



REQUEST FOR BOARD ACTION

ITEM NO. 16

DATE OF MEETING: March 21, 2016

REQUESTED BY: Katherine C. Brafford, Finance Director

SHORT TITLE: Approval of two (2) FY 2015-2016 Budget Ordinance Amendments (BOA); 1) to Re-Appropriate the Fund Balance from the General Fund that was Initially Approved by the Board of Commissioners at their meeting on December 12, 2011 and 2) to Appropriate Additional Fund Balance from the General Fund to Correct Previous Years Failures to Make Transfers for Maple Hill and to Appropriate Fund Balance in the Fire Districts Fund (Fund 26) to Enable Pay-Out of Current Balances Now Due to the individual Fire Districts.

BACKGROUND: On December 12, 2011, a BOA was approved to appropriate \$293,933.82 of fund balance from the General Fund to fund capital and equipment needs of the volunteer fire departments. The BOA was never "posted" to the County's General Ledger and the funds were never transferred from the General Fund (Fund 10) to Fund 26, which "houses" the funds of the volunteer fire departments. The payments were, however, made in fund 26 to pay out the \$293,933.82 to the various fire departments. These transactions resulted in the fund balance in Fund 26 ending in a deficit for FY 2012. Copies of 1) the Resolution approving the appropriation of the \$293,933.82; 2) the excerpt of the minutes form that meeting confirming approval of the BOA; and 3) the page from the FY 2012 Audit Report which reflects this deficit fund balance are attached. As additional information, copies of this page from the FY 2013, 2014 and 2015 Audit Reports are also attached.

Fund 26 has remained in a deficit fund balance situation since FY 2012. The deficit has decreased over the past three (3) years, only as a result of 1) the timing of pay-out of the tax receipts to the various departments; 2) failure to pay out Maple Hill VFD the difference between the \$70,000 budgeted and tax collections actually received of \$45,177.90 in FY 2012; and 3) failure to process the transfers appropriated to bring the Maple Hill VFD up to the amounts agreed upon in the Fire Department Funding Agreement and Automatic Aid Agreement entered into between the County and the Maple Hill VFD on December 12, 2011, whereby the County agreed to supplement Maple Hill VFD's fire tax collections annually in order to bring them up to \$100,000 per annum, effective with FY 2013 forward. A copy of that agreement is also attached.

SPECIFIC ACTION REQUESTED: 1) To consider approving a budget ordinance amendment to re-appropriate fund balance from the General Fund that was initially approved by the Board of Commissioners at their meeting on December 12, 2011 but never transferred and 2) to consider approving a budget ordinance amendment to appropriate fund balance from the

General Fund for the appropriations not processed in FY 2012 and FY 2014 for Maple Hill VFD and to appropriate fund balance in Fund 26 to pay out the balances owed to the various VFDs as of June 30, 2015.

The foregoing Ordinance, upon motion of Commissioner _____ and second by Commissioner _____, and having been submitted to a roll call vote and received the following votes: YES Votes: _____ NO Votes: _____ ABSTAIN: _____ was approved _____ denied _____ on this the 21st day of March 2016

George R. Brown, Jr., Chairman

ATTEST:

Melissa Pedersen, Clerk to the Board

BUDGET ORDINANCE AMENDMENT TITLE: Appropriate Fund Bal from General Fund to correct error from FY 2012

Introduced by: Randell Woodruff, County Manager Date: 2016-03-21 Item #: _____

Fund: GF (10) & FD (26) Department: Transfers to Other Funds Division: _____



PENDER COUNTY, NORTH CAROLINA

FY 2015-2016 Budget Amendment # 2016-66 Date Approved: _____
 Appropriations

REVENUES		EXPENDITURES	
Increase: <input checked="" type="checkbox"/>	Decrease: <input type="checkbox"/>	Increase: <input checked="" type="checkbox"/>	Decrease: <input type="checkbox"/>
Account # and Title	Amount	Account # and Title	Amount (leave off \$ sign)
Fund Balance Appropriated - Gen Fd 10-399000	\$293,933.82	Transfer to Fund 26 (County Wide Fire Tax) 695-409051	\$293,933.82
General Fund Contribution 26-397000	\$293,933.82		
Fund Balance Appropriated - Fund 26 26-399000	\$-293,933.82		
Total:	\$293,933.82	Total:	\$293,933.82

Reason and Justification for Request:
 To "re-appropriate" funds approved by the BOC at the December 12, 2011 Board Meeting to "fund immediate capital and equipment needs for the various departments." Copies of the Resolution (which was approved unanimously) and the supporting documentation, together with a copy of the excerpt from the minutes of that meeting, are attached. There is a discrepancy between the minutes and the Resolution of \$9,104.82; however, the amount reflected in the Resolution is what was ultimately paid out to the various Fire Departments. Neither the Budget Amendment nor the transfer of the funds from the General Fund to Fund 26 were ever made, contributing in large part to the deficit fund balance in Fund 26 (-\$232,403) at the end of that fiscal year (FY 2012). A copy of the page from the FY 2012 Audit Report which reflects this deficit fund balance is also attached.

Dept Mgr. Approval: _____ Date: _____ Finance Officer Approval: _____ Date: _____ Budget Officer Approval: _____ Date: _____

Board Approval (When Applicable) Item # _____ Date of Minutes _____

BUDGET ORDINANCE AMENDMENT TITLE: Appropriate Fund Bal from GF for Fire Depts to correct error from FY 2012

Introduced by: Randell Woodruff, County Manager Date: 2016-03-21 Item #: _____

Fund: GF (10) & FD (26) Department: Transfers to Other Funds Division: _____



PENDER COUNTY, NORTH CAROLINA

FY 2015-2016 Budget Amendment # 2016-67 Date Approved: _____
 Appropriations

REVENUES		EXPENDITURES	
Increase: <input checked="" type="checkbox"/>		Decrease: <input type="checkbox"/>	
Increase: <input type="checkbox"/>		Decrease: <input checked="" type="checkbox"/>	
Account # and Title	Amount	Account # and Title	Amount (leave off \$ sign)
Fund Balance Appropriated - Gen Fd		Transfer to Fund 26 (County Wide Fire Tax)	
10-399000	\$83,087.23	695-409051	\$83,087.23
General Fund Contribution		Fire Departments	
26-397000	\$83,087.23	540-454021: Pender Central	\$33,695.69
		540-454022: Sloop Point	\$32,337.81
26-399000: Fund Balance App	\$175,408.42	540-454024: Rocky Point	\$48,600.57
		540-454025: Long Creek	\$13,779.15
		540-454026: Shiloh	\$13,864.22
		540-454027: Penderlea	\$18,179.68
		540-454028: Atkinson	\$23,653.13
		540-454029: Hampstead	\$20,539.24
		540-454032: Scotts Hill	\$3,048.82
		540-454033: NE Pender	\$16,103.23
		540-454034: Pender Duplin	\$1,513.63
		540-454023: Maple Hill	\$82,660.96
		540-454023: Maple Hill	\$-49,480.48
Total:	\$341,582.88	Total:	\$341,582.88

Reason and Justification for Request:
 To budget the payouts of the balances remaining from FY 2011-2015 to the various volunteer fire departments throughout the County after the correction of the Capital Outlay appropriation from FY 2012. Additionally, to appropriate fund balance to bring the Maple Hill VFD to a "zero" fund balance. \$24,215 from FY 2014 was budgeted and never transferred; the remaining deficit (-\$25,265.63) was never covered. There was also a negative balance of \$-426.27 remaining in a "catchall" Countywide Fire District account which is being eliminated with this transfer.

Dept Mgr. Approval: _____	Date: _____	Finance Officer Approval: _____	Date: _____
Board Approval (When Applicable) _____		Item # _____	Date of Minutes _____



REQUEST FOR BOARD ACTION

ITEM NO. 12.

DATE OF MEETING: December 12, 2011

REQUESTED BY: Chief Scott Sills, Sloop Point Volunteer Fire Department

SHORT TITLE: Resolution Approving FY 11-12 Budget Amendment to Fund Capital & Equipment Needs of the Volunteer Fire Departments: \$293,933.82

BACKGROUND: Chief Sills, on behalf of the Fire Association, is requesting the Board approve a FY 11-12 budget amendment to fund immediate capital and equipment needs for the various departments. Sills notes this is a one-time funding request to allow the departments to catch up on deferred capital needs. The request is for \$293,933.82, to be divided among the departments as outlined below. Chief Sills would like to work with the County to start early on the budget process for next fiscal year, and work to develop five and ten year capital improvement plans so that the County and departments can develop an effective long-range funding plan.

The request will require a budget amendment to appropriate funding from general fund balance.

SPECIFIC ACTION REQUESTED: To consider a resolution approving a FY 11-12 budget amendment in the amount of \$293,933.82 distributed among the various departments as follows:

<u>Department</u>	<u>Amount</u>	<u>Department</u>	<u>Amount</u>
Pender Central:	\$24,486.50	Penderlea:	\$19,807.50
Sloop Point:	\$69,446.50	Atkinson:	\$21,703.00
Maple Hill:	\$0	Hampstead:	\$61,406.00
Rocky Point:	\$25,470.50	Scotts Hill:	\$ 7,421.25
Long Creek:	\$18,416.50	NE Pender:	\$29,250.00
Shiloh:	\$16,526.07		

COPY

COUNTY MANAGER'S RECOMMENDATION

The departments were anticipating an increase in cash with the revaluation assuming their tax rates remained as set in FY 10-11, however, the revenue-neutral tax rate adopted for the departments negated that. Thus, this one-time funding request is made on behalf of the departments. Sills plans to facilitate long-range planning and budgeting workshops with the Board after the first of the year so that improved understanding about budget and operational can be attained. Undesignated fund balance as of June 30, 2011 is at 28.3%, below the 30% Board policy. I suggest the Board consider deferring the funding request and consider the capital needs as part of the FY 12-13 budget request and tax rate consideration for each district.

RS
Initial

RESOLUTION

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

the Board hereby authorizes a FY 11-12 budget amendment in the amount of \$293,933.82 to provide capital and equipment funding for the volunteer fire departments to be distributed as follows:

<u>Department</u>	<u>Amount</u>	<u>Department</u>	<u>Amount</u>
Pender Central:	\$24,486.50	Penderlea:	\$19,807.50
Sloop Point:	\$69,446.50	Atkinson:	\$21,703.00
Maple Hill:	\$0	Hampstead:	\$61,406.00
Rocky Point:	\$25,470.50	Scotts Hill:	\$ 7,421.25
Long Creek:	\$18,416.50	NE Pender:	\$29,250.00
Shiloh:	\$16,526.07		

Revenue Code: 10-399000 Fund Balance

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

AMENDMENTS:

MOVED Williams SECONDED Rivenbark

APPROVED X DENIED _____ UNANIMOUS

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

R. B. Tate _____ George R. Brown _____ 12/12/11
 ATTEST Date Chairman Date

This list is a general idea for some of the needs each agency has and this money will be used towards. This will not complete all task needed. The fire service has evolved into much more than just putting out fires and so does the equipment and use of it. Pender County residence no longer work in the fields or mom and pop shops located on the street corners and with this the volunteer support is lacking during daytime hours and most people are having to have several jobs just to keep up. This is also hurting the needed help. Over the next few years with county help we will have to start doing things different. I think the county is encouraging growth and development but the public services have to be in line with this and the fire departments have to have to personnel and equipment to support this task. Together we can be there for the citizens of this great county and supply them with a great service that they deserve.

Scott Sills

Chief Sloop Point Fire

VP of the Pender County Fire Commission

Fire Dept. request for additional funds to assist in Operating and Capital Purchases need

- Penderlea** Need to replace 1978 pumper and 1973 tanker which are housed at the substation in Watha. Recently had to Purchase a 1993 Pumper due to the 1983 one did not pass pump test and was not worth fixing due to being almost 30 yrs old.
- Surf City** need funding for paid personnel that currently is in place monies have had to go to fuel and other equipment cost that have risen w/o personnel during the day's response times will increase.
- Long Creek** Need Pagers and Radio due to the upcoming changes in the FCC rules also help supplement areas of the budget that fuel cost has taken away from.
- Atkinson** Need to replace a 1975 Pumper 1985 mini pumper, pagers needed to meet FCC codes, replace Air packs and turn Out gear that are not compliant Station upgrades need to a 1964 building
- Shiloh** Need to replace 34 minitor 5 pagers that meet FCC codes all current pagers are not compliant
- Rocky Point** needs to add some more staffing during the daytime hours because there are no volunteers to run calls also working on substation to assist residence outside 6 miles of station on Insurance rating.
- Hampstead** need to replace a 1974 pumper with a new mini pumper this unit will also be used in place of the larger units to cut down on fuels cost and wear and tear. The money requested for the Scotts hill area is to assist in the additional station that the county agreed on for that area to have it own station.
- Burgaw** need turn out gear replaced that's out of compliance, need staffing for the weekends to assist in low volunteer staffing during this time.
- Sloop Point** need pagers have 10 members that don't have one, turn out gear have 6 members that don't have correct size gear and this is non compliance have to replace a tank in a 1990 pumper which is rusted and leaking have been repairing for last 10 yrs but to a point that no longer will work. Have had to cut training and other line items due to the fuel and, equipment increases and needs to be back so we can train staff.

MONDAY, DECEMBER 12, 2011

The Pender County Board of Commissioners met in regular session on Monday, December 12, 2011 at the Public Assembly Room, 805 S. Walker St., Burgaw, NC 28425.

MEMBERS PRESENT: Chairman George Brown, presiding; Vice Chairman Jimmy Tate; and Commissioners F.D. Rivenbark, Chester Ward and David Williams.

MEMBERS ABSENT: None.

OTHERS PRESENT: Rick Benton, County Manager and Clerk to the Board; Trey Thurman, County Attorney; Glenda Pridgen, Deputy Clerk to the Board; other staff and members of the Press and public.

CALL TO ORDER

Chairman Brown called the meeting to order at 4:00 p.m. and thanked and welcomed all to the meeting.

INVOCATION

Commissioner Tate offered the Invocation.

PLEDGE OF ALLEGIANCE

Commissioner Rivenbark led the Pledge of Allegiance.

COMMENTS & RECOGNITIONS: CHAIRMAN BROWN

Mr. Benton was called to come forward. Human Resources Director Amber Parker read the qualifications of the Long Leaf Pine Award, which was presented to Mr. Benton by Chairman Brown and State Senator Bill Rabon. Senator Rabon then presented Mr. Benton with the State flag, which had flown over the State Capitol. Senator Rabon thanked Mr. Benton for all his hard work. He said from the first day he went into office, working with Mr. Benton had been a pleasure, Mr. Benton had always been professional and never brought politics into anything they had done, Mr. Benton had always been considerate of Pender County in everything he did, and he will be sorely missed. Mr. Brown then read from and presented a plaque to Mr. Benton from the Board of Commissioners. Mr. Williams made remarks including "Mr. Benton is one of the best managers Pender County ever had." Mr. Tate made remarks including Mr. Benton was a "manager among managers." Mr. Benton thanked Board members. Mr. Benton's family was in attendance and he received a standing ovation after all the presentations and speeches were made.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

1. Nomination and Selection of Chairman and Vice-Chairman.

Chairman Brown temporarily turned the meeting over to Mr. Thurman. The floor was opened for nominations. Mr. Williams made a motion, Mr. Rivenbark seconded the motion and it was approved by a 4-1 vote to remain with the same Chairman and Vice Chairman-Mr. Brown and Mr. Tate, respectively. Mr. Ward voted in opposition.

PUBLIC INFORMATION

2. Michael Mack, Director of Public Utilities: Update on County Water System Project

Mr. Mack introduced Brandon Garner, the new Wastewater Treatment Plant Manager, and gave his work history, educational background, certifications, and organizations to which he belongs. The Board welcomed Mr. Garner. Mr. Mack then gave an update on the County Water System Projects, which

contract with a document imaging company that offers security to protect confidentiality of records, accuracy, high volume scanning, and 24/hr. access to records; they sent out proposals and obtained two bids; they recommend Advanced Imaging Systems because the other bid does not contain a specified amount for handling Phase I of Food & Nutrition Services, and AIS already provides excellent service for the Pender County Register of Deeds Office; the appropriation will come from undesignated fund balance; they will probably receive at least 60% federal reimbursement; and this system is really needed because of growth in the County. The presentation included charts showing Medicaid and Food Stamps statistics in Pender County and the enormous increases (200%) in requests for assistance. Mr. Ward asked if DSS is monitoring food stamps and if the 200% increase is coming from unemployment or what. Dr. Shiver said the increase is coming from the economy in general, with even middle income people who have lost their jobs applying for assistance. She said some people who exhausted their unemployment came to DSS for assistance. Mr. Ward asked if Hurricane Irene played a part in the increase and Dr. Shiver responded affirmatively. Mr. Ward asked how applicants are checked to see if they qualify. Dr. Shiver said when potential clients give DSS their information, they thoroughly check their income, unemployment benefits, etc. Mr. Brown asked if having this technology going to be required and Dr. Shiver responded affirmatively. After more discussion, Mr. Tate made a motion to approve the resolution, Mr. Williams seconded the motion and it was unanimously approved.

12. Resolution Approving FY 11-12 Budget Amendment to Fund Capital & Equipment Needs of the Volunteer Fire Departments: \$284,829.

Scott Sills of Sloop Point Volunteer Fire Department explained: This is a one-time funding request to allow the fire departments to catch up on deferred capital needs; they have to have this equipment; these funds are not going to complete all tasks but will help to keep the departments from getting behind year after year; the fire departments are 98% volunteer; they are able to reduce costs to citizens through volunteer services; and this is the only service that can give money back to citizens. Mr. Brown commended the volunteer fire departments for their services. Mr. Ward asked if there is a reason that Maple Hill is listed at \$0. Mr. Sills said at budget time, they thought Maple Hill would be at \$100,000 and didn't know it would be deferred to 2012; and Maple Hill does have needs. Mr. Williams asked if the General Fund would have to underwrite Maple Hill anyway and Mr. Sills responded yes and said it has been that way for years. Mr. Harold Motley, Chief of Maple Hill VFD made remarks, noting the Board is already "bumping them up." Mr. Sills introduced Jay Howell of VFIS Insurance, and who is on a subcommittee with National Fire Protection Association. Mr. Howell said they set the minimum standards for fire protection for fire departments and also safety requirements. Mr. Howell said Pender County's fire department system is one of the finest in the State. Mr. Brown said the property revaluation last year left the County unsure of revenues and exactly how much to fund the fire departments. He said with the revaluation, they were all "kind of stumbling around in the dark" and they wanted to get a good indication as to what the collections were going to be before they actually put the tax on. Mr. Williams made a motion to approve the resolution, Mr. Rivenbark seconded the motion and it was unanimously approved.

13. Resolution Endorsing Concepts Set Forth in the US 17/NC 210 Corridor Study.

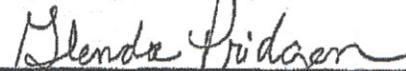
Planning Director Kyle Breuer explained: In a joint effort, the Wilmington Area Metropolitan Planning Organization (MPO) and the NC Board of Transportation commissioned the study of the US 17 and NC 210 Corridors within Pender County to identify near-term strategies to address safety and mobility deficiencies on US 17 and NC 210 in Hampstead; the objective was to identify practical strategies that are consistent with the vision for Hampstead, that reduce the rate of injuries and fatalities in traffic crashes, reduce travel delay, and improve travel for pedestrians and bicyclists; and the study report describes a preferred access plan for US 17 from Washington Acres Road to Sloop Point Loop Road and for NC 210 from US 17 to Island Creek Road. Mr. Breuer introduced Mike Kozlosky of the MPO. Mr.

formerly known as Ultra Classic Bar and Billiards; and the site has existing, direct access to US Highway 17. Ms. Cat Cacciatore spoke in opposition to the sweepstakes center. She said the site is next to a bar in the same strip mall; it would be irresponsible to allow it when it is ten steps from the bar; people can't smoke in the bar, but they could go the sweepstakes center to smoke, and people can't drink in the sweepstakes center, but they could go next door to drink; and there is a residence adjacent to the site. Mr. Tate asked how can they allow one center to open and not another. Mr. Ward reiterated what Ms. Cacciatore said about drinking and said excessive drinking could cause problems. Mr. Brown asked what kind of security they would have. Ms. Diana Dang, the applicant, responded they would have cameras and a button that rings directly to the Sheriff Department. Mr. William Dawson said he lives on the property adjacent to the strip mall and he is opposed to the sweepstakes center. Mr. Dawson said part of his son's chores now is picking up trash thrown onto their property by the bar patrons. There was more discussion and questions from Board members. Mr. Ward said he is not against anything but he is concerned with this location because it has had issues in the past. Mr. Ward and other Board members discussed with Ms. Dang the possibility of finding another location for the business. Mr. Ward made a motion to deny the special use permit request, Mr. Tate seconded the motion and it was unanimously denied.

ADJOURNMENT

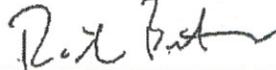
There being no further business, the meeting adjourned at 8:00 p.m.

Respectfully Submitted,



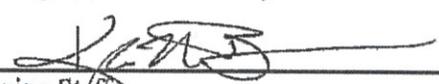
Glenda Pridgen, Deputy Clerk to the Board

Reviewed By:



Rick Benton, Clerk to the Board

Planning Items Reviewed by:



Planning Staff

Pender County, North Carolina
 County-Wide Fire Service District Fund
 Statement of Revenues, Expenditures, and
 Changes in Fund Balances - Budget and Actual
 For the Fiscal Year Ended June 30, 2012

	2012		Variance Favorable (Unfavorable)
	Budget	Actual	
Revenues			
Ad Valorem Taxes - Fire District Taxes	\$ 1,937,760	\$ 2,109,182	\$ 171,422
Total revenues	<u>\$ 1,937,760</u>	<u>\$ 2,109,182</u>	<u>\$ 171,422</u>
Expenditures			
Public safety:			
Pender Central	\$ 170,677	\$ 212,919	\$ (42,242)
Sloop Point	375,483	465,563	(90,080)
Maple Hill	70,000	45,178	24,822
Rocky Point	288,966	332,371	(43,405)
Long Creek	146,651	177,049	(30,398)
Shiloh	69,327	91,148	(21,821)
Penderlea	109,044	139,012	(29,968)
Atkinson	94,331	122,336	(28,005)
Hampstead	440,329	522,574	(82,245)
Scotts Hill	83,393	95,375	(11,982)
Northeast Pender	105,517	139,050	(33,533)
Penderlea - Dublin Area	12,301	12,431	(130)
Contracted Services	-	-	-
Total Expenditures	<u>\$ 1,966,019</u>	<u>\$ 2,355,006</u>	<u>\$ (388,987)</u>
Revenues over expenditures	<u>\$ (28,259)</u>	<u>\$ (245,824)</u>	<u>\$ (217,565)</u>
Other financing sources (uses):			
Transfer in (out)	\$ -	\$ -	\$ -
Fund Balance Appropriated	28,259	-	(28,259)
Total Other financing sources (uses)	<u>\$ 28,259</u>	<u>\$ -</u>	<u>\$ (28,259)</u>
Revenues and other financing sources over (under) expenditures and other financing uses	<u>\$ -</u>	<u>\$ (245,824)</u>	<u>\$ (245,824)</u>
Fund balances:			
Beginning of year, July 1		<u>13,421</u>	
End of year, June 30		<u>\$ (232,403)</u>	

Pender County, North Carolina
 County-Wide Fire Service District Fund
 Statement of Revenues, Expenditures, and
 Changes in Fund Balances - Budget and Actual
 For the Fiscal Year Ended June 30, 2013

	Budget	Actual	Variance Positive (Negative)
Revenues			
Ad Valorem Taxes - Fire District Taxes	\$ 2,780,618	\$ 2,871,790	\$ 91,172
Total revenues	<u>\$ 2,780,618</u>	<u>\$ 2,871,790</u>	<u>\$ 91,172</u>
Expenditures			
Public safety:			
Pender Central	\$ 226,756	\$ 234,583	\$ (7,827)
Sloop Point	564,919	574,362	(9,443)
Maple Hill	63,902	95,373	(31,471)
Rocky Point	374,234	387,299	(13,065)
Long Creek	271,859	276,906	(5,047)
Shiloh	129,167	131,658	(2,491)
Penderlea	150,640	155,509	(4,869)
Atkinson	139,149	140,761	(1,612)
Hampstead	575,375	608,452	(33,077)
County Wide Fire	-	28,251	(28,251)
Scotts Hill	112,175	88,870	23,305
Northeast Pender	160,283	162,780	(2,497)
Penderlea - Dublin Area	12,159	13,441	(1,282)
Total Expenditures	<u>\$ 2,780,618</u>	<u>\$ 2,898,245</u>	<u>\$ (117,627)</u>
Revenues over expenditures	<u>\$ -</u>	<u>\$ (26,455)</u>	<u>\$ (26,455)</u>
Other financing sources (uses):			
Transfer in (out)	\$ -	\$ -	\$ -
Fund Balance Appropriated	-	-	-
Total Other financing sources (uses)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Revenues and other financing sources over (under) expenditures and other financing uses	<u>\$ -</u>	<u>\$ (26,455)</u>	<u>\$ (26,455)</u>
Fund balance, beginning		(232,403)	
Fund balance, ending		<u>\$ (258,858)</u>	

Pender County, North Carolina
 County-Wide Fire Service District Fund
 Statement of Revenues, Expenditures, and
 Changes in Fund Balances - Budget and Actual
 For the Fiscal Year Ended June 30, 2014

	Budget	Actual	Variance Positive (Negative)
Revenues			
Ad Valorem Taxes - Fire District Taxes	\$ 3,462,655	\$ 3,662,424	\$ 199,769
Total revenues	<u>\$ 3,462,655</u>	<u>\$ 3,662,424</u>	<u>\$ 199,769</u>
Expenditures			
Public safety:			
Pender Central	\$ 230,962	\$ 232,905	\$ (1,943)
Sloop Point	730,298	754,023	(23,725)
Maple Hill	100,000	96,624	3,376
Rocky Point	370,360	373,554	(3,194)
Long Creek	276,422	290,047	(13,625)
Shiloh	129,788	130,229	(441)
Penderlea	153,102	153,092	10
Atkinson	137,270	139,165	(1,895)
Hampstead	995,915	1,027,299	(31,384)
County Wide Fire	-	-	-
Scotts Hill	192,295	197,992	(5,697)
Northeast Pender	158,646	161,576	(2,930)
Penderlea - Dublin Area	11,812	11,897	(85)
Total Expenditures	<u>\$ 3,486,870</u>	<u>\$ 3,568,403</u>	<u>\$ (81,533)</u>
Revenues over expenditures	<u>\$ (24,215)</u>	<u>\$ 94,021</u>	<u>\$ 118,236</u>
Other financing sources (uses):			
Transfer in (out)	\$ -	\$ -	\$ -
Fund Balance Appropriated	24,215	-	(24,215)
Total Other financing sources (uses)	<u>\$ 24,215</u>	<u>\$ -</u>	<u>\$ (24,215)</u>
Revenues and other financing sources over (under) expenditures and other financing uses	<u>\$ -</u>	<u>\$ 94,021</u>	<u>\$ 94,021</u>
Fund balance, beginning		(258,858)	
Fund balance, ending		<u>\$ (164,837)</u>	

Pender County, North Carolina
 County-Wide Fire Service District Fund
 Statement of Revenues, Expenditures, and
 Changes in Fund Balances - Budget and Actual
 For the Fiscal Year Ended June 30, 2015

	Budget	Actual	Variance Positive (Negative)
Revenues			
Ad Valorem Taxes - Fire District Taxes	\$ 3,557,006	\$ 3,769,740	\$ 212,734
Total revenues	<u>\$ 3,557,006</u>	<u>\$ 3,769,740</u>	<u>\$ 212,734</u>
Expenditures			
Public safety:			
Pender Central	\$ 296,230	\$ 297,476	\$ (1,246)
Sloop Point	744,081	783,688	(39,607)
Maple Hill	100,000	100,000	-
Rocky Point	371,134	386,807	(15,673)
Long Creek	276,910	300,293	(23,383)
Shiloh	131,121	138,547	(7,426)
Penderlea	150,360	158,987	(8,627)
Atkinson	138,487	141,123	(2,636)
Hampstead	1,018,580	1,070,822	(52,242)
County Wide Fire	-	-	-
Scotts Hill	192,557	202,669	(10,112)
Northeast Pender	158,998	164,469	(5,471)
Penderlea - Dublin Area	11,977	11,977	-
Total Expenditures	<u>\$ 3,590,435</u>	<u>\$ 3,756,858</u>	<u>\$ (166,423)</u>
Revenues over expenditures	<u>\$ (33,429)</u>	<u>\$ 12,882</u>	<u>\$ 46,311</u>
Other financing sources (uses):			
Transfer in (out)	\$ 33,429	\$ 33,429	\$ -
Fund Balance Appropriated	-	-	-
Total Other financing sources (uses)	<u>\$ 33,429</u>	<u>\$ 33,429</u>	<u>\$ -</u>
Revenues and other financing sources over (under) expenditures and other financing uses	<u>\$ -</u>	<u>\$ 46,311</u>	<u>\$ 46,311</u>
Fund balance, beginning		(164,837)	
Fund balance, ending		<u>\$ (118,526)</u>	

NORTH CAROLINA)
PENDER COUNTY)

FIRE DEPARTMENT FUNDING AGREEMENT
AND AUTOMATIC AID AGREEMENT

THIS AGREEMENT, made and entered this 12 day of December 2011 by and between PENDER COUNTY, North Carolina, a political subdivision of the State of North Carolina, hereinafter referred to as "County"; and Maple Hill VOLUNTEER FIRE DEPARTMENT, a political subdivision organized under the laws of the State of North Carolina, having its principal office in Pender County, North Carolina, hereinafter referred to as "Department";

WITNESSETH:

WHEREAS, the Department has agreed to provide continuing fire protection service within its primary area of coverage, and the other areas on the basis of mutual aid contracts with other County Fire Departments for the benefit of the citizens of Pender County; and

WHEREAS, the Department has requested County to assist in the funding of above-described services by collecting and distributing a county-wide service district tax; and

WHEREAS, G.S. 153A-11, 153A-13, 153A-305 authorize County to provide the Department with financial support for the above described services;

NOW, THEREFORE, in consideration of the mutual benefits inuring to the parties hereto, and based upon the mutual covenants contained herein and the considerations stated therein, the parties do hereby covenant and agree as follows:

I. Purpose of Agreement and the Department's Use of Funds

A. Purpose of Agreement - County shall provide funds to the Department for the provision of continuing fire protection, as follows:

(1) The Department shall provide continuing fire protection service consistent with the levels of equipment, personnel and training required by the North Carolina Department of Insurance to all citizens of the Service District as defined in Exhibit A, maintain through the Office of State Fire Marshal at least a 9E/9S rating for the insurance district, whether 5-mile or 6-mile, covered by the department, and will respond to automatic and mutual aid calls by the County Dispatcher with back-up assistance as called upon, at the Chief's discretion. For purpose of this Agreement, "Mutual Aid" is defined as requests for assistance when requesting fire department has exhausted all of its available resources and the department called for mutual assistance has available resources to send, as determined by the on-duty supervisor of the squad from which mutual aid is requested.

(2) The Department will respond simultaneously, upon the initial call of a structure fire with the neighboring department in which the Computer Aided Dispatch System (CAD) has identified them as the automatic aid department, with a piece of fire apparatus capable of carrying 1,000 gallons of water or more.

(3) The Department will assist the County during a declared County State of Emergency in the clearance of debris on roadways within the fire district or other emergency protective actions as requested by County officials through the Emergency Operations Center. The department shall be reimbursed by the County for the use of its equipment during said period of assistance according to either a pre-established local or state hourly rate, or for those instances in which costs are reimbursed by the Federal Emergency Management Agency (FEMA), the FEMA eligible direct costs shall be determined in accordance with 44 C.F.R. 206.228. The reimbursable costs and expenses, with an itemized notice, shall be forwarded to the County as soon as practical after the costs and expenses are occurred, but not later than sixty (60) days following the period of assistance. The Department will make its expense and reimbursement request to the County in a format consistent with state and federal reporting procedures. The County agrees to reimburse the department within 90 days of receipt of request for reimbursement. Time frames spelled out under this provision of this contract may be modified in writing by mutual agreement. This shall not preclude the Department from assuming or donating in whole or in part, the costs and expenses associated with any loss, damage, or used of equipment.

(4) The County shall operate a communication system sufficient to alert the Department and other agencies of fires that occur in the County. The maintenance of Department owned communications equipment is the responsibility of the Department. The County Central Dispatch shall be responsible for the dispatch of the fire departments with their primary, automatic, and mutual aid areas of coverage.

A. Description of the Department's Service Area - The Department's service area is defined in Exhibit A, attached hereto and incorporated herein by reference.

B. Term of Agreement - The term of this agreement shall be from the date of execution through June 30, 2014; provided, however, that in the event no replacement contract is executed covering this service district, this contract shall be extended annually under the same terms and conditions unless it is cancelled by written notice mailed to the other party one hundred eighty (180) days prior to termination. The parties agree to meet and review the contract every third year following the date of execution.

C. Payment - For their services, County agrees to pay to the Department the full amount of fire service district taxes collected from the Department's service area, to be paid on a monthly basis via electronic funds transfer. Effective with the FY 12-13 fiscal year, if the Department does not collect at least \$100,000 dollars annually in fire service area taxes, then the County will supplement the Department's Fire Tax Collections in order to bring them up to \$100,000 dollars per annum. The County shall furnish to the Department by October 1st of each year an accounting of all Fire Taxes collected during the preceding fiscal year. Fire district tax funds will not be paid to the Department unless this contract is properly approved, executed, and on file at the County Manager's Office, no later than June 30 of the current year.

D. Maintenance of Revenues - Should a revaluation of a Department's fire tax service district result in negative growth value of the district such that revenues received by the department would place an unnecessarily hardship in performing its duties under this agreement, the County will review the Department's budget and consider an adjustment of the tax rate for

that district to maintain its revenue levels. This does not preclude the County from reducing the tax rate should revaluation yield a substantial increase in value for the district.

E. Disposing of Fixed Equipment – The Department shall, prior to the offer thereof to agencies outside of Pender County, offer its surplus equipment to other fire departments within Pender County.

F. Assets Should Department Dissolve - Should the Department voluntarily disband, dissolve or otherwise become unable to provide fire protection service for their service area, or fail to maintain at least a 9E/9S fire insurance rating from the NC Department of Insurance, any and all equipment and other assets acquired by the use of fire district tax funding (in whole or in part) will revert to Pender County, which shall follow the recommendation of the Pender County Fire Commission to the County Commissioners for approval as to final disposition. To protect the service district tax payers, the County Commission will assure that this equipment and other assets will be used for fire protection in the service area formerly served by the Department.

II. Minimum Standards

A. Staffing on Scene – The Department shall maintain standard operating guidelines, which shall be available for review by the Fire Marshal upon request, that address adequate staffing to operate safely on all types of incidents and, as applicable to emergency response services.

B. PCFFA/PC Fire Commission – The Department shall use reasonable efforts to ensure the presence of a representative at eighty percent (80%) of the scheduled meetings of PCFFA and PC Fire Commission over a twelve (12) month period.

C. NIMS – The Department shall arrange for the National Incident Management System ("NIMS") staff training, as required in accordance with Homeland Security Presidential Directive-5 (Management of Domestic Incidents) including, but not limited to, ICS100, ICS200 and NIMS 700.

D. District Coverage – The Department shall, if it chooses to participate in events such as out of district events, ensure that adequate fire protection is available for Fire Department District in its absence.

E. Reporting – The Department shall participate in the National Fire Incident Reporting System ("NFIRS") and provide copies of its reports, which should be provided by approved electronic format, to the Pender County Emergency Management Office.

F. Fees – The Department shall furnish its fire protection and emergency services free of charge to all persons and property located within the Fire Department District except that a fee may be charged for the cost of materials, and equipment depreciation, expended in the course of a response, in the course of its obligations under this Contract, to a release or potential release of hazardous substances or large scale events outside of day-to-day operations. The Pender County ordinance entitled Pender County Hazardous Materials Emergency Cost Recovery Ordinance adopted on May 5, 2003, shall govern these fees.

G. Pre-Incident Surveys – The Department should endeavor to develop, and annually update, pre-fire incident surveys for all commercial buildings within the Fire Department District. The County shall direct the Fire Marshal to assist the Fire Department, upon request, in the development of a pre-fire incident survey for buildings within the Fire Department District and within the area for which the Fire Marshal is responsible for enforcement of the applicable fire codes.

H. Fire Investigation – The Department officer in charge shall attempt to determine the origin and cause of each fire. If the officer is unable to determine the origin and cause of the fire, if the cause is suspected to be incendiary in nature, or if there is any injury and/or death from the fire requiring treatment by and transport to a medical facility, the officer shall request the assistance of a representative of the Fire Marshal to provide reasonable assistance thereto.

I. Water Supplies – The Department shall maintain standard operating guidelines, which shall be available for the Fire Marshal upon request, related to static water point and fire hydrant testing and maintenance. All fire hydrant testing shall be done with approval and coordination with the Pender County Utilities or proper water utility prior to any water flowing. The Fire department should ensure, and maintain appropriate records thereof, that each static water point and wet and dry fire hydrant in the Fire Department District is flushed and checked, at least annually, for accessibility, functionality, visibility, and operation.

III. Termination of Agreement; Breach of Agreement

Each party shall have the right to terminate this Agreement by giving the other party one hundred eighty (180) days written notice of termination. In the event of termination, the Department shall only be entitled to a pro rata share of the fire district tax collected during the fiscal year based on the length of time that the contract was in effect. In the event the Department loses its Department of Insurance certification of meeting a 9S/9E standard, the County may terminate the contract on giving thirty (30) days written notice. In addition, the Department shall provide County with a financial accounting, as required by County, for all funds received by the Department and on hand up to date of termination.

IV. Department Financial Reporting Requirements

A. Annual Audit – Within sixty (60) days of the end of the Department's fiscal year, which extends from July 1 through June 30, the Department shall provide the County with all the information necessary to complete a full financial accounting or provide the County with an audit from a recognized CPA firm. If the Department contracts with a separate CPA firm, the audit report is due within one hundred twenty (120) days of the end of the fiscal year.

B. Financial Records - The Department shall establish fiscal control and accounting procedures in accordance with generally accepted accounting principles. The procedures shall account for all funds paid by the County to the Department, and the Department shall maintain such records for three (3) years after the date of termination of the contract.

C. County Access to Financial Records – The Department shall allow the County Manager, or his designee, access to and the right to inspect and copy at reasonable hours and

upon reasonable notice, all financial records concerning county funds.

D. Approval of Purchases Requiring Loans/Lease - Debt service shall not exceed 25% of annual tax revenue received from the County without the consent of the Pender County Board of County Commissioners. In order for the County to be aware of all potential financial liability, any asset purchased through a loan or lease process with a financial company must be submitted to the County Finance Officer for certification that the total debt service of the department including the proposed loan does not exceed 25% of the annual tax revenue received from the County. Loans/Leases must be approved by the County Commission in cases where the total debt service will exceed 25% of the annual tax revenue.

E. Purchasing and Financing Bids - The Department shall seek competitive bids for the purchase of materials or equipment for which the cost is estimated to exceed \$30,000 or greater. The Department shall also seek competitive bids on the financing of any equipment, apparatus, or real property to be purchased through financing arrangements.

F. Annual Budget Request - The Department shall furnish to the County on or before April 1 of each year, a proposed operating and capital budget estimating expenditures and revenues for the next budget year beginning July 1, including the proposed district tax rate. The County acknowledges that there may be changes in the proposed budget and final budget based upon actual expenditures and revenues. The Department shall also maintain a Capital Improvement Plan (CIP), which should include capital improvements and capital expenditures (defined as those \$5,000 or greater in cost forecasted for at least five (5) years, in accordance with standards developed by the Fire Department Board of Directors. The CIP shall be submitted annually with the proposed budget.

G. Annual Training Cooperation - The Department agrees to support and work jointly and cooperatively with the Pender County Emergency Management Office in development of and participation in one or more annual training sessions and in ongoing evaluations of emergency scene performance. (The cost of any training shall be funded through the Pender County Emergency Management Office.)

H. Fire Station Construction/Renovation - The Department shall consult with the County Fire Marshal in considering new fire station locations and major renovations where the use of service district tax funds is proposed.

I. Fixed Assets - The Department shall maintain an accurate fixed asset inventory, which shall be available for review by the County, for each piece of equipment with a book value of \$5,000.00 or greater with a life span of (5) five years or more.

V. Conflict of Interest Policy

The Department shall adopt and implement a Conflict of Interest Policy no later than December 31, 2011. The Department's policy shall conform to the model policy developed and approved by the Fire Commission.

VI. Independent Contractor

The Department understands and agrees that, in entering into this Agreement and providing services, it is acting as an independent contractor. Neither the Department, nor its employees, members nor personnel shall be deemed or construed to be employees of Pender County. The Department shall remain in complete operational control of its vehicles, program, volunteers, assistants and employees. The Department shall be responsible for any on the job injuries to its agents, volunteers, or employees. The Department shall control the hours, manner, and methods of providing fire suppression coverage by their volunteers, employees and all other persons acting in their behalf. The Department shall maintain insurance coverage covering their activities.

VII. Indemnity Agreement

The Department shall indemnify and save harmless Pender County from any and all liability and expenses, including attorney's fees, court costs, and other costs incurred by Pender County as a result of the negligence of the Department, its agents and employees in the performance of this contract.

VIII. Entire Agreement

This Agreement, with exhibits, constitutes the entire understanding of the parties and contains all of the terms agreed upon with respect to the subject matter hereof. No modification or rescission of this Agreement shall be effective unless evidenced by a writing signed by both parties to this Agreement.

Any prior contracts between the parties hereto are hereby declared null and void as to the parties to this Agreement, save and except any prior agreement which has as its third party beneficiary any financial institution for the purpose of a loan guarantee. The portion(s) of said agreement setting out the loan guarantee shall be incorporated in this contract by reference.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, by authority duly given, on the date first above written.

PENDER COUNTY
(CORPORATE SEAL)

ATTEST:

[Signature]

Clerk to the Board of Commissioners

BY:

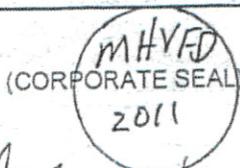
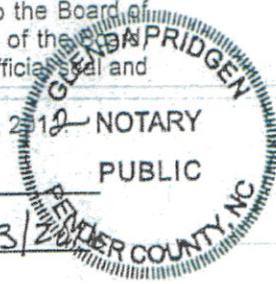
[Signature]

George Brown, Chairman
Board of Commissioners

I, Glenda Pridgen, a Notary Public of the State and County aforesaid, certify that personally appeared before me this day and acknowledged that he is Clerk to the Board of Commissioners of Pender County, and that by authority duly given and as the act of the Board the foregoing instrument was signed in its name by its Chairman, sealed with its official seal and attested by himself as its Clerk.

WITNESS my hand and official seal, this 16th day of February, 2012

Glenda Pridgen
Notary Public
My Commission Expires: 5/23/2012



Maple Hill VOLUNTEER FIRE DEPARTMENT

ATTEST:

[Signature]
Secretary

BY:

[Signature]
President

I, Connie M. Halso, a Notary Public of the State and County aforesaid, certify that Chuck Wooten Jr. personally appeared before me this day and acknowledged that (s)he is Secretary of the Maple Hill Fire Department, a non-profit corporation and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President and attested by him/herself as its Secretary.

WITNESS my hand and official seal, this 15 day of November, 2011.

Connie M. Halso
Notary Public
My Commission Expires: 8/30/2015