

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 7:00 P.M., February 6, 1995, for the purpose of holding a second public hearing for the proposed contents of the application for the Community Development Block Grant.

BOARD MEMBERS PRESENT:

Sammie Jacobs, Chairman

Lynwood Norris, Vice Chairman

Spruell Randolph Britt

David L. Dutton, Jr.

A. Dial Gray, III

C.W. Williams

C.E. "Gene" Wilson

James E. Hill, Jr., Attorney

Roy L. Lowe, Administrator

Ida L. Smith, Clerk to Board

*Dempsey B. Herring,
Special Projects Coordinator*

PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT

Chairman Jacobs called the public hearing to order. Chairman Jacobs stated the purpose of the public hearing is to receive views and opinions from the citizens of Columbus County relative to the proposed Community Development Block Grant.

Haskell Rhett, Cape Fear Council of Governments Management Services Director, commented on the housing needs that Columbus County has and presented the contents of the application for Community Development Block Grant funding.

Chairman Jacobs requested anyone in attendance who wished to comment to state their name.

The following persons made comments:

Harry Powell

Joyce Mauldin

At 7:15 P.M., Chairman Jacobs declared the public hearing

closed.

**PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT MICROENTERPRISE
LOAN PROGRAM**

At 7:15 P.M., Chairman Jacobs called a public hearing to order for the purpose of soliciting public participation in the proposed filing of a \$100,000.00 grant for the Microenterprise Loan Program under the 1995 Community Development Block Grant Program.

Janice Simms, Southeastern Community College Small Business Center Coordinator, stated that the Microenterprise Loan Program serves Columbus, Bladen, Robeson, and Brunswick counties. At the present time there have been ninety-five (95) participants with a loss rate of eight percent.

Chairman Jacobs requested anyone in attendance wishing to make comments to state their name.

There were no comments.

At 7:22 P.M., Chairman Jacobs declared the public hearing closed.

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REGULAR SCHEDULED BOARD MEETING

The Honorable Board of Columbus County Commissioners met in their said office, at 111 Washington Street, Whiteville, NC, at 7:30 P.M., February 6, 1995, it being the first Monday.

BOARD MEMBERS PRESENT:

Sammie Jacobs, Chairman

Lynwood Norris, Vice Chairman

Spruell Randolph Britt

David L. Dutton, Jr.

A. Dial Gray, III

C. W. Williams

C. E. "Gene" Wilson

James E. Hill, Jr., Attorney

Roy L. Lowe, Administrator

Ida L. Smith, Clerk to Board

Dempsey B. Herring,
Special Projects Coordinator

Chairman Jacobs called the meeting to order and Commissioner A. Dial Gray, III gave the invocation.

BOARD MINUTES APPROVAL

A motion was made by Commissioner Britt, seconded by Commissioner Norris and passed unanimously to approve the Minutes of the January 17, 1995, Board Meeting, as recorded.

BUDGET AMENDMENTS - VARIOUS

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

Accept 10-348-14 WIC State Funds \$29,257.00

Expend as follows:

10-598-02 Salaries	\$18,875.00
10-598-05 FICA	1,744.00
10-598-07 Retirement	2,188.00
10-598-14 Travel	2,000.00
10-598-74 Capital Outlay	4,450.00

Accept Home Health Seed Funds \$ 2,860.00

Expend 10-593-45 Contracted Ser. - Nursing \$ 2,860.00

Accept 10-348-0701 Rural OB Care Funds \$30,000.00

Expend 10-592-45 Rural OB Care Incentive \$30,000.00

Accept 10-348-1202 BCCCP-Screening Funds \$17,500.00

Expend as follows:

10-580-02 Salaries	\$13,900.00
10-580-05 FICA	1,200.00
10-580-06 Insurance	1,200.00
10-580-07 Retirement	1,200.00

Accept 10-348-0702 Immun. Action Plan Funds \$ 6,547.00

Expend as follows:

10-579-02 Salaries	\$ 6,055.00
10-579-05 FICA	492.00

Accept 10-348-16 Social Ser. CP&L State Aid \$ 4,936.00

Expend 10-611-1500 CP&L Energy \$ 4,936.00

Accept 10-335-0000 Fire Ins. for Computer \$ 2,080.00

Expend 10-535-3300 Office Supplies \$ 2,080.00

Transfer 10-515-7400 District Court Capital Outlay (\$8,000.00)

Expend 10-506-7300 Building Improvements \$ 8,000.00

SOUTHEASTERN ORATORIO SOCIETY - REQUEST FOR FUNDING TO BE CONSIDERED IN 1995-96 BUDGET PREPARATION

George M. Edwards, Southeastern Oratorio Society President, requested the Board to appropriate funds in the amount

of \$3,000.00 to enable the Southeastern Oratorio Society to complete a successful 1994-95 concert series in Columbus County.

A motion was made by Commissioner Wilson, seconded by Commissioner Dutton and passed unanimously to consider appropriating funds for the Oratorio Society in the 1995-96 budget preparation.

PROCLAMATION - VOCATIONAL EDUCATION WEEK

A motion was made by Commissioner Williams, seconded by Commissioner Wilson and passed unanimously to adopt the following Proclamation:

PROCLAMATION

VOCATIONAL EDUCATION WEEK, FEBRUARY 12-18, 1995

WHEREAS, the American Vocational Association has designated the week of February 12-18, 1995, as Vocational Education Week; and

WHEREAS, vocational education supplies our country with a strong, well-trained work force, which enhances productivity in business and industry and protects America's leadership in the international marketplace; and

WHEREAS, vocational education serves individual citizens by enabling them to find satisfying careers that suit their own skills and interest, by providing technical skills that let them excel in their chosen careers, and by teaching leadership skills that serve them on the job, at home and in the community; and

WHEREAS, vocational education enhances high school students' education by offering practical, meaningful applications of basic skills such as reading, writing and mathematics, thus improving the quality of their education, motivating those at risk of dropping out, and giving all students the potential to become leaders in their fields and in their communities; and

WHEREAS, vocational education stimulates the growth and vitality of Columbus County's businesses and industries and those of the entire nation by preparing workers for the occupations forecast to experience the largest and fastest growth in the next decade; and

WHEREAS, a strong vocational education program planned

and carried out by trained vocational educators is vital to the future economic development of our community and the well-being of its citizens.

NOW, THEREFORE, the Columbus County Board of Commissioners hereby proclaims February 12-18, 1995, as "VOCATIONAL EDUCATION WEEK" in Columbus County, and urges all citizens to become familiar with the services and benefits offered by the vocational education programs in this community and to support and participate in these programs as necessary to enhance their individual work skills and productivity.

ADOPTED this the 6th day of February, 1995.

COLUMBUS COUNTY BOARD OF
COMMISSIONERS

/s/ SAMMIE JACOBS, Chairman

ATTESTED BY:

/s/ IDA L. SMITH, Clerk to Board

RESOLUTION - COMMUNITY DEVELOPMENT BLOCK GRANT - AUTHORIZING COG
AS OFFICIAL AGENT

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to adopt the following Resolution:

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

RESOLUTION

The Columbus County Board of Commissioner's hereby RESOLVES that the County will make application to the North Carolina Division of Community Assistance for Community Development Block grant funds. There funds are to be used for the purpose of housing rehabilitation activity, as specified within the grant application package, and will be spent according to the requirements of said grant. It is further understood by the Board of County Commissioners that all certifications, authorizations, and assurances contained within the application will be abided by, according to the specifications described by the North Carolina Department of Commerce, Division of Community Assistance.

IT IS FURTHER RESOLVED that the County has directed and authorized the Cape Fear Council of Governments to act as their

official agent on matters pertinent to this application and to provide such additional information to the granting agency as may be required.

IT IS FURTHER RESOLVED that the Board of County Commissioners will be advised prior to grant applications of all stipulations in regard to grant proposals and will give their approval before application is made.

ADOPTED this the 6th day of February, 1995.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/S/ Sammie Jacobs, Chairman

ATTESTED BY:

/s/ Ida L. Smith, Clerk to Board

COURTHOUSE - COMPLAINT BY LINDA PROCTOR, CLERK OF COURT AND JUDGE

D. JACK HOOKS

Linda Proctor, Clerk of Court, presented a letter of complaints, to the Board in reference to the longstanding problems at the Courthouse and requested the Board to take some action to alleviate some of the major problems. The following items of concern were mentioned: overall cleanliness, bathroom facilities, overcrowding, leaks, ventilation, heating, cooling, storage space, broken tiles, no jury accommodations, space, mediation space, dinning room, and insufficient seating in waiting areas.

Judge D. Jack Hooks, sanctioned Ms. Proctor's list of complaints and also requested the Board to seriously consider both short-term and long-term needs at the courthouse.

The Board responded that they are considering a proposal from an architect firm to study all county buildings and report on ways to handle the long-term needs of the county.

COLUMBUS COUNTY INTERAGENCY - TRANSPORTATION DEVELOPMENT PLAN

UPDATE

Tommy Holmes, Columbus County Interagency Transportation Chairman, updated the Board on the Transportation Development Plan and requested the Board's approval.

A motion was made by Commissioner Norris, seconded by Commissioner Wilson and passed unanimously to approve the Columbus County Interagency Transportation Plan Update as submitted.

A copy of the completed plan is on file in the office of the Clerk to the Board.

SHERIFF - FEDERAL GRANT APPLICATION APPROVAL

Sheriff Jimmy Ferguson, requested approval from the Board to apply for a Federal Grant through the North Carolina Crime Control and Public Safety which will allow the Sheriff's Department to implement a new community policing project. The plan is to add four (4) additional deputies, completely equipped, to the uniformed patrol division, including operational money for two (2) years. The Federal Grant is for \$228,874.68 with the County funding \$76,291.56 if the application is approved for funding. At the end of the two (2) years, if the County decides the program is unsuitable, the cars and equipment will be property of the County.

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to grant permission to the Sheriff's Department to apply for the grant with the County's share to be expended beginning in Fiscal Year 1995-96.

SHERIFF - PURCHASE OF PATROL CARS APPROVAL

Sheriff Ferguson advised the Board that the 1994-95 Budget included the lease-purchase of four patrol cars for a total of \$20,000.00. The Sheriff stated that to lease-purchase four (4) new cars would cost \$ 23,254.85 annually for three (3) payments and requested permission to transfer line item expenditures within the Sheriff's Department budget to allow for the lease-purchase.

A motion was made by Commissioner Norris, seconded by Commissioner Gray and passed unanimously to allow Sheriff Ferguson to lease-purchase the four (4) patrol cars and to transfer within line items in the Sheriff's budget to complete the transaction.

FIRE DEPARTMENT - NORTH WHITEVILLE FIRE FEE SCHEDULE ACCEPTED AND TABLED

Mr. Kimble Brock, North Whiteville Volunteer Fire Department Board Chairman, submitted the following schedule as the guide for collecting fees for the North Whiteville Volunteer Fire District.

1. A single-family dwelling or manufactured home, and appurtenant structures, plus up to five acres of surrounding land. The fee on this class of property with valuation up to \$25,000.00 will be \$25.00. Valuation

from \$25,001.00 up will be \$50.00. The fee on this class property may not exceed \$50.00 per site per year.

2. Unimproved land other than the five acres of land classified as part of a single-family dwelling or manufactured home. The fee on this class of property may not exceed two cents per acre. The county may establish a minimum fee for unimproved land of not more than five dollars per year.
3. An animal production or horticultural operation. The fee of \$25.00 will be for property with valuation up to \$25,000.00. Valuation from \$25,001.00 up will be \$50.00.
4. A commercial facility other than an animal production or horticultural operation. The fee on this class of property not exceed \$50.00 per site per year for commercial facilities with structures encompassing less than 5,000 square feet and \$100.00 per site per year for commercial facilities with structures encompassing 5,000 square feet or more.
5. A multiple-family dwelling. The fee on a duplex may not exceed \$50.00 per building per year. The fee on a triplex may not exceed \$75.00 per building per year. The fee on any other multiple-family dwelling may not exceed \$100.00 per building per year.
6. Any other class of property selected by the county. The fee on these classes of property may not exceed \$50.00 per year.

A motion was made by Commissioner Wilson, seconded by Commissioner Gray and passed unanimously to accept the above listed fee schedule as information and table the request for approval until the North Whiteville Volunteer Fire District submits a 1995 budget.

HEALTH - ADDITIONAL POSITIONS APPROVED

Marian Duncan, Health Director, requested the Board to approve the positions in Health Programs to be funded by third party reimbursement as follows:

Home Health Management Support:

Processing Assistant III - Grade 57

Accounting Clerk IV - Grade 59

Medicaid Nutrition:

Nutritionist III - Grade 68

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to approve the three (3) positions as requested by the Health Director, to be funded by third party reimbursement, with no additional cost to the county.

BUDGET AMENDMENT - HEALTH

A motion was made by Commissioner Williams, seconded by

Commissioner Britt and passed unanimously to approve the following budget amendment for the Health Department.

Accept 10-348-07 Family Planning Grant \$5,000.00

Expend 10-591-46 Drugs and Supplies \$5,000.00

APPOINTMENT - REGION O AGING ADVISORY COUNCIL

The Board reached a general consensus to table the appointment to the Region O Aging Advisory Council to replace Mr. Charles Enzor, deceased, until the next Board Meeting.

APPOINTMENT - REGION O AGING ADVISORY COUNCIL

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to appoint Commissioner C. W. Williams to serve on the Columbus County Aging Advisory Council, as a Commissioner member, to replace the former Commissioner Ed Worley.

APPOINTMENTS - NURSING/DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEE

A motion was made by Commissioner Williams, seconded by Commissioner Britt and passed unanimously to appoint the following persons to serve on the Nursing/Domiciliary Home Community Advisory Committee for one (1) year terms, expiring February 5, 1996:

Jesse B. Vaught, 125 Spruce Street, Whiteville, NC 28472

Lenora Callihan, Route 3, Box 88-A, Tabor City, NC 28463

AGING (DEPT) - GRANT FOR FAIR BLUFF IS CONSIDERED

Commissioner Norris reported that grant monies in the amount of \$10,000.00 are available to be issued by the Cape Fear Council of Governments, for the possibility of a fourth senior center in Columbus County in Fair Bluff if a site is found and the details of the grant are worked out. The grant could be used for a variety of things, such as salary or design costs. The deadline for the grant application is March 1, 1995.

TAX RELEASES & REFUNDS

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

ALBERT EDWARDS, Heirs: D-8-31, house vacant. Amount \$30.00 user fee. Year 1994, account #16-03840.

JACKIE JUNIOR ETHERIDGE: 0-8-11, Mobile home already billed to him on Map 08-107; also Map 08-109, house vacant. Amount \$124.07, valuation \$8,430.00, year 1994, account #03-05920.

GLEON FOWLER: Unidentified property - double listed to W.P. Barker on I-15-7A. Also, TC 2-267A, double listed to TC-2-267, Peggy Ann Fowler #06-12323. Amount \$31.92, valuation \$4,200.00, year 1994, accounts #06-11243 and #07-04800.

JOHN K., BARBARA, & RICHARD GORE: WS-2-120, vacant. Amount \$30.00 user fee. Year 1994, account #11-11305.

ANNIE MAE & J.D. GRAHAM: CH-3-17, house 60% complete in 1994. Amount \$18.00 user fee. Year 1994, account #13-15820.

H. & H. AUTOMOTIVE: Out of business since June, 1993. Equipment gone prior to 1-1-94. Amount \$11.42, valuation \$1,366.00, year 1994, account #13-18147.

JOHN W. & DIANE HARDWICK: WS-2-30, vacation home used approximately 2 or 3 times a year. Amount \$15.00 user fee. Year 1994, account #11-12150.

CHARLES HINSON: H-7-1, house burned in 1992. Partially rebilled in 1993 (50%). Amount \$369.78, valuation \$44,700.00, years 1992 and 1993, account #01-41220.

DOROTHY HOBBS: R-2-3, not in Bolton Fire District. Amount \$1.50, year 1994, account #08-08940.

INVESTORS MANAGEMENT CORPORATION: M-5-134, double listed to M-5-52, Scotsdale Water and Sewer Company. M-5-135 and M-5-136, double listed to M-5-51, Gerald E. Robinson. Amount \$141.96, valuation \$16,900.00, year 1994, account #11-13925.

BERNARD & JOYCE KACHIAPER: W-4-82, house vacant. Amount \$30.00 user fee. Year 1994, account #15-21520.

PAULINE FOWLER KELLY: Mobile homes moved prior to 1-1-94. Amount \$90.00 user fee. Year 1994, account #15-22077.

WILLIAM EDWIN, JR. & PATRICIA HOBBS: Farming equipment double listed on regular list and late list. Amount \$144.16 late listing, valuation \$18,969.00, year 1994, account #08-09041.

ILA M. NOBLES: G-8-40B, double listed to #09-29964, Ila Nobles, c/o Donald Strickland. Amount \$107.42, valuation \$13,100.00, year 1994, account #09-22100.

RICKY L. & KATHY SIMMONS: House vacant. Amount \$30.00 user fee. Year 1994, account #14-42230.

LLOYD McDUFFIE SKIPPER: L-8-41, house vacant. Amount \$30.00 user fee. Year 1994, account #03-22081.

DANIEL & BETTY SPIVEY: 1981 Oldsmobile junked prior to 1-1-93. Priced through error. Amount \$76.66, valuation \$9,250.00, year 1993, account #01-87711.

J.K. & DULA BELLE SUGGS: L-13-42, acres corrected by survey. Valuation reduced to \$14,800.00. Amount \$112.48, valuation \$10,600.00, year 1994, account #07-17560.

S.T., JR., & BRENDA THARP: H-10-88, seasonal. Amount \$40.00 user fee. Year 1994 for 1993 and 1994, account #09-30223.

ROLAND LEON WARD: Mobile home double listed on #03-27400, Larue R. & Roland Ward. Amount \$48.81, valuation \$2,250.00, year 1994, account #02-02353.

TERRY DALE & SHERRY S. WARD: M-5A-88A, dwelling vacant. Amount \$30.00 user fee. Year 1994, account #11-29280.

BARBARA SHERRELL WEBB: Buick Regal, double listed to Barbara Fields on regular list. Amount \$167.97, valuation \$9,030.00, years 1989 and 1991, account #17-40155.

MARIE VINCENT WHITE: Mobile home double listed on #15-38694, Jimmy Porter White. Amount \$46.26, valuation \$2,140.00, year 1994, account #15-38714.

MARK L. WOODBURN: X-2-8, vacant. Amount \$30.00 user fee. Year 1994, account #15-39941.

ORDERED: That a tax refund be issued to **WILLIAM MICHAEL & LAUREN COLE**, P.O. Box 1917, Whiteville, NC 28472, in the amount of \$65.50 for year 1994. W-2-125B, not in Welches Creek Fire District nor Whiteville Rescue. Amount \$65.50, year 1994, account #01-15240.

ORDERED: That a tax refund be issued to **ALLEN L. & DONNA GODWIN**, Route 1, Box 18-A, Cerro Gordo, NC 28430, in the amount of \$30.00, for year 1994. E-6-103E, one dwelling only. Amount \$30.00 user fee. Year 1994, account #16-05140.

ORDERED: That a refund check be issued to **ANNIE MAE & J.D. GRAHAM**, 912 W. Smith Street, Chadbourn, NC 28431, in the

amount of \$61.80 for year 1994. CH-3-17, house 60% complete for 1994. Amount \$61.80, valuation \$10,500.00, year 1994, account #13-15820.

ORDERED: That a refund check be issued to THURSTON CALVIN & MYRA MALPASS, Route 1, Box 481, Delco, NC 28436, in the amount of \$124.60 for year 1994. X-5-4, not in Acme-Delco Fire District. Amount \$124.60, year 1994, account #15-25906.

ORDERED: That a refund check be issued to BOBBY RAY & SARAH MOORE, Route 1, Box 590, Delco, NC 28436, in the amount of \$403.73, for years 1992 and 1993. W-4-29, not in Acme-Delco Fire District. Amount \$403.73, valuation \$403,728.00, years 1992 and 1993, account #15-27540.

ORDERED: That a refund check be issued to CANDY JEAN POWELL, Route 1, Box 160, Clarendon, NC 28432, in the amount of \$46.36 for year 1994. 1990 Mazda double billed on regular list also as a licensed vehicle 1994-08-00591. Amount \$46.36, valuation \$6,100.00, year 1994, account #09-23937.

ORDERED: That a refund check be issued to MONNIE GAIL POWELL, Route 1, Box 259-A3, Clarendon, NC 28432, in the amount of \$11.02 for year 1994. 1982 Buick double billed on regular listing also as a licensed vehicle on account #1994-10-02726. Amount \$11.02, valuation \$1,450.00, year 1994, account #09-23955.

ORDERED: That a refund check be issued to DONALD HUGH SMITH, Route 1, Box H-15, Whiteville, NC 28472, in the amount of \$40.32, for year 1994. 1992 Camper trailer double billed on regular list also on account #1994-04-00988, licensed vehicle. All taxes paid. Amount \$40.32, valuation \$5,170.00, year 1994, account #01-84840.

ORDERED: That a refund check be issued to MARTHA GEORGE, Route 7, Box 96, Whiteville, NC 28472, (John Braddie & Ruthe Smith Heirs property), in the amount of \$18.00 for year 1994. WH-1-406, house vacant. All taxes paid. Amount \$18.00 user fee, year 1994, account #01-85520.

ORDERED: That a refund check be issued to JAMES FREDDIE & WANDA STEWART, P.O. Box 116, Cerro Gordo, NC 28430, in the amount of \$4.37 for year 1994. Clerical error on C-3-7N. Amount

\$4.37, years 1993 and 1994, account #12-26987.

ORDERED: That a refund check be issued to MR. WOODROW WARD, P.O. Box 538, Chadbourn, NC 28431, in the amount of \$95.02 for year 1990. G-8-40, transferred to daughter Geraldine Gilmore. No deferred taxes. All taxes paid 1/11/95. Amount \$95.02, valuation \$8,900.00, year 1990, account #13-42640.

ORDERED: That a refund check be issued to CULBRETH & EUNICE WILLIAMSON, Route 1, Box 166, Evergreen, NC 28438, in the amount of \$326.40, for year 1993 and 1994. C-3-2, building destroyed by fire in 1992. Amount \$326.40, valuation \$36,000.00, years 1993 and 1994, account #12-30180.

FIRE DISTRICTS - INSURANCE COVERAGE COUNTYWIDE

Dempsey Herring, Assistant to Administrator/Special Projects, advised the Board that Bladen County has been contacted in reference to providing fire protection for the northern part of Columbus County and the Clarkton Fire Department has agreed. We are now waiting for a contract to be drafted and presented to the Board for approval. The other areas of the County that does not have fire coverage (dead spots) the present 5 mile radius will have to be extended to 6 or 7 miles to cover all areas within the county. This will take an act from the North Carolina Legislators on a statewide basis and permission from the insurance companies will be necessary to begin the process.

CONTRACT - AIRPORT (CHANGE OF CORPORATION)

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to approve the following Contract.

STATE OF NORTH CAROLINA

COUNTY OF COLUMBUS

AIRPORT CONTRACT

THIS CONTRACT entered into on this the first day of February, 1995, between Columbus County, a body politic, (hereinafter referred as "Owner"), and Consolidated Aviation Services of North Carolina, Incorporated, a corporation licensed to do business in the State of North Carolina (hereinafter referred to as the "Operator");

W I T N E S S E T H :

THAT WHEREAS, the County of Columbus has established and has provided for airport operations as governed by the Enabling Act of the General Assembly of North Carolina, and observing all rules, regulations and standards set down by the Federal Aviation Authority and where Columbus County has the authority to construct, lease, maintain, improve, repair, operate and regulate the Columbus County Airport use; and

WHEREAS, the Operator is a licensed corporation in North Carolina whose business is to operate fixed based airport facilities and desires to lease from Columbus County its airport premises for the use and purpose to be designated herein.

NOW, THEREFORE, by mutual considerations, the Owner does hereby lease unto the Operator all portions of the referred to Airport properties necessary for the operation to conduct its business based on the following conditions, to wit:

1. It is mutually agreed by and between the parties that the leased premises shall be used for the purpose of conducting the business of a fixed base operator, and for no other purpose. The Operator shall have full, quiet and peaceful enjoyment of the premises during the term of this agreement, inclusive of the ingress and egress of the premises, subject only to such rules and regulations as written, posted and adopted by the Owner for said airport, and the conditions and limitations as are hereinafter specifically stipulated.

2. Operator is granted the right to sell and receive profits from any petroleum product sold. Operator is also granted the rights to profits from servicing of aircraft and aviation craft instruction. The Operator will be responsible for all debts incurred by the Operator. The Owner will, at no time, be responsible for indebtedness which is the result of the Operator.

3. The Operator, as fixed base operator, agrees to offer petroleum products for sale at all reasonable hours, reasonable hours being considered from 8:00 o'clock A.M. to 6:00 o'clock P.M. at said airport, seven (7) days per week.

4. The Operator shall be entitled to make all reasonable and

necessary charges to tie-down, hangar or other services for transient aircraft usual and customary in the operation of an airport, but it is understood and agreed that the charges made for tie-downs shall be subject to the prior approval of the Owner.

5. The Operator shall have the privilege of and to the extent that same is practicable and economically feasible furnish the services of a usual fixed base operator. These services may include FAA approved flight instructor, aircraft rental, aircraft sales, FAA approved maintenance services, as well as charter service or any other service in connection with its operation which are FAA approved and are consented by the Owner.

6. The Operator agrees to operate the leased premises for the use and benefit of the public and to make available all leased airport facilities and services to the public without discriminatory or otherwise unreasonable charges or fees for any of the above leased airport services. The Owner agrees that rates or charges for such activities or services shall be fixed by the Operator, subject to the concurrence and approval of such rates and charges as to reasonableness by the Owner.

7. It is expressly understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of exclusive rights within the meaning of Section 308(2) of the Federal Aviation Act of 1958, as amended.

8. The Operator agrees to keep the leased airport premises and facilities open to the public at all reasonable hours.

9. The Operator shall, at all times, keep the airport premises clean and free from rubbish, in a neat and presentable manner, and further agrees to keep the grass and weeds in the area cut to a reasonable height. The Owner will furnish the equipment and fuel therefor.

10. The Owner agrees to furnish to Operator an adequate well and well pump and an adequate septic tank to service the buildings and facilities located at said airport.

11. The Operator agrees to furnish at said airport location a telephone for use by the public, and if it so desires, said public telephone may be a pay station, and the Operator agrees to

be responsible for all telephone charges and bills incurred on the premises.

12. The Operator will carry a minimum of three hundred thousand and 00/100 (\$300,00.00) dollars airport liability and maintenance insurance. A copy of this policy will be filed with the Owner. The Owner will carry a minimum of three hundred thousand and 00/100 (\$300,000.00) dollars property liability insurance. A copy of said policy will be filed with the Operator.

13. The Operator shall pay to Owner in consideration for the leased premises the sum of one and 00/100 (\$1.00) dollar per annum, and the term of this contract and lease agreement shall be for a term of five (5) years, commencing on the date of the execution of this agreement, and the Operator shall have the option, if it is not in default under the terms of this agreement, to extend the terms of this lease for an additional ten (10) year period upon the same terms and conditions, provided it notifies the Owner of its intention to do so by written notice six (6) months before the expiration of the said lease. Additional lease renewals will be based on ten (10) year increments.

14. The terms and condition of this agreement shall not prevent the Owner from executing leases or agreements with the United States Army, United States Air Force, United States Navy or other federal agency pertaining to governmental flying in use of said airport; nor of allowing the private erection of hangars or the storage of aircraft to be carried on from adjoining lands which have access to the airport and which are allowed by FAA rules, provided, however, that private hangars must be approved by the Operator but such approval will not be unreasonably withheld if such private hangar is not in competition with the Operator.

15. If, during this agreement, the United States Government or any other governmental agency acquires possession of the premises herein leased by virtue of any laws now in effect or which may become effective during the term of this agreement, then this agreement, at the option of the Operator, may be terminated or may be suspended for the period the Operator is deprived of the premises, and thereafter the Operator may resume its tenancy and

the agreement shall continue until the full term hereof has been enjoyed by the Operator.

16. It is agreed and understood between the parties that during the term of this agreement or any renewal thereof, the Federal Aviation Agency or any other Federal or State agency shall be permitted to enter said premises and to make any improvements to or on said airport.

17. Operator must first obtain the approval of the Owner before making any major alterations, additions or improvements to or on the leased premises.

18. Operator shall not enter into any transactions which would deprive the Owner of any rights or create damages for the Owner.

19. This agreement may not be assigned or sublet by the Operator without the prior written consent of the Owner.

20. Should either party violate any term or provision of this Contract and fail to remedy same upon thirty (30) days written notice, the party not in default may immediately terminate the Contract. Upon termination of the Contract, the Operator agrees to immediately vacate said premises.

21. The Operator agrees that in its operation and use of said airport, it will not on the grounds of race, color or national origin, discriminate or permit discrimination against any person or group of persons in any manner prohibited in Part 21 of the Department of Transportation Regulations. The Owner hereby reserves the right to take such action as the Federal Aviation Administration may direct to enforce such covenant of non-discrimination.

22. Operating Funds: The Owner will provide to the Operator designated funds for maintenance and operations of the airport in an amount to be determined by the Owner based on need; however, in no event will this amount be less than current levels, nor paid less frequently than current practice over the six (6) months immediately preceding the signing of this contract.

23. Hangar Construction: It is anticipated that Consolidated Aviation may build a maintenance and/or aircraft storage hangar on

Airport property. It being in the best interest of all parties to accommodate the aforementioned hangar construction, Consolidated is hereby granted the right to construct said building and lease land on airport property, the site for which to be determined solely by the Owner. Said lease will encompass two (2) acres of land and will be leased for one dollar and 00/100 (\$1.00) dollar per year for thirty-nine and one-half (39 1/5) years, at the end of which time, hangar building will revert to owner. Should there ever occur a change in usage of the airport property, the Owner will be given a first right of refusal in the purchase of said improvements at fair market value. Any use of said improvements other than for airport related purposes is subject to Owner's approval.

24. Owner will not compete directly or indirectly with Consolidated Aviation Services, Incorporated providing service at the airport, without the prior consent of all parties.

25. Hanger Management: The Operator is authorized to construct and manage its own hangar(s) for the purpose of aircraft storage and maintenance subject however to prior Owner approval and all other applicable provisions of this agreement. The Operator is entitled to all rent resulting from the Operator owned hangars.

Any hangars constructed by the Owner will not be managed by the Operator but by the Owner. The Owner will determine all fees, rents, rules, and regulations for hangars which are constructed by the Owner. This includes corporate, private and any other type hangars.

The Owner does, however, grant Operator the privilege of serving as a rental collection agent for hangars not owned by the Operator. Additionally, the Operator will be responsible for assuring compliance with all rules and regulations as set by the Owner. Operator's rental collection fee shall be twenty-five (25%) percent of the fair market value determined by industry standard. Fair market value shall be the construction cost amortized over the current Internal Revenue Service depreciation schedule at prime rate plus three. Any hangars existing on the premises before the execution of the agreement are not affected hereby.

26. Compensation/Commission: In consideration for the terms of the Agreement, and the tenancy created herein, the parties agree that the owner shall allow the Operator to retain a twenty-five (25%) percent commission on all rental receipts derived from hangars which are not owned by Operator but covered by this Agreement.

27. Special Covenant: At any point in time that Columbus County establishes a Columbus County Airport Authority, all conditions of the existing lease between the Owner and Operator will continue to be valid. The Authority will then replace the County and all dealings will be between the Authority and the Operator under existing lease agreements.

IN TESTIMONY WHEREOF, the parties have caused this instrument to be executed by their duly authorized officers, all by authority of the Board of Commissioners of Columbus County, this the day and year first above written.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ SAMMIE JACOBS, Chairman

ATTESTED BY:

/s/ Ida L. Smith
TITLE: Clerk to Board

CONSOLIDATED AVIATION SERVICES of
NORTH CAROLINA, INCORPORATED

BY: /s/ Richard Zelnar
TITLE: President

ATTESTED BY:

/s/ Dempsey B. Herring
TITLE: Asstant County Administrator

RECREATION - ADVISORY BOARD

Dempsey Herring, Recrcation Director, presented the Board with a brief history of the Recreation Department and stated that the appointments to the Recreation Advisory Board were made before the Governing Body became a seven (7) member Board and appointments need to be made to have representation from each district.

The Board concurred to make the necessary appointments at the next Board Meeting.

BUDGET AMENDMENT - TAX

A motion was made by Commissioner Norris, seconded by

Britt and passed unanimously to approve the following budget amendment for the Tax Department.

Accept 10-301-0000 Business Audits Tax Mgt. \$132,700.00
Expend 10-450-4500 Contract Service \$132,700.00

CONTRACT AMENDMENT - CAPE FEAR COUNCIL OF GOVERNMENTS

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to approve the following Contract Amendment:

*Amendment Number 1
 Amendment to Contract
 Between
 Cape Fear Council of Governments
 And
 Columbus County, North Carolina*

Pursuant to paragraph number five, the Cape Fear Council of Governments would like to amend said contract to change the contract from the amount not to exceed \$12,409.19 to \$17,489.19. The additional funds will be used for expenses listed in Exhibit B, which is attached to this document. Also pursuant to Exhibit A-Columbus County Time Schedule, which is the original time schedule, the Cape Fear Council of Governments would like to amend said contract to Exhibit A-Columbus County Time Schedule dated January 20, 1995 which is attached to this document.

It is the intent of this amendment to address provisions noted in paragraph number five and Exhibit A only, and in no way should this amendment be construed to further modify this contract. The signatures below indicate acceptance.

*For the Local Government: Approved:
 /s/ Ida L. Smith, Clerk to Board /s/ Sammie Jacobs, Chairman*

This instrument has been preaudited, in the manner required by the Local Government Budget and Fiscal Control Act.

/s/ Gayle Godwin, Finance Officer

Cape Fear Council of Governments:

*/s/ _____ /s/ _____
 Witness Chairman*

LEGISLATIVE SHRIMPEROO

Roy L. Lowe, County Administrator, advised the Board that a letter was faxed from New Hanover County requesting Columbus County to participate in co-hosting a Shrimperoo for the General

Assembly. Brunswick and Pender Counties are also being invited to co-host the event. The cost of the event will be divided among participating counties on a per capita basis. The Shrimperoo is scheduled for March 15, 1995 at the Fairgrounds in Raleigh, NC.

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to participate in the co-hosting of the Shrimperoo for the General Assembly.

RESOLUTION - REQUESTING DOT TO NAME BRIDGE HEZEKIAH PRIDGEN, SR.

A motion was made by Commissioner Gray, seconded by Commissioner Dutton and passed unanimously to adopt the following Resolution.

R E S O L U T I O N

HEZEKIAH PRIDGEN, Sr. BRIDGE

WHEREAS, the Hezekiah Pridgen family has been an established and respected family in Columbus County for years; and

WHEREAS, Hezekiah Pridgen has, through his efforts, made his community a better place to live; and

WHEREAS, through his efforts, land was made available for the development of U.S. 74-76 as a major East-West thoroughfare through Columbus County; and

WHEREAS, the land for the interchange bridge intersecting U.S. 701 and U.S. 74-76 was provided by Hezekiah Pridgen which allowed for proper ingress and egress of traffic in the North Whiteville area; and

WHEREAS, Hezekiah Pridgen's desire to have a progressive community, has been achieved through his own personal sacrifices.

THEREFORE, BE IT RESOLVED this the 6th day of February, 1995, the Columbus County Board of Commissioners requests the North Carolina Department of Transportation consider naming the bridge which intersects U.S. 74 and 76 and U.S. 701, the Hezekiah Pridgen, Sr. Bridge.

ADOPTED this the 6th day of February, 1995.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ SAMMIE JACOBS, Chairman

ATTESTED BY:

/s/ IDA L. SMITH, Clerk to Board


SOLID WASTE - CITIZENS COMPLAINT ON AMERICAN REFUSE SYSTEMS

Gary Simmons, Jackie Jernigan, Keith Hill, and Joe Harper addressed the Board stating they were recent employees of American Refuse Systems and that loaded trucks with household garbage are going into the landfill at night and are not being weighed as the scales are locked. The garbage that is not being weighed has false tickets made during the day and the tonnage is estimated.

The Chairman advised the citizens that this complaint will be taken under advisement and addressed with American Refuse Systems.

ADJOURNMENT

A motion was made by Commissioner Norris, seconded by Commissioner Dutton and passed unanimously to adjourn the meeting at 9:00 P.M.


Ida L. Smith, Clerk to Board

APPROVED:


Sammie Jacobs, Chairman