

COLUMBUS COUNTY
BOARD OF COMMISSIONERS
MINUTES

The Honorable Board of Columbus County Commissioners met in their said office at 111 Washington Street, Whiteville, NC, at 7:30 P.M., February 21, 1994, it being the third Monday.

BOARD MEMBERS PRESENT:

Samuel G. Koonce, Chairman

Mike Richardson, Vice-Chairman

A. Dial Gray, III

Sammie Jacobs

Lynwood Norris

C.W. Williams

Ed Worley

James E. Hill, Jr. Attorney

Roy L. Lowe, Administrator

Ida L. Smith, Clerk to Board

Dempsey B. Herring,
Special Projects Coordinator

Chairman Koonce called the meeting to order and Roy L. Lowe, County Administrator, gave the invocation.

PUBLIC HEARING – PROPOSED INSTALLMENT PURCHASE AGREEMENT FOR SOCIAL SERVICES AND JAIL BUILDINGS

Chairman Koonce called the public hearing to order.

Chairman Koonce stated the purpose of the Public Hearing is to consider a proposed Installment Purchase Agreement between the County and a North Carolina nonprofit corporation and related documents under which the County would obtain financing pursuant to Section 160A-20 of the General Statutes of North Carolina of the acquisition, construction and equipping of a project consisting of (a) new facilities for offices and support services of the County's Department of Social Services, (b) new facilities for the Sheriff's Department and Jail and (c) water and sanitary sewer lines, parking facilities, streets, drainage facilities, and other site improvements, including landscaping, related to such new

facilities.

Chairman Koonce reported that since the public hearing was scheduled, several members of the Board have discussed funding the Social Services Building and infrastructure only, which would allow the County to finance the project by use of private funds contingent upon approval of the North Carolina Local Government Commission.

The Board reached a general consensus to cancel the Public Hearing.

Chairman Koonce declared the public hearing closed.

APPROVAL OF BOARD MINUTES

A motion was made by Commissioner Norris, seconded by Commissioner Gray and passed unanimously to approve the minutes of the February 7, 9, and 14, 1994 Board meetings, as recorded.

FINANCING - DEPARTMENT OF SOCIAL SERVICES FACILITY

A motion was made by Commissioner Gray, and seconded by Commissioner Richardson to contact all local financing institutions requesting proposals for financing in an amount up to TWO MILLION, FIVE HUNDRED THOUSAND and no/100 (\$2,500,000.00) DOLLARS for the purpose of building a Department of Social Services Building and infrastructure.

A substitute motion was made by Commissioner Williams and seconded by Commissioner Norris to negotiate a loan with United Carolina Bank.

Commissioner Williams withdrew the motion and Commissioner Norris withdrew the second.

Voting on the original motion is as follows:

AYES: Commissioners Richardson, Norris, Gray, Koonce, Williams, Jacobs and Worley.

NOES: None

ECONOMIC DEVELOPMENT - INDUSTRIAL PARK UPDATE

Rhone Sasser, Economic Development Chairman, Harold Wells, Committee of 100 Chairman, and Steve Yost, Economic Development Commission Director, updated the Board on the Columbus County Industrial Park. The following items were discussed:

1. The name has been changed from Columbus County Industrial Park to Southeast Regional Park.
2. Coca Cola, a fortune 500 company, will be the first tenant in the Park.
3. The Department of Transportation has approved funding for the first access road in the Park.
4. Surveying and construction on the natural gas line will begin within the month.
5. Water will be supplied to Coca Cola on a temporary basis by the Chadbourn Rural Water Association.
6. The Department of Commerce has approved a \$590,000 CDBG application to extend a sewer line from Whiteville to Georgia Pacific.
7. A speculative shell building will be built at the corner of Highway 130 and the new access road.

ECONOMIC DEVELOPMENT - COMMUNITY DEVELOPMENT BLOCK GRANT (GEORGIA PACIFIC)

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to approve the following Grant Agreement Community Development Block Grant Program for Economic Development for Georgia Pacific Corporation. Further, to authorize the signatures of the following individuals to sign Requisitions for CDBG Funds: Samuel G. Koonce, Chairman, Mike Richardson, Vice Chairman, and Roy L. Lowe, Administrator.

NORTH CAROLINA DEPARTMENT OF COMMERCE

GRANT AGREEMENT

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

ECONOMIC DEVELOPMENT

Project Name: Georgia Pacific Corporation

Upon execution of this Grant Agreement, the North Carolina Department of Commerce (DOC) agrees to provide to the recipient the Community Development Block Grant assistance under Title I of the Housing and Community Development Act of 1974, as amended (P.L. 93-383) authorized by the DOC funding approval, the North Carolina Community Development Block Grant administrative rules, applicable laws and all other requirements of DOC now or hereafter in effect. The Grant Agreement is effective on the date the Grant Agreement and funding approval are signed by the recipient. The Grant Agreement consists of the approved application, including the certifications, maps, schedules and their submissions in the

application, any subsequent amendments to the approved application and funding approval and the following general terms and conditions:

1. Definitions. Except to the extent modified or supplemented by the agreement, any term defined in the North Carolina Community Development Block Grant Administrative Rules, 4 NCAC 1 K shall have the same meaning when used herein.

(a) Agreement means this Grant Agreement, as described above, and any amendments or supplements thereto.

(b) Recipient means the entity designated as a recipient for grant assistance in the Grant Agreement and funding approval.

(c) Certifications mean the certifications submitted with the grant application.

(d) Assistance provided under this agreement means the grant funds provided under this Agreement.

(e) Program means the community development program, project, or other activities, including the administration thereof, for which assistance is being provided under this agreement.

(f) Private entity means the corporation, partnership, proprietorship or other entity which has entered into a equally binding commitment with the recipient to create and/or retain jobs as part of this program.

2. Obligations of the Recipient. The recipient shall perform the program as specified in the application approved by DOC. The recipient shall also comply with all other lawful requirements of DOC, all applicable requirements of the General Statutes of the State of North Carolina and any other applicable laws and Executive Orders currently or hereafter in force. The recipient shall be responsible for ensuring that all project jobs are created or retained in accordance with the approved CDBG applications, that such jobs are filled by low and moderate income persons in the proportion presented in the application, and that all parties incur the full level of private investment committed to in the application. In the event of a finding by the recipient or by DOC that a participating private entity has failed to fulfill its responsibilities under the project application and legally binding

commitment(s), including the responsibilities to create and/or retain jobs and invest private funds, the recipient shall promptly exercise its rights and remedies to require repayment of CDBG funds, or to assess such other penalty as provided by the legally binding commitment and applicable state laws.

3. Obligations of Recipient with Respect to Certain Third Party Relationships. DOC shall hold the recipient responsible for complying with the provisions of this agreement even when the recipient designates a third party or parties to undertake all or any part of the program. The recipient shall comply with all lawful requirements of DOC necessary to insure that the program is carried out in accordance with the recipient's application.

4. Conflict of Interest. None of the following or their immediate family members, during the tenure of the subject person or for one (1) year thereafter, shall have any direct or indirect financial interest in any contract, subcontract or the proceeds thereof for work to be performed in connection with the program assisted under this agreement: employees or agents of the recipient who exercise any function or responsibility with respect to the program, and officials of the recipient, including members of the governing body. The same prohibition shall be incorporated in all such contracts or subcontracts.

The assistance provided under this agreement shall not be used in the payment of any bonus or commission for the purpose of obtaining DOC approval of the application for such assistance, or DOC approval of applications for additional assistance, or any other approval or concurrence of DOC required under this agreement, or the North Carolina Community Development Block Grant Administrative Rules, with respect hereto; provided, however, that reasonable fees or bona fide technical, consultant, managerial or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as program costs.

5. Reimbursement to DOC for Improper Expenditures. The recipient will reimburse DOC for any amount of grant assistance improperly expended. In addition, in the event of a finding by the recipient or by DOC that a participating private entity has failed

to fulfill its responsibilities under the project application and legally binding commitment(s), including its responsibilities to create and/or retain jobs and invest private funds, the recipient shall pay to DOC any amount which it is able to collect under the terms of the legally binding commitment(s) and Section 2 of this Agreement.

6. Access to Records. The recipient shall provide any duly authorized representative of DOC, HUD and the Comptroller General at all reasonable times access to and the right to inspect, copy, monitor, and examine all of the books, papers, records, and other documents relating to the grant for a period of three (3) years following the completion of all closeout procedures.

Upon execution of this Agreement by DOC and the recipient in the spaces below, the recipient hereby accepts the assistance on the terms of this Grant Agreement, effective on the date indicated below, and further certifies that the official signing below has been duly authorized by the recipient's governing body to execute this Grant Agreement.

7. Payment of Income Generated by the Grant. The recipient shall have the responsibility to collect and pay to DOC certain income generated by the CDBG and earned by the recipient. Such income includes but is not limited to the following: (1) payment of principal and interest on loans made using CDBG funds; (2) proceeds from the lease or disposition of real property acquired with CDBG funds; (3) any late fees associated with loan or lease payments in (1) and (2) above; (4) sales of utility lines; and (5) interest earned on the income in this part pending disposition of such income. Payments of income included in this part shall be made to DOC within five (5) days of receipt of same by the recipient.

Date: 2/14/94

Secretary of Department of Commerce
/s/ Bruce Strickland, Jr., Director
Commerce Finance Center

Date: 2/21/94

County of Columbus
/s/ Roy L. Lowe
County Administrator

DEPARTMENT OF TRANSPORTATION – RESOLUTION TO ADD ACCESS ROAD TO COLUMBUS COUNTY INDUSTRIAL PARK FROM U.S. 74 TO DEAD-END

A motion was made by Commissioner Norris, seconded by Commissioner Richardson and passed to adopt the following Resolution to add access road to Columbus County Industrial Park from U.S. 74 to Dead-end.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION

REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM

NORTH CAROLINA

COUNTY OF COLUMBUS

ROAD DESCRIPTION: Access Road to Columbus County Industrial Park from U.S. 74-76 Business to Dead-End (1,705.4 Feet)

WHEREAS, the attached petition has been filed with the Board of County Commissioners for the County of Columbus requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Columbus that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing Resolution was duly adopted by the Board of Commissioners of the County of Columbus at a meeting on the 21st day of February, 1994.

/s/ IDA L. SMITH

Clerk, Board of Commissioners
County of Columbus

AYES: Commissioners Richardson, Norris, Koonce,
Williams, Jacobs and Worley

Commissioner Gray abstained from voting.

SENIOR CENTER/AGING - COG DESIGNATED AS LEAD AGENCY

A motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to designate Cape Fear Council of Governments as the Procurement Lead Agency for the Columbus County Department of Aging Funds for Fiscal Year 1994-95.

BUDGET AMENDMENTS - VARIOUS

A motion was made by Commissioner Norris, seconded by Commissioner Richardson and passed unanimously to approve the following budget amendments.

Agriculture Extension:

Accept 10-335-0000 Miscellaneous	\$ 698.00
Expend 10-605-33 Demonstration	\$ 698.00

Health - Child Service Coordination:

Accept 10-348-0803 State Funds	\$10,780.00
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Expend as follows:

Increase 10-587-02 Salaries	\$ 6,300.00
Increase 10-587-05 FICA	482.00
Decrease 10-587-06 Insurance	(537.00)
Increase 10-587-11 Telephone	281.00
Increase 10-587-46 Drugs & Supplies	4,254.00

Social Services:

Accept 10-348-16 CP & L Energy	\$ 5,701.00
Expend 10-611-15 CP & L Energy	\$ 5,701.00

SHERIFF- REQUESTS ADDITIONAL JAIL PERSONNEL

Sheriff Harold Rains updated the Board on the staffing assessment needs for the Columbus County Jail by Sedgwick James.

The recommendations made were as follows:

- A. Three distinct areas were identified within the Jail.
 - 1. Booking/Control Room
 - 2. Cell Block Area (Cell Blocks 1, 2, 3, & 4)
 - 3. Annex Area
- B. Each of these areas need to be adequately staffed to ensure the proper functioning of the jail.
- C. Two officers presently operate the jail and three additional officers per shift are recommended.

Sheriff Rains further stated that medical personnel (a part-time doctor and nurse) is needed to provide medical care and dispensing of medication to the inmates.

Sheriff Rains reported that the minimum number of personnel that is needed to operate the Jail safely is four (4). The cost for the balance of this fiscal year is approximately \$30,000. The total cost for four (4) full-time employees in the Jail will be approximately \$85,000.00 annually.

A motion was made by Commissioner Gray, seconded by Commissioner Norris and passed unanimously to continue to study the Jail situation and look for possible solutions.

TAX RELEASES

A motion was made by Commissioner Norris, seconded by Commissioner Gray and passed unanimously to approve the tax releases and refunds as recommended by the Tax Administrator.

George Ray Boren; bankruptcy case discharged 1-07-94. Clerical error. Amount \$1.36 LL, year 1986, account #17-02960.

Joe Etheridge; failed to get senior-citizen's exemption on mobile home (was given on lot 0-8-20). Amount \$72.70, valuation \$8,970.00, year 1993 for 1992, year 1993, account #03-06060.

Willie Fields; E-2-58, house already billed to Willie Ray Fields on #12-08063. Amount \$131.76, valuation \$18,300.00, year 1993, account #12-08083.

Elizabeth Gerald and Larie V. Hill; TC-3-82, dwelling gone for 93. Amount \$23.04, valuation \$3,200.00, year 1993, account #06-18948.

Chester G. & Gertrude Jenrette; received partial SC exemption on property instead of the full amount of 10,800 (lot & house, map L-15-36). Amount \$37.22, valuation \$5,170.00, year 1993, account #07-09460.

Randall Milton Johnson; X-5-2, double listed to W-4-68, Royce M. Johnson #15-20600. Amount \$5.04, valuation \$700.00, year 1993, account #15-20580.

Geneva Lawson; double listing. Licensed vehicle (1984 Chevrolet Pickup, already billed on account #1993-05-02547. Amount \$20.30, valuation \$2,820.00, year 1993, account #06-22416.

Mickey Lawson; 1985 Ford truck double listed on account #1993-10-02994. Amount \$20.59, valuation \$2,860.00, year 1993, account #06-22438.

William & Caretha Lee; licensed vehicle (1983 Buick) already billed on #1994-01-20537. Amount \$15.39, valuation \$1,310.00, year 1993, and year 1993 for 1992, account #01-52248.

Lucille W. Long; mobile home double listed to Thelton Long. Amount \$27.17, valuation \$3,430.00, year 1993, account #03-14427.

Jimmy Lee McCullough; vehicle was listed in South Carolina. Amount \$129.10, valuation \$3,890.00, year 1989, account #17-24359.

James Odell Moore, Sr.; mobile home double listed on #15-27660, James & Gloria Moore. Amount \$36.75, valuation \$4,640.00, year 1993, account #15-27696.

Alpheus Lenu Nobles; vehicle (1979 Ford SW) junked. Amount \$36.89, valuation \$3,900.00, year 1986, account #17-27900.

William K. & Cheryl H. Pierce; L-5A-12, per deed, acreage corrected to 2.27 acres. Amount \$13.60, valuation \$1,700.00, year 1993, account #14-07994.

W. G. Rhodes (& Willie Callihan); J-7A-27A, double listed to Rodney Tall #01-91763 on map J-7A-27. Amount \$7.90, valuation \$1,000.00, year 1993, account #01-76063.

Mary Katherine S. Fort; K-5-24A, not in Welches Creek Fire District. Amount \$193.32 Welches Creek/F, year 1993, account #01-29005.

Ezekiah Roper (Heirs); unidentified property. Does not exist. Amount \$31.67, valuation \$4,150.00, years 1984 through 1992, account #13-34840.

Cecil S. Smith; N-2-29, (1.08 ac/tract) already billed on receipt #88383. Amount \$118.80, valuation \$16,500.00, year 1993, account #14-14380.

Harold D. & Brenda Bowen; J-5-7A, dwelling vacant. Amount \$30.00 user fee. Year 1993, account #01-07540.

Wilbur Waldo Cole; B-3-19, only one dwelling occupied. Amount \$30.00 user fee. Year 1993, account #10-02560.

Joe Etheridge; 0-8-20, lot & house, totally exempted through S.C. Ex. Amount \$60.00 user fee. Year 1993 for 1992 and year 1993, account #03-06060.

Willie Fields; E-2-58, double listed on #12-08063, Willie Ray Fields. Amount \$30.00 user fee. Year 1993, account #12-08083.

Elizabeth G. Hill & Larie V.; TC-3-82, dwelling gone for 1993. Amount \$18.00 user fee. Year 1993, account #06-18948.

Chester G. & Gertrude Jenrette; L-15-36, totally exempted through SC exemption. Amount \$30.00 user fee. Year 1993, account #07-09460.

Lucille W. Long; mobile home double listed to Thelton Long. Amount \$30.00 user fee. Year 1993, account #03-14427.

Thomas Lawson, Jr. & Ella Sue Mintz; one (1) dwelling used for storage only. Amount \$30.00 user fee. Year 1993, account #15-27225.

James Odell Moore, Sr.; mobile home double listed to James & Gloria Moore. Amount \$30.00 user fee. Year 1993, account #15-27696.

Cecil S. Smith; N-2-29, already billed on receipt #88383, same account. Amount \$30.00 user fee. Year 1993, account #14-14380.

2% Discount Not Absorbed by Computer on Releases (Second Notices):

<u>NAME</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>ACCOUNT #</u>
Homer & Janice Ball	\$ 2.00	1993	05-00198
Wilbur Waldo Cole	10.28	1993	10-02560
Howard Lofton Cox (Sr.)	6.32	1993	07-02700
James Wesley Duncan	4.40	1993	09-07040
William T. & Kathleen Garrell	6.13	1993	01-30720
Martin Jervie Hinson	4.03	1993	13-19320
Charles F. Justice	1.04	1993	15-20960
Iola Peay	1.36	1993	13-32331
Paul Sanderson	15.65	1993	12-23940
George Calvin & Mary L. Smith	5.44	1993	09-27200
Ernest D. Spaulding	6.76	1993	14-15140
Floyd R. Collins	6.82	1993	10-02700

Ordered: that a refund check be issued to Tylon Franklin Wise, Sr., P. O. Box 101, Delco, NC 28436, in the amount of

\$96.41, for year 1992. #X-4-117 not in Acme-Delco Fire District. Amount \$96.41, year 1992, account #15-39920.

Ordered: that a refund check be issued to Mrs. Hazel S. Williamson, Route 3, Box 388, Whiteville, NC 28472, in the amount of \$33.16, for year 1993. Deferred taxes double billed. All taxes paid. Amount \$33.16, valuation \$4,840.00, year 1993 for years 1989 through 1992, account #03-29640.

Ordered: that a refund check be issued to Mark L. Woodburn, Route 1, Box 5, Riegelwood, NC 28456, in the amount of \$559.20, for years 1991, 1992 and 1993. #X-2-8, unfinished garage billed as an occupied dwelling. Amount \$559.20, valuation \$61,200.00, year 1991 through 1993, account #15-39941.

DOT - ROAD NAME CHANGE MORATORIUM

A motion was made by Commissioner Richardson, seconded by Commissioner Norris and passed unanimously to place a five (5) year moratorium on the changing of road names in Columbus County due to the E-911 addressing system that is now in progress.

LEGAL - REQUEST FOR COURTROOM FURNITURE

Roy L. Lowe, County Administrator, presented a request from Judge William Gore requesting the courtroom to be furnished with twelve (12) new chairs.

A motion was made by Commissioner Worley, seconded by Commissioner Norris and passed unanimously to take the request into consideration and come up with a recommendation at the next Board meeting.

BUILDINGS (SOCIAL SERVICES) - PROFESSIONAL TO STUDY & EVALUATE BIDS

On February 21, 1994, at 3:00 P.M, bids were opened from four (4) firms, interested in building a new Department of Social Services facility. The bids are as follows:

Fitts-Goodwin Construction Company Columbia, South Carolina	\$1,989,827
Smith Construction Company Whiteville, North Carolina	\$2,035,000
J.W. Cook & Sons, Incorporated Whiteville, North Carolina	\$2,235,000
Benchmark Construction, Inc. Raleigh, North Carolina	\$2,627,451

A motion was made by Commissioner Worley, seconded by Commissioner Williams and passed unanimously to authorize Roy L. Lowe and Dempsey Herring to hire a professional person to review and analyze the bids and make a recommendation to the Board.

SOLID WASTE - MONITORING WELL INSTALLATIONS & SAMPLING BUDGET

AMENDMENT

A motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to approve an invoice and budget amendment to be appropriated from Non-Departmental Contingency (10-660-9999) in the amount of \$15,577.01 to be expended for services required by Landfill Permit No. 24-01 and associated amendments (10-410-0402). Four new ground water monitoring wells were installed and three existing monitoring wells were abandoned as required by the N. C. Division of Solid Waste Management.

BONDS - REFINANCING REPORT

Roy L. Lowe, County Administrator, reported that the savings of the resale of School and Community College Bonds, Series 1994 was \$370,334.27.

EXECUTIVE SESSION

At 8:55 P.M., a motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to enter into executive session to discuss the possibility of real estate purchase.

RESUME REGULAR SESSION

At 9:00 P.M., a motion was made by Commissioner Worley, seconded by Commissioner Williams and passed unanimously to adjourn executive session and resume regular session.

No action was taken.

MEETING RECESSED

Immediately thereafter, a motion was made by Commissioner Gray, seconded by Commissioner Williams and passed unanimously to recess the meeting until 8:00 P.M., Monday, February 28, 1994.

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