

Belhaven Town Council
Special Called Meeting – ESC Contract
Friday, October 26, 2007

Call to Order/Invocation

The Belhaven Town Council met in a Special Called Session on Friday, October 26, 2007 at 11:30 A.M. in the Council Chambers at Town Hall. Mayor Adam W. O’Neal called the meeting to order with the following Council members present: Albert Baker, Dr. Charles O. Boyette, Steve W. Carawan and George R. Ebron, Jr. Councilwoman Cynthia M. Heath was not present. Town Manager Tim M. Johnson and Town Clerk Marie J. Adams were also present. Mayor O’Neal asked Mr. Mac Pigott from the audience to give the invocation.

Approval of Contract and Execution Authorization

Mayor O’Neal read the memorandum as follows: Item #1 Approval of Contract and Execution Authorization. “A motion should be made awarding the construction contract for the Emergency Services Center to Hudson Brothers Construction Company of Greenville in the amount of \$2,359,245 and further authorizing the Town Manager to execute the contracts on behalf of the Town.”

Mayor O’Neal recognized Councilman Carawan. Councilman Carawan referred to an e-mail between the contractor and Town Manager Johnson which stated that special called meeting would take place and stated that the contractor knew of this meeting prior to he and the Mayor knowing of the meeting as the meeting was called by Mayor Pro-Tem Ebron. Town Manager Johnson explained that the Mayor or Mayor Pro-Tem or any two Council members could call a Special Called Meeting with 48 hours notice.

Mayor O’Neal polled each Council member and asked if they had reviewed the construction contract. Each Council member stated no. Councilman Boyette reminded the Council that at the October 8, Council Meeting Town Manager Johnson had addressed the contract issue and had stated that he had addressed the contract issue and had stated that he had reviewed the contract and had no issues. Mayor O’Neal stated that the Council was adopting a contract that they had not seen. Mayor O’Neal also informed the Council that there was a cancellation clause in the contract.

Authorization to Execute Contract for Emergency Services

Councilman Boyette made the motion to award the construction contract for the Emergency Services Center to Hudson Brothers Construction Company of Greenville in the amount of \$2,359,245 and further authorizing the Town Manager to execute the contracts on behalf of the Town. Councilman Ebron seconded the motion. Councilman Baker voted in favor of the motion with Councilman Carawan voting against the motion. The motion carried 3 to 1.

Town Manager Johnson stated that the original project ordinance for this project was adopted on Jun 6, 2005. Town Manager Johnson then read the following Amended Project Ordinance for the Emergency Services Center.

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TOWN OF BELHAVEN

EMERGENCY SERVICES CENTER

AMENDED PROJECT ORDINANCE

Be it ordained by the Belhaven Town Council that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

Section 1: The project authorized is the Town of Belhaven’s Emergency Services Center in the work statement contained in the funding agreement between the Town of Belhaven and the United States Department of Agriculture (USDA).

Section 2: The Town of Belhaven Finance Officer is hereby directed to proceed with the project within the terms of the program document(s), the rules and regulations of the USDA, and the budget contained herein.

Section 3: The following revenues and resources are anticipated to be available to complete the project activities:

USDA Loan	\$1,500,000
USDA Loan	\$ 475,000
USDA Grant	\$ 300,000
Town of Belhaven Funds	\$ 410,645
Total Project Resources	\$2,685,645

Section 4: The following amounts are appropriated for the project activities:

Emergency Services Center:	
Construction	\$2,359,245
Contingency	\$ 147,360
Permits & Fees	\$ 5,000
Architect/Engineer	\$ 115,000
Loan Interest	\$ 59,040
Total Project Budget	\$2,685,645

Section 5: The Program Finance Officer is hereby directed to maintain with the Project Fund sufficient specific detailed accounting records to provide the

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accounting to the USDA required by the funding agreement(s) and federal and state regulations.

- Section 6: Funds may be advanced from the town's project allocation of General Funds for the purpose of making payments as due. Reimbursement requests should be made to the USDA in an orderly and timely manner.
- Section 7: The Program Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total project revenues received or claimed.
- Section 8: The Program Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission made to this board.
- Section 9: Copies of this project ordinance shall be made available to the Program Finance Officer for direction in carrying out this project.

Adopted this the 26th day of October, 2007.

Tim M. Johnson, Town Manager

Attest:

Marie J. Adams, Town Clerk

Councilman Ebron made the motion adopting the Amended Project Ordinance for the Emergency Services Center. Councilman Boyette seconded the motion. Councilman Baker voted in favor of the motion. Councilman Carawan voted against the motion. The motion carried 3 to 1.

Mayor O'Neal stated that the election was eleven days away and that he proposed that a seven member board be appointed to see the needs of a EMS building in order to save money as these funds proposed to be spent on the EMS building could be reduced and in turn save money on utility rates. Mayor O'Neal also stated that in order to save money Police and Fire and EMS should not be combined in one building.

Councilman Boyette stated that the Town had been working on this project for about 2.5 years and it was time to move on and there was no need to separate the two entities.

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Mayor O’Neal asked who approves the performance bonds for Hudson Brothers Construction. Town Manager Johnson stated that a representative of USDA would make that approval.

Adjournment

Mayor O’Neal adjourned the meeting at 11:50 A.M.

Respectfully submitted,

Marie J. Adams, CMC
Town Clerk