



Town of Southern Shores

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Council Meeting
January 22, 2013
9:00 a.m.-Pitts Center

Mayor Denny called the meeting to order at 9:00 a.m. in the Pitts Center with the following Council Members present: Mayor Hal Denny, Mayor pro tem Jodi Hess, Council Members George Kowalski, David Sanders and Larry Lawhon. Also present: Town Manager Peter Rascoe and Town Clerk Carrie Gordin.

Mayor Denny led the Pledge of Allegiance and held a Moment of Silence.

APPROVAL OF AGENDA

Council Member Lawhon moved to approve the agenda as presented. Council Member Sanders seconded. The motion passed unanimously.

APPROVAL OF MINUTES-January 8, 2012

Council Member Lawhon moved to approve the minutes as presented. Council Member Sanders seconded. The motion passed unanimously.

CONSENT AGENDA

Resolution 2013-01-07-Authorizing the Donation of Personal Property to another Governmental Unit

Mayor pro tem Hess moved to approve the Consent Agenda as presented. Council Member Lawhon seconded. The motion passed unanimously.

[Clerk's Note: A copy of Resolution 2013-01-07 is hereby attached as Exhibit A].

GENERAL PUBLIC COMMENT-None

OLD BUSINESS-None

NEW BUSINESS

Consideration to Amend Purchasing and Bid Requirements Policy

The Town Manager presented proposed changes to the policy.

Mayor pro tem Hess stated upon reading the policy she feels that the four steps listed on page one that the word "should" should be changed to read "will".

With grammatical editions offered by herself, Mayor pro tem Hess moved to approve the changes as submitted by the Town Manager to the Purchasing and Bid Requirements Policy. Council Member Sanders seconded. The motion passed unanimously.

[Clerk's Note: A copy of the amended Purchasing and Bid Requirements Policy is hereby attached as Exhibit B].

Consideration of On-Call Engineering Services Request For Proposals

The Town Manager received four proposals.

Following discussion and consideration of factors as to each proposal received, Mayor Denny moved to terminate the existing contract for engineering services with Quible and Associates. Council Member Kowalski seconded. The motion passed unanimously.

Council Member Kowalski then moved for the Town Manager to develop and present a proposed contract with Anlauf Engineering. Mayor Denny seconded. The motion passed unanimously.

Construction and Demolition Debris (C&D) Transfer Possibilities

The Town Manager provided Council with several options regarding C&D debris disposal for residents, however he also stated there have been no inquires at Town Hall for such a service from residents.

Council Member Sanders stated he would like to continue exploring the possibility of establishing such a program.

The Town Manager will continue to explore options and report to Council at the next meeting.

February Retreat Agenda Discussion

Mayor pro tem Hess requested Council Members submit items to her for the retreat agenda. A proposed agenda will be discussed at the February 5 Council meeting for the subsequent retreat.

OTHER ITEMS

Town Manager

The Town Manager addressed several issues:

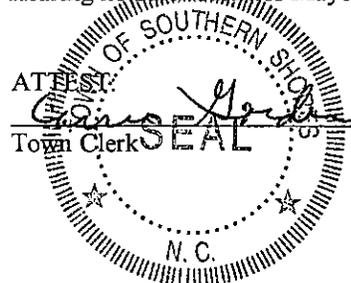
- The Town Manager introduced Willo Kelly, Governmental Affairs Director for the Outer Banks Home Builders Association and Outer Banks Realtors. She requested a meeting with the Mayor, Town Manager and Town Planner to discuss upcoming legislative issues.
- Gravey Pond road project will be paved as soon as conditions permit.
- Honeysuckle Road Improvement Project bid opening will be held on January 29.
- The Tall Pine Bridge replacement project revised municipal reimbursement agreement will be presented at the February 5 Council meeting.
- Dare County Assessor will report revaluation figures to the Board of Commissioners on February 18.
- Canal dredging project (Phase 2) bid package will hopefully be ready for publication February 1.
- The Town is waiting for approval of Government Access Channel grant funds to complete the audio/visual upgrade in the Pitts Center.

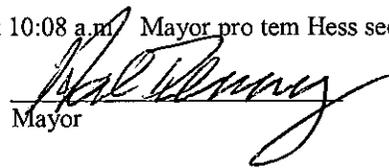
Mayor

Mayor Denny stated he and his wife attended the Southern Shores Volunteer Fire Department's annual awards ceremony. He stated the SSVFD received a letter of commendation from a town resident thanking them for their services during a recent medical emergency, and that the Town is very fortunate to have such volunteers.

Council-None

Hearing no other business Mayor Denny moved to adjourn the meeting at 10:08 a.m. Mayor pro tem Hess seconded.




Mayor

Resolution Authorizing Donation of Personal Property to Another

Governmental Unit [NCGS §160A-280]

Whereas pursuant to North Carolina General Statute §160A-280, the Town of Southern Shores is authorized to donate to another governmental unit as defined by NCGS §160A-274(a), items of personal property deemed to be surplus, obsolete, or unused; and

Whereas the authoritative procedure of such donation outlined in NCGS §160A-280 is exclusive and separate of procedures outlined in the various disposal statutes of Article 12 of Chapter 160A of the General Statutes; and

Whereas the Town Council of the Town of Southern Shores deems that the personal property items listed herein are surplus, obsolete, and unused, and notwithstanding other statutory procedures for disposal of surplus property, are considered to have a current market value of less than \$500;

Personal Property to be Donated:

Radar Units:

- Kustom PRO 1000 Serial # DS 16061
- Kustom PRO 1000 Serial # DS 16062
- Kustom PRO 1000 Serial # DS 12479
- MPH Python Series II Serial # PYT546002696
- MPH Python Series II Serial # PYT546002695

Light bars:

- Code 3 LEDX-2100 Serial # LL0200071
- Code 3 LEDX-2100 Serial # LL0200072

Now Therefore, the Town Council of the Town of Southern Shores, recognizing the duly posting of a public notice of this potential action at least five days prior, does hereby authorize the Town Manager to make a donation of the personal property described herein to another governmental unit defined by NCGS §160A-274(a).

This the 22nd day of January, 2013.

Mayor

Clerk

**TOWN OF SOUTHERN SHORES
PURCHASING AND BID REQUIREMENTS**
Updated by Town Council January 22, 2013

This purchasing and bid requirements policy is intended to serve as a guide for all departments in obtaining supplies, materials, equipment, apparatus, and services. The Town of Southern Shores' purchasing and bidding program is based on the principal of competitive bidding. A valid reason must be provided and documented when competitive bidding is not sought and obtained. The practice of favoritism, whether to the seller or the user department, is not permissible.

The Town's purchasing and bidding requirements are governed by North Carolina General Statutes and, therefore, must seek competitive offers from qualified sources of supply unless the items can be obtained through existing contracts established by NC State Purchasing and Contracts Division. Whenever possible, the Town of Southern Shores participates in the NC State Contracts. The Town's local purchasing and bidding requirements may cite provisions which are stricter in policy thresholds than the requirements of the applicable North Carolina General Statutes.

The Finance Officer relies on the Department Heads to fully identify their needs, obtain competitive pricing, and exercise sound and legal purchasing and contracting practices. Department Heads are responsible for communicating their needs to the Finance Officer on a timely basis in order to obtain the correct items at the best possible price.

Any and all purchases and contracts that are made on behalf of the Town of Southern Shores must be for the use of the Town. Such purchases can only be made if an appropriation has been set up in the approved annual budget.

A purchase order is needed for services, materials, supplies and equipment purchased that exceed \$250.00. The amount for shipping and handling along with sales tax should be included on the purchase order. The Finance Officer may not validate any purchase order unless sufficient unencumbered funds are available to pay at the time of purchase. A properly signed purchase order must **precede** the purchase. No invoice will be honored if the purchase order has not been issued and signed by the appropriate Department Head and Finance Officer. The purchase orders will be pre-numbered for control purposes and should include descriptions of the items being purchased. Unauthorized purchases are classified as a personal expense, and therefore, will be paid by the employee. In the event that the Finance Officer is not available, the purchase order can be signed by both the Department Head and the Town Manager.

The following steps must be taken:

1. All Department Heads will read and understand this policy;
2. All employees involved in the purchasing process will become familiar with the procedures outlined in this policy;
3. This policy will be kept where it is easily accessible for reference;
4. All comments or clarifications of contents contained in this policy will be directed to the Town Manager or the Finance Officer.

GENERAL RULES AND PROCEDURES FOR PURCHASING AND BIDDING

Note: all obligations evidenced by a contract or agreement, regardless of amount, must be certified as pre-audited by the Finance Officer.

Purchases of \$250.00 to \$29,999.99

All purchases between \$250.00 and \$29,999.99 (individually or in total) must be made with the use of a purchase order. The department wishing to make the purchase will prepare a purchase order and present it to the Finance Officer for approval. Town Council has given authority to the Town Manager to approve all contracts/purchases up to a maximum of \$29,999.99.

Purchases or Contracts of \$30,000 to \$89,999.99 (Informal Bidding Process)

For all purchases, lease-purchases, and contracts above \$29,999.99 and below the state mandated thresholds for formal bidding, informal bids must be obtained. Only written informal proposals will be accepted. The purpose of public bidding is to obtain the best value for tax dollars, to provide fairness in contracting and prevent favoritism. Contracts will be awarded to the lowest responsible bidder, taking into consideration quality, performance and time. A Bid Form will be used for this process. Three (3) written proposals will be sought during the bidding process. In cases where available or appropriate vendors are limited, every effort will be made to obtain bids from at least two (2) vendors. In cases where the item or service is available from a single source, this information must be noted on the Bid Form. For any purchase, lease-purchase or contract cost not previously authorized by the Council in an annual budget appropriation, the Town Council must authorize the award of all bids over \$29,999.99. The Finance Officer will issue a purchase order to the chosen vendor and the Department Head will proceed with the purchase.

Purchases of \$90,000.00 + (Formal Bidding Process)

Expenditure of funds totaling or exceeding \$90,000.00, either for the purchase of apparatus, supplies, materials and equipment, or for construction or repair work, are required to be handled by the Formal Bid Process. A performance bond AND payment bond are required for all construction or repair projects over \$90,000.00. Note: Performance and payment bonds are required for contracts costing more than \$50,000 that are part of a project costing more than \$300,000.

The advertisement for bidders required by this section shall appear at a time where at least seven (7) full days shall lapse between the date on which the notice appears and the date of the opening of bids. The advertisement shall: (i) state the time and place where plans and specifications of proposed work or a complete description of the apparatus, supplies, materials, or equipment may be had; (ii) state the time and place for opening of the proposals; and (iii) reserve to the board or governing body the right to reject any or all proposals. (~~G.S. 143-129~~).

Purchases not requiring a Purchase Order

The following purchases do not require a purchase order:

- A. Advertising;
- B. Dues;
- C. Utilities;
- D. Insurance;
- E. Postage;
- F. Professional services for accounting, legal, engineering, etc. that are covered by a separate approved contract;
- G. Purchases less than \$250.00.
- H. Purchases obligated by written contract or agreement (These written obligations require Finance Officer certification, regardless of amount).

Emergency Purchases

An emergency is defined as a sudden, urgent, usually unexpected occurrence or occasion requiring immediate action. When an emergency does arise, and can be rectified only by immediate purchase or rental of equipment, supplies, materials or services, the following procedures must be followed:

- A. Secure a purchase order from the Finance Officer or the Town Manager. If the emergency occurs when offices are closed, the department should proceed to acquire only the materials of services necessary to meet the emergency;
- B. On the next working day, the Department Head must submit a requisition to the Finance Officer with the following information:
 1. Nature of the Emergency;
 2. Itemized list of purchases made;
 3. Cost per item;
 4. Vendor's name and address;
 5. Account Number
 6. Authorizing signature of the Department Head
 7. Purchase Order Number – if one was given.
- C. The Finance Officer will prepare a confirming purchase order and send the requesting department a copy of the purchase order. The employee receiving the requested items should verify that the purchase order information is correct. The employee should also make sure that the vendor knows who to invoice and the correct address for billing. All invoices should be made out to the appropriate Town Department. Failure to make sure this information is passed on to the vendor could result in the misplacement of the invoice, causing late payment on the invoice and loss of any possible discount. No emergency purchase orders will be given unless it is an emergency as described above. North Carolina General Statutes govern this procedure. Written approval for disallowed emergency purchases will have to be obtained from the Town Manager, with overall approval resting with the Town Council.

Telephone Purchase Order Procedures

In certain emergency or special situations, the Finance Officer will issue a purchase order number over the telephone to the requesting department. In such cases, the requesting department will be required to submit a supporting requisition to the Finance Officer the next business day. The requisition is to include the vendor, complete item description, quantity, price, and the purchase order number that was issued.

Credit Cards

The credit cards are kept under the control of the Finance Officer. Any employee or Council Member who needs the credit card must sign it out with the Finance Officer. On completion of travel and/or purchase the employee or Council Member must return all charge slips (a receipt of what was actually ordered at a restaurant must accompany the credit card receipt) and receipts to the Finance Officer and sign the card back in. Purchases made with the Town credit card are subject to the same purchasing procedures as other purchases, however, when the receipt is returned with the credit card, a purchase order is not necessary. The Department Head must approve purchases. Unauthorized purchases are a violation of this policy. If proper procedures are not followed, the employee may be personally liable for the payment.

Updated 1/28/08

Revised 7/6/10

Revised 1/22/13