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Consider for adoption a RESOLUTION OF THE PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY OF FAYETTEVILLE, ACTING THROUGH ITS PUBLIC WORKS COMMISSION, TO BECOME A MEMBER OF A JOINT MUNICIPAL ASSISTANCE AGENCY GOVERNED BY A JOINT BOARD OF DIRECTORS PURSUANT TO THE PROVISIONS OF CHAPTER 159B OF THE GENERAL STATUTES OF NORTH CAROLINA AND APPOINTING A COMMISSIONER AND ALTERNATE COMMISSIONER TO SUCH AGENCY.

Upon motion by Commissioner Wofford, seconded by Commissioner Saunders, the following Resolution was unanimously adopted:

Resolution No. PWC-1995.12

RESOLUTION OF THE PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY OF FAYETTEVILLE, ACTING THROUGH ITS PUBLIC WORKS COMMISSION TO BECOME A MEMBER OF A JOINT MUNICIPAL ASSISTANCE AGENCY GOVERNED BY A JOINT BOARD OF DIRECTORS PURSUANT TO THE PROVISIONS OF CHAPTER 159B OF THE GENERAL STATUTES OF NORTH CAROLINA AND APPOINTING A COMMISSIONER AND ALTERNATE COMMISSIONER TO SUCH AGENCY

*Electricities  
Resolution  
Approved by  
PWC Board*

WHEREAS, the City of Fayetteville, acting through its Public Works Commission (herein "the Municipality"), owns and operates an electric distribution system for the purpose of furnishing electric power and energy to customers in the service area of the Municipality; and

WHEREAS, certain authority and control of the management and operation of the Municipality's public utilities has been delegated to the Public Works Commission ("the Public Works Commission"); and

WHEREAS, §159B-43 of the General Statutes of North Carolina (the "General Statutes") empowers a municipality to become a member of a joint municipal assistance agency created for the purpose, among other things, of providing aid and assistance to municipalities in the construction, ownership, maintenance, expansion and operation of their electric systems; and

WHEREAS, pursuant to §159B-43 of the General Statutes North Carolina, on November 7, 1995 North Carolina Municipal Power Agency Number 1 and North Carolina Eastern Municipal Power Agency organized a joint municipal assistance agency whose name effective 11:59:59 p.m. December 31, 1995, shall be Electricities of North Carolina, Inc. (the "New JMAA") and in which the Municipality is a proposed member; and

WHEREAS, the Public Works Commission has taken into consideration the economies, efficiencies, and other benefits which might be achieved from participation in such an agency and has determined that it is desirable for the Municipality to join the New JMAA and appoint a Commissioner and Alternate Commissioner to the New JMAA; and

WHEREAS, the Public Works Commission deems it to be in the best interests of the Municipality for the New JMAA to be governed by a joint Board of Directors pursuant to §§159B-10 and 159B-43.1 of the General Statutes.

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APPROVED

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NOW, THEREFORE, BE IT RESOLVED, by the Public Works Commission of the City of Fayetteville:

Section 1. The Public Works Commission hereby recommends that the City Council of the Municipality (the "City Council") adopt a resolution finding that participation in the New JMAA will result in economies, efficiencies and other benefits with respect to the construction, ownership, maintenance, expansion and operation of the Municipality's electric system and that participation in the New JMAA by the Municipality as a member is desirable.

Section 2. The Public Works Commission hereby further recommends that the City Council adopt a resolution establishing that the Chairman and Vice Chairman of the Public Works Commission, as those individuals shall change from time to time, shall be appointed and serve as the Municipality's Commissioner and Alternate Commissioner to the New JMAA, respectively, and that they be authorized and directed to take such action as may be necessary and desirable to effect the Municipality's membership in the New JMAA, which is currently governed by a joint Board of Directors.

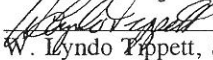
Section 3. This Resolution is effective upon adoption.

Adopted the 13th day of December, 1995.

PUBLIC WORKS COMMISSION OF THE  
CITY OF FAYETTEVILLE

\_\_\_\_\_  
Robert C. Williams, Chairman

ATTEST:

  
\_\_\_\_\_  
W. Lyndo Tippet, Secretary

Consideration of the CP&L fuel adjustment credit of four mills (\$0.004) per kWh for bills rendered in December, 1995.

Upon motion by Commissioner Saunders, seconded by Commissioner Tippet, the \$0.004 credit was unanimously approved.

Other business.

- A. Discuss attendance at seminar scheduled January 16, 1996, for elected and appointed officials that operate electric distribution systems, sponsored by ElectricCities, the League of Municipalities, the Local Government Commission, and the Institute of Government. Following the discussion, three commissioners indicated they would be attending the seminar, along with the General Manager.
- B. Comments by General Manager. Discussion concerning meeting of December 27th. It was decided to cancel the regular Commission meeting of December 27, 1995.

Reports and information were acknowledged as follows:

- A. Report of investments and bank balances
- B. Overnight investments
- C. Weekly recap of uncollectible accounts
- D. Purchase orders

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PUBLIC WORKS COMMISSION  
Meeting of Wednesday, December 13, 1995  
8:30 A.M.

Present: Robert C. Williams, Chairman  
Milton R. Wofford, Vice Chairman  
W. Lyndo Tippet, Secretary  
Robert W. Saunders, Treasurer  
Steven K. Blanchard, General Manager  
S. Ray Britt, Director of Finance  
Thelbert Torrey, Council Liaison

The meeting was called to order by the Chairman.

Mr. Blanchard presented the United Way of Cumberland County *Chairman's Award* to the Commission. Chairman Williams expressed appreciation for the unselfish commitment of PWC employees, as reflected by this Award.

Upon motion by Commissioner Tippet, seconded by Commissioner Saunders, the agenda for the meeting was unanimously approved.

Consent Items: Commissioner Wofford requested that consent item E be pulled for discussion. Upon motion by Commissioner Wofford, seconded by Commissioner Tippet, consent items A-D were unanimously approved, as follows:

- A. Approve Minutes of previous meetings of October 30, and November 8, 1995.
- B. Approval of the following agreements for extensions of water and/or sanitary sewer utilities:
  - 1) George M. Rose, Inc.; water and sanitary sewer mains and service laterals to serve **Whisper Lane**. Total Project Value - \$8,559.65; PWC Participation (inside city extensions) - \$2,227.40.
  - 2) Wessex Place, a North Carolina partnership; water and sanitary sewer mains and service laterals to serve **Wessex Place, Section I**. Total Project Value - \$231,103.98; PWC Participation (inside city extensions) - \$60,752.03
  - 3) Gregory W. Floyd, Individual; water and sanitary sewer mains and service laterals to serve **Regency Apartments**. Total Project Value - \$90,972.83
  - 4) Bill P. Pappas, Individual; sanitary sewer main and service laterals to serve **Baldino's Restaurant - Bingham Drive**. Total Project Value - \$5,736.82
  - 5) Tarleton Plantation, a North Carolina general partnership; sanitary sewer main and service laterals to serve **Tarleton Plantation**. Total Project Value - \$186,910.05; PWC Participation (difference between 8" and 12" main) - \$19,135.45

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## PUBLIC WORKS COMMISSION

Meeting of Wednesday, January 10, 1996

8:30 A.M.

Present: Robert C. Williams, Chairman  
 Milton R. Wofford, Vice Chairman  
 W. Lyndo Tippet, Secretary  
 Robert W. Saunders, Treasurer  
 Steven K. Blanchard, General Manager  
 S. Ray Britt, Director of Finance  
 Thelbert Torrey, Council Liaison

City Council

Approved

Resolution

Re: Electricities

The meeting was called to order by the Chairman. Upon motion by Commissioner Saunders, seconded by Commissioner Tippet, the Agenda was unanimously approved.

Consent Items. Upon motion by Commissioner Tippet, seconded by Commissioner Saunders, Consent Items were unanimously approved, as follows:

- A. Approve Minutes of previous meeting of December 13, 1995.
- B. Approval of the following agreements for extensions of water and/or sanitary sewer utilities:
  - 1) Sycamore Partners; water and sanitary sewer utilities to serve **Midtown Center**. Project Value - \$12,072.72; PWC Participation (inside city extensions) - \$3,177.81
  - 2) John L. Beard, Individual; water and sanitary sewer utilities to serve **Village Shops** (Broadfoot Avenue). Project Value - \$8,789.93; PWC Participation (inside city extensions) - \$2,103.92
  - 3) County of Cumberland and Cumberland County Board of Education; extension of a 24-inch water main along Clinton Road (NC-24) to serve Mac Williams Middle School. Total Project Value - \$680,166.90; PWC Participation - \$374,000.00
- C. Approval of the following encroachment agreements:
  - 1) N. C. Department of Transportation - installation of 2" water and 8" sewer mains on Broadfoot Avenue (SR-1414). Encl. #12304
  - 2) N. C. Department of Transportation - relocation of electrical facilities along Owen Drive (SR-1007), from CSX Railroad to Village Drive. Encl. #10552
  - 3) North Carolina Natural Gas Corporation - underground power lines crossing NCNG right-of-way along Foxberry Drive (Remington Subdivision). Encl. #10540

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3. Second annual Grinding of the Greens was held on January 6th at the Cape Fear Botanical Gardens.
  4. Recent ice storm caused several small outages, but no major interruptions of electric service.
- B. Commissioner Wofford suggested alternate meeting places for PWC meetings, and asked for recommendations from Mr. Blanchard.

Reports and information:

Ray Britt reviewed the November Financial Statement. Other reports and information were acknowledged as follows:

- A. Report of investments and bank balances
- B. Overnight investments
- C. Weekly recap of uncollectible accounts
- D. Purchase orders
- E. Employee Report
- F. Medical Report - November, 1995
- G. Utility Billings (CP&L, NCNG, SEPA)
- H. Electric rate comparison (JEA)
- I. Position vacancies
- J. Utilities Use Statistics - November 1995
- K. Financial Statement - November, 1995
- L. Actions by City Council during meeting of December 18, 1995, related to PWC:
  - 1) Approved purchase of additional 100,000 feet of 4/0 AL URD Triplex Cable from Eastern Electric Supply, Inc..
  - 2) Adopted Resolution to become a member of a joint municipal assistance agency (ElectriCities).
  - 3) Approved contract renewal with Cherry, Bekaert & Holland for audit services.

There being no further business, upon motion by Commissioner Saunders, the meeting was adjourned at 9:15 a.m.

Robert C. Williams, Chairman

Mike R. Wofford, Vice Chairman

Walter D. Zipp, Secretary

Robert W. Saunders, Treasurer