

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 8:00 A. M., November 7, 1994, it being the first Monday.

BOARD MEMBERS PRESENT:

Samuel G. Koonce, Chairman

Mike Richardson, Vice-Chairman

A. Dial Gray, III

Sammie Jacobs

Lynwood Norris

C.W. Williams

James E. Hill, Jr., Attorney

Ida L. Smith, Clerk to Board

Dempsey B. Herring,
Special Projects Coordinator

ABSENT:

Roy L. Lowe, Administrator

Chairman Koonce called the meeting to order and Commissioner C. W. Williams gave the invocation.

BOARD MINUTES APPROVED

A motion was made by Commissioner Norris, seconded by Commissioner Richardson and passed unanimously to approve the minutes of the October 17 and October 28, 1994 Board Meetings, as recorded.

CAPE FEAR COUNCIL OF GOVERNMENTS - REGIONAL COMMUNITY PENALTIES PROGRAM APPROVED CONTINGENT UPON BLADEN AND BRUNSWICK PARTICIPATING

Rose Ann Mack, Cape Fear Council of Governments Director, advised the Board that the 1993 General Assembly enacted the Community Penalties Act for the purpose of reducing prison crowding and requested the Board to participate in the Regional Penalties Program which will include Bladen and Brunswick Counties with the office being located in Columbus County. The total cost for Columbus County for six (6) months of the fiscal year beginning January 1, 1995 will be \$1,470.00. The amount will double for

fiscal year 1995-96 for a total of \$2,940.00.

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to participate in the Regional Community Penalties Program providing Bladen and Brunswick Counties participate.

ECONOMIC DEVELOPMENT - COUNTY'S POLICY ON CASH DEPOSITS IN LIEU OF PERFORMANCE AND PAYMENT BONDS

Chairman Koonce referred to a letter from McCoy, Weaver, Wiggins, Cleveland & Raper, Attorneys, for the N. C. Natural Gas Pipeline Construction that addressed the following questions:

1. If a contractor is willing to deposit with the County cash or certified funds pursuant to N.C.G.S. §143-129 equalling one hundred percent (100%) of his bid price in lieu of presenting to the County performance and payment bonds, will the contractor be entitled to the interest earned on the money during the time the County holds the same?
2. At what time will the cash deposit be returned to the contractor if he satisfactorily completes the installation of the natural gas line?

A motion was made by Commissioner Norris, seconded by Commissioner Jacobs and passed unanimously to award the Natural Gas Pipeline Contractor the interest earned on the money during the time the County holds the same. The deposit and interest will be refunded after the satisfactory completion of the project.

APPOINTMENT - YOUTH TASK FORCE

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to appoint Linda Thompson to serve on the Youth Task Force to replace Patsy Ganus as the Mental Health Representative.

APPOINTMENT - SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION BOARD

A motion was made by Commissioner Jacobs, seconded by Commissioner Norris and passed unanimously to appoint Commissioner elect Randy Britt to serve on the Southeastern Economic Development Commission Board to serve a four (4) year term, expiring December 1, 1998, to replace Commissioner Samuel G. Koonce.

APPOINTMENTS - NURSING/DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEE TABLED

The Board reached a general consensus to table the appointments to the Nursing/Domiciliary Home Community Advisory Committee until the next scheduled Board Meeting.

APPOINTMENT - SOUTHEASTERN REGIONAL MENTAL HEALTH

A motion was made by Commissioner Jacobs, seconded by Commissioner Williams and passed unanimously to reappoint C. W. Todd to serve on the Southeastern Regional Mental Health, Mental Retardation and Substance Abuse Authority to serve a four (4) year term, expiring November 30, 1998.

AGREEMENT (WATER & SEWER) - CITY OF WHITEVILLE TO PROVIDE WATER AND SEWER TO THE COUNTY COMPLEX

A motion was made by Commissioner Norris, seconded by Commissioner Jacobs and passed unanimously to enter into a Water & Sewer Agreement with the City of Whiteville to provide water and sewer to the County Complex as follows:

STATE OF NORTH CAROLINA

COUNTY OF COLUMBUS

AGREEMENT

THIS AGREEMENT, made this the 7th day of November, 1994, by and between the CITY OF WHITEVILLE, a municipal corporation, hereinafter referred to as "City", and the COUNTY OF COLUMBUS, a body politic, hereinafter referred to as "County", both entities located within the County of Columbus, State of North Carolina.

W I T N E S S E T H :

WHEREAS, the City owns and operates a facility for the collection and disposal of sewage within its corporate boundaries and adjacent thereto and further owns and operates a city water system providing water to customers within the City and near the corporate boundaries; and

WHEREAS, the County owns a tract of land located along U.S. Highway 701 Business North of the city limits of the City and is developing a County Governmental Complex on said tract of land; and

WHEREAS, the County desires that the City provide water to the County Government Complex and desires that the domestic waste water sewage from the County Complex be discharged into the City Sewage

System for treatment as permitted by the City of Whiteville's waste water collection permit; and

WHEREAS, the City and County desire to enter into a written Agreement pursuant to which the City will accept and dispose of sewage from the County Complex and the City will provide water to the County Government Complex site in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the foregoing and mutual agreements hereinafter set forth, the parties agree as follows:

A. The City of Whiteville agrees:

1. To furnish to the County at its County Government Complex water from the City of Whiteville Water System.

2. To accept and dispose of the waste water discharged by the County Government complex, and in doing so, conform to all applicable health, and other standards. The initial quantity of waste water capacity to be allotted to the County shall be 4,800 gallons per day in accordance with Permit Number WQ0008687 issued by the North Carolina Environmental Management Commission.

3. To furnish to the County at its post office address not later than the 10th day of each month an itemized statement of services rendered during the preceding month and the costs applicable thereto.

4. To obtain state permits as may be necessary to accept future volumes of sewage as reasonably needed for addition to the County Complex.

B. The County of Columbus agrees:

1. To be responsible for assuring quality, design, and construction of water lines and waste water collection facilities and to bear all costs associated with the installation, construction, and engineering of said water and sewer lines.

2. To install 12 inch water and sewer lines.

3. Upon completion of the water and sewer main lines, to dedicate said lines, including applicable easements to the City.

4. To bear all costs associated with the dedication and acquisition of all utility easements.

5. To deliver only domestic waste water sewage to the City Sanitary Sewer System in an amount not to exceed 4,800 gallons per day of untreated sewage in accordance with the current permit issued to the City.

6. To pay to the City not later than the 20th day of each month for actual water usage and sewer discharge into the City Sewer System in accordance with the rates for water and sanitary sewer service in effect during the term of this Agreement.

7. To pay any resulting damages which may be incurred by the City and to hold the City harmless from any claim or demand which may arise by reason of the installation, construction, and engineering of the water and sewer lines, for a period of three years following dedication of lines from County to City.

C. It is further mutually agreed between the City and the County as follows:

1. That this Contract shall begin as of the date of the execution of this Agreement and shall extend until 25 years from date of this Agreement and may be renewed or extended for such term or terms consistent with applicable laws as may be agreed upon by the parties, their successors and assigns.

2. That the City shall be obligated under this Agreement to accept only domestic waste water; it being specifically acknowledged that no commercial or industrial wastes shall be permitted under this Agreement.

3. That the costs of such installation shall include the costs and installation of necessary meters.

4. That the City shall have the authority to inspect all water and sewer lines as deemed necessary by the City.

5. The initial phase of the governmental complex is a Department of Social Services building and any future connections to the water and sewer system for other buildings within the complex must be approved by the City prior to connection onto the system and shall be subject to any applicable connection fees in effect at the time of the connection. Approval for connections shall not be unreasonably withheld by City. Connection fees are those associated with the labor and materials provided by the City

for physical connection to the water and sewer system and such fees will not be charged to the County if the County elects to furnish all labor and materials for connections to the water and sewer system.

6. All construction performed by the County or its agents or contractors shall conform to the City of Whiteville's specifications, and the City shall have the authority to inspect all lines during construction.

7. This Contract is subject to all rules, regulations or laws as may be applicable to similar Agreements in the State of North Carolina and the County and the City agree to cooperate in obtaining such permits or certificates as may be required to comply with State or Federal Law.

8. The provisions of this Agreement pertaining to the schedule of rates are subject to modification as necessary by the City of Whiteville in accordance with the City's water and sewer fee schedule which may be in effect during the term of this Agreement. Other provisions of this Contract may be modified or altered by mutual Agreement.

IN WITNESS WHEREOF, the City of Whiteville and the County of Columbus acting under the authority of their respective governing bodies have caused this Agreement to be duly executed in duplicate, on the day and year first above written.

CITY OF WHITEVILLE

/s/ HORACE B. WHITLEY, MAYOR

ATTESTED:

/s/ THERESA DUNCAN, DEPUTY CLERK

COUNTY OF COLUMBUS

/s/ SAMUEL G. KOONCE, CHAIRMAN

BOARD OF COMMISSIONERS

ATTESTED BY:

/s/ IDA L. SMITH, CLERK TO BOARD

BUILDINGS (SOCIAL SERVICES) - UTILITY EXTENSIONS CHANGE ORDER #2

APPROVED

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to approve Change

Order #2 for the Columbus County Department of Social Services Utilities Extension with the exclusion of item #3 with Dempsey Herring to negotiate the contract price on items #1 and #2.

1. Undercut suitable subgrade material \$4,000.00
Estimate quantity: 250 CY @ \$16.00/CY
2. Install 6" aggregate base course \$8,500.00
in lieu of soil type base course

VETERANS ADMINISTRATION - REQUEST & APPROVAL FOR COMPUTER

Chairman Koonce stated that a request was received from George Bryant for a computer and printer for the Veterans Administration to provide current and updated information for claims processing and day-to-day operations in the amount of approximately \$1,500.00.

A motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to authorize the purchase of a computer and printer with the purchase to be coordinated through Dempsey Herring, Special Projects Coordinator. Mr. Bryant and Mr. Herring are to negotiate proposals on computers and printers and purchase what equipment is needed to better serve the Columbus County Veterans. Funds are to be appropriated from Special Appropriations - Contingency.

HEALTH (HOME) - AIDE POSITIONS APPROVED

Marian Duncan, Health Director, advised the Board that the Columbus County Board of Health approved three (3) additional Home Health Aide positions at their October 26, 1994 meeting and requested the Board of Commissioners to approve the establishment of these positions.

A motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to approve the Health Department to establish three (3) additional Home Health Aide positions to be funded by third party reimbursement, with no additional cost to the County.

BUDGET AMENDMENTS - HEALTH

A motion was made by Commissioner Norris, seconded by Commissioner Jacobs and passed unanimously to approve the following Health Budget Amendments:

Accept 10-348-0601 Childhood State Funds	\$1,033.00
Expend 10-590-5701 Child. Lead Poisoning Prev.	\$1,033.00
Accept 10-348-0702 Immuniz. Action Plan	\$11,510.00
Expend 10-579-0200 Salaries	\$11,510.00

COOPERATIVE EXTENSION - RETIREMENT OF GARLAND MCCULLEN ACCEPTED

The Chairman advised the Board that a letter of resignation was received from Garland McCullen, County Extension Director, effective March 31, 1995.

A motion was made by Commissioner Norris, seconded by Commissioner Richardson and passed unanimously to accept the letter of resignation from Garland McCullen, County Extension Director, effective March 31, 1995.

SOLID WASTE - LETTER FROM SAMPSON COUNTY

Chairman Koonce reported that a copy of a letter from Sampson County to the N. C. Department of Environment, Health and Natural Resources, Division of Solid Waste Management, requesting an amendment to the Columbus County Landfill Permit, has been received for information.

REGISTER OF DEEDS - SALARY INCREASE DETERMINATION

Ila Penny, Register of Deeds, addressed the Board in reference to what criteria was used to determine her salary increase on July 1, 1994 and requested the Board to re-consider the salary increase she was awarded.

Chairman Koonce reported that on July 1, 1994, the method for placing employees on the pay scale who were not eligible to receive a salary increase when the David M. Griffith Pay Plan was implemented, were placed on the pay scale on the step above their present salary.

Ms. Penny stated that she had asked the Administration Office for payroll records on all employees but was not allowed to receive these records.

A motion was made by Commissioner Norris, seconded by Commissioner Richardson and passed unanimously to table Ms. Penny's request until the next Board Meeting when the County Administrator, Roy L. Lowe, is present.

TAX RELEASES & REFUNDS

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

JERRY & DORA W. ADAMS: WS-2-98, dwelling unoccupied. Amount \$30.00 user fee. Year 1994, account #11-00110.

A-R-T BROADCASTING CORPORATION: Out of business. Amount \$11.22, year 1987, account #10-00015.

JESSE C. BAKER: Failed to receive the Senior-Citizen's exemption on his mobile home. Amount \$9.10, valuation \$1,000.00, year 1988, account #04-00260.

ALLEN T. BELLAMY Heirs: Vehicles (1979 and 1974 Pontiac) junked. Amount \$20.98, valuation \$2,440.00, year 1987, account #03-00875.

CARLENE BURNEY: Vehicle (1977 Buick) always listed in Bladen County where she lives. Amount \$17.97, valuation \$1,900.00, year 1986, account #17-05240.

GARY LLOYD BUTLER: 1976 Honda M/C junked in 1985. Lives in Virginia. Amount \$6.15, valuation \$650.00, year 1986, account #17-05450.

WILBUR CAISON: R-1-9, dwelling vacant. Amount \$30.00 user fee. Year 1994, account #08-02380.

ALTON MATTHEW CARTRETTE: 1985 Nissan Truck, vehicle discovery, not on late list. Amount \$101.77, year 1988, account #17-06260.

FLOSSIE McALLISTER CROMARTIE: Vehicle listed in Bladen County where she lives. Amount \$26.02, valuation \$2,750.00, year 1986, account #17-08140.

SIM CRIBB: Did not own leasehold (released 4/25/89). Not in Klondyke Fire District. Amount \$8.40, years 1987 and 1988, account #13-09420.

ERNEST LAMONT DIXON: Vehicle listed in Bladen County where he lives. Amount \$11.62, valuation \$1,530.00, year 1992, account #17-09129.

DILDRA FLOWERS: Mobile home double listed to Carole Allen on #01-00408. Amount \$55.81, valuation \$3,740.00, year 1992,

account #01-26011.

RAY LEAMON & BERTHA ROSE FLOYD: I-4-15, tobacco barn valued \$500.00, gone prior to 1-01-94. Amount \$3.90, valuation \$500.00, year 1994, account #01-28140.

DENNIS FREEMAN Heirs: Vehicles (1984 Ford and 1977 Chevrolet), listed through error to this account. Amount \$67.95, valuation \$9,410.00, years 1989 and 1991, account #13-13714 and account #13-13728.

ELLEN J. FREEMAN: Vehicle listed in Bladen County. Amount \$16.56, valuation \$2,180.00, years 1991 and 1992, account #17-12226.

DANIEL LORENZA GANUS: Vehicle junked prior to 1986. Amount \$25.36, valuation \$2,680.00, year 1986, account #17-13070.

NOVELLA LEE GASKINS: Did not own 1979 Toyota on 1-01-86. Insurance terminated on 1-20-85. Amount \$23.65, valuation \$2,500.00, year 1986, account #17-13330.

MARY D. GEORGE: Failed to receive the Senior-Citizen's exemption on her mobile home. Amount \$136.40, valuation \$14,000.00, year 1994, account #12-09265.

KENT & SHEILA GODWIN: D-5-28C, double-wide mobile home double listed on real and personal property. Amount \$360.24, valuation \$38,400.00, year 1994, account #16-05346.

JESSE C. (Jr.) & GAYE S. FISHER: K-5-22E, canceled and rebilled to Lamar Walters on account #02-00360. Amount \$786.60, valuation \$97,000.00, year 1994, account #01-26800.

LORIE COLLINS GRAINGER: 1977 Olds double listed to Jimmy Grainger on #12-09945. Amount \$18.92, valuation \$2,000.00, year 1986, account #17-15640.

GREEN TREE: Mobile home repossessed, vacant. Amount \$42.33 user fee and latelisting. Year 1993, account #12-10024.

JAN HERBERT HALL: Vehicle discovery (1976 Ford) listed in Bladen County where he lives. Amount \$10.41, valuation \$1,100.00, year 1986, account #17-16520.

HARDEE'S OF WHITEVILLE: Personal property (business equipment/audit) not in Whiteville Rescue. Amount \$17.20, year 1994 for years 1990 through 1992, account #01-36760.

DANNY DEVOE HINSON: Discovered vehicle, listed in Bladen County. Amount \$58.34, valuation \$7,800.00, year 1989, account #01-41252.

LENNON DALE & BRENDA HINSON: I-7-47, double listed to I-7-71B, James D. & Virginia Norris. Amount \$40.56, valuation \$5,200.00, year 1991, account #01-41660.

L. M. JACKSON Heirs: WH-1-438, value of lot and house corrected from \$19,200.00 to \$14,200.00. Billed with wrong house. Amount \$147.00, valuation \$20,000.00, years 1991 through 1994, account #01-46840.

HENRY OWEN JACOBS: Vehicle discovery (1980 Chevrolet) listed in Bladen County. Amount \$31.22, valuation \$3,300.00, year 1986, account #17-19910.

CECIL A. KNIGHT, JR.: WH-4-108, double listed to K-6-15B, listed to Donald Pridgen on #01-73424. Amount \$34.32, valuation \$4,400.00, year 1994, account #01-50340.

EUGENE LONG: L-9-25, house vacant. Amount \$90.00 user fee. Year 1991 through 1993, account #03-13780.

MODEL T'S, c/o TERRY ELLIS: Billed through error. Business closed prior to 1-01-94. Amount \$1.61, valuation \$192.00, year 1994, account #10-12493.

BOBBY RAY & SARAH MOORE: W-4-29, not in Acme Delco Fire District. Amount \$187.40, year 1994, account #15-27540.

LIN POWELL: WH-1-439 (Lots 58 through 60), vacant tract. House was double listed to L. M. Jackson Heirs on Map WH-1-438, account #01-46840. (Taxes paid on vacant lots for 1991.) Amount \$318.20, valuation \$36,300.00, year 1991 through 1993, account #01-71863.

STEVEN E. RIVENBARK: K-16-24, double listed to K-17-1, Steven Rivenbark. Amount \$28.88, valuation \$3,800.00, year 1994, account #07-14100.

WILLIAM BRUCE SELLERS: 1974 Mobile home listed to Mr. Sellers through error. Clerical error. Amount \$8.82, valuation \$1,160.00, year 1994, account #13-35968.

JOE & JENNY WILSON: Failed to receive the disability exemption on their lot and house located on Map L-6-36. Amount

\$126.00, valuation \$15,000.00, year 1994, account #11-30320.

WORDBROS c/o DENNIS & CHANDLER WORLEY: B-4-41A, in land use. Rebilled with correct valuation of \$20,100.00. Amount \$30.96, valuation \$3,600.00, year 1994, account #10-19037.

LAMAR & ALLISON WALTERS: I-4-39, cancelled and rebilled to Jesse C. & Gaye Fisher on account #01-26800. Amount \$319.66, valuation \$41,000.00, year 1994, account #02-00365.

ORDERED: That a tax refund be issued to Lin Powell, c/o Richard Wright, Attorney-At-Law, Post Office Box 457, Tabor City, NC 28463, in the amount of \$107.54, for year 1993. WH-1-439 (Lots 58-60) vacant tract. House double listed to L. M. Jackson Heirs on Map WH-1-438, account #01-46840. Amount \$107.54, valuation \$12,100.00, year 1993, account #01-71863.

AGING (DEPT. OF) - REQUEST FOR WHITEVILLE COORDINATOR

Mr. Ben Douglas, representing the Department of Aging, gave a progress report to the Board on the Senior Programs that are available at the Senior Center. Mr. Douglas also reported that he is now serving on the White House Committee on Aging at a State level.

SOLID WASTE - LETTER OF APPRECIATION TO GEORGE INMAN

A motion was made by Commissioner Norris, seconded by Commissioner Gray and passed unanimously to write a letter of appreciation to George Inman for cleaning a dumpster site on Sunday, November 6, 1994, as requested by Commissioner Norris due to a funeral being held in the area of the site.

ADMINISTRATION - PROJECTS UPDATE

Dempsey B. Herring, Assistant to the Administrator/Special Projects updated the Board on the following items:

1. The OSHA fine has been appealed for a second time. The first appeal resulted in a reduction of \$9,700.00.
2. The bid opening for the Natural Gas Line will be held at 2:00 today, November 7, 1994.
3. Alan High is reviewing the Cablevision Regulations to formulate into a County Ordinance.
4. We are in the process of receiving information from Iowa and Virginia on Livestock Operations to help with answering questions in Columbus County.

SOLID WASTE - REGIONAL LANDFILL OPPOSITION AT BIG BAY

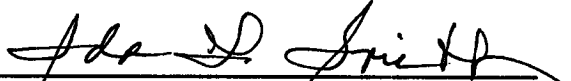
Several residents of the Big Bay area attended the Board Meeting who are in opposition of the proposed Regional Landfill being located in the Big Bay area.

Gary Simmons was spokesperson for the group and stated that the residents in the area oppose the proposed Regional Landfill and had rather pay more taxes to handle the County's garbage in a different manner in order to have less risk factor for their families future.

Chairman Koonce advised the group that a public hearing is scheduled in January, 1995 and everyone will have the opportunity to voice their opinion.

ADJOURNMENT

A motion was made by Commissioner Richardson, seconded by Commissioner Norris and passed unanimously to adjourn the meeting at 9:35 A.M.


Ida L. Smith, Clerk to Board

APPROVED:

Samuel G. Koonce, Chairman