

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 6.

Date of Request: October 27, 2008

Date Request Received: October 27, 2008

Board Meeting Date Requested: November 3, 2008

Board Meeting Date Assigned: November 3, 2008

Short Title: Resolution Approving Pender County Application For Public Use Of County Facilities

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)

Background: The County's facility use application and policy hasn't been updated in several years. An updated application has been drafted and incorporates a few changes including "County non-endorsement" language, and "hold harmless" language. Overall, the facility use policy remains very citizen friendly, and provides for uses including educational, cultural, civic, governmental, political, and community groups. The policy requires that individuals or organizations desiring to use a County meeting room complete an application for submission to the County Manager's Office (or the Agricultural Building Extension Service in the case of Agricultural Building Rooms). This will help ensure consistency in the use of County facilities and meeting rooms.

Specific Action Requested: To approve a resolution adopting the Pender County Application for Public Use of County Facilities.

Requested by: Rick Benton
Department: County Manager's Office
Title: County Manager
Contact Phone: 910.259.1200
Contact Fax: 910.259.1402

CONTRACT TYPE

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

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

MANAGER'S RECOMMENDATION:

Respectfully Recommend Approval.

TRB
Initials

RESOLUTION: NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that

The Pender County Application for Public Use of County Facilities dated November 3, 2008 is hereby approved to govern the public use of County facilities and meeting rooms. The County Manager is authorized to implement and enforce the application and policy.

ADMENDENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: Williams ___ Tate ___ Blanchard ___ Brown ___ Rivenbark ___

James David Williams, Jr., Chairman Date

ATTEST Date

Pender County
Application for Public Use of County Facilities
[Effective November 3, 2008]

Organization's Name: _____
Contact Name: _____ Title: _____
Mailing Address: _____
Phone Number(s): _____
Building and Meeting Room Being Requested: _____
Date and Time of Use: _____
Purpose of Use: _____
Any Additional Information: _____

The County meeting rooms are available for use by educational, cultural, civic, governmental, political, and other community groups for public meetings. Businesses located in the county may use these facilities only for educational in-house programs for their employees.

Use of the facilities in no way constitutes an endorsement by Pender County of any group's activities or beliefs. The county shall not discriminate in providing meeting room space on the basis of race, religion, age, gender, political affiliation, national origin, or disability.

1. The use of the county's meeting rooms will be limited to meetings for which no admission charge is made except for registration fees for programs sponsored by the county department or agency itself or a non-profit educational group for classes, workshops, discussion groups, or forums. Any other income generated by an event is to be retained by the county or a county support group for the benefit of the county.
2. Bookings shall be on a first-come first served basis. Reservations should be made at least three (3) days in advance and standing reservations (i.e. "second Tuesday of each month) are generally prohibited. Nongovernmental groups wanting to use the room on a regular basis may not book upcoming meetings more than two (2) months in advance.
3. Facilities should not be booked for meetings for which anticipated attendance is greater than 100.
4. Requests for use of County meeting space (except for the Agriculture Building) shall be submitted on an application to the County Manager's Office. Requests for use of the Agriculture Building shall be coordinated with the Agriculture Extension Service. All applications are available at County facilities and on the County's web site. All applications are subject to review and approval by the County Manager and the Board of Commissioners.
5. The person/organization booking the meeting room shall be responsible for arranging the room or facilities ahead of time to suit their needs and for returning the room or facilities to orderly condition. County staff does not set up chairs or tables. Organizations may be placed on probation or prohibited from future use of the facilities if the responsible representative fails to carry out the duties outlined herein satisfactorily.
6. For special arrangements regarding food and beverage, the manager of the particular building you will be using must be consulted. No smoking or alcoholic beverages are allowed inside any County buildings.
7. When a meeting is scheduled after County hours, appropriate arrangements must be made to properly secure and vacate the building. This will be coordinated with the manager of the building to be used.
8. In any advertisements for meetings, the County's name may be used only in conjunction with the

specific location of the meeting.

- 9. The Pender County Library (910-259-1234) and Pender County Parks and Recreation (910-259-1330) each have more specific policies and documentation for use of their facilities. Please contact them directly for their specific requirements.
- 10. The undersigned covenants not to sue or to assert any claim against Pender County, its Commissioners, agents or employees, or any other person, firm, corporation or other entity with respect to any injury or any other consequence arising out of or related in any way to the undersigned's use of, presence at, ingress to or egress from, the County Facilities.

Futhermore, the undersigned hereby releases Pender County, its Commissioners, agents or employees, or any other person, firm, corporation or other entity from any and all claims, demands, damages, actions and causes of action, suits, losses and liabilities, however denominated, whether known or unknown, contingent or absolute, apparent or unapparent, accrued or unaccrued, arising out of or related in any way to:

- (a) the undersigned's use of, presence at, ingress to or egress from said County Facilities;
- (b) any act, omission, event, incident, transaction or occurrence of any person, firm, corporation or other entity on or in the vicinity of said County Facilities; and
- (c) any circumstance or condition (latent, obvious or otherwise) in or near the vicinity of said County Facilities.

And furthermore, the undersigned hereby expressly assumes any and all risk or consequences arising out of or related in any way to:

- (a) the undersigned's use of, presence at, ingress to or egress from said County Facilities;
- (b) any act, omission, event, incident, transaction or occurrence of any person, firm, corporation or other entity on or in the vicinity of said County Facilities; and
- (c) any circumstance or condition (latent, obvious or otherwise) in or near the vicinity of said County Facilities.

It is also understood the undersigned is responsible for any damages that may occur to the County Facilities during the time of usage and further agrees to reimburse the County for the cost of repair.

The undersigned has had a full and fair opportunity to read, consider the same and obtain legal or other advice; and the undersigned represents to Pender County, and acknowledges that such representation is material and may reasonable be relied upon by Pender County, that the undersigned has read, understands, and fully consents and agrees to the foregoing.

Applicant Signature _____ Date: _____

For Office Use:

Approved _____ Not Approved _____

Special Conditions: _____

County Staff's Signature _____ Date: _____

*Please return form to Pender County Manager's Office (or Agriculture Extension Service)
 805 S. Walker Street, P.O. Box 5 Burgaw, NC 28425
 Phone 910.259.1200
 Fax 910.259.1402*