



REQUEST FOR BOARD ACTION

ITEM NO. 7.

DATE OF REQUEST: March 9, 2009

REQUESTED BY: Rick Benton, County Manager

SHORT TITLE: Resolution for State Assistance from the NC Department of Environment and Natural Resources, Division of Water Resources

BACKGROUND: The Board of Commissioners has identified drainage management as a priority issue and on February 16, 2009 approved a Preliminary Engineering Report for Pender County Drainage Projects. The report identified five priority draining projects that when completed will help alleviate flooding and drainage problems in Pender County. The total estimated cost of the five projects is \$500,000. The project locations are Sills Creek, White Oak Branch, Mill Branch, Roscoe Creek and Calico Bay.

Mr. Parker and Mr. Thompson (Southern Engineering) are working to identify funding resources to implement these projects, and have prepared an application to the NC Department of Environment and Natural Resources, Division of Water Resources. The application is for \$500,000 for the projects noted above. A formal resolution requesting financial assistance from the State is required as a part of the grant application.

SPECIFIC ACTION REQUESTED: To adopt a resolution approving the attached formal state financial assistance resolution.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

 JTB
Initial

RESOLUTION

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

the attached Resolution for State Assistance from the NC Department of Environment and Natural Resources, Division of Water Resources is adopted. The County Manager is authorized to execute any/all documents necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

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

Jimmy T. Tate, Chairman Date

ATTEST Date

**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 Sills Creek, White Oak Branch, Mill Branch, Roscoe Creek and Calico Bay Drainage Projects for the removal of storm debris and other vegetative material which have impacted the ability of these creeks and branches to accept and convey stormwater and has created a threat to property from flooding for properties located in Pender County, and

WHEREAS, These projects will improve drainage throughout 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 Sills Creek, White Oak Branch, Mill Branch, Roscoe Creek and Calico Bay Drainage Projects in the amount of \$ 500,000.;
- 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.

Adopted this the 16th day of March, 2009.

Jimmy T. Tate, Chairman

Rick Benton, County Manager