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., July 7, 1997, for the regularly scheduled Board Meeting, it being the first Monday.

BOARD MEMBERS PRESENT:

C.W. Williams, Chairman

Lynwood Norris, Vice Chairman

Spruell Randolph Britt

David L. Dutton, Jr.

A. Dial Gray, III

Sammie Jacobs

C.E. Wilson

James E. Hill, Jr., Attorney (Excused at 9:05 A.M.)

Dempsey B. Herring Administrator

Ida L. Smith, Clerk to Board

The meeting was called to order by Chairman C.W. Williams and the invocation was

given by Commissioner Spruell R. "Randy" Britt.

AWARD - RETIREMENT PLAQUE PRESENTED TO MONIQUE TAYLOR

Chairman Williams presented a "Retirement Plaque" to Monique M. Taylor as follows:

PRESENTED TO

MONIQUE M. TAYLOR

* * * * * * *

IN GRATEFUL APPRECIATION OF YOUR SERVICE

AS ADMINISTRATIVE SECRETARY

TO THE COLUMBUS COUNTY TAX DEPARTMENT

2-20-70 - 6-30-97

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COLUMBUS COUNTY BOARD OF COMMISSIONERS

BOARD MINUTES APPROVAL

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to approve the Minutes for the June 2, 1997 Board Meeting.

TAX RELEASE & REFUND

A motion was made by Commissioner Norris, seconded by Commissioner Wilson and passed unanimously to approve the tax release and refund as follows:

Geraldine Jenkins: Mobile home double-listed on Angela Gore property, account #04-06015. Amount \$84.15, valuation \$5,210, year 1996, account #04-08925.

Ordered: That a refund check be issued to Billy Ray and Edna N. Walker, 5168 Pleasant Plains Road, Whiteville, NC 28472, in the amount of \$24.00 for the year 1996. Mobile located at Fairfax Village, inside the city limits of Whiteville. User fee should only be \$36.00. Value \$3,000, year 1996, account #01-99160.

AGREEMENT (MEMORANDUM OF) - WRIGHT CHEMICAL & LOWER CAPE FEAR WATER & SEWER AUTHORITY

A motion was made by Commissioner Jacobs, seconded by Commissioner Wilson and passed unanimously to approve a "Memorandum of Intent and Agreement" with the Lower Cape Fear Water and Sewer Authority Board and Wright Chemical Corporation to develop a plan in principle for the County's involvement in developing waste treatment for Wright Chemical Corporation as follows:

MEMORANDUM OF INTENT

<u>AND</u>

AGREEMENT

This Memorandum of Intent, entered into as of the 7th day of July 1997, by and between THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY, body politic and corporate of the State of North Carolina (the "Authority"), the COUNTY OF COLUMBUS, a political subdivision of the State of North Carolina (the "County"), and WRIGHT CORPORATION, a North Carolina corporation, with offices in the City of Wilmington (the "Corporation");

WITNESSETH:

WHEREAS, the Authority has developed in principle a general plan for the Authority to finance, construct, own and operate a wastewater facility in Columbus County near Riegelwood to meet the needs of the Corporation and other users within a portion of the Authority's service area; and

WHEREAS, the plan is described in an Authority staff report attached hereto as Exhibit A; and

WHEREAS, each of the parties desires to acknowledge its approval of the project concept.

NOW, THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree as follows:

- 1. The project concept outlined in Exhibit A is approved in principle.
- 2. The parties agree to use their best efforts to develop, finance and construct a project generally as outlined in Exhibit A. The Corporation will be under no obligation to pay rates and charges, take-or-pay obligations, project costs or any other amounts (except as provided in paragraph 3 hereof) until the Corporation has entered into a written contract providing for such payments.
- 3. Notwithstanding the foregoing, if the project is not built because the parties are unable to negotiate a service agreement, grants or permits are not available, or for any other reason, the Corporation and the Authority shall each pay one-half of the engineering, legal and other up-front costs related to the project; provided, however, the Corporation's share shall not exceed \$40,000.00.
- 4. This agreement shall serve only as a good faith agreement of intent and shall not be deemed to bind any of the parties. The parties shall only be bound by definitive agreements hereafter drafted and approved by the governing boards of the parties. Notwithstanding the foregoing, the provisions of paragraph 3 above shall be binding on the parties hereto as of the date first above written.

IN WITNESS WHEREOF, the parties have executed this agreement as of the day and year first above written.

LOWER CAPE FEAR WATER AND

SEWER AUTHORITY /s/ Dempsey B. Herring, Chairman

COUNTY OF COLUMBUS /s/ C.W. Williams, Chairman

WRIGHT CORPORATION /s/ Thomas Wright, Chairman

RESOLUTION - WHITEVILLE CITY SCHOOLS TO ALLOW CONTINUING CONTRACTS FOR CAPITAL OUTLAY

A motion was made by Commissioner Dutton, seconded by Commissioner Norris and passed unanimously to approve a Resolution to allow continuing contracts for capital outlay for the Whiteville City School System as follows:

RESOLUTION TO ALLOW CONTINUING CONTRACTS FOR CAPITAL OUTLAY FOR WHITEVILLE CITY SCHOOL SYSTEM

Resolution of the Columbus County Board of County Commissioners declaring its support of the first priority capital construction project of the Whiteville City School System for Whiteville Primary School.

WHEREAS, the County of Columbus and the Whiteville City School System have received an allocation through the North Carolina Public School Building Bond Act of 1996; and

WHEREAS, the North Carolina Public School Building Bond Act of 1996 allocation to the Whiteville City School System is divided into equal amounts of one million five hundred fortyfive thousand one hundred sixteen dollars (\$1,545,116) for each of four years; and

WHEREAS, the County of Columbus has previously met matching requirements associated with the above cited Bond Act; and

WHEREAS, the 1996-97 first year allocation to the Whiteville City School System is insufficient to allow the school system to bid its first project during the first year of the allocation; and

WHEREAS, the County of Columbus recognized the need to provide additional school facilities in the Whiteville City School System; and

WHEREAS, the Whiteville City Board of Education has assured the Columbus County Board of Commissioners that the schedule of expenditures will not involve the actual expenditure of any funds other than those provided through the North Carolina Public School Building Bond Act of 1996; and 104

WHEREAS, the Whiteville City School System has available, through state allocation, one million five hundred forty-five thousand one hundred sixteen dollars (\$1,545,116) and needs an additional seven hundred thirty-four thousand three hundred eighty-eight dollars (\$734,388) to be able to let bids for its first priority project;

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

of Columbus County, North Carolina, as follows:

- Section 1: The Board hereby adopts this declaration pursuant to G.S. 115C-441 (cl) to allow the Whiteville City School System (an administrative unity) to enter into contract for capital outlay expenditures, some portion or all of which is to be performed and/or paid in ensuing fiscal years.
- Section 2: All expenditures will be of a type properly chargeable to a capital account and in compliance with both applicable North Carolina laws and Columbus County rules and regulations.
- Section 3: The support through this resolution to the Whiteville City School System is seven hundred thirty-four thousand three hundred eighty-eight dollars (\$734,388).
- Section 4: This resolution is only applicable to the Whiteville Primary facilities project and is not to be used for any other purpose.
- Section 5: This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED, this 7th day of July, 1997.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ C.W. WILLIAMS, Chairman

ATTESTED BY:

/s/ IDA L. SMITH, Clerk to Board

AGREEMENT - JAIL DESIGN WITH GRIER-FRIPP ARCHITECTS

A motion was made by Commissioner Norris, seconded by Commissioner Gray and passed unanimously to approve the following Agreement with Grier-Fripp Architects for an addition and renovations to the Columbus County Detention Center.

AGREEMENT

This will serve as the initial agreement with Columbus County to begin work on the conceptual design for an 80-bed addition to the County Detention Center. The scope of work should include the

following:

- 1. Eighty (80) additional (new) inmate beds;
- 2. All double cells;
- 3. Two-level w/mezzanine;
- 4. Single control room;
- 5. New kitchen to accommodate feeding of up to 150 inmates/day;
- 6. New visiting area to accommodate entire inmate population;
- 7. Identify options for expanding number of beds for female inmates;
- 8. Renovations will be limited to the old (current) kitchen to provide new laundry and storage space;
- 9. Site plan of the proposed addition w/future expansion options; and
- 10. Estimate of probable construction cost.

Grier-Fripp Architects will work on an hourly basis for this phase of the project; as included. The

work described should be completed within six (6) weeks from Agreement approval.

GRIER-FRIPP ARCHITECTS

/s/ Stephen J. Allan, Principal

COLUMBUS COUNTY /s/ C.W. Williams, Chairman

AGREED AND ACCEPTED:

ARCHITECTURAL AND ENGINEERING SERVICES HOURLY RATE SCHEDULE

Hourly rates for professional and technical personnel categories identified and/or available for assignment to this project are listed below. These hourly rates include all mark ups and adjustments for taxes, insurance, benefits and overhead.

1.	Senior Principal	\$150.00/hr.
2.	Principal, Architect, Engineer	117.50/hr.
3.	Project Manager/Senior Planner	117.50/hr.
4.	Project Architect	105.00/hr.
5.	Architect II, Engineer II, Designer	92.50/hr.
6.	Architect III, Engineer III, Designer II	80.00/hr.
7.	Designer III, Drafter	67.50/hr.
8.	Production/Clerical	55.00/hr.

REIMBURSABLE EXPENSES:

1.	Computer Aided Design	\$ 20.00/hr.
	(Operator time not included)	
2.	Computer Aided Design Plots	20.00/plot
3.	Automobile	.42/mile
4.	Printing & Handling - Blueline	2.25/sheet
	- Copies (8 ½ x 11 single side)	.15/sheet
5.	Fax	2.00/sheet

6. All other costs and expenditures such as transportation, accommodations, telephone, postage, outside consultants, etc., shall be reimbursed at a multiple of 1.2 times the amount billed the architect.

THE RATES LISTED ABOVE ARE APPLICABLE THROUGH DECEMBER 31, 1997.

RECYCLING BUILDING - RENT ON MONTHLY BASIS

A motion was made by Commissioner Norris, seconded by Commissioner Gray and

passed unanimously for Columbus County to rent the Building used for Recycling from Donnie and

Linda Beck on a monthly basis beginning July 1, 1997, with the same conditions as set forth in the Lease Agreement that was entered into June 20, 1995.

APPOINTMENT - HOUSING ADVISORY COMMITTEE

A motion was made by Commissioner Dutton, seconded by Commissioner Norris and passed unanimously to reappoint Janice Eulean Gore to serve on the Housing Advisory Committee, representing Zone 7, for a two (2) year term, with term expiring June 30, 1999.

APPOINTMENTS - YOUTH TASK FORCE

A motion was made by Commissioner Norris, seconded by Commissioner Britt and

passed unanimously to table the appointments to the Youth Task Force Board of Directors until the

next Board Meeting.

AGREEMENT (AIRPORT) - MODIFIED GRANT

A motion was made by Commissioner Dutton, seconded by Commissioner Norris and passed unanimously to approve the following Modified Grant Agreement for the Airport with the Department of Transportation.

MODIFIED GRANT AGREEMENT

STATE AID TO AIRPORTS BETWEEN THE DEPARTMENT OF TRANSPORTATION, AN AGENCY OF THE STATE OF NORTH CAROLINA AND COLUMBUS COUNTY

AIRPORT: COLUMBUS COUNTY

PROJECT #: 9.9933960

This Modified Grant Agreement made and entered into this the 7th day of July 1997, by and between the NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (hereinafter referred to as "Department") and COLUMBUS COUNTY (hereinafter referred to as "Sponsor").

WITNESSETH

WHEREAS, the Sponsor submitted a Request for State Aid to Airports dated November 17, 1995, to the Department for \$941,822.00 for Land Acquisition and Construction of

Runway Extension; and

WHEREAS, in accordance with project approval procedures, the Department approved a Grant for \$941,822.00 in State Aid to Airports for the requested items of work; and

WHEREAS, the Department and Sponsor mutually executed a Grant Agreement

dated January 17, 1996, setting forth and agreeing to the terms and conditions of the Grant; and

WHEREAS, the Department and Sponsor have now determined and agreed that an additional \$232,141.00 is needed due to final cost being higher than anticipated.

NOW THEREFORE, the Department and Sponsor do hereby mutually agree as follows:

- 1. That the amount of the State Grant shown above of the Grant Agreement between the parties dated January 17, 1996, shall be modified from "\$941,822.00" to "\$1,173,963.00".
- That all other terms and conditions of the State Grant Agreement between the parties dated January 18, 1996, shall remain in full force and effect for the duration of the Grant Agreement.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS GRANT AGREEMENT THE DAY AND YEAR FIRST WRITTEN ABOVE:

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

By:______
Deputy Secretary of Transportation NCDOT SEAL
ATTEST:______
SPONSOR: COUNTY OF COLUMBUS
/s/ C. W. Williams, Chairman
ATTEST: SPONSOR SEAL

ATTEST: /s/ Dempsey B. Herring, Administrator

* * * * * * *

STATE OF NORTH CAROLINA, COUNTY OF COLUMBUS

I, Ida L. Smith, a Notary Public in and for the County and State aforesaid, do hereby certify that C.W. Williams, personally came before me this day and acknowledged that he is Chairman of the Columbus County Board of Commissioners, (hereinafter referred to as "Sponsor") and by authority duly given and as an act of said Sponsor, the foregoing instrument was signed by him, attested by Dempsey B. Herring, Administrator of the Sponsor, and the Seal of the Sponsor affixed thereto.

WITNESS my hand and Notarial Seal, this the 7th day of July, 1997.

/s/ Ida L. Smith, Notary Public

My Commission Expires: 9 - 15 - 99

SEAL

RESOLUTION

A motion was made by Lynwood Norris, Commissioner and seconded by Spruell R.

Britt, Commissioner for the adoption of the following Resolution, and upon being put to a vote was duly accepted:

WHEREAS, a grant in the amount of \$1,173,963.00 has been approved by the Department based on a total estimated cost of \$1,304,404.00; and

WHEREAS, an amount equal to or greater than ten percent 10% of the total project cost has been appropriated by the Sponsor for this Project.

NOW THEREFORE, BE AND IT IS RESOLVED THAT THE Chairman of the Sponsor be and he hereby is authorized and empowered to enter into a Grant Agreement with the Department, thereby binding the Sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

* * * * * *

I, Ida L. Smith, Clerk to the Board of the County of Columbus, do hereby certify that the above is a true and correct copy of an excerpt from the minutes of the Columbus County Board of Commissioners of a meeting duly and regularly held on the 7th day of July, 1997.

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

Of The: Columbus County Board of Commissioners

RESOLUTION - WELFARE REFORM

Larry Moore, Social Services Director, presented the Board with a Resolution regarding Welfare Reform that was drafted by the Department of Social Services and adopted by the Social Services Board of Directors as follows:

DEPARTMENT OF SOCIAL SERVICES

RESOLUTION

Whereas, the Department of Social Services is dedicated to meeting the needs of the citizens of Columbus County.

Whereas, house substitute for Bill 1015 (Welfare Reform Act 1997) purposes that each of North Carolina's 100 counties determines their own eligibility requirements.

Whereas, Columbus County is now considered a low wealth County. As a low wealth County the needs of out citizens are disproportionately greater than some other surrounding

counties.

Whereas, the surrounding counties may choose not to provide some of the necessary services to their citizens. We feel that there would be an influx of needy people to our County which would cause a strain on our limited resources. This would make us unable to care for our needy population.

Whereas, we realize that changes must be made in the welfare system; however, we ask that the statewide standards remain in place so that none of north Carolina's people fall below what must surely be considered a minimum standard of living for all.

Whereas, we believe that we are the safety net for low income citizens, and that there should be a minimum standard of living that no American is allowed to fall below.

Therefore, be it resolved that Columbus County Department of Social Services Board and Staff request the legislature not adopt House Bill 1015 and that before a decision is made on the Welfare Reform Act 1997 -- contact should be made with all 100 County Departments of Social Services for their input on this bill.

 /s/ GARY BASS
 /s/ LARRY MOORE, DIRECTOR

 SOCIAL SERVICES BOARD OF DIRECTORS
 columbus county dept. of social services

ECONOMIC DEVELOPMENT - INCENTIVE GRANT PROGRAM ADOPTED

A motion was made by Commissioner Wilson, seconded by Commissioner Britt and passed unanimously to approve the Economic Incentive Grant Program as follows:

<u>COLUMBUS COUNTY INDUSTRIAL DEVELOPMENT</u>

<u>INCENTIVE GRANT PROGRAM</u>

I. OVERVIEW

In order to expand economic development options for Columbus County that will diversify the tax base, offer improved employment opportunities for its citizens and promote the economic growth and welfare of the business and industrial community, the Board of County Commissioners has established inducement guidelines to encourage new industry location decisions within the county and to assist existing industrial expansions. This Industrial Development Incentive (IDI) grant program formalizes guidelines that establish the parameters for local government economic incentives to be used to encourage existing industrial expansions and to help promote Columbus County as an excellent site choice for new industrial plant locations.

110

II. PROGRAM PARAMETERS

The IDI grant involves a contractual agreement between the county and a new or existing industry that would allow for a financial incentive grant based upon the actual value, schedule and payment of local property taxes for a period of up to five years. The county will require the industry to pay in full annually total property taxes due. If the industry has met specific criteria as outlined in a formal agreement, a portion of the property taxes paid by that industry to the county each year for five consecutive tax years would be returned to the industry in the form of a local industrial development incentive grant.

Each project will be considered on an individual basis using guidelines established under the direction of the Board of County Commissioners. The guidelines for the program shall be subject to periodic review. Changing economic conditions may cause the Board of County Commissioners to modify, amend or even terminate the program subject to compliance with any industrial development incentive grants in effect at that time.

Items for consideration in authorizing an industrial development incentive grant may include but are not limited to:

- the size of the project based upon investment in site development, plant facilities and infrastructure;
- the number of and type of jobs created;
- the relationship between job development and total investment;
- potential for future expansion and increased employment;
- site specific issues that impact upon local infrastructure responsibilities; and
- site specific initiatives that may be pursued to stimulate other development in areas that the county deem of significant benefit to the community.

III. PROJECT QUALIFICATIONS

The absolute minimum requirements for a company to qualify for this incentive grant is a \$2 million initial (first year) investment and the creation of 25 total jobs by year 3. The company must document this investment and job creation with the county to be paid the grant.

The grant will be based on the following formula:

	Incentive Grant as Percentage of
<u>Year</u>	Property Tax Paid
Year 1	85%
Year 2	80%

Year 3	75%
Year 4	70%
Year 5	70%

To be considered eligible for an industrial development incentive grant a project should be required to meet certain basic criteria. These criteria are to be used as guidelines in project evaluations. Additional criteria may be applied to a specific project based upon the terms of the agreement between the industrial client and county.

- Under no circumstance would any new or expanding industry receive an industrial development incentive grant that lowered the net tax payment paid to the county to a level less than the local property taxes paid in a prior year.
- All industrial development incentive grants are to be specifically designed to be paid from the tax payments actually made by the industry receiving the benefit. Grant payments will not be made unless the applicable industry is current in all other required local property tax payments of record with Columbus County.
- Industrial development incentive grant benefits may not be transferred or otherwise conveyed to another party without the specific consent of the Board of County Commissioners.

ALL INDUSTRIAL DEVELOPMENT INCENTIVE GRANTS WILL BE CONVEYED BY A FORMAL AGREEMENT BETWEEN THE INDUSTRY RECEIVING THE GRANT AND THE COUNTY. ALL GRANTS WILL BE CONSIDERED ON A PROJECT-BY-PROJECT BASIS AND APPROVED BY THE COLUMBUS COUNTY BOARD OF COMMISSIONERS. THIS PROGRAM IS NOT RETROACTIVE. IT BEGINS JULY 7, 1997.

AWARD - RETIREMENT PLAQUE PRESENTED TO VENEDA RAY

Chairman Williams presented a "Retirement Plaque" to Veneda Ray as follows:

PRESENTED TO

VENEDA S. RAY

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IN GRATEFUL APPRECIATION OF YOUR SERVICE

AS ASSISTANT FINANCE OFFICER

TO THE COLUMBUS COUNTY FINANCE DEPARTMENT

2-1-58 - 6-30-97

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COLUMBUS COUNTY BOARD OF COMMISSIONERS

ADMINISTRATOR'S UPDATE

Dempsey B. Herring, County Administrator, updated the Board on the following

items:

- 1. A report from the Library stated that a briefcase had been left outside the front door of the Library and due to recent bombings at public buildings, fire department officials elected to play it safe, and evacuated the building around 2:30 p.m. A bomb squad from Fort Bragg was notified and they arrived at 4:00 P.M. and opened the briefcase remotely using a robot which contained a collection of old books that someone apparently had left at the Library as a donation.
- 2. The Agricultural Services Building is in progress and is scheduled to be completed in mid October.
- 3. Requested the Board to schedule a work session on the collection of solid waste for July 9, 1997 at 7:30 P.M.
- 4. On July 3, 1997, a public auto auction was held for the sale of surplus vehicles and the County collected approximately \$8,800.00, less sale fees, for the sale which was deposited in the General Fund.
- 5. A sale for surplus property (office furniture and equipment) has been scheduled for July 12, 1997, at 8:00 A.M., in the front parking lot at the Sheriff's Department.
- 6. Mr. Herring reported that he and other members of the Columbus County Strategic Planning Committee met with the Ford Foundation in Mississippi June 29 - July 2, 1997 regarding funding for the Strategic Planning in Columbus County which consists of three (3) issues: Education, Economic Development and County Government. The Committee will be advised by October if they qualify for funds.

TAX EXEMPTION - SIXTY-FIVE AND OLDER

Commissioner David Dutton requested that a letter be written to the Legislators that

represent Columbus County, regarding the tax exemption of \$20,000.00 for seniors sixty-five and

older, if a couple's income is less than \$15,000.00. The letter is to request that all seniors sixty-five

and older to receive a \$20,000.00 tax exemption, regardless of their income.

WACCAMAW RIVER - CLEANING OF HURRICANE DEBRIS

A motion was made by Commissioner Dutton, seconded by Commissioner Britt and passed unanimously to move forward with the cleaning of hurricane debris in the Waccamaw River from the Dam at Lake Waccamaw to the bridge at SR 1928 in the Crusoe Island area and directed Dempsey B. Herring, County Administrator to advertise for bids. Also, the Board approved a budget amendment accepting revenue from FEMA (10-349-0000) in the amount of \$25,000.00 to be expended in Governing Body - Special Projects (10-410-6000) cleaning debris from the Waccamaw River.

BOLTON (TOWN OF) - COMMENTS FROM MAYOR FRANK WILSON

Mr. Frank Wilson, Mayor for the Town of Bolton, reported that the Town of Bolton

has several small projects in progress and plans to have larger projects in the future. Mr. Wilson stated that once the list of projects is finished, he will request financial assistance from the County.

HOSPITAL (COLUMBUS COUNTY) - COMMENTS BY COMMISSIONER GRAY

Commissioner Gray commented on the request from Columbus County Hospital Board of Trustees requesting the Board of Commissioners to consider approving a request by Dr. Richard Berry to construct a medical office building on the existing Columbus County Hospital property, to be financed by the Hospital and leased by Dr. Berry for a period of ten (10) years. Commissioner Gray stated that he does not feel that the hospital should be financing a building for a doctor as they could not use hospital funds for the expansion of the existing hospital.

ADJOURNMENT

A motion was made by Commissioner Dutton, seconded by Commissioner Norris and passed unanimously to adjourn the meeting at 9:25 A.M.

ADJOURNMENT

Ida L. Smith, Clerk to Board

W. Williams, Chairman