



## REQUEST FOR BOARD ACTION

ITEM NO. 8

**DATE OF MEETING:** November 3, 2014

**REQUESTED BY:** Michael G. Mack, Utilities Director

**SHORT TITLE:** Resolution Authorizing Adoption of a Capital Project Budget Ordinance for the Engineering, Design, Permitting, Bidding, Inspections, Testing, and Construction of the Pender Commerce Park.

**BACKGROUND:** On September 16, 2013, the Board of Commissioners approved a reimbursement resolution in the estimated amount of \$3,000,000 for the engineering and construction of the Pender Commerce Park. Subsequently, on October 31, 2013, the Board approved the Incentive Agreement for RC Creations obligating an additional \$450,000 for a temporary access road and final site grading to allow RC Creations to move quickly into construction of their new 100,000 SF manufacturing facility within the Pender Commerce Park.

The total cost of engineering, construction, site preparation for RC Creations, and soil and materials testing have now been determined.

**SPECIFIC ACTION REQUESTED:** To consider a resolution adopting the Capital Project Budget Ordinance to document the project expenditures and funding for the engineering and construction of the Pender Commerce Park.

**COUNTY MANAGER'S RECOMMENDATION**

Respectfully recommend approval.

DM  
Initial

**RESOLUTION**

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

the attached Capital Project Budget Ordinance to document the proposed project expenditures, funding, and revenues for the design, permitting, bidding, and construction of the Pender Commerce Park is approved and adopted.

The Chairman/County Manager is authorized to execute any document necessary to implement this resolution.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS

YEA VOTES: Williams \_\_\_ McCoy \_\_\_ Brown \_\_\_ Tate \_\_\_ Ward \_\_\_

\_\_\_\_\_  
J. David Williams, Jr. Chairman      11/03/14  
Date

\_\_\_\_\_  
ATTEST      11/03/14  
Date

**CAPITAL PROJECT BUDGET ORDINANCE  
PENDER COMMERCE PARK CONSTRUCTION**

**WHEREAS**, the Pender County Board of Commissioners desires to adopt a capital project budget ordinance pursuant to and as provided by NCGS 159- 13.2; and

**WHEREAS**, the Pender County Board of Commissioners desires to construct the infrastructure improvements within the Pender Commerce Park including water distribution, wastewater collection, stormwater management, roadways, sidewalks, and street trees to serve the lots within the Park and per the Incentive Agreement with RC Creations, LLC., dated October 31, 2013 to encourage industrial development and economic growth in Pender County;

**NOW, THEREFORE, BE IT ORDAINED**, by the Pender County Board of Commissioners, as follows:

SECTION 1: The amounts herein set forth are hereby appropriated for the expenses related to the project:

Construction	\$ 2,718,419.00
Engineering	\$ 110,000.00
Soils & Materials Testing	\$ 19,705.00
RC Creations Site Preparation	<u>\$ 450,000.00</u>
	\$ 3,298,124.00

SECTION 2: The amounts herein set forth are hereby designated as the revenues to be made available for the project to meet the foregoing appropriations:

General Fund Appropriation	\$ 3,298,124.00
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SECTION 3: Authorized activities for the Pender Commerce Park include the expenditure of local funds for infrastructure construction, engineering, site work for RC Creations, and Soils & Materials Testing. The officials of Pender County including the Project Manager are hereby directed to proceed with the project within the terms of the contract documents and the budget contained herein,

SECTION 4: The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to provide for the accounting of the project as required by federal, state and local regulations.

SECTION 5: Funds may be advanced from the general fund for the purpose of making payments as due until the permanent financing is secured. A reimbursement resolution was adopted on September 16, 2013 to reimburse the general fund(s) used for making payments.

SECTION 6: Copies of this ordinance shall be filed with the Finance Director and the Clerk to the Board of Commissioners to be kept by them for their direction in carrying out this project.

This ordinance was introduced and passed at this meeting of the Pender County Board of Commissioners, and was adopted this the 3<sup>rd</sup> day of November, 2014.

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J. David Williams, Jr., Chairman

ATTEST:

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Bob Murphy, Clerk to the Board