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 Catawba County Board of Commissioners
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The Catawba County Board of Commissioners met in regular session on Tuesday, September 6, 2005, at 9:30 a.m. in the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chair Dan Hunsucker, Commissioners Glenn E. Barger, Lynn M. Lail and Barbara G. Beatty.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Joellen Daley, Assistant County Manager Lee Worsley, County Attorney Robert Oren Eades, Attorney Anne Marie Pease and County Clerk Barbara E. Morris.

1. Chair Barnes called the meeting to order at 9:30 a.m.
2. Commissioner Lynn Lail led the Pledge of Allegiance to the Flag.
3. The Invocation was offered by Vice-Chair Hunsucker.
4. Commissioner Barbara Beatty made a motion to approve the minutes from the Special Joint Meeting with Claremont and Catawba Councils of August 15, 2005 and the Regular Meeting of August 15, 2005. The motion carried unanimously.
5. Recognition of Special Guests.
Chair Barnes recognized Sarah Talbert from the Hickory City School Board.
6. Public comment for items not on the agenda. None.
7. Presentations.
Chair Kitty Barnes presented Rodney Miller, Finance Director, and members of his staff with the Certificate of Achievement for Excellence in Financial Reporting for fiscal year ending June 30, 2004. Mr. Miller introduced Kenneth Maynor, Kristy Deitz, Jeanne Jarrett and Debbie Anderson. Chair Barnes noted this was the 23rd consecutive year that this department has earned this certificate. Mr. Miller thanked the Board for the support they give the Finance Department and thanked the staff for their efforts.

Vice-Chair Dan Hunsucker presented the Fall Litter Sweep Proclamation to Henry Helton, Litter Task Force Chair and Amanda Kain, Waste Reduction Coordinator. This litter sweep will take place the week of September 17 through October 1, 2005. Vice-Chair Hunsucker said the Board appreciated the hard work of the Task Force and the volunteers who help keep the County clean. Chair Barnes pointed out orange bags were available for litter collection at the Utilities and Engineering Department, the GDS office and the Agriculture Center and if those were left by the roadside they would be collected. Ms. Kain also pointed out there were blue bags available for recycleables.

David Weldon, Director, Emergency Services, came forward to present an update to the August 2000 Strategic Plan for Emergency Services. Prior to Mr. Weldon's presentation, Assistant County Manager Lee

Worsley gave the Board an update on Hurricane Katrina and the short and long term issues that may impact the County. He asked David Weldon to give an update on the recovery efforts and Mr. Weldon said this would be a long term event and he asked for everyone to be patient. He pointed out the afflicted area was not in recovery yet and they were still in the response mode. He said Bryan Blanton, EMS Manager, was in Waveland, Mississippi with a 70+ member hospital team. He said the County was now coordinating with the American Red Cross and had been requested to post the County's shelter capacity – he further pointed out this would be a long term commitment with shelter operations from 90 to 120 days. He stated Charlotte had received 500 victims and the plan was an additional 500 to go to Raleigh and an additional 500 in Greensboro. He said volunteer efforts would be needed at the shelters if we did get victims in the County. Commissioner Beatty asked what the County's capacity was and Mr. Weldon said the current capacity sustainable for 120 days would be approximately 150 people in three to four shelter locations.

Rodney Miller then came forward to report on the fuel situation in the County. He said currently the County was not at critical levels and it was hoped that the County would receive gasoline and highway diesel fuel shortly and with the current levels could last several weeks. He was hopeful that more gas would be delivered by the end of the week and would advise the Board if there was a problem. He said measures had been put in place to curb non-essential travel such as doubling up in maintenance trucks, inspections were being regionalized and the tax department was utilizing their hybrid vehicles for revaluation processes. Rodney said several states were waiving their state gas tax and it was unsure whether NC would do that. Chair Barnes asked if this waiver would be just for local governments and Rodney said he thought it would be for all travel if in fact NC chose to waive the tax.

David Weldon then proceeded with the Emergency Services plan update. Mr. Weldon briefed the Board on the history of the development of the plan, which was finalized in 2000 and designed to evaluate the needs of the county with regard to fire, rescue, EMS, emergency communications and disaster preparedness. It addressed conditions and challenges facing the system and recommended actions to take the County's emergency services to the year 2010.

In 1999, Freeman White, Inc. was retained to develop a long-range, countywide strategic plan, to insure the best use of taxpayer money in the development of emergency services. After meetings with stakeholders, rescue squad and fire department leadership, EMS personnel and Communications Center personnel, the plan was finalized and offered immediate, short term and long term recommendations toward meeting the goals of the Board of Commissioners to 1) provide a county-wide response time of not more than six minutes for medical first response and eight minutes for EMS and 2) secure the best long-term use of facilities, equipment, and personnel, both paid and volunteer. An advisory committee comprised of emergency services stakeholders was created to assist in the implementation of the plan.

Since February 5, 2001, many of the thirteen immediate, five short-term and five long-term needs have been met. Some of these include:

- The Hickory Fire Department's assisting the Hickory Rescue Squad to provide first responder and basic rescue services within Hickory's corporate limits, which resulted in a response time of no more than six minutes for first response. This agreement is used as a model by other municipalities.
- The Hickory Fire Department is currently providing first response in their district with an approximate average response time of four minutes and, although not currently contracted for rescue services, is equipped to provide rescue services as needed.
- The County Code was amended to require house numbers to be visible from roadways for every home and business, and major structures considered to be new construction, to insure emergency services personnel can locate the scene of an emergency.
- To address concerns about the availability of ambulances, a replacement schedule for ambulances was created and put in place to assure ambulances remain operationally ready and County units are being used to replace rescue squad ambulances as required.

- The County began implementing dedicated dispatch in the 911 Communications Center to assign at least one telecommunicator specifically to each area of emergency services: 1) EMS; 2) fire and rescue; and 3) law enforcement. Further, seven additional telecommunicators were added to the staff to enhance Communication Center staffing.
- Two additional persons were added to the County's Records Division, to shift some of the load of record keeping away from existing Communications Center personnel.
- Eight full-time paramedics were added in order to have 24 hour ambulance coverage at the Propst and Sherrills Ford EMS bases, to aid in reducing overall response times to eight minutes.
- The plan also recommended an analysis of the location of current bases and identification of strategic locations for future bases. A new Oxford Fire/Claremont Rescue/Catawba EMS base was opened in 2004 off Highway 16 in the Oxford Community to better serve that area of the county.

Mr. Weldon reported on goals that remain to be met under the plan including: 1) development of a recruitment program for volunteer rescue personnel; 2) the establishment of district boundaries and an overall organization that best meets the county's emergency service needs and makes the best use of taxpayer dollars; 3) an examination of base locations that may be located in hazardous traffic areas; 4) the development of a five-year facility plan for Catawba County Emergency Services; 5) development of a fully effective interoperable radio communications system; and 6) the continued use of grant funds, whenever possible, to improve and enhance the County's emergency response system.

Mr. Weldon said he was requesting that the Board allow Emergency Services and the Emergency Services Planning Committee to move forward with the remainder of objectives. Commissioner Beatty asked whether they were looking for anyone to work with Emergency Services on this plan and Mr. Weldon said they felt very confident with the plan that was in place and they would like to move forward with the stakeholders they currently had in County. Commissioner Beatty said she would like to see an evaluation of the equipment and look to see strategically where more personnel needed to be added and she wondered whether the County was getting the best value for the money with State contracts regarding vehicles and wanted the County to look at buying vehicles and adding the boxes necessary. Mr. Weldon said they will look at this and noted that remounting used to be a good use of monies but they have found historically that may not be the case with newer technology. Commissioner Beatty said she was also worried about volunteer burn out and Mr. Weldon said they were working very closely with the volunteers' associations to make sure what calls they were sent out on and what calls they were not expected to respond to. He noted they were trying to reduce the stress on volunteers as they were a vital part of what the Emergency Services Department did.

Chair Barnes said she noticed in the draft that there was a recommendation regarding dispatch time versus response time. Mr. Weldon said the agreed upon measure was from when the ambulance is dispatched to when they arrive at the scene but it is true the true response time is from when the citizen calls in to the communications center to the time the ambulance is actually on the scene. He said nationally most of the response times that are given are from when the ambulance is dispatched to when they arrive at the scene. Chair Barnes noted that a lot is expected to be accomplished between now and January 2006 and Mr. Weldon said that some of those expectations may need to be altered but a plan will be in place by January 2006 which may include additional implementation dates.

Commissioner Beatty made the motion to adopt the goals for the Emergency Services Plan and she also thanked the Department for the superior Emergency Services Department and the County should be proud of the organization and its members, volunteers and employees alike. The motion carried unanimously.

8. Appointments.

Commissioner Lynn Lail recommended the reappointment of Rodney Miller, Finance Director, for a second term and Corky Upchurch, representing a financial institution, for a fourth term to the Region E

Development Corporation. Commissioner Lail also recommended the appointment of Jeff Gniadeck, representing a financial institution, for a first term on this board to replace Joab Cotton who did not wish to be reappointed. The terms will be for three years, beginning October 1, 2005 and expiring September 30, 2008.

These recommendations came in the form of a motion. The motion carried unanimously.

9. Consent Agenda:

County Manager J. Thomas Lundy presented the following consent agenda for approval:

- a. The first item was radio purchases for six volunteer fire departments, four law enforcement agencies and one rescue squad. He asked the Board to recall during Budget talks they received a report regarding reverse E-Bay bidding for two-way radios and since there was such a good bid, the vendor agreed to hold those prices available and these 11 agencies are going to be able to purchase at those reduced amounts and the County will simply be placing the order and get the money back from these agencies. Supplemental Appropriations: Expense: 110-260060-870100 \$17,757; Revenue: 110-260060-676600 \$17,757
- b. The second item was a Mental Health budget revision with a net increase of \$438,751 – this was still part of the divestiture of Mental Health – There is an adjustment of \$404,227 for Medicaid dollars that had been coming through Mental Health that will now go directly to the providers and \$842,978 is for the final settlement for the divestiture. There is no settlement from the State yet but it is believed that the settlement will come in a lesser amount but this amount is for the worst-case scenario. Whatever portion is not required for the settlement will fall back to Mental Health’s fund balance.

SUPPLEMENTAL APPROPRIATIONS			
Account Number		Account Number	
Expenditures:		Revenues:	
110-530906-915610 CVBH Contract	(404,227)	110-530906-672116 Medicaid CAP	(237,230)
110-530901-991300 MH Refund	772,978	110-530906-672103 Medicare	(106,289)
110-530906-915615 Family N.E.T. Contract	70,000	110-530906-635009 Domiciliary Care	(36,000)
		110-530906-672104 Insurance	(24,708)
		110-530906-690101 MH Fund Balance Applied	842,978

- c. The third item was a grant received from the State of North Carolina for Getrag Corporation in the amount of \$76,000. This was part of the Governor’s One NC Grant that was committed to Getrag. The money came to the County and now needed to be disbursed to the corporation. Supplemental appropriation: State Grant – EDC – Getrag 110-420050-639105 \$76,000; EDC/Getrag 110-420050-868161 \$76,000.
- d. The fourth item was asking the Board to declare 31 acres of timber at the Blackburn Landfill site as surplus and authorize the sale of the timber by sealed bid. The sale is to be contracted with Raymond Taylor, Registered Forester, to conduct the sale. The following is the resolution regarding this sale:

**RESOLUTION #
DISPOSAL OF SURPLUS TREES LOCATED ON COUNTY OWNED PROPERTY**

WHEREAS, Catawba County owns a 31+ acre tract located along Rocky Ford Road (SR 2019), Jacobs Fork Township at the Blackburn Landfill property; and

WHEREAS, North Carolina General Statute 160A-2698 permits the County to sell real property by advertisement and sealed bid;

THEREFORE, THE BOARD OF COMMISSIONERS OF CATAWBA COUNTY RESOLVES THAT:

The Board of Commissioners hereby authorizes the sale of the following described tract of land by sealed bid:

31+ acres located along Rocky Ford Road (SR 2019), Jacobs Fork Township, Blackburn Landfill

The County will accept sealed bids for the property until 3:00 p.m., October 18, 2005. Bids shall be delivered to the office of the Raymond Taylor, Registered Forester, Taylor Forestry, 3722 Whitney Drive NE, Hickory NC.

At 3:00 p.m., October 18, 2005, all bids received shall be opened in public at the Blackburn Landfill Office, 4017 Rocky Ford Road, Newton, N.C. and the amount of each bid recorded. The record of bids shall be reported to the Board of Commissioners at their regular meeting on November 7, 2005.

The Board of Commissioners will determine the highest responsible bidder for the property and will award the bid by its regular meeting on November 7, 2005. Bids will remain open and subject to acceptance until the Board of Commissioners award the bid.

To be responsible, a bid must be accompanied by a bid deposit of five percent (5%) of the amount of the bid. A bid deposit may take the form of cash, cashier's check, a certified check, or a surety bond. The deposit of the bidder to whom the award is made will be held until sale of the property is closed; if that bidder refuses at any time to close the sale, the deposit will be forfeited to the County. The deposits of the other bidders will be returned at the time the Board of Commissioners awards the property to the highest responsible bidder.

In addition, to be responsible, a bidder must be current on payment of all property taxes owned to the County.

The County reserves the right to withdraw the property from sale at any time and the right to reject all bids.

This the 6th day of September, 2005.

- e. The fifth item was a request to waive the permit fees for the Greater Hickory Classic and Mr. Lundy noted as an outgrowth of this request, staff would be developing a policy to bring to the Board for consideration for when the County should or shouldn't waive fees.

Chair Barnes asked if there were any requests for any of these items to be broken out from the consent agenda for discussion and none were made. Commissioner Glenn Barger made a motion to approve the consent agenda. The motion carried unanimously.

10. Departmental Reports.

a. Finance:

1. Rodney Miller, Finance Director and David Boone, VP of Finance, Catawba Valley Medical Center, came forward to present a request for financing of \$5,000,000 toward the purchase of medical equipment for Catawba Valley Medical Center. Mr. Boone said they wanted to execute a \$5,000,000 loan through BB&T to purchase digital mammography units, 64 Slice CT scanner, vascular suite and general healthcare equipment. He said 100% of the loan will be retired by Catawba Valley Medical Center – they would be making all the payments on the five year term loan at 3.99%. Mr. Miller said the financing would be through G.S. 160-A.20 and the equipment would be collateral for the loan. The debt will be considered County debt with the Hospital owing the debt but the County will be securing the debt for them legally.

The following resolution pertains to this request:

RESOLUTION # _____

RESOLUTION APPROVING INSTALLMENT CONTRACT FINANCING FOR CATAWBA VALLEY MEDICAL CENTER; AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS IN CONNECTION THEREWITH, AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS

WHEREAS, the Board of Hospital Trustees of Catawba County, North Carolina (the "Board") desires to obtain funds to finance the acquisition (including reimbursement) of planned expenditures for capital equipment (the "Project") for Catawba Valley Medical Center (the "Hospital"), and has requested the County of Catawba, North Carolina (the "County") provide financing for such Project through an installment financing contract under NCGS 160A-20 (the "Contract") between the County and Branch Banking and Trust Company ("BB&T"), and

WHEREAS, the County is agreeable to the terms and conditions to be imposed upon it in connection with obtaining funds from BB&T pursuant to the Contract and to the execution and delivery of the several documents necessary to the implementation thereof; and

WHEREAS, this Board of Commissioners has determined in good faith that it is in the best interests of the Hospital and the County to take such actions;

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through BB&T in accordance with the proposal dated July 14, 2005, a copy of which is attached to this Resolution. The amount financed shall not exceed \$5,000,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.99%, and the financing term shall not exceed fifty-nine (59) months from closing.

2. The Contract and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any and all Financing Documents, and to take any and all such further action as they, in their discretion, may consider necessary or desirable to carry out the financing of the Project as contemplated by the proposal and this Resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, and the Finance Officer's release of any financing document for delivery shall constitute conclusive evidence of such officer's final approval of the document's final form.

4. The County shall not take or omit to take any action the taking or omission of which will cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations.

5. All prior actions of County officers in furtherance of the purposes of this Resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this Resolution are hereby repealed, to the extent of the conflict. This Resolution shall take effect immediately.

Adopted this ___ day of _____, 2005.

Commissioner Lynn Lail made a motion to adopt the resolution. The motion carried unanimously.

2. Rodney Miller then presented a recommendation to declare County owned property located at 445 34rd Street SW, Hickory, Parcel ID #3702-0647-8534 as surplus. The property has been listed on the County website and an offer to purchase was made by Richard Lee Giles from Lincolnton. The tax value of this property is \$1400 and Mr. Giles submitted an offer of \$1450. The Finance and Personnel Subcommittee requested Mr. Miller research the interest of the adjacent property owners and Mr. Giles'

intent for the property. This research revealed an adjacent property owner was the City of Hickory and the City has voiced their interest in purchasing the property for \$1450. Mr. Giles did not state his intent for the property. Mr. Miller pointed out that while NC General Statute 160A-269 authorizes the sale of real property via the negotiated offer and upset bid process, NC General Statute 160A-274 permits property exchanges among local governments without imposing the formal procedural requirements associated with other dispositions of government property and with or without monetary consideration with the governing board's required approval. The City of Hickory expressed their interest in purchasing this property to promote affordable housing and improve homeownership opportunities in the Ridgeview community. Mr. Miller recommended the acceptance of the City of Hickory's offer of \$1450 and reject Mr. Giles offer.

Vice-Chair Dan Hunsucker made a motion to declare the property surplus, reject Mr. Giles offer to purchase and approve the sale to the City of Hickory for \$1450.00. The motion carried unanimously.

b. Purchasing:

Debbie Anderson, Purchasing Agent, recommended the following changes be made the County Code regarding Chapter 30 – Purchasing:

In January 2002, Senate Bill 914 changed the base threshold for formal purchases from \$50,000 to \$90,000. At that time, the County elected to keep our base threshold at \$50,000.

Current County Code:

- Informal Bid Range
 - \$5,000 - \$50,000 (Purchase of Supplies & Equipment)
 - \$5,000 - \$300,000 (Construction)
- Formal Bid Range
 - \$50,000 and above (Purchase of Supplies & Equipment)
 - \$300,000 and above (Construction)
- County Manager Authority to Award Bids
 - Up to \$55,000
- Minority Outreach Requirements (Construction)
 - \$5,000 - \$300,000 (County Outreach)
 - \$300,000 and above (County and Contractor Outreach)
- County Manager Authority to Dispose of Surplus Property
 - Less than \$5,000

On July 27th, the Governor signed into law House Bill 1332. House Bill 1332 increases the base informal threshold for General Statute 143-131 from \$5,000 to \$30,000. This means that effective July 27th, there are no statutory bidding requirements for contracts below \$30,000.

House Bill 1332 also increases the local regulation whereby property valued less than \$5,000 (now \$30,000) may be sold using informal procedures upon delegation of the board under G.S. 160A-266(c). Under the current code, the County Manager has authority to dispose of surplus property less than \$5,000. The new regulation increases that threshold to \$30,000, allowing for items to be sold by electronic auction on a routine basis.

In addition House Bill 1332 authorizes the use of electronic advertising for piggybacking contracts under G.S. 143-129(g), and for electronic auction of surplus property under 160A-270(c). The County currently uses the County WEB site for electronic advertising for formal bids and surplus; the change will also permit electronic advertising for formal surplus auctions and the use of the piggyback exemption without newspaper advertisement.

House Bill 1332 also changes the minority outreach requirements for construction to match the new thresholds; minority outreach is now required for construction projects beginning at \$30,000 (was \$5,000).

New General Statute Thresholds:

- Informal Bid Range
 - \$30,000 - \$90,000 (Purchase of Supplies & Equipment)
 - \$30,000 - \$300,000 (Construction)
- Formal Bid Range
 - \$90,000 and above (Purchase of Supplies & Equipment)
 - \$300,000 and above (Construction)
- Minority Outreach Requirements Construction
 - \$30,000 - \$300,000 (County Outreach)
 - \$300,000 and above (County and Contractor Outreach)

Recommended County Code Thresholds:

- Informal Bid Range
 - \$5,000 - \$90,000 (Purchase of Supplies & Equipment)
 - \$30,000 - \$300,000 (Construction)
- Formal Bid Range
 - \$90,000 and above (Purchase of Supplies and Equipment)
 - \$300,000 and above (Construction)
- County Manager Authority to Award Bids
\$90,000 - \$250,000 (Budget Approved Items)
- Minority Outreach Requirements
 - \$30,000 - \$300,000 Informal Construction
 - \$300,000 and above Formal Construction
- Authority to Dispose of Surplus Property
 - Purchasing Agent - less than \$10,000
 - County Manager - \$10,000 - \$30,000

The recommended informal bid threshold is less than the General Statutes require. Since bid awards less than \$30,000 will not be governed by the General Statutes, the County needs to define how these bids will be awarded and allow for exceptions in the event quotes are not desired. Below is the proposed language:

"For purchases of supplies and equipment between \$5,000 and \$30,000, 3 quotes should be obtained to ensure competitive pricing. However, the 3-quote requirement can be waived with the approval of the purchasing agent when it is deemed to be in the best interest of the County. Three written quotes should be obtained for purchases between \$30,000 and \$90,000 for purchases of supplies and equipment unless it is a sole source item.... "

In the current code, the County Manager has authority to award and reject bids up to \$55,000. With the new base threshold for formal bids at \$90,000, staff requests the County Manager have authority to award and reject bids up to \$250,000. The Manager will give a report to the Board of Commissioners any bids awarded or rejected. This will expedite the procurement process for smaller projects that have already been approved in the budget.

Commissioner Barger made a motion amend the County Code as recommended. The motion carried unanimously.

- c. Utilities and Engineering
 - 1. Jack Chandler, Public Services Administrator, presented a recommendation for the approval of the engineering contract between Catawba County and Hayes, Seay, Mattern & Mattern, Inc. for the

design, bid and bid award of the SECC Water Supply Loop Phase III water project in the amount of \$240,000.

The Southeastern Catawba County (SECC) Water Supply Loop is being developed in three separate but codependent phases. Phase I, commonly referred to as the NC Highway 150 waterline, is complete and is in service. Phase II engineering and design is complete and the plans have been approved by the North Carolina Public Water Supply Section. Staff is in the process of acquiring necessary easements for the Phase II waterline to cross private property prior to bidding.

In keeping with the General Statutes, the staff issued a Request for Qualifications (RFQ) and thirteen statements were received. The Selection Committee developed a "short list" of respondents which consisted of Hayes, Seay, Mattern & Mattern; McGill Associates and Camp Dresser & McKee and Hayes, Seay, Mattern & Mattern was selected as the top-ranking firm.

The County legal staff is currently reviewing the contract and there is some clarification needed regarding change orders and liability insurance – and the request was for the Board to approve the contract pending those clarifications/negotiations.

Commissioner Beatty asked whether there had been discussions with DOT regarding going straight down HWY 16 and Mr. Chandler said there had been no discussions lately but in the preliminary discussions it was thought to keep the larger diameter pipe off of HWY 16 because when HWY 16 is widened the County would be responsible for relocating that line so 12 inch waterline loops are being looked at to service HWY 16 when the need is there.

Commissioner Lail made a motion to approve the engineering contract pending the change order and liability issues. The motion carried unanimously.

2. Barry Edwards, Director, Utilities and Engineering, came forward to present the Blackburn Subtitle D Landfill Unit 3 Engineering Contract Award recommendation but said he wanted to add a few comments regarding the gasoline situation. He said the County did not get its diesel fuel that was to be delivered over the weekend. He said the County had enough fuel to run the landfill for four days. They had cut their normal consumption from 95 gallons per hour to 45 gallons per hour by reducing how they handle wood waste. He said he hoped they would get fuel on this date and he would let the County Manager know the status of the fuel issue. He also noted the Building Services Division had not waited for this disaster to optimize the use of gasoline. When they merged with Hickory, they went from paying mileage to employees to providing automobiles and routing analysis was done to optimize gas mileage.

Mr. Edwards then presented the recommendation to approve the engineering contract between the County and McGill Associates, PA for the design, permitting, bid and bid award of the Blackburn Subtitle D Landfill Cell Unit 3, Phase I, in the amount of \$326,400.

In keeping with General Statutes, staff issued a Request for Qualifications (RFQ) and six statements were received. The Selection Committee recommended McGill Associates since the firm is familiar with the County's Solid Waste Management Plan and has been involved in the County's solid waste projects and planning. The contract is for project design, permitting, bid and bid award for \$326,400. All costs for this project will be paid from the Solid Waste Enterprise Fund, which is derived from solid waste tipping fees containing no tax proceeds. Also the engineering costs are budgeted in the current fiscal year 2005/06, and therefore, no budget revision or appropriation will be needed at this time.

Vice-Chair Hunsucker made a motion to approve this contract in the amount of \$326,400. The motion carried unanimously.

Chair Barnes then asked Debbie Anderson for some clarification regarding the timber which was to be declared surplus – she noted the County was accepting sealed bids until 3:00 p.m. on October 15, 2005 at which time they would be opened at the Landfill Office – but the bids were to be submitted to a different address. Chair Barnes asked if this had been clarified. Debbie Anderson said she had spoken to Ray Taylor and he said he would notify all the people who are participating what time he

would be leaving to go to the landfill and that way people would know up to 2:00 p.m they could take it to his office but most of the time the bids are submitted to him directly at the site.

11. Attorneys' Report. None.

12. Manager's Report.

County Manager J. Thomas Lundy asked the Board to consider a closed session in accordance with General Statute 143-318.11 under the provision to instruct the staff or negotiate an agent concerning the acquisition of real property and he did not anticipate any public action following the session. County Attorney Robert Eades said that the provision needed to include "to consult with their attorney pursuant to attorney/client privilege".

Commissioner Glenn Barger made a motion to go into closed session as County Manager Lundy and County Attorney Robert Eades had recommended. The motion carried unanimously.

The Board went into closed session at 10:55 a.m.

Commissioner Beatty made a motion to return to open session at 12:14 p.m. The motion carried unanimously.

13. Other items of business. None.

14. Adjournment.

Commissioner Barger made a motion to adjourn at 12:15 p.m. The motion carried unanimously.

Katherine W. Barnes, Chair
Board of Commissioners

Barbara E. Morris, County Clerk