

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 1.

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 Authorizing Application To North Carolina Department Of Environment & Natural Resources - Division Of Water Resources For The Black River Restoration Project: \$100,000

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

Background: In August of 2007, The North Carolina General Assembly awarded Pender County a cost-share grant in the amount of \$100,000 to remove blockages in the Black River. The grant requires no local match and Southern Engineering has put together the application package.

(Administrative Use Only)

Upon submission and formal award, the County shall implement the Black River Restoration Project.

CONTRACT TYPE

Specific Action Requested: Authorization to submit the application to NC DENR- Division of Water Resources for the \$100,000 Black River Restoration Project

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

Requested by: Paul Parker
Department: County Manager
Title: Assistant County Manager
Contact Phone: 910-259-1200
Contact Fax: 910-259-1402

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

Date Sent:

Signed:

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

Date Sent:

Signed:

FINANCE Sufficient Funds Available
Date Rec'd 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

**RESOLUTION FOR STATE ASSISTANCE
FROM THE NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

WHEREAS, the Pender County Board of Commissioners desires to sponsor the Black River Restoration Project for the removal of storm debris and other vegetative material which have impacted the ability of the river to accept and convey stormwater and has created a threat to property from flooding for properties located in Pender County and Bladen County, and

WHEREAS, This project will improve drainage and navigation for the region.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Pender County Board of Commissioners requests the State of North Carolina to provide financial assistance to Pender County for the Black River Restoration Project in the amount of \$ 100,000.;
- 2) The Pender County Board of Commissioners assumes full obligation for payment of the balance of project costs;
- 3) The Pender County Board of Commissioners will obtain all necessary State and Federal permits;
- 4) The Pender County Board of Commissioners will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.
- 5) The Pender County Board of Commissioners will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) The Pender County Board of Commissioners will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) The Pender County Board of Commissioners will assure that the project is open for use by the public on an equal basis with no restrictions;
- 8) The Pender County Board of Commissioners will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) The Pender County Board of Commissioners accepts responsibility for the operation and maintenance of the completed project.

MANAGER'S RECOMMENDATION:

Respectfully recommend approval.

Initial

Initial

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

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

J. David Williams, Jr., Chairman 11/03/08
Date

Attest 11/03/08
Date