

COLUMBUS COUNTY
BOARD OF COMMISSIONERS

MINUTES

The Honorable Board of Columbus County Commissioners met in their said office at 112 West Smith Street, Whiteville, NC at 8:00 A.M., July 3, 2000 to hold their regularly scheduled Board Meeting, it being the first Monday.

BOARD MEMBERS PRESENT:

Lynwood Norris, Chairman

Spruell R. Britt, Vice Chairman

David L. Dutton, Jr.

A. Dial Gray, III

Sammie Jacobs

Amon E. McKenzie

C.E. Wilson

James E. Hill, Jr.
County Attorney

Dempsey B. Herring
County Administrator

Ida L. Smith
Clerk to Board

Chairman Norris called the regularly scheduled Board Meeting to order and Commissioner Wilson requested the Board Pledge Allegiance to the Flag in observance of Independence Day and then gave the invocation.

BOARD MINUTES APPROVAL

A motion was made by Commissioner McKenzie, seconded by Commissioner Britt and passed unanimously to approve the June 19, 2000 Board Minutes, as recorded.

CONSENT AGENDA ITEMS

A motion was made by Commissioner Britt, seconded by Commissioner Jacobs and passed unanimously to approve the consent agenda items as follows.

Tax Releases:

Release the user fee in the name of Sudy Frink. Fee double listed in the name of Sudie Frink. Amount \$100.00, Value \$N/A, Year 1998, Account #19-04829.

Release the user fee in the name of Helen Grier. No trash container at this address. Amount \$100.00, Value \$N/A, Year 1999, Account #15-16157.

Release the user fee in the name of Cleveland & Gertie Hughes. House vacant. Amount \$100.00, Value \$N/A, Year 1999, Account #09-15100.

Release the user fee in the name of Anthony Malpass. Fee double listed in the same name with a different account number. Amount \$100.00, Value \$N/A, Year 1998, Account #19-03911.

Release the user fee in the name of Frankie Powell. Fee double listed in the same name with a different account number. Amount \$100.00, Value \$N/A, Year 1998, Account #19-02917.

Release the user fee in the name of Abner Rivenbark. House is vacant. Amount \$100.00, Value \$N/A, Year 1999, Account #07-14077.

Release both user fees in the name of Abner Rivenbark. Both houses are vacant. Amount \$120.00, Value \$N/A, Year 1999, Account #06-14921.

Release the value of a double wide home in the name of Steve John Butler (Etal). Home double listed in the name of Steve John Butler. Amount \$502.41, Value \$53,300, Year 1997, Account #09-02363.

Release the value of a double wide in the name of Steve John Butler (Etal). Home double listed in the name of Steve John Butler. Amount \$502.41, Value \$53,300, Year 1998, Account #09-02363.

Release the value of a double wide home in the name of Steve John Butler (Etal). Home double listed in the name of Steve John Butler. Amount \$502.41, Value \$53,300, Year 1999, Account #09-02363.

Release the value of a single wide home in the name of James & Loretta Chavis. Home traded for a double wide and listed. Amount \$261.24, Value \$23,200, Year 1997, Account #08-03138.

Release the value of a single wide home in the name of James & Loretta Chavis. Home traded for a double wide and listed. Amount \$261.24, Value \$23,200, Year 1998, Account #08-03138.

Release the value of a single wide home in the name of James & Loretta Chavis. Home traded for a double wide and listed. Amount \$261.24, Value \$23,200, Year 1999, Account #08-03138.

Release the value of a boat in the name of Robert S. Deans. Boat sold two years ago. Amount \$53.52, Value \$7,000, Year 1999, Account #01-00924.

Release the value of a single wide home in the name of Dennis Ellis. Home traded for a double wide and listed. Amount \$208.80, Value \$13,100, Year 1999, Account #04-03667.

Release the value of a double wide in the name of Janice Freeman. Home double listed in the name of James Russell & Janice Freeman. Amount \$330.05, Value \$33,100, Year 1999, Account #04-04943.

Release the value of a mobile home in the name of Iris Hampton. Home double listed in the name of Samuel Odell Hampton, Jr. Amount \$198.02, Value \$17,310, Year 1996, Account #04-06961.

Release the value of a single wide home in the name of Iris Hampton. Home double listed in the name of Samuel Odell Hampton, Jr. Amount \$190.43, Value \$17,060, Year 1997, Account #04-06961.

Release the value of a single wide home in the name of Iris Hampton. Home double listed in the name of Samuel Odell Hampton, Jr. Amount \$219.03, Value \$15,570, Year 1998, Account #04-06961.

Release a portion of the property value in the name of Donald Grady Stanley. Property double listed in the same name with another parcel of land. Amount \$112.59, Value \$16,200, Year 1999, Account #07-15940.

Release a portion of the property value in the name of Stephanie R. Stubbs. Boat valued too high. Amount \$18.35, Value \$2,400, Year 1999, Account #11-04521.

Release the property value in the name of Waccamaw Siouan Development.

Property is tax exempt. Amount \$28.69, Value \$3,800, Year 1998, Account #08-19622.

Release the property value in the name of Waccamaw Siouan Development.

Property is tax exempt. Amount \$34.67, Value \$4,600, Year 1998, Account #08-19622.

Release the property value in the name of Waccamaw Siouan Development.

Property is tax exempt. Amount \$28.69, Value \$3,800, Year 1999, Account #08-19622.

Release the property value in the name of Waccamaw Siouan Development.

Property is tax exempt. Amount \$34.67, Value \$4,600, Year 1999, Account #08-19622.

Release the property value in the name of Waccamaw Siouan Development.

Property is tax exempt. Amount \$25.67, Value \$3,400, Year 1999, Account #08-19622.

Budget Amendment:

Appropriate Fund Balance CCAVE Grant	\$7,500.00
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Expend as follows:

10-612-1400 Personnel Support	\$1,500.00
10-612-3200 Operating Cost	5,000.00
10-612-4500 Contracted Service	1,000.00

HEALTH - INTENSIVE LIVESTOCK ORDINANCE REVISION CONCURRENCE

A motion was made by Commissioner Gray, seconded by Commissioner Dutton and passed unanimously to concur with the Intensive Livestock Ordinance Revision (to include poultry) as presented by Mr. Ward Shaw, Chairman of the Columbus County Board of Health, and adopted by the Board of Health on June 7, 2000. A copy of the Ordinance can be reviewed at the Columbus County Health Director's Office or at the office of the Clerk to the Board of Columbus County Commissioners.

SOLID WASTE - ENVIRONMENTAL MONITORING SERVICE CONTRACT

APPROVAL

A motion was made by Commissioner Jacobs, seconded by Commission Britt and passed unanimously to approve the Environmental Monitoring Service Contract for the Columbus County Landfill Site as follows:

PROPOSAL ACCEPTANCE AND WORK AUTHORIZATION SHEET

FOR

ENGINEERING, SURVEYING, CONSTRUCTION, AND INDUSTRIAL SERVICES

THIS AGREEMENT, made as of July 3, 2000, between Titan Atlantic Group, Inc. (Titan) of 5240 Green's Dairy Road, Raleigh, North Carolina 27616 and **Columbus County Board of Commissioners** ("Client"), provides:

1. **Services.** Titan agrees to provide Client those certain services set forth in paragraph 2 below in connection with Client's project ("The Project") described as follows:

Columbus County Landfill

Whiteville, NC

2. **Scope of Work.** Titan agrees to provide and Client authorizes Titan to provide the following services:

Per Titan Proposal No. P-0047-20

3. **Payment.** Client agrees to pay for all services provided by Titan and for all expenses incurred by Titan in accordance with the attached fee schedule and/or proposal. Payment shall be due upon receipt of Titan's invoice.
4. **Terms and Conditions.** This Agreement shall be subject to all of the terms and conditions set forth on the attachment hereof, which terms and conditions are expressly made a part of this Agreement and made a part of any work product issued by or work performed by Titan pursuant to this Agreement.

WITNESS the following signatures:

Titan Atlantic Group, Inc.

By: /s/ Thomas M. Schipporeit - Date: 06-08-2000

Client: **Columbus County Board of Commissioners**

By: /s/ Lynwood Norris - Date: 07-03-2000

PROCLAMATION - APPRECIATION TO THE GRAHAM FAMILY

A motion was made by Commissioner McKenzie, seconded by Commissioner Jacobs and passed unanimously to adopt the following Proclamation.

**PROCLAMATION of APPRECIATION to the
GRAHAM FAMILY of the LAKE WACCAMAW AREA
and COLUMBUS COUNTY**

The Board of County Commissioners, at their regularly scheduled meeting on July 3, 2000, unanimously adopted the following Proclamation:

BE IT PROCLAIMED THAT WHEREAS, the **Graham Family** of Columbus County has made life-long strides to improve the quality of life in their community and county; **and**

WHEREAS, the **Graham Family** holds the family unit to the highest esteem for moral standards; **and**

WHEREAS, members of the **Graham Family** have served on numerous boards, agencies, committees in their church, government and community functions; **and**

WHEREAS, the **Graham Family** is recognized County and State-wide for leadership in positive endeavors for the general welfare of all people; **and**

WHEREAS, the **Graham Family** has given unselfishly of their time and energies to help those in need or those with unfortunate situations in a most untiring and caring way.

THEREFORE, BE IT PROCLAIMED by the Board of Commissioners of Columbus County, North Carolina, that they do hereby recognize the true loyal and faithful service to their community and county and congratulate them on this special occasion.

ADOPTED unanimously on this the 3rd day of July, 2000.

BOARD OF COUNTY COMMISSIONERS

/s/ **LYNWOOD NORRIS - DISTRICT V, Chairman**

(SEAL)

/s/ **SAMMIE JACOBS - DISTRICT III**

ATTESTED BY:

/s/ **IDA L. SMITH, Clerk to Board**

COMMISSIONERS:

Amon McKenzie - I
Spruell R. Britt - VI
David L. Dutton, Jr. - VII
A. Dial Gray - IV
C.E. "Gene" Wilson - II

James E. Hill, Jr., County Attorney
Dempsey B. Herring,
County Administrator

**RESOLUTION - PROVIDING THE ISSUANCE OF \$6,500,000 WATER BOND
ANTICIPATION NOTES FOR WATER & SEWER DISTRICT II**

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

A regular meeting of the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer District II, in Columbus County, North Carolina, was held in the Commissioners' Chambers on the Second Floor of the Columbus County Courthouse Annex at 112 West Smith Street, in Whiteville, North Carolina, the regular place of meeting, at 8:00 A.M., on July 3, 2000.

Present: Chairman L. Lynwood Norris, presiding, and Commissioners Spruell R. Britt, David L. Dutton, Jr., A. Dial Gray, III, Sammie Jacobs, Amon E. McKenzie and C. E. Wilson.

Absent: None.

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Commissioner Spruell R. Britt introduced the following resolution, a copy of which has been provided to each commissioner and which was read by its title:

**RESOLUTION PROVIDING FOR THE ISSUANCE
OF \$6,500,000 WATER BOND ANTICIPATION NOTES**

BE IT RESOLVED by the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer District II, in Columbus County, North Carolina:

Section 1. The Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer District II, in Columbus County, North Carolina, has determined and does hereby find, declare and represent:

(a) Than an order authorizing not exceeding \$6,500,000 Water Bonds of the Columbus County Water and Sewer District II, in Columbus County, North Carolina (the "District") was adopted by the Board of Commissioners for the County, as the governing body of the District (the "Board"), on October 20, 1997, which order was approved by the vote of a majority of the qualified voters of the District who voted thereon at a referendum

duly called and held on December 16, 1997.

(b) That none of said bonds has been issued and that no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds.

(c) That it is necessary to issue \$6,500,000 notes at this time in anticipation of the receipt of the proceeds of the sale of all of said bonds.

Section 2. In anticipation of the receipt of the proceeds of the sale of all of said bonds, the issuance of \$6,500,000 negotiable notes of the District is hereby authorized, which notes shall be designated "Water Bond Anticipation Notes", shall be dated August 1, 2000, shall mature on March 28, 2001, without option of prior payment, and shall bear interest at a rate to be determined by the Local Government Commission of North Carolina at the time said notes are sold, which interest shall be payable at the maturity of said notes on the basis of a 360-day year, consisting of twelve 30-day months. No interest coupons shall be attached to said notes. Said notes shall be payable as to both principal and interest at such bank or trust company, shall have such denomination or denominations of not less than \$100,000 and shall bear such number or numbers as may be fixed by the Chairman of the Board after the award of said notes by the Local Government Commission of North Carolina, and both the principal of and the interest on said notes shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Section 3. Said notes shall be signed by the Chairman of the Board and the Clerk to the Board and the corporate seal of the District shall be impressed on said notes. The form of said notes and the endorsements to be placed upon the reverse thereof shall be substantially as follows:

No. _____

\$ _____

United States of America

State of North Carolina

County of Columbus

COLUMBUS COUNTY WATER AND SEWER DISTRICT II

WATER BOND Anticipation Note

The Columbus County Water and Sewer District II, a body politic and corporate in the county of Columbus, North Carolina, is justly indebted and for value received hereby promises to pay to the bearer on the 28th day of March, 2001, the principal sum of

_____ THOUSAND DOLLARS

and to pay interest thereon from the date hereof on the basis of a 360-day year, consisting of twelve 30-day months, at the rate of _____ per centum (____%) per annum, payable upon the presentation and surrender of this note at its maturity. Both the principal of and the interest on this note are payable at _____, in _____, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. For the prompt payment hereof, both principal and interest as the same become due, the faith and credit of said District are hereby irrevocably pledged.

This note is given for money borrowed in the amount of the face of this note in anticipation of the receipt of the proceeds of the sale of a like amount of Water Bonds, duly authorized by an order adopted by the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of said District, on October 20, 1997, which was approved by the vote of a majority of the qualified voters of said District who voted thereon at a referendum duly called and held on December 16, 1997. This note is issued pursuant to and in full compliance with The Local Government Bond Act, as amended, Article 9, as amended, of Chapter 159 of the General Statutes of North Carolina and a resolution duly passed by said Board.

It is hereby certified and recited that all acts, conditions, and things required by the Constitution and laws of North Carolina to happen, exist, and be performed precedent to and in the issuance of this bond have happened, exist, and have been performed in regular and due form and time as so required and that the total indebtedness of said District, including this note does not exceed any constitutinal or statutory limitation thereon.

IN WITNESS WHEREOF, said District, pursuant to a resolution of said Board, has caused this note to be signed by the Chairman of said Board and the Clerk to said Board and

the corporate seal of said District to be impressed hereon, all as of the 1st day of August, 2000.

_____ [Manual Signature] _____
Chairman

_____ [Manual Signature] _____
Clerk

[To be endorsed upon reverse of notes]

Local Government
Commission Series No. _____

The issuance of this note has been approved under the provisions of The Local Government Bond Act of North Carolina.

Robert M. High
Secretary, Local Government Commission

By: _____ [Manual Signature] _____
Designated Assistant

Section 4. The actions of the County Attorney, the County Manger and the Finance Officer of the County of Columbus, North Carolina in applying to the Local Government Commission of North Carolina to approve, advertise and sell said notes and in publishing a notice relating to the sale of said notes are hereby approved, ratified and confirmed, and the Local Government Commission of North Carolina is hereby requested to ask for bids for said notes by printing and distributing circulars relating to the sale of said Notes.

Section 5. The District covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), except to the extent that the District obtains an opinion of bond counsel to the effect that noncompliance would not result in interest on said notes being includable in the gross income of their owners for purposes of federal income taxation.

Section 6. The District hereby further finds, declares and represents that (a) it reasonably expects that it, all subordinate entities thereof and all entities which issue obligations on behalf of the District (all within the meaning of Section 265(b)(3)(E) of the Code) will not issue in the aggregate more than \$10,000,000 of tax-exempt obligations (not

counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2000 and (b) no entity has been or will be formed or availed of to avoid the limits described above. In addition, the District hereby designates each of said notes as a "qualified tax-exempt obligation" for the purposes of Section 265(b)(3) of the Code.

Section 7. The officers, agents and employees of the District are hereby authorized and directed to do all acts and things required of them by the provisions of said notes and this resolution for the full, punctual and complete performance of the terms, covenants, provisions and agreements therein and herein.

Section 8. This resolution shall take effect upon its passage.

Thereupon Commissioner Britt moved the passage of the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$6,500,000 WATER BOND ANTICIPATION NOTES", and Commissioner McKenzie seconded the motion and such resolution was passed by the following vote:

Ayes: Commissioners Norris, Britt, Dutton, Gray, Jacobs, McKenzie and Wilson.

Noes: None.

I, Ida L. Smith, Clerk to the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer District II, in Columbus County, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of a regular meeting of said Board held on July 3, 2000, the record having been made in Minute Book 25 of the minutes of said Board, beginning at Page 715 and ending at Page 720, and is a true copy of so much of said minutes as relates in any way to the issuance of \$6,500,000 Water Bond Anticipation Notes of said District.

I DO HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board, stating that regular meetings of said Board are held in the Commissioners' Chambers on the Second Floor of the Columbus County Courthouse Annex at 112 West Smith Street, in Whiteville, North Carolina, on the first and third Mondays of each month at 8:00 A.M. and 7:30 P.M., respectively, has been on file in my office as of a date not less than seven days before that date said meeting in accordance with G.S. §143-318.12.

WITNESS my hand and the corporate seal of said District, this 3rd day of July 2000.

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

HOSPITAL (COLUMBUS COUNTY) - PURCHASE OF REAL ESTATE

James E. Hill, Jr., County Attorney, reported that Columbus County Hospital Board of Trustees is requesting the Board approve the Columbus County Hospital Board of Trustees to purchase property known as the Whiteville Realty Group, located behind Dr. John F. Munroe's old office which will be purchased by Columbus County Hospital funds.

A motion was made by Commissioner Britt, seconded by Commissioner Wilson and passed unanimously to approve the request for the Columbus County Hospital Board of Trustees to purchase the aforementioned property with no cost to Columbus County.

APPOINTMENT - ECONOMIC DEVELOPMENT COMMISSION

Commissioner Amon E. McKenzie, appointed Samuel Carnell Frink, 1087 Tommy Wooten Road, Chadbourn, NC, telephone number: (910) 654-5056, to serve on the Economic Development Commission Board of Directors for a three (3) year term, expiring June 30, 2003, to represent Zone I. Mr. Frink will replace Mr. Jimmy Garrell.

GOVERNING BODY - RESOLUTION CANCELING BOARD MEETING

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

NOTICE and RESOLUTION to CANCEL MEETING

of the BOARD of COUNTY COMMISSIONERS

of COLUMBUS COUNTY, NORTH CAROLINA

The Board of County Commissioners of Columbus County, North Carolina, unanimously approved on the 3rd of July 2000, to adopt the following Resolution.

W I T N E S S E T H :

WHEREAS, the Board of County Commissioners of Columbus County, North Carolina, has presently scheduled meetings at 8:00 A.M. the first Monday and 7:30

P.M. on the third Monday of each month; and

WHEREAS, the majority of the **Board of County Commissioners** of Columbus County, is planning to attend the National Association of County Commissioners' Annual Conference in Charlotte, NC, July 14-18, 2000; and

WHEREAS, a majority is needed to form a quorum under North Carolina law.

BE IT THEREFORE, RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY, North Carolina, pursuant to N.C.G.S. 153A-40, they shall cancel the regular meeting of the said Board scheduled for July 17, 2000, and the same is hereby canceled, and the next regularly scheduled meeting of the said Board shall be in the Columbus County Commissioners' Chambers, Courthouse Annex, 112 Smith Street, Whiteville, North Carolina, on Monday, August 7, 2000 at 8:00 A.M.

BE IT, FURTHER, RESOLVED by the **Board of County Commissioners** that a copy of this **Resolution and Notice** shall be placed on the Courthouse Bulletin Board, as well as mailed to all of the news media who has requested notice.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ Lynwood Norris, CHAIRMAN

ATTESTED BY:

/s/ Ida L. Smith, CLERK TO BOARD

MEETING RECESSED

A motion was made by Commissioner Jacobs, seconded by Commissioner Dutton and passed unanimously to recess the Board Meeting at 8:45 A.M. until 8:00 A.M. July 10, 2000.
