

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
CHATHAM COUNTY APPROVING A CONTRACT ENTERED INTO
BETWEEN ATLANTIC POWER SOLUTIONS, INC. AND CHATHAM
COUNTY EMERGENCY OPERATIONS ON OR ABOUT THE
20th DAY OF JULY, 2010.**

WHEREAS, on or about the 20th day of July, 2010 Chatham County Emergency Operations entered into a service contract with Atlantic Power Solutions, Inc., a copy of which is attached hereto as Appendix 1 and incorporated herein by reference (the "Contract") for the maintenance of certain generators owned by Chatham County; and

WHEREAS, Walter Petty has more than a ten percent (10%) ownership interest in Atlantic Power Solutions, Inc.; and

WHEREAS, on the 2nd day of November, 2010 Walter Petty was elected a County Commissioner for Chatham County and was sworn into office on the 6th day of December, 2010; and

WHEREAS, although Walter Petty was not an officer or employee of Chatham County when the Contract was entered into and therefore not subject to N.C. Gen Stat. §14-234, he has requested that the Contract nevertheless be approved by the Chatham County Board of Commissioners under the small jurisdiction provisions on N.C. Gen. Stats. §14-234; and

WHEREAS, the Chatham County staff has recommended that the County continue with the Contract because it believes that the superior quality of service it is receiving from Atlantic Power Solutions, Inc. is not available elsewhere for less than \$7,145.00 ; and

WHEREAS, the Chatham County Board of Commissioners has determined that it is in the best interest of Chatham County to continue the Contract with Atlantic Power Solutions, Inc.;

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

1. That Contract entered into between Chatham County Emergency Operations and Atlantic Power Solutions, Inc., on or about the 20th day of July, 2010 for generator maintenance in the total amount of \$7,145.00 is hereby specifically ratified, approved, and accepted. This contract expires on July 19, 2011.
2. That this Resolution be recorded in the official minutes of Chatham County and that said minutes specifically state that Walter Petty did not vote on or otherwise participate in the adoption of this Resolution;

3. That the Clerk and Finance Officer of Chatham County are hereby directed to comply with the posting and reporting requirements of N.C. Gen. §214-234 with respect to this Resolution and the Contract entered into between Atlantic Power Solutions, Inc. and Chatham County Emergency Operations.

Introduced: Commissioner Cross moved/Commissioner Kost seconded

Adopted: Vote was 4 to 1(Commissioner Petty abstaining)

Sandra B. Sublett, CMC, NCCCC
Clerk to the Board
Chatham County Board of Commissioners