

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., Monday, October 21, 1996, it being the third Monday.

BOARD MEMBERS PRESENT:

Spruell Randolph Britt, Chairman

C.E. "Gene" Wilson, Vice Chairman

David L. Dutton, Jr.

A. Dial Gray, III

Sammie Jacobs

Lynwood Norris

C.W. Williams

James E. Hill, Jr., Attorney

Dempsey B. Herring
Administrator

Ida L. Smith, Clerk to Board

The meeting was called to order by Chairman Spruell R. "Randy" Britt and the invocation was given by Commissioner A. Dial Gray, III.

BOARD MINUTES APPROVAL

A motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to approve the Board Minutes of the October 7, 1996, Meeting, as recorded.

CONSENT AGENDA ITEMS

A motion was made by Commissioner Jacobs, seconded by Commissioner

Norris and passed unanimously to approve the consent agenda items as follows:

Tax Releases:

Marva C. Beard (Etal): M-6-29, house vacant. Amount \$60.00, year 1996, account #11-02237.

Norman Cordis Benton: L-13-10B, access road corrected. Billed incorrectly. Amount \$21.84, valuation \$2,800, year 1996, account #07-00420.

Patricia Beasley: Mobile home, vacant. Amount \$36.00, year 1996, account #08-02014.

Wilbur Caison: R-1-9, house vacant. Amount \$60.00, year 1996, account #08-02380.

Mark Leverne Cartrette: Mobile home double-listed on real estate to Mark Cartrette. Amount \$131.39, valuation \$8,320, year 1996, account #01-13548.

T.J. Chandler, Sr.: L-5A-11, house vacant. Amount \$60.00, year 1996, account #14-03420.

Henry Gregg & Joy Cole: Mobile home sold in March of 1995. Amount \$125.73, valuation \$6,790, year 1996, account #16-02850.

Floyd Davis, Jr.: J-6B-225 house down prior to 1-1-96. Amount \$60.00, year 1996, account #01-19620.

Charlie & Bertha Edge: G-10-38, double-listed to G-10-40 on #09-15180, S. Furnie Hughes. Amount \$12.60, valuation \$1,500, year 1996, account #09-07580.

Theresa Dawn Elliott: Mobile sold in 1995 prior to moving to Bladen County. Amount \$8.58, valuation \$1,000, year 1996, account #01-23906.

Elmer Keith & Kathy Enzor: B-4-33A, billed incorrectly. Hog houses and office rebilled to Circle E. Farms, Incorporated with proper valuation. Amount \$3,613.44, valuation \$403,800, year 1996, account #10-04556.

Berkley & Marlene Fowler: H-14-7, house vacant. Amount \$60.00, year 1996, account #06-10580.

Jonnie Ray Goodman: Mobile home sold and billed to Debra Smith Wise on 08-21037. Amount \$93.36, valuation \$3,610, year 1996, account #08-06863.

Mitchell D. Gore: Double-wide mobile home, rebilled to Michael Heath Gore. Amount \$381.30, valuation \$35,700, year 1996, account #15-15880.

Earl Graham: U-1-21, house vacant. Amount \$60.00, year 1996, account #04-06140.

Gurlie T. Graves: 1978 mobile home, double-billed through error on regular and late list. Amount \$58.85, valuation \$3,050, year 1994, account #16-05780.

Jimmy & Ruth Housend: I-10-99, two (2) bulk barns, double-listed on 01-16285, Colonial Pacific Leasing Corporation. Amount \$58.97, valuation \$7,020, year 1996, account #09-15020.

Doreen P. Ivey: Mobile home located in Chadbourn, vacant. Lives in Pembroke. Amount \$60.00, year 1996, account #13-21065.

Thomas Ray II & Linda Johnson: 2% discount not absorbed by computer. Amount \$14.31, year 1996, account #12-13613.

W.C. & Katie Jordan: Double-wide mobile home demolished by tornado, Town of Brunswick, in November, 1995. Amount \$321.87, valuation \$30,100, year 1996, account #01-49220.

Mickey D. & Wanda Faye Kelly: Mobile home already billed on #15-22200, same name. Amount \$208.61, valuation \$14,880, year 1996, account #15-22201.

Major Edward Lane (Heirs): Mobile home moved to Florence, S.C. Amount \$14.42, valuation \$2,120, year 1996, account #09-16348.

William D. & Mary D. Lennon: W-5-47A, house vacant. Amount \$60.00, year 1996, account #15-23800.

Danny E. & J. David Long: J-12-11, house vacant. Amount \$60.00, year 1996, account #09-16784.

Stacy Lewis, Jr.: Leasehold (double-wide mobile home) moved to Fayetteville in 1995. Amount \$301.80, valuation \$31,000, year 1996, account #15-23988.

Mariegene P. Lytton: LW-4-212, house vacant. Amount \$36.00, year 1996, account #08-11241.

Grace McQuay: Mobile home moved to Cumberland County prior to 1-1-96.

Amount \$135.11, valuation \$9,630, year 1996, account #01-58045.

Annie Jo Norton: E-7-111, house unoccupied. Amount \$60.00, year 1996, account #16-12045.

Maggie S. Pierce (Etal): N-6-59AA, house vacant. Amount \$60.00, year 1996, account #11-20070.

Joseph Delma & Ladosca Ray: Access code corrected. I-12-4 frontage. Amount \$9.24, valuation \$1,100, year 1996, account #06-30700.

David M. Smith, Sr.: WH-3-901, double-listed to Friendship Baptist Church. Amount \$13.60, valuation \$1,700, year 1996, account #01-84820.

Laura Smith: T-2-43, failed to receive the Senior-citizen's exemption on lot and house. Amount \$126.00, valuation \$15,000, year 1996, account #04-09109.

Zettie Ann Smith: M-14-54 , same as M-14-53 on #07-15589, Wilford O. Smith. Double-listing. Amount \$1,346.34, valuation \$181,360, years 1987-96, account #07-15620.

Synergy Gas Corporation: E-3-84, gas tank not on property. Amount \$35.10, valuation \$4,500, year 1996, account #12-27215.

Catherine Todd: Mobile home sold to Pete Buffkin (1968 - 12 x 48). Amount \$8.58, valuation \$1,000, year 1996, account #11-27837.

Timothy Todd: Mobile home (1970 - 12 x 60) sold to Pinewood Manor Mobile Homes in 1995. Amount \$8.58, valuation \$1,000, year 1996, account #13-40361.

Bessie & Benjamin Turbeville: C-6-32, dwelling vacant. Amount \$60.00, year 1996, account #10-17100.

Ervin & Rossie Ward Heirs: C-5-53, house vacant. Amount \$60.00, year 1996, account #10-18220.

W. Alan & Debbie Ward: House value billed incorrectly. Amount \$8.43, valuation \$1,080, year 1996, account #02-02429.

Charles Whittington: Leasehold on F-10-1D (house) was moved to South Carolina October, 1994. Amount \$274.44, valuation \$19,800, year 1995-96, account #06-42983.

Ernest R. Spaulding: M-2-114 failed to receive the Senior-citizen's exemption on lot and house. Amount \$129.00, valuation \$15,000, year 1996, account #14-15143.

Charles L. & Betty J. Williamson: E-4-12, rebilled to William Cecil Williamson and Patricia on #12-00860 with valuation \$12,700. Amount \$53.36, valuation \$6,200, year 1996, account #12-30025.

Douglas A. Worley: C-7-3, house vacant. Amount \$60.00, year 1996, account #10-19183.

Refund:

Ordered: That a refund check be issued to Graham Reynolds, Post Office Box 114, Hallsboro, NC 28442, in the amount of \$63.59 for year 1996. Failed to receive the Senior-citizen's exemption on his mobile home. (Lot was already exempted for 1996.) Valuation \$7,570, account #11-22500.

Budget Amendments:

Reserve 10-399-0000 Voter Grant from Fund Balance	\$2,485.00
Expend 10-430-7400 Capital Outlay	\$ 2,485.00
Decrease 10-348-0801 Child Health Block Grant	(\$15,072.00)
Decrease 10-589-0200 Salaries	(\$15,072.00)
Increase 12-348-0200 Federal Grant Minor Home Repair	\$ 8,820.00
Expend 12-615-3300 Repair Supplies (Fair Bluff Senior Center and Evergreen Nutrition Site)	\$ 8,820.00

FIRE & RESCUE - RADIO APPROVAL FOR FAIR BLUFF

Dempsey Herring, Administrator, reported that on June 3, 1996, radios were approved for Cerro Gordo and Fair Bluff Volunteer Fire Departments at the lowest bid of \$495.00 each for a total of \$990.00. The radios, at a lower cost, were not sufficient and radios were purchased by the Fire Departments at a greater cost; therefore, additional funds are needed to pay for a radio for Fair Bluff. According to County Policy, the purchase for radios for Volunteer Fire & Rescue Departments must not exceed \$1,045.00.

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to approve awarding Fair Bluff Volunteer Fire Department

\$1,045.00 to go toward the purchase of a radio of their choice with the purchase to be coordinated through the Fire Marshal's Office. Also, appropriate funds in the amount of \$1,045.00 from Non-Departmental - Contingency (10-660-9999) to be expended in Special Appropriations (10-690-9501) Fire & Rescue Department Radios.

ORDINANCE (CAPITAL PROJECT) - COMMUNITY DEVELOPMENT BLOCK GRANT (HAWORTH PROJECT)

A motion was made by Commissioner Norris, seconded by Commissioner Jacobs and passed unanimously to approve the following Capital Project Ordinance:

**COLUMBUS COUNTY WATER IMPROVEMENTS
AND GAS LINE EXTENSION**

CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Board of Commissioners of the County of Columbus, North Carolina, that pursuant to Section 159-13.2 of the General Statutes of North Carolina, the following Capital Project Ordinance is **HEREBY ADOPTED**:

SECTION 1. The project authorized is the Community Development Block Grant (Haworth Project) for Water Improvements and Gas Line Extension (CDBG #96-E-0160).

SECTION 2. The project director is hereby directed to proceed with the construction of the project within the terms of the various grant and loan agreements executed with the Federal and State governments in accordance with the limitations set forth in Section 143 of the General Statutes of North Carolina, and within the funds appropriated herein.

SECTION 3. The following revenues are anticipated to be available to the County to complete the project:

65-385-0000 Community Development Block Grant - Haworth	\$450,000.00
65-397-0000 County Appropriation (Reimbursement from USDA Rural Services)	150,000.00

TOTAL APPROPRIATION	\$600,000.00
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SECTION 4. The following amounts are appropriated for the project:

65-495-0400 Administration	\$ 37,000.00
65-495-7300 Water Improvements	133,000.00
65-495-7301 Gas Line Extension	430,000.00

TOTAL APPROPRIATION	\$600,000.00
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SECTION 5. The Finance Officer is directed to report quarterly on the financial status of the project. She shall also keep the Governing Body informed at each regular meeting of any unusual occurrence.

SECTION 6. Copies of the Capital Project Ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out the project.

ADOPTED this 21st day of October, 1996.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

ATTEST:

/s/ Spruell R. Britt, Chairman

/s/ Ida L. Smith, Clerk to the Board

RESOLUTION - PUBLIC HEARING FOR INDUSTRIAL REVENUE BONDS FOR INTERNATIONAL PAPER COMPANY

A public hearing was held at 8:10 A.M., October 7, 1996, and is recorded in Minute Book 23, page 715. The Resolution describing the project for International Paper Company is as follows:

The Chairman announced that the Board of Commissioners for the County of Columbus, North Carolina (the "County") would proceed to hold a public hearing and would hear anyone who wished to speak or present a written statement concerning the (I) proposed issuance of environmental improvement revenue bonds by the Columbus County Industrial Development and Pollution Control Financing Authority in an aggregate principal amount not to exceed approximately \$8,300,000.00 which would be available to International Paper Company("IP") to defray the cost of certain sewage and solid waste disposal facilities at the International Paper Company plant at Riegelwood Mill, located on John L. Riegel Road near the Village of Riegelwood, Columbus County, North Carolina and (ii) the proposed issuance of solid waste disposal revenue refunding bonds by the Authority in an aggregate principal amount not to exceed approximately \$7,700,000.00, the proceeds would be made available to the Company to refund all of the Authority's Solid Waste Disposal Revenue Bonds, Series 1992, which were issued to finance certain solid waste disposal facilities previously constructed and installed at the Mill.

An affidavit evidencing of the publication of a notice of such public hearing

in The News Reporter on September 19 and 23, 1996 was presented.

The names, addresses and comments of the persons who wrote to the County Administrator concerning the proposed issuance of such tax exempt obligations are as follows: NONE.

The names, addresses and comments of the persons who were present and offered comments on the proposed issuance of such tax exempt obligations are as follows: NONE.

The Chairman then requested the County Administrator to inquire in and around the Commissioner's Room to determine whether there were any other persons who wished to speak at such public hearing. The County Administrator did not find anyone who wished to address the Board of Commissioners concerning the issue.

The comments and testimony so received were duly considered by the Board of Commissioners and such public hearing was closed.

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I, Ida L. Smith, Clerk to the Columbus County Board of Commissioners, do hereby certify that the foregoing has been carefully copied from the recorded minutes of the said Board at the meeting held on the 7th day of October, 1996, said record having been made in Minute Book Number 23 and is a true copy of so much of said proceedings of the said Board as relates in any way to the matters described in said proceedings.

Witness my hand and corporate seal of Columbus County, this the 29th day of October, 1996.

(SEAL)

/s/ Ida L. Smith, Clerk to the Board of Commissioners

ECONOMIC DEVELOPMENT - APPROVAL OF INDUSTRIAL REVENUE BONDS FOR INTERNATIONAL PAPER

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

RESOLUTION APPROVING IN PRINCIPLE THE PLAN OF FINANCING THE ENVIRONMENTAL IMPROVEMENT PROJECT FOR INTERNATIONAL PAPER COMPANY, APPROVING THE ISSUANCE BY THE COLUMBUS COUNTY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY OF ITS ENVIRONMENTAL IMPROVEMENT

**REVENUE BONDS (INTERNATIONAL PAPER COMPANY PROJECT) SERIES
1996 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED
\$8,300,000.00 AND ITS SOLID WASTE DISPOSAL REVENUE REFUNDING
BONDS (INTERNATIONAL PAPER COMPANY PROJECT) SERIES 1996 IN
THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$7,700,000.00
AND APPROVING THE SELECTION OF BOND COUNSEL FOR THE
ISSUANCE OF SAID BONDS**

WHEREAS, the Board of County Commissioners has created a political subdivision and body corporate and politic of the State of North Carolina known as "The Columbus County Industrial Facilities and Pollution Control Financing Authority" (the "Authority"); and

WHEREAS, the Authority is authorized under the Industrial and Pollution Control Facilities Financing Act, Chapter 159C of the General Statutes of North Carolina, as amended (the "Act"), to issue revenue bonds for the purpose, among others, of paying all or any part of the cost of any project (as defined in the Act), and to make and execute financing agreements, security documents and other contracts and instruments necessary or convenient in the exercise of such powers; and

WHEREAS, the Authority intends to authorize the issuance of (i) its Environmental Improvement Revenue Bonds (International Paper Company Project) Series 1996, or otherwise appropriately designated, in the aggregate principal amount of not to exceed \$8,300,000.00 (the "1996 Bonds"), the proceeds thereof to be made available to International Paper Company (the "Company") to finance certain environmental improvement facilities (the "Project") located in Columbus county, North Carolina for use by the Company in connection with its Riegelwood pulp and paper board plant and (ii) its Solid Waste Disposal Revenue Refunding Bonds (International Paper Company Project) Series 1996, or otherwise appropriate designated, in the aggregate principal amount of not to exceed \$7,700,000.00 (the "Refunding Bonds") the proceeds thereof to be made available to the Company to refinance and refund the Authority's Solid Waste Disposal Revenue Bonds (Federal Paper Board Company, Inc. Project) Series 1992 (the "Prior Bonds"); and

WHEREAS, pursuant to the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and the North Carolina Department of

Commerce Rules, Subchapter 1E, Section .0204 (N.C. Admin., Code title. 04, r. 01E.0204 (November 1994), a public hearing on the proposed plan of financing of the Project and the refunding of the Prior Bonds was held by this Board of Commissioners on October 7, 1996. Such public hearing was held pursuant to public notice published on the 19, and 23 of September, 1996 in the News Reporter, a newspaper of general circulation in Columbus County, North Carolina; and

WHEREAS, the Authority intends to file an application for approval of the Project with the Secretary of the Department of Commerce (the "Department"), as required by the act; and

WHEREAS, no application for approval of a project shall be officially received and no bonds shall be issued under the Act until the Governing Body of the County from which the application is made has, by resolution, (i) approved in principle the proposed project and (ii) approved the issuance of such bonds, and a certified copy of such resolution has been provided to the Department; and

WHEREAS, Section 147(f) of the Code provides that the 1996 Bonds and the Refunding Bonds must be approved by the applicable elected representative of the appropriate governmental unit following public hearing pursuant to reasonable public notice in order for interest on such bonds to be tax exempt; and

WHEREAS, the Authority has requested this Board of Commissioners to approve the Project under Section 159C-7 of the Act; and

WHEREAS, this Board of Commissioners desires to make a record by this Resolution that the Project and the proposed plan of financing are approved in principle; and

WHEREAS, the Company has requested that the law firm of McGuire, Woods, Battle & Boothe, L.L.P., Baltimore, Maryland serves as bond counsel for the issuance of the 1996 Bonds and the Refunding Bonds; and

WHEREAS, the Board has considered the Trust Indentures and the other documents presented to it setting forth the terms of the financings.

NOW THEREFORE, BE IT RESOLVED by the Board of County

Commissioners of Columbus County, North Carolina as follows:

1. This Board of Commissioners hereby finds and determines that opportunity for all taxpayers, residents and other interested persons to express their views for or against said plan of financing, the proposed issuance of the 1996 Bonds and the Refunding Bonds and the nature and location of the Project and to submit communications in writing, was provided at said public hearing.
2. This Board of Commissioners does hereby approve the plan of financing of the Project and does approve in principle the Project pursuant to said plan of financing.
3. The issuance of the 1996 Bonds and the Refunding Bonds by the Authority is hereby approved.
4. The 1996 Bonds and the Refunding Bonds shall bear interest at the rate in accordance with the Trust Indentures and shall be sold to a purchaser or purchasers as selected by the Company at a purchase price of not less than 97½ % of the principal amount thereof.
5. This Board of Commissioners hereby concludes the it is in the best interest of the Authority that McGuire, Woods, Battle & Boothe, L.L.P., Baltimore, Maryland serve as bond counsel for the issuance of the 1996 Bonds and the Refunding Bonds and approves the selection of said firm to act in such capacity.
6. This Board of Commissioners does hereby declare that this Resolution constitutes the public approval required by Section 147(f) of the Code, and approval in principle of the Project and issuance of the 1996 Bonds and the Refunding Bonds as required by Section .0204 of the North Carolina Department of Commerce Rules (N.C. Admin. Code title 04,r. 01E.0204 November 1994).
7. The Clerk of this Board of Commissioners is hereby authorized and directed to provide certified copies of this Resolution to the Authority, to the North Carolina Department of Commerce, to the Division of State and Local Government Finance for the State of North Carolina, and to the Local Government Commission.
8. This resolution shall take effect immediately upon its passage.

Passed and approved October 21, 1996.

(SEAL)

/s/ Spruell R. Britt, Chairman

ATTEST:

/s/ Ida L. Smith, Clerk to Board

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STATE OF NORTH CAROLINA

COUNTY OF COLUMBUS

I, Ida L. Smith, DO HEREBY CERTIFY that I am the duly qualified and acting

Clerk of the County Board of Commissioners of Columbus County, North Carolina and keeper of the official minutes thereof, and that the foregoing is a true copy of certain proceedings of the County Board of Commissioners taken at a meeting held at the time and place shown on the front page of these excerpts of minutes and is a complete copy of so much of the recorded minutes of said meeting as relates in any way to the passage of the resolution hereinabove set forth.

I DO HEREBY FURTHER CERTIFY that a schedule of regular meetings of said County Board, stating that regular meetings are held on the first Monday and the third Monday of each month at 8:00 A.M. and 7:30 P.M., respectively, in the Columbus County Administration Building, 111 Washington Street in Whiteville, North Carolina, has been on file in my office pursuant to G.S. 143-318.12 as of a date not less than seven (7) days before said meeting.

WITNESS my hand and the official seal of Columbus County, North Carolina this 29th day of October, 1996.

(SEAL)

/s/ Ida L. Smith, Clerk to Board of County Commissioners

CLOSED SESSION

At 7:35 P.M., a motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to enter into closed session in accordance with N.C.G.S. 143-318.11(5).

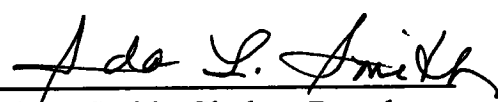
RESUME REGULAR SESSION

At 7:47 P.M., a motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to adjourn executive session and resume regular session.

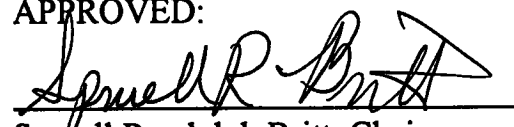
No action was taken.

ADJOURNMENT

A motion was made by Commissioner Jacobs, seconded by Commissioner Norris and passed unanimously to adjourn the meeting at 7:48 P.M.


Ida L. Smith, Clerk to Board

APPROVED:


Spruell Randolph Britt, Chairman