments on Reverse
Date Sent:
Signed:

ATTORNEY
Date Rec'd:
☐ Reviewed and Approved
☐ Legal Problem(s)
☐ Comments on Reverse
Date Sent:
Signed:

FINANCE
Date Rec'd
Sufficient Funds ☐ Available ☐ Not Available
☐ Budget Amendment Necessary
☐ Budgeted Amendment is Attached
☐ Comments on Reverse
Date Sent:
Signed:

CLERK
Signature(s) Required:
☐ Board Chairman/County Manager
☐ Other:

Date Rec'd
Approved by Board: ☐ Yes ☐ No
At meeting on

NORTH CAROLINA
ASSOCIATION OF COUNTY COMMISSIONERS

Designation of Voting Delegate to NCACC Annual Conference

I, _____, hereby certify that I am the duly designated voting delegate for _____ County at the 101st Annual Conference of the North Carolina Association of County Commissioners to be held in Craven County, North Carolina, on August 21-24, 2008.

Signed: _____

Title: _____

Article VI, Section 2 of our Constitution provides:

"On all questions, including the election of officers, each county represented shall be entitled to one vote, which shall be the majority expression of the delegates of that county. The vote of any county in good standing may be cast by any one of its county commissioners who is present at the time the vote is taken; provided, if no commissioner be present, such vote may be cast by another county official, elected or appointed, who is formally designated by the board of county commissioners. T hese provisions shall likewise govern district meetings of the Association. A county in good standing is defined as one which has paid the current year's dues."

Please return this form by: **Wednesday, August 6, 2008:**

NCACC
215 N. Dawson St.
Raleigh, NC 27603
Fax: 919-733-1065

PENDER COUNTY PLANNING DEPARTMENT
OFFICE OF CODE ENFORCEMENT

QUARTERLY REPORT—SECOND QUARTER 2008

DATE	LOCATION	NATURE OF COMPLAINT	STATUS
04-01-08	126 Newkirk Rd. Burgaw	Salvage and inoperable vehicles.	06-12-08 Compliance
04-01-08	Adjacent 126 Newkirk Rd. Burgaw	Salvage, inoperable vehicles and stored mobile home.	06-04-08 Compliance
04-04-08	10490 US Hwy. 117S Rocky Point	Storage of inoperable vehicles (4)	05-19-08 Compliance
04-06-08	68 Hoover Rd. Hampstead	Storage of inoperable vehicles (2)	04-22-08 Compliance
04-09-08	7910 Hwy. 117 S. Rocky Point	Temporary signs over 45 days.	05-01-08 Compliance
04-10-08	13728 NC Hwy.210 Rocky Point	Violation of Special Use Permit	05-09-08 Compliance
04-14-08	11 A.R. Black Ave. Rocky Point	Construction without permits.	Demolition permit applied for.
04-21-08	16222 US Hwy. 421 Burgaw	Salvage processing without Special Use Permit.	Filing appeal of ruling by B.O.C.C.
04-22-08	888 River Birch Rd. Burgaw	Improper storage of a travel trailer	Appealed ruling to the B.O.A. Set for 07-16-08.
04-22-08	926 River Birch Rd. Burgaw	Storage of Travel trailer	06-05-08 Compliance
04-24-08	270 Arvida Spur Rocky Point	Construction of accessory structure without permits.	04-28-08 Compliance
04-24-08	13854 US Hwy.17 Hampstead.	Placement of a sign without permits	05-06-08 Compliance
04-28-08	201 Wax Myrtle Ln. Rocky Point	Storage of Mobile home	05-30-08 Compliance
04-28-08	150 Honeysuckle Rd. Rocky Point	Storage of mobile home.	Under "Second Notice of Violation ".

04-28-08	Wax Myrtle Lane and Lillington Lane.	Storage of mobile home.	"Second Notice of Violation" mailed. Mobile home 90% removed.
04-28-08	1309 Lillington Lane, Rocky Point	Storage of mobile home.	Under "Second Notice of Violation".
04-28-08	27 Honeysuckle Rd. Rocky Point	Storage of mobile home.	Under "Second Notice of Violation".
04-28-08	70 Honeysuckle Rd. Rocky Point	Construction of addition to home without permits.	Under "Second Notice of Violation"
04-29-08	1920 Murray Town Rd. Burgaw	Storage of mobile homes (2).	Under "Second Notice of Violation" One home has been removed.
05-05-08	Battleground Rd. Atkinson.	Setup of mobile home without permits.	05-30-08 Compliance Permits obtained.
05-05-08	3212 US Hwy. 210 Hampstead	Inoperable vehicles, salvage and construction without permits.	Under "Second Notice of Violation" Property is %90 in compliance.
05-06-08	130 Deepwoods Ridge Rd. Rocky Point	Inoperable vehicles (2)	Under "Second Notice of Violation"
05-05-08	11125 US Hwy. 17. Hampstead	Storage of inoperable vehicle.(Wrecked).	05-26-08 Compliance vehicle removed.
05-07-08	118 Deepwoods Ridge Rocky Point.	Inoperable vehicle.	05-28-08 Compliance vehicle removed.
05-07-08	109 Bellhammon Forest Dr. Rocky Point	Inoperable vehicle.	06-23-08 Compliance vehicle removed.
05-15-08	Virginia Creek Campground Hampstead	Construction of accessory structure without permits.	Under "Second Notice of Violation".
05-15-08	14700 US Hwy. 210 Rocky Point	Salvage and trash.	"Second Notice " mailed. Cleanup in progress.
05-21-08	North Holly Shelter Estates Rd. Rocky Point	Construction without permits. Storage of travel trailer.	06-27-08 Compliance.
05-22-08	239 Lanier Ave. Rocky Point	Inoperable vehicles (7).	Under "Second Notice of Violation".
05-28-08	Bell Williams Rd. Currie	Storage of travel trailer.	Under "Second Notice of Violation"
05-29-08	Heading Bluff Rd. Currie	Travel trailer as residence/improper storage.	"Notice of Violation" mailed.
05-29-08	Estate Rd. Atkinson.	Improper storage of a travel trailer.	"Notice of Violation" mailed Owner stated he will remove.

06-04-08	Estate Rd. Atkinson	Construction of dock/pier without permits.	Notice of Violation mailed. Property owner applied for Zoning/Building Permit.
06-02-08	Lot 3 River Trail, Burgaw	Storage of a travel trailer on a not principal lot.	"Notice of Violation" mailed.
06-02-08	Adjacent to 565 River Trail, Burgaw	Storage of travel trailer.	"Notice of Violation" mailed. Owner will remove.
06-05-08	5240 US Hwy. 117 S. Burgaw	Creating/maintaining a salvage yard in a residential area.	"Notice of Violation" mailed.
06-10-08	15961 US Hwy. 17. Hampstead	Use of temporary sign in excess of the 45 day limit.	06-25-08 Compliance. Sign removed.
06-06-08	Adjacent to 585 Williams Store Rd. Hampstead	Storage of mobile homes (2)	First "Notice of Violation" mailed.
06-06-08	433 Williams Store Rd. Hampstead	Creating and/or maintaining a salvage yard.	06-27-08 Compliance.
06-12-08	1965 Herrings Chapel Rd. Burgaw	Salvage Yard in a residential area.	First "Notice of Violation" mailed.
06-11-08	311 Knollwood Dr. Hampstead	Commercial business in a residential area.	First "Notice of Violation" mailed.
06-13-08	7050 NC Hwy. 53 Burgaw	Storage of vehicles.	Notice mailed. 06-27-08 Compliance.
06-26-08	800 NC. Hwy. 133 Rocky Point	Moving/setup of a mobile home w/o permits.	First "Notice of Violation Mailed.

Total Complaints Second Quarter 2008 = 44 Total Complaints year to date = 66 Total cases resolved (Compliance) to date = 32
Total phone calls Second quarter = 240 Total phone calls to date 2008 = 533

PENDER UTILITIES

605 E. Fremont Street
P.O. Box 995
Burgaw, NC 28425
Phone - 910.259.1570
Fax - 910.259.1579

MEMO

TO: Paul B. Parker/Interim County Manager
FROM: Michael G. Mack
DATE: July 15, 2008
RE: Utilities Project Update

PROJECT	COSTS	CURRENT STATUS	NEXT ACTION ITEM
Water Treatment Plant	$17,500,000- USDA Loan	Engineering Services Agreement with CDM approved on April 21, 2008 Initial Kickoff Meeting with engineers held Friday, May 2nd. Site visit with CDM to tour the property held on June 3, 2008. CDM is presently configuring the actual location of the WTP on the site and has produced a draft layout map. CDM has recommended positioning the WTP in a specific location to take advantage of the topographic high ground available there to provide for gravity flow through the treatment process to the residual basins, reducing operational costs and complexities. USDA check presentation ceremony held 06/16/08	Hwy 421 Industrial Park Study in process with Wilmington Industrial Development- Need to determine best layout of Industrial Park before actual location of WTP is determined. CDM has proposed an initial site layout contingent upon GIS accuracy to actual conditions on the ground. **Tentative Timeline** Study and Report Phase, Preliminary Design, Final Design and preparation of Bid Documents, Permitting: 14 months from date of authorization to proceed. Bidding/selection process: 4 months Construction: 18 Months Plant Online: June 2011 (36 Months)
Maple Hill Sewer	$2,700,000- Rural Center Grant approved $1.5 million applied for with Clean Water Management Trust Fund	Grant Administrator- Marilyn Meares, Cape Fear RC&D Engineering Firm is Hobbs, Upchurch (Jeff Thompson) Initial 135 acres being held by Nature Conservancy is not adequate for drip application – need to find suitable land in Maple Hill Met with NC Rural Center on 04/17/08 to update them on the status and review options – we proceed with Engineering and soils evaluation at our own risk. No Contract at this time. Met with Clean Water Management Trust Fund Representative, Sarah King and toured Maple Hill on 06/04/08. Project Team has sent letters requesting Legislative Support for the Clean Water Management Trust Fund grant. Additional data sampling was conducted by Applied Resource Management indicating that some source contamination levels are highly elevated - likely due to septic failures. This data has been shared with CWMTF.	Researching possible suitable land for drip application. Costs have escalated to $24,000 per home based on current design. Some level of local funding may be necessary to make this project a success. Still looking for suitable land(s) to either purchase or to exchange. May need to proceed with purchasing land from Nature Conservancy in order to have land to exchange – possibly with nearby blueberry grower. Need to establish income and economic date for the community of Maple Hill to enhance the CWMTF grant possibilities. Important to keep legislators informed of our need on this project.

PROJECT	COSTS	CURRENT STATUS	NEXT ACTION ITEM
Pender Packing Sewer	$350,000 Community Development Block Grant – Economic Development Grant and $50,000 Rural Center Jobs Development Grant	Design is complete. Project on hold pending additional sewer allocation approval from the City of Wilmington.	Award construction pending approval from City of Wilmington. Contract Administrator contacting funding agencies for reservation of funds. Possibly allocation from Re-rate? Need to work with Cape Fear Public Utilities Authority (CFUPUA) now to resolve all issues related to additional capacity – needed for Rocky Point Primary School, Pender Packing and a medical office.
Scott's Hill Water Distribution Project	$3,067,000 USDA Loan	Currently signing up participants. Campaign is currently ongoing and we have 433 (plus 5 commercial w/no deposit) participants signed up. McKim & Creed is proceeding with permitting and CAMA Pender and New Hanover County staff have met to pursue possibilities for exchanges of water in this area- they are bringing a 6 MGD water treatment plant online within range of Scotts Hill	Need to wait and see if we can afford to build this system connecting to and being served by Rocky Point/Topsail Water and Sewer District. Pursuing options with New Hanover County for interconnection. Possibly Reduce scope of project to serve the folks who have signed up. Possible private developer involvement Now need to work with CFPUA.
Phase IIIa Water Project	$526,000 USDA Loan	Project has been designed and permitted. This will serve approximately 150 customers. 14 line extensions to serve communities that grew after we conducted initial sign ups	Water Availability Date will be June 1, 2008 – which means they can begin to connect on that date. Customers are currently connecting
Phase IV	$2,623,000	Project has been constructed. This serves approximately 320 customers.	Project is 100% complete
Phase V	$8,671,879.50 – USDA Loan	Project is currently under construction – Water main has been installed throughout the project area - Except for Highway 210 from Watts Landing Road to Hwy 50. Will serve approximately 1150 customers. Water Availability Date is April 1, 2008. Individuals have been given notice that they may connect. TA Loving has completed their phase. Herring Rivenbark awaiting instructions with respect to Hwy 210 work.	McKim & Creed surveyed for private easements. County entered into negotiations with Town of Surf City (2MGD water plant opening May 1, 2008) to become bulk water customer. Moving ahead with original route along Highway 210. Approximately 43 private easements will be required to construct the waterline between Highway 210 and Highway 50. The engineer has determined the Highway 210 portion must be built in order to maintain pressure and water quality to all of the Lanier neighborhood. USDA also strongly advocates the County obtain the easements and construct the original waterline route as originally designed. M&C has determined that we can, after obtaining only three (3) of the 43 easements, begin construction of the lines to reach the Lanier subdivision.
Interim Capacity Increase: Rocky Top- Upgrade of pumps for additional water capacity from Wallace	$676,000 to install parallel line and upgrade pump station. Board has approved engineering fees to design this upgrade, however, construction award pending	Agreement to increase from 800,000 GPD to 1,200,000 GPD has been approved by both Pender County and the Town of Wallace. Engineering determined we could only take an additional 300,000 GPD. We have received verbal (but not written) confirmation that the Town of Wallace approved our taking the additional 300,000 of capacity for ten (10) years – we asked for forty (40) but can survive with ten (10).	Project stalled for a time awaiting modeling data from Crizer & Troutman to McKim & Creed indicating whether or not Rocky Tops could take an additional 300,000 GPD without jeopardizing Wallace's system pressures. McKim & Creed is completing design. USDA has advised that this work can be done by Change Order to an existing contract on Phase V. HOWEVER – Until the costs associated with the Highway 210 easement acquisition are known, they will not permit the County to use these funds to construct the interim upgrades. **OLD TIMELINE:** Estimated time to complete if mobilized (04/30/08) soon: Pipeline – August/September 2008 Pump Station – December 2008

PROJECT	COSTS	CURRENT STATUS	NEXT ACTION ITEM
Interim Capacity Increase: Alternative Water Sources Identify production well sites	Unknown cost	In addition to the above referenced upgrades, the County may need to pursue the identification and construction of production wells.	For the benefit of St. George's Reach, the County allowed exploration of well site on Transfer Station Road property and initial indications are favorable. Jim Cornette estimates that after drilling 8 test wells in and around the property owned by Pender County that there may be one or more well sites capable of producing 500,000 GPD from the Castle Hayne Aquifer. They conducted drawdown tests and a report was anticipated during the week of May 15th.
Regional Sewage Plant	Est. $15 million $225,000 for Engineering Alternatives Analysis and cost is being shared with New Hanover County	McKim & Creed conducted the Engineering Alternatives Analysis. The results indicate "Pender County should proceed with permitting this new treatment facility for conjunctive reclaimed water reuse and direct discharge via a renewed NPDES permit.	Staff met with NHC/COW and the staff of the new Cape Fear Public Utilities Authority on April 24, 2008 to discuss this – all agree to move forward to put before our respective elected boards. Interlocal Agreement for both water and sewer projects have been reviewed by both sides legal and engineering firms and we anticipate bringing this to the Board for their direction in the near future. Both NHC and Pender agree that we can continue this discussion beyond the consolidation into CFPUA.
Highway 117 Sewer & Chubb Road Easements	$3,400,000	Burgaw has obtained a Clean Water Management Trust Fund Grant to build this sewer line; however, in order to qualify, they must take their existing plant offline. Burgaw has offered to sell the County their sewer treatment plant. County would have to obtain a new discharge permit.	Pay invoices as presented – per Interlocal Agreement Take action on future agenda to deed Chubb Road property to Town of Burgaw if the Board agrees – recommended purchase price is $5,000 with County retaining easements for future water. On 07/07/08 agenda, Board approved whole new realignment for DOT. County Attorney is preparing final documentation for conveyance. Town Updated Board on Wallace progress on this project at the May 2, 2008 meeting. Sewer Plant Upgrades now estimated for Town of Wallace at $16 million.
Water Supply Plan Update Modeling of County Utilities	$50,000 estimate	Southern Engineering is conducting the mapping of modeling program with - $5,600 approved by BOCC on 02/18/08.	Southern Engineering – Greg Thompson completed and submitted to state on April 1, 2008. Mapping is being finalized.
Phase IVa	Unknown No funding currently available	Survey being conducted for number of potential connections/expansion roads	Submit letter to USDA requesting approval – funding is available from savings of Phase V AND IV projects- HOWEVER, WE WILL NEED THESE FUNDS TO OBTAIN ADDITIONAL WATER CAPACITY. Unknown cost until Phase V is complete.
Sewer (re)Allocation	NA	Pender County currently has contract with Wilmington/NHC for 75,000 per day of treatment capacity. Northside Treatment Plant in Wilmington is currently undergoing expansion and once complete, Pender will have 250,000 and potentially up to 1 MGD of capacity in their 16MGD plant. Currently, the plant is undergoing a re-rating that may free up additional capacity. NHC is favorably disposed to give us additional allocation. All is now in the hands of the CFPUA.	Rocky Point Primary School needs to connect to the sewer – this will require 5,600 GPD.**** URGENT**** Pender Packing (the grant recipient listed above) needs to connect ASAP for jobs retention and expansion. Taking old system off line – under agreement with state to do this. They need 5,800 GPD. Dr. Zinicola – Rocky Point Medical – needs allocation to open a Dr. Office. 1,500 GPD Mr. Greene requested additional capacity from New Hanover County to assist these projects if they obtain more through the plant's re-rate. Staff met with NHC staff on 04/09/08 and with Cape Fear Utilities and NHC/COW staff again on 04/18 and 04/25. Permits and permitted flow must be audited. New Authority is **cautious** to allow additional flow until the plant is re-rated or upgraded. They continue to want us to de-allocate from within. Staff will conduct a thorough audit of all 13 current sewer users and provide this to the new Authority along with a copy of Pender's Water and Sewer Master Plan.

PROJECT	COSTS	CURRENT STATUS	NEXT ACTION ITEM
Solid Waste Sticker Program	$13,000	The County operates 12 convenience centers and one Transfer Station and charges folks in the unincorporated areas a solid waste fee to use these sites. Stickers authorizing use are changing effective 03/01/08. New stickers were mailed out in January of 2008 with a county-wide tax office discovery mailing – culled to send stickers only to those who pay the fee.	2008 Sticker program has been fully implemented. 2009 Stickers will be mailed in a separate independent mailing in early October. The Tax Assessor advises that it would too greatly complicate the tax mailing if we tried to incorporate solid waste stickers as well.
Solid Waste Management Plan – 10 year update	Unknown	Was due last year	Need to look at Ordinance revisions, etc.
Solid Waste – Upgrades to Convenience Centers	FY2008/2009 Budget includes $280,000 for capital upgrades	Need to undertake paving project at Transfer Station- $220,000 Upgrades to Burgaw Disposal site necessary- $60,000	In June of 2008, repairs to the Hopper at the Transfer Station were undertaken at a cost of $19,200. Waste Industries advises that in the next 5 to 6 years the entire hopper will need to be replaced. Put out informal bid for Transfer Station work and Burgaw Convenience Center upgrades.
Solid Waste – Possible Negotiation of Contract Extension	On 07/21/08 Agenda	Due to Solid Waste Management Act of 2007 – Waste Industries wishes to negotiate with County to extend contract by 10 years, thereby reserving space in their Landfill – Sampson County.	Randy Gainey of Waste Industries has presented their proposal – essentially consisting of a $3.00 per ton reduction in the cost of disposal, and they will agree to administer the Solid Waste Mgmt Act of 2007- Trash Tax of $2/ton. County will pay the cost to WI who will remit and report to NC Dept. of Revenue.