

COLUMBUS COUNTY BOARD OF COMMISSIONERS

Monday, May 6, 2002

7:30 P.M.

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building located at 112 West Smith Street, Whiteville, North Carolina for their regular scheduled meeting on the first Monday.

COMMISSIONERS PRESENT:

Amon E. McKenzie, Chairman
C.E. "Gene" Wilson, Vice Chairman
Spruell R. Britt
David L. Dutton, Jr.
Sammie Jacobs
Bill Memory
Lynwood Norris

APPOINTEES PRESENT:

Billy Joe Farmer, County Administrator
James E. Hill, Jr., County Attorney
Darren L. Currie, Assistant County Administrator
June B. Hall, Clerk to Board

MEETING CALLED TO ORDER

At 7:35 P.M., Chairman Amon E. McKenzie called the meeting to order. The invocation was delivered by Commissioner William E. Memory, Jr. Everyone in attendance stood and pledged allegiance to the Flag of the United States of America.

RETIREMENT PLAQUES PRESENTATION

Chairman Amon E. McKenzie presented seven (7) retirees with Retirement Plaques for their dedicated service to Columbus County. The retirees are listed below with their related information.

DEPARTMENT	NAME	YEARS OF SERVICE
Cooperative Extension	James H. Norris	07-01-1979 - 11-30-2001
Sheriff's Department	Nelson Kinlaw	07-15-1988 - 10-31-2001
Social Services	Mary Williamson	10-01-1979 - 12-31-2001
Social Services	Joyce Clark	09-01-1971 - 12-31-2001
Social Services	Janice Kissam	08-26-1971 - 12-31-2001
Social Services	Juanita Meares	10-01-1979 - 12-31-2001
Tax Office	Ida G. McPherson	12-02-1980 - 01-31-2002

BOARD MINUTES APPROVAL

A motion was made by Commissioner Dutton, seconded by Commissioner Norris to approve the April 15, 2002 Board Minutes as recorded. The motion so carried.

CONSENT AGENDA ITEMS

A motion was made by Commissioner Norris, seconded by Commissioner Dutton to approve the following Consent Agenda Items. The motion so carried.

TAX REFUNDS (as submitted to Administration from the Tax Office):

May 6, 2001

Request a refund in the name of Bigford, Richard, 932 Summerling Falls Ct., Wilmington,, NC 28412. Customer uses a commercial hauler. Amount \$100.00, Value \$0.00, Year 1998, Account # 15-02240, Bill # 39552.

Request a refund in the name of Bigford, Richard, 932 Summerlin Falls Ct., Wilmington,, NC 28412. Customer uses a commercial hauler. Amount \$100.00, Value \$0.00, Year 1999, Account # 15-02240, Bill # 1041.

Request a refund in the name of Bigford, Richard, 932 Summerlin Falls Ct., Wilmington,, NC 28412. Customer uses a commercial hauler. Amount \$125.00, Value \$0.00, Year 2000, Account # 15-02240, Bill # 81868.

Request a refund in the name of Campbell, Jennie, P.O. Box 101, Brunswick, NC 28424. No trash can at this address. Amount \$65.00, Value \$0.00, Year 2000, Account # 01-12781, Bill # 84814.

Request a refund in the name of Campbell, Jennie, P.O. Box 101, Brunswick, NC 28424. No trash can at this address. Amount \$75.00, Value \$0.00, Year 2001, Account # 01-12781, Bill # 84909.

Request a refund in the name of Fisher, Henry, P.O. Box 217, Chadbourn, NC 28431. No trash can at activity building. Amount \$100.00, Value \$0.00, Year 1999, Account # 13-13042, Bill # 9459.

Request a refund in the name of Fisher, Henry, P.O. Box 217, Chadbourn, NC 28431. No trash can at activity building. Amount \$125.00, Value \$0.00, Year 2000, Account # 13-13042, Bill # 90492.

Request a refund in the name of Jacobs, Manley, 6320 Old Lake Rd., Bolton,, NC 28423. No trash can at this address. Amount \$165.00, Value \$0.00, Year 2001, Account # 08-10017, Bill # 98595.

Request a refund in the name of Jacobs, Shawn, 110 Smith Ln., Bolton,, NC 28432. Refund user fee deposit. Customer's using RSI trash can. Amount \$123.75, Value \$0.00, Year 2002, Account # N/A, Bill # .

Request a refund in the name of Long, Thelton, 1120 Avery Ward Rd., Nakina, NC 28455. Mobile home is vacant. No trash can here. Amount \$165.00, Value \$0.00, Year 2001, Account # 03-14864, Bill # 1833.

Request a refund in the name of Milligan, Henry, 2777 Swamp Fox Hwy E., Tabor City, NC 28463. No trash can at this address. House is not livable. Amount \$100.00, Value \$0.00, Year 1999, Account # 16-11199, Bill # 22643.

Request a refund in the name of Milligan, Henry, 2777 Swamp Fox Hwy E., Tabor City, NC 28463. No trash can at this address. House is not livable. Amount \$125.00, Value \$0.00, Year 2000, Account # 16-11199, Bill # 3964.

Request a refund in the name of Milligan, Henry, 2777 Swamp Fox Hwy E., Tabor City, NC 28463. No trash can at this address. Hous is not livable. Amount \$165.00, Value \$0.00, Year 2001, Account # 16-11199, Bill # 4593.

Request a refund in the name of Stanley, Donald, 292 Vinegar Hill Rd., Tabor City, NC 28463. Refund the value of a double wide home and the Roseland Fire fee (20.94) and the Columbus Rescue fee (6.98). Home was repossessed in 2000. Amount \$465.14, Value \$34,900.00, Year 2001, Account # 09-03049, Bill # 14400.

Request a refund in the name of Young, Emma, 125 Maultsby Dr., Whiteville, NC 28472. No trash can at this address. Check should be payable to Franklin Thurman. Amount \$125.00, Value \$0.00, Year 2000, Account # 11-31201, Bill # 20947.

Request a refund in the name of Young, Emma, 125 Maultsby Dr., Whiteville,, NC 28472. No trash can at this address. Check should be payable to Franklin Thurman. Amount \$165.00, Value \$0.00, Year 2001, Account # 11-31201, Bill # 22021.

Request a refund in the name of Thurman, Annora, 125 Maultsby Dr., Whiteville, NC 28472. No trash can at this address. Check should be payable to Franklin Thurman. Amount \$125.00, Value \$0.00, Year 2000, Account # 11-27520, Bill # 15729.

Request a refund in the name of Thurman, Annora, 125 Maultsby Dr., Whiteville, NC 28472. No

trash can at this address. Check should be payable to Franklin Thurman. Amount \$165.00, Value \$0.00, Year 2001, Account # 11-27520, Bill # 16665.

The following is based on recommendations from the Tax Administrator's Office.

**TAX RELEASES (as submitted to Administration from the Tax Office):
May 6, 2002**

Release the Property Value in the name of Hinson, Lloyd. Release the value of property that is not located in the city limits of Cerro Gordo. Amount \$9.51, Value \$4,755.00, Year 2001, Account # 16-08801, Bill # 25942.

Release the Property Value in the name of Sarvis, Tony. Release the value of a house and the Brunswick Fire fee (.35) and the Whiteville Rescue fee (.10). House burned in 2000. Amount \$169.35, Value \$500.00, Year 2001, Account # 01-78857, Bill # 10695.

Release the Property Value in the name of Dew, Kevin. Release the value of a boat and the Columbus Rescue fee. Customer say's he has never owned a boat. Amount \$5.07, Value \$575.00, Year 2001, Account # 13-10411, Bill # 88460.

Release the Property Value in the name of Dew, Melinda. Release the property value and the Acme Delco Fire fee (14.04) and the Columbus Rescue fee (2.34). The property is double listed in the name of Melinda Mintz. Amount \$107.64, Value \$11,700.00, Year 2001, Account # 15-23390, Bill # 32583.

Release the Property Value in the name of Elliott, Kenneth. Release the value of a mobile home and the Columbus Rescue fee that was sold to Neal Bell in 2000 and listed in South Carolina. Amount \$227.83, Value \$7,140.00, Year 2001, Account # 06-05135, Bill # 89635.

Release the Property Value in the name of Hammonds, Bennie. Release the value of a boat and the Columbus Rescue Fee. Boat was sold in 2000. Amount \$3.70, Value \$420.00, Year 2001, Account # 01-04018, Bill # 95222.

Release the Property Value in the name of Hobbs, Tony. Release a portion of the land value and a portion of the Roseland Fire Fee (12.54) and a portion of the Columbus Rescue fee (4.18). Property was bill with incorrect land classification. Amount \$179.74, Value \$20,900.00, Year 2001, Account # 01-42254, Bill # 97198.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (7.07) and the Whiteville Rescue fee (2.02). House burned 10 years ago. Amount \$108.78, Value \$10,100.00, Year 1992, Account # 01-49080, Bill # 82623.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (7.07) and the Whiteville Rescue fee (2.02). Home burned 10 years ago. Amount \$111.81, Value \$10,100.00, Year 1993, Account # 01-49080, Bill # 77599.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (7.07) and the Whiteville Rescue fee (2.02). House burned 10 years ago. Amount \$115.85, Value \$10,100.00, Year 1994, Account # 01-49080, Bill # 36696.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (7.07) and the Whiteville Rescue fee (2.02). House burned 10 years ago. Amount \$147.87, Value \$10,100.00, Year 1995, Account # 01-49080, Bill # 8024.

Release the Property Value in the name of Milligan, Henry. Release the Yam City Fire fee on a house that is not in the Yam City area. Also, release the user fee because the house is vacant. Amount \$137.40, Value \$37,400.00, Year 2001, Account # 06-25940, Bill # 32595.

Release the Property Value in the name of Hammonds, Bennie. Release the value of a house and the Columbus Rescue fee. House burned in 2000. Amount \$307.00, Value \$29,000.00, Year 2001,

Account # 13-17419, Bill # 95223.

Release the Property Value in the name of Norris, Norman. Release a portion of the property value that was billed with the incorrect land classification. Also release a portion of the Yam City fee (24.80) and the Columbus Rescue fee (4.96). Amount \$222.76, Value \$24,800.00, Year 2001, Account # 06-05931, Bill # 6505.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (7.07) and the Whiteville Rescue fee (2.02). House burned 10 years ago. Amount \$147.87, Value \$10,100.00, Year 1996, Account # 01-49080, Bill # 53169.

Release the Property Value in the name of Milligan, Henry. Release the Yam City Fire fee on property that is not in the Yam City area. Also, release the user fee because house is vacant. Amount \$137.40, Value \$37,400.00, Year 2001, Account # 06-25940, Bill # 32594.

Release the Property Value in the name of Mason, Coleen. Release value of mobile home and Columbus Rescue fee. Home is double listed in the name of Jennifer Huggins. Amount \$36.17, Value \$4,110.00, Year 2001, Account # 03-16351, Bill # 2573.

Release the Property Value in the name of McPherson, Lynwood. Release the value of a mobile home and the Whiteville Rescue fee. Home was junked in 1998. Amount \$107.87, Value \$1,000.00, Year 1999, Account # 01-57944, Bill # 21940.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (15.40) and the Whiteville Rescue fee (4.40). House burned 10 years ago. Amount \$356.40, Value \$22,100.00, Year 2001, Account # 01-49080, Bill # 99616.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (15.40) and the Whiteville Rescue fee (4.40). House burned 10 years ago. Amount \$303.20, Value \$22,100.00, Year 2000, Account # 01-49080, Bill # 99145.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (15.40) and the Whiteville Rescue fee (4.40). House burned 10 years ago. Amount \$272.70, Value \$22,100.00, Year 1999, Account # 01-49080, Bill # 17950.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (15.40) and the Whiteville Rescue fee (4.40). House burned 10 years ago. Amount \$272.70, Value \$22,100.00, Year 1998, Account # 01-49080, Bill # 55978.

Release the Property Value in the name of Jordan, James. Release the value of a house and the Brunswick Fire fee (15.40) and the Whiteville Rescue fee (4.40). House burned 10 years ago. Amount \$272.70, Value \$22,100.00, Year 1997, Account # 01-49080, Bill # 51278.

Release the User Fee in the name of Anthony, Mary J.. House is vacant. Amount \$49.55, Value \$0.00, Year 1998, Account # 01-00920, Bill # 37769.

Release the User Fee in the name of Gibbs, Glennette. Release a portion of the user fee. House is inside the city limits of Bolton. Amount \$90.00, Value \$0.00, Year 2001, Account # 04-05783, Bill # 92708.

Release the User Fee in the name of Etheridge, Walt. Release one of two user fees. Old store is vacant. Amount \$75.00, Value \$0.00, Year 2001, Account # 08-05601, Bill # 90015.

Release the User Fee in the name of Etheridge, Walt. Release one of two user fees. Old store is vacant. Amount \$75.00, Value \$0.00, Year 2000, Account # 08-05601, Bill # 89769.

Release the User Fee in the name of Etheridge, Walt. Release one of two user fees. Old store is vacant. Amount \$60.00, Value \$0.00, Year 1999, Account # 08-05601, Bill # 8760.

Release the User Fee in the name of Cartrette, Roger. House is vacant. Amount \$165.00, Value \$0.00, Year 2001, Account # 09-03850, Bill # 85684.

Release the User Fee in the name of Anthony, Mary J.. House is vacant. Amount \$75.00, Value \$0.00, Year 2001, Account # 01-00920, Bill # 79941.

Release the User Fee in the name of Anthony, Mary J.. House is vacant. Amount \$36.00, Value \$0.00, Year 1996, Account # 01-00920, Bill # 35983.

Release the User Fee in the name of Anthony, Mary J.. House is vacant. Amount \$60.00, Value \$0.00, Year 1999, Account # 01-00920, Bill # 99194.

Release the User Fee in the name of Strickland, Mary. Release a portion of the user fee. Property is inside the city limits of Fair Bluff. Amount \$40.00, Value \$0.00, Year 2001, Account # 10-16452, Bill # 32598.

Release the User Fee in the name of Anthony, Mary J.. House is vacant. Amount \$60.00, Value \$0.00, Year 1997, Account # 01-00920, Bill # 33832.

Release the User Fee in the name of Hemingway, Calvin H.. Overcharge on user fee due to computer error. Amount \$15.02, Value \$0.00, Year 2000, Account # 06-18240, Bill # 95850.

Release the User Fee in the name of Anthony, Mary J.. House is vacant. Amount \$65.00, Value \$0.00, Year 2000, Account # 01-00920, Bill # 79954.

Release the User Fee in the name of Horne, John W.. No trash can at this address. Amount \$100.00, Value \$0.00, Year 1997, Account # 13-20111, Bill # 64427.

Release the User Fee in the name of Horne, John W.. No trash can at this address. Amount \$100.00, Value \$0.00, Year 1998, Account # 13-20111, Bill # 54077.

Release the User Fee in the name of Horne, John W.. No trash can at this address. Amount \$100.00, Value \$0.00, Year 1999, Account # 13-20111, Bill # 15992.

Release the User Fee in the name of Horne, John W.. No trash can at this address. Amount \$125.00, Value \$0.00, Year 2000, Account # 13-20111, Bill # 97140.

Release the User Fee in the name of Horne, John W.. No trash can at this address. Amount \$165.00, Value \$0.00, Year 2001, Account # 13-20111, Bill # 97546.

Release the User Fee in the name of Kinlaw, David. Release three of four user fees. Only one house is occupied. Amount \$225.00, Value \$0.00, Year 2001, Account # 06-22243, Bill # 91.

Release the User Fee in the name of Lennon, Kenneth C.. Release one of two user fees. Only one trash can at this address. Amount \$165.00, Value \$0.00, Year 2001, Account # 14-08963, Bill # 968.

Release the User Fee in the name of Newell, Edgar. No trash can at this address. Old house is unlivable. Amount \$165.00, Value \$0.00, Year 2001, Account # 08-13760, Bill # 5944.

Release the User Fee in the name of Pierce, Kenneth. Home is vacant. No trash can here. Amount \$165.00, Value \$0.00, Year 2001, Account # 07-12903, Bill # 7643.

Release the User Fee in the name of Pridgen, Margaret. House is vacant. No trash can at this address. Amount \$165.00, Value \$0.00, Year 2001, Account # 12-22773, Bill # 8676.

Release the User Fee in the name of Anthony, Mary J.. House is vacant. Amount \$36.00, Value \$0.00, Year 1995, Account # 01-00920, Bill # 91155.

Release the User Fee in the name of Strickland, Mary. Release a portion of the user fee. Property inside the city limits of Fair Bluff. Amount \$60.00, Value \$0.00, Year 2001, Account # 10-16452, Bill # 32597.

Release the User Fee in the name of Strickland, Mary. Release a portion of the user fee. Property inside city limits of Fair Bluff. Amount \$90.00, Value \$0.00, Year 2001, Account # 10-16452, Bill

32596.

The following is based on recommendations from the Tax Administrator's Office.

Amendment to May 6, 2002 Refunds/Releases:

We requested a refund in the name of Henry Milligan for the year of 2000 in the amount of \$125.00. This user fee was released in August of 2000. Please do not issue a refund for this year. The refund request for 1999 and 2001 is correct.

BUDGET AMENDMENTS:

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-630-0200	Salaries and Wages	(\$2,800.00)
	10-630-3300	Books	(\$3,178.00)
	10-630-8100	Principal Lease-Polaris	(\$1,000.00)
	10-630-8200	Interest Lease-Polaris	(\$2,000.00)
Revenue	10-348-3100	State Aid	(\$8,978.00)
Expenditure	10-680-9400	SCC - Capital Outlay	&75,715.00
Revenue	10-399-0000	Fund Balance Appropriated	\$75,715.00
Expenditure	10-700-9706	NCDOT RGP Discretionary Funds	\$20,000.00
Revenue	10-348-3200	NCDOT RGP Discretionary Funds	\$20,000.00
Expenditure	10-700-2100	Rent - Whiteville Depot	\$12,000.00
	10-660-9999	Contingency	(\$6,000.00)
Revenue	10-335-0000	Miscellaneous Revenue ½ Rent Due-City of Whiteville	\$6,000.00
Expenditure	10-690-9550	Farmers Market	\$4,500.00
Revenue	10-399-0000	Fund Balance Appropriated	\$4,500.00
Expenditure	12-609-0300	Part Time Sal.	\$13,525.00
	12-609-0500	FICA	\$1,035.00
Revenue	12-328-0800	Fed. Grt. - Level II	\$11,648.00
	12-397-0500	Co. Approp. - Level II	\$2,912.00
Expenditure	10-535-3301	UWA Grant	\$1,505.00
Revenue	10-399-0000	Fund Balance Appropriated	\$1,505.00
Expenditure	10-430-4500	Contract Services	(\$17,100.00)
	10-430-7400	Capital Outlay	\$17,100.00

CHAF PROGRAM UPDATE

Floyd Adams, The Adams Company, Incorporated, presented the following update on the Columbus County CHAF Program.

COLUMBUS COUNTY SUMMARY SHEET**CHAF Program**

TOTAL HOUSES			491
Houses Inspected			489
Replacement		280	
Repair		209	
Repair Work		209	
Work Write-up/Lawyer Processing	2		
Bids Complete, Not Awarded	11		
Board Awarded, No Construction	129		
Under Construction	22		
Complete	45		
Replacement Work		280	
Work Write-up/Lawyer Processing	2		
Board Awarded, No Construction	136		
N.O.E. Sent, Under Construction	91		
Complete	51		
Not Visited			2
Legal Work			
Total Titles Requested	441		
Titles Requested, Not complete		158	
Preliminary Title Complete		105	
Prom. Note/Deed of Trust Requested, Not Signed		44	
Prom. Note/ Deed of Trust Recorded		134	

APPROVAL of ADVERTISEMENT on VANS as SOURCE of REVENUE

Charles Patton, Columbus County Transportation Director, requested approval and signing of the following contract with Hight-Kracker Freelance Partnership, Incorporated.

TRANSIT VEHICLES ADVERTISING AGREEMENT

THIS AGREEMENT, made and entered into this 7th day of May, 2002 by and between Hight Kracker Freelance Partnership, Inc., a corporation organized and existing under and by virtue of the laws of the State of North Carolina with its office and principal places of business located in Lumberton, North Carolina (hereinafter referred to as "Hight Kracker") and Columbus County a local government entity created and by virtue of the State of North Carolina (hereinafter referred to as "CC").

WITNESSETH:

WHEREAS, CC operates a service known Columbus County Transportation, and;

WHEREAS, Hight Kracker wishes to place advertising panels on various vehicles owned and operated by "CC".

NOW, THEREFORE, in consideration of the mutual benefits to "CC" and Hight Kracker the parties hereto agree as follows:

1, Hight Kracker shall have the following obligations and responsibilities:

- A. Co-ordinate, produce, design and procure advertising from various entities wishing to advertise on CC vehicles.
- B. Pay for all production costs incurred in the design, production and installation of advertising.
- C. Pay all expenses associated with the removal of advertising and reapplication of CC lettering, logos and vehicle numbers on vehicles previously utilized in the advertising process.
- D. Utilize in such advertising only vinyl panels affixed directly to the CC vehicles in such a manner that the removal thereof will not damage nor deface such vehicles in any fashion.
- E. Affix no advertising mounted anywhere other than below the window line of CC vehicles and place in such a manner that will not change the silhouette of the vehicle nor in any manner impair the safe operation thereof, and on 'high top' vans, be able to place on caps
- F. Extinguish and clean all advertising from the vehicles at such time as this Agreement is terminated and in no event, not more than ten (10) days from the termination thereof.
- G. Be totally responsible for sign repair and replacement thereof.
- H. Pay to CC 40% of leased rental space realized during the first year thereof, 50% of leased rental space realized during the second year thereof and 60% of leased rental space realized during the third year thereof.
- I. Commence payments to CC on the 1st day of the first month after commencement of such advertising and shall pay on a monthly basis thereafter.
- J. Furnish to CC a list of all advertisers and gross amounts paid by such advertisers to Hight Kracker on a quarterly basis and at such other times as CC shall request.
- K. Keep and maintain proper records of all services provided and charges made under this Agreement and, at its expense, provide an annual audit to CC in such form and containing such information as shall demonstrate gross profits to Hight Kracker arising out of this Agreement and the individual agreements between Hight Kracker and its advertisers which pertain thereto.
- L. Include a provision in each of its advertising; contracts which prohibits the assignment of the contract or any portion thereof.

2. CC shall be responsible for the following obligations.

- A. Refer all inquiries received from companies and/or agencies with regard to advertising on transit vehicles to Hight Kracker.
- B. Permit Hight Kracker at no expense, to place blanket advertising on specified CC vehicles for the purpose of selling advertising space to prospective customers of Hight Kracker
- C. Have final approval on all proposed advertising, which approval shall include, but not be limited to, the advertiser, subject matter, art and phraseology prior to the production and/or display of such advertising on CC vehicles.

- D. Designate the specific CC vehicles which can be utilized for the placement of such advertising.

It is anticipated that this Agreement shall, without penalty, remain in full force and effect for a period of three years. However, either party may terminate upon 90 days prior written notice and payment shall be made by Highet Kracker to CC through the termination date. Additionally, Highet Kracker understands that CC may have its funding reduced or terminated and therefore be unable to operate CC. In such event, this agreement shall automatically terminate and payment shall be made by Highet Kracker to CC through and including the actual termination date and removal of advertising.

In the event of such and at such time as this Agreement is terminated by either party in accordance with the forgoing provisions, CC shall not be responsible for reimbursement of fees paid by Highet Kracker advertisers nor, shall it be liable to Highet Kracker or its advertisers in any manner whatsoever.

Any modification or amendment to this Agreement shall be in writing and signed by the parties in the same formality as this Agreement.

This Agreement shall take effect upon the signing of both parties and shall be in effect through FY 2002 (the 30th day of June, 2002) unless sooner terminated in accordance the prior provisions hereof. Renewal of this Agreement is contingent upon funding received from North Carolina Department Public Transportation Division for the continuation of CC Transportation Program.

Highet Kracker shall indemnify and hold harmless CC from any and all damages it/they might suffer pertaining to liability arising out of the operation of this Agreement, including but not limited to, any and all claims, litigation, demands, debts, obligations, and charges, including attorney fees incurred in defending such claims. Such indemnification additionally and specifically pertains to liability arising out of actual or alleged infringement of patent or patent rights, trade names, trademarks, service marks, copyrights and/or invasion of privacy. Highet Kracker shall maintain insurance covering any and all such possible incidents of liability in such amounts as are deemed satisfactory to CC and Highet Kracker shall provide proof of such insurance to CC prior to the placement of advertising on CC vehicles as well as proof of continuous coverage at such times as premiums are due and payable or when otherwise called upon by CC to render such proof.

Executed this 7th day of May, 2002.

/s/ Amon E. McKenzie, Chairman
Columbus County Commissioners

DATE: May 7, 2002

/s/ Trevor Kracker, Owner
/s/ Robert Highet, Owner

DATE: May 7, 2002

Commissioner Memory made a motion to approve this contract, seconded by Commissioner Britt. The motion so carried.

PROCLAMATION - APPROVAL of INFORMATION and REFERRAL AWARENESS MONTH

Ed Worley, Aging Director, requested adoption and approval of the following proclamation.

INFORMATION and REFERRAL AWARENESS MONTH

MAY, 2002 PROCLAMATION

WHEREAS, information and referral agencies work to affirm the dignity, self worth and independence of individuals by facilitating their decisions and actions, tapping their experiences, skill and knowledge and enabling their continued contribution to the community; **and**

WHEREAS, information and referral agencies function as a point of entry, helping individuals to help themselves and each other, and offering service or access to community services as needed; **and**

WHEREAS, special recognition should be given to information and referral agencies and their role in serving individuals throughout the County of Columbus; **and**

WHEREAS, information and referral agencies in our communities serve as a viable commitment to the citizens of Columbus County.

NOW, THEREFORE, we, the Board of Commissioners of the County of Columbus hereby proclaim May, 2002, as ***“INFORMATION AND REFERRAL AWARENESS MONTH”*** in Columbus County, and commend this observance to our citizens.

ADOPTED this the 6th day of May, 2002

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ Amon E. McKenzie, Chairman

ATTESTED BY:
/s/ June B. Hall, Clerk to Board

Commissioner Wilson made a motion to approve and adopt this Resolution, seconded by Commissioner Britt. The motion so carried.

PROCLAMATION - APPROVAL and ADOPTION OF OLDER AMERICANS MONTH MAY, 2002

Ed Worley, Aging Director, requested the Board approve and adopt the following Resolution.

OLDER AMERICANS MONTH 2002 PROCLAMATION

WHEREAS, the theme for Older Americans Month is: **America, A Community For All Ages** with the conceptual proposal that recognizes the national community which we live, the multi-governmental American families which is the strength of our nation and our families; **and**

WHEREAS, seventeen (17%) percent of North Carolina's over seven (7,000,000) million population are adults, age sixty (60) and older; **and**

WHEREAS, these adults may be native born North Carolinians or those who have retired to this state from other states; **and**

WHEREAS, we are proud of our older adults as they, in their zest for living, contribute to a positive influence on all generations.

WHEREAS, 11,284 plus seniors, 60 and older live in Columbus County or approximately one third of the population including all seniors in Columbus County.

NOW, THEREFORE, we, the Board of Commissioners of the County of Columbus, do hereby proclaim May, 2002, as ***“Older Americans Month”***.

ADOPTED this the 6th day of May, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS**/s/ AMON E. McKENZIE, Chairman****ATTESTED BY:****/s/ JUNE B. HALL, Clerk to Board**

Commissioner Wilson made a motion to approve and adopt this Resolution, seconded by Commissioner Britt. The motion so carried.

APPROVAL to TRANSFER CAPITAL OUTLAY FUNDS to CURRENT EXPENSE

Tommy Nance, Superintendent of the Columbus County Schools, is requesting the Board to approve the Columbus County Board of Education to transfer \$209,748 from Capital Outlay to Current Expense Fund for FY 2001-2002. This is due to the Columbus County School Board budgeting a portion of Fund Balance to meet the current budget.

Commissioner Jacobs made a motion to approve this transfer, seconded by Commissioner Wilson. The motion so carried.

PROCLAMATION - MENTAL HEALTH MONTH MAY - 2002

**MENTAL HEALTH MONTH PROCLAMATION
MAY, 2002**

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, one in five American adults and children are affected by a mental illness; and

WHEREAS, mental health problems do not discriminate. They know no race, creed, age limit or economic status; and

WHEREAS, people with mental illness can recover and lead full, productive lives; and

WHEREAS, an estimated two-thirds of adults and young people with mental health problems are not getting the help they need; and

WHEREAS, untreated or under treated mental illness costs public and private employers billions of dollars annually through absenteeism, turnover, low productivity and increased medical costs; and

WHEREAS, Columbus County has made a commitment to community-based systems of mental health care in which all residents can receive high-quality and consumer-responsive services; and

WHEREAS, the National Mental Health Association, the National Council for Community Behavioral health care and their national partners observe Mental Health Month every May to raise awareness and understanding of mental health and illness.

THEREFORE, we, the Columbus County Board of Commissioners, do hereby proclaim May, 2002 Mental Health Month in Columbus County. As the Chairman, I also call upon all of Columbus County's citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of mental illness and the need for appropriate and accessible services for all people with mental illness.

ADOPTED, this the 6th day of May, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS**/s/ AMON E. McKENZIE, Chairman****ATTESTED BY:**

/s/ JUNE B. HALL, Clerk to Board

Commissioner Wilson made a motion to approve and adopt this Resolution, seconded by Commissioner Norris. The motion so carried.

SIX (6) MILE FIRE DISTRICT CONCEPT APPROVAL

Six Mile Extension Procedures

1. Chief signs "Commitment Statement" and will return to Kay Worley , Emergency Services.
2. Chief will schedule an appointment with the Addressing Office to complete their new map and boundaries. This will also be used to establish Emergency Service Numbers (ESN's) for dispatch.
3. Once maps are completed, a copy will be given to Kay.
4. Automatic Aid Protocols must be signed by the following people:

<u>County Department</u>	<u>City/Town</u>
Chief	Chief
Board of Directors	Mayor
	Clerk

These protocols must include an agreement that “-a piece of fire apparatus- capable of carrying 1,000 gallons of water will be dispatched simultaneously with the department whose district the incident is occurring within”.

5. Departments in the County extending to 6-mile district submits their information to Kay. It is then submitted to the State Fire Marshal's Office, as a County package, for their approval.
6. Once information is approved by the State Fire Marshal's Office and approval is sent to Kay, then she will notify the Chiefs. Kay will request item be on Commissioner's agenda for the next meeting and the Chiefs will be notified of the date.
7. After approval by the Commissioner's, the Addressing Office will be notified and they will notify Sprint of the ESN's. Once Sprint has confirmed updates/changes then each Chief will receive notification of completion from the Addressing Office.
8. It will be the department's responsibility to: prepare notification to the residents of a public hearing, schedule the public hearing, and notify the State Fire Marshal's Office for their 9S inspection, once all requirements are met.

Commissioner Norris made a motion for approval of this Six (6) Mile Fire District Concept, seconded by Commissioner Britt. The motion so carried.

APPOINTMENT to GROUNDWATER ADVISORY COUNCIL

Jim Perry, Lumber River Cape Fear Council of Governments, requested the Board to appoint someone to serve on this committee. Commissioner Britt made a motion to select someone to find a person willing to serve on this committee, seconded by Commissioner Jacobs. The motion so carried. It was the general consensus of the Board to ask Commissioner Britt to locate a person who would be willing to serve.

COLUMBUS COUNTY PLANNING BOARD CREATION

Billy Joe Farmer, Columbus County Administrator, requested the Board to adopt an ordinance creating the Columbus County Planning Board and to adopt the Planning Board Rules

of Procedure. The documents are listed as follows:

**AN ORDINANCE OF COLUMBUS COUNTY CREATING
A COUNTY-WIDE PLANNING BOARD**

BE IT ORDAINED BY THE COLUMBUS COUNTY BOARD OF COMMISSIONERS,
COLUMBUS COUNTY NORTH CAROLINA THAT:

Section 1. **Application of Ordinance.** This ordinance shall apply to the Columbus County Planning Board, whose members shall be appointed by the Columbus County Board of Commissioners.

Section 2. **Terms of Office.** Unless provided for otherwise, the term of office for the Columbus County Planning Board, shall be three (3) year staggered terms. The term of office for appointments shall be: two (2) members shall be appointed for a term of one (1) year; two (2) members shall be appointed for a term of two (2) years; three (3) members shall be appointed for a term of three (3) years. Members shall continue to serve until their successors have been appointed.

All terms of office shall begin at the time of appointment.

Section 3. **Vacancies.** Vacancies shall be filled for the unexpired portion of terms only.

Section 4. **Application Required.** A complete application is required to be considered for appointment or re-appointment to the Columbus County Planning Board.

Section 5. **Limited Terms.** Persons serving on the Columbus County Planning Board may serve no more than six (6) continuing years, but may serve more than six (6) years of interrupted service.

Section 6. **Removal.** The Columbus County Board of Commissioners may remove a member of the Columbus County Planning Board for failure to attend at least seventy-five percent (75%) of regularly scheduled meetings within a twelve (12) month period, or for any other good cause.

Section 7. **Staff.** The County Administrator shall assign a staff employee to coordinate with the Columbus County Planning Board and to prepare the agenda and take minutes.

Section 8. **Funding, Contracts and Obligations.** All revenues raised by the Columbus County Planning Board are the property of Columbus County and shall immediately be given to the Finance Director of the County for deposit. No individual serving on the Columbus County Planning Board has the right to expend funds or obligate Columbus County in any way. All expenditures must be handled through the staff employee assigned to the board or commission and must be provided for in the Annual Operating Budget of Columbus County. All expenditures also require a Purchase Order approved by the Finance Director. All contracts require the prior approval of the Columbus County Board of Commissioners and the signature of the Chairman of the Columbus County Board of Commissioners, or other designated official.

Section 9. **Conflicting Ordinances.** Any ordinance in conflict with any section contained herein is hereby amended to conform with the above.

Section 10. **Effective Date.** The effective date of this ordinance shall be upon its adoption and approval by the Columbus County Board of Commissioners, the _____ day of _____, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ Amon E. McKenzie, Chairman

ATTEST:
/s/ June B. Hall, Clerk to Board

COLUMBUS COUNTY PLANNING BOARD RULES OF PROCEDURE

ARTICLE I - GENERAL RULES

A. General Rules

The Planning Board shall be governed by North Carolina General Statute, Article 18, Chapter 153-A, Planning and Regulation of development, and other general and special acts relating to planning and related activities in Columbus County, the Columbus County Planning Review Board Rules of Procedure, and by the ordinance which established the board.

ARTICLE II - PLANNING BOARD OFFICERS

A. Electing Officers

At its first meeting in May of each year, the Planning Board shall elect one of its members to serve as Chairman and preside over the board's meetings and one member to serve as Vice Chairman. The persons so designated shall serve in these capacities for terms of one (1) year. Vacancies in these offices may be filled for the unexpired terms only. Election of officers shall occur as the last item of business before adjournment of the May meeting. The candidate for each office receiving a majority vote of the planning board members present shall be declared elected.

B. Chairman

The Chairman shall be elected by the full membership of the Planning Board. The Chairman shall decide on all points of order and procedure unless directed otherwise by a majority of the board in session at the time. The Chairman shall preside at all meetings, appoint standing and temporary committees.

C. Vice Chairman

The Vice Chairman shall be elected by the Board from among its regular members in the same manner and for the same term as the Chairman. He shall serve as acting Chairman in case the Chairman is absent, and at such times he shall have the same powers and duties as the Chairman.

ARTICLE III - MEMBERS

A. Membership.

Membership on the planning board shall be governed by the terms of Chapter 153 - A of the North Carolina Statutes and applicable Columbus County regulations and policies.

B. Members.

The Planning Board members shall be appointed by the Board of Commissioners. The Planning Board shall consist of seven (7) members, one to be selected by each County Commissioner. New appointments are for three year terms. Vacancies occurring for reasons other than the expiration of terms shall be filled as they occur for the remainder of the unexpired term.

C. Attendance

Any members of the Board who miss more than three consecutive meetings or public hearings, or who miss more than four or more meetings in a year, without a reasonable excuse, may result in loss of office. Leave of absence for good cause can be granted by the board of commissioners, for a period not to exceed three (3) months. In either case, until the vacant position has been filled or the member returns from leave of absence, during any interim period the Planning Board shall be deemed to have as its full membership six (6)

rather than seven (7) members, and a quorum shall consist of four (4) members.

D. Payment For Attendance

The Board of Commissioners does not authorize within the operating budget of the planning department a per diem payment for attendance of meetings of the planning board.

E. Reappointments; ex officio member

Members of the Columbus County Planning Board shall be considered eligible for reappointment by the Board of Commissioners.

F. Director

The Planning Director or appropriate appointment made by the County Administrator, shall serve as advisor and clerk to the Planning Board. The Planning Director, or appointee, shall also serve as Secretary to the Planning Board. The Planning Board Chair or his/ her designee may have the opportunity to review the minutes of the Planning Board meeting prior to their submission to the Planning Board for approval. The Secretary, subject to the direction of the Chair and the Board, shall keep all the minutes and records of the Planning Board, provide notice of the regular and special meetings to member, and any other such duties normally carried out by the Secretary. The Planning Director, or appointee shall not be eligible to vote.

ARTICLE IV - COMMITTEES

The Planning Board may establish such standing or temporary committees as it may deem useful in its works. The members of these committees shall be appointed by the Chairman.

ARTICLE V - POWERS AND DUTIES

It shall be the duty of the Planning Board, in general to:

1. Make studies of the county and surrounding area.
2. Determine objectives to be sought in the development of the study area.
3. Prepare and adopt plans for achieving these objectives.
4. Develop and recommend policies, ordinances, administrative procedures; and other means for carrying out plans in a coordinated and efficient manner.
5. Advise the board of commissioners concerning the use and amendment of means for carrying out plans.
6. Exercise any function in the administration and enforcement of various means for carrying out plans that the board of commissioners may direct, including, but not limited to review of plats, utilities plans, easements, etc.
7. Perform any other related duties that the board of commissioners may direct.

ARTICLE VI - MEETING

A. Regular Meetings

Regular meetings of the Board shall be held on the second Monday of every month at 6:30 P.M. in the County Commissioners' Chambers at the Columbus County Government Complex.

B. Special Meetings

The Chairman may call special meetings of the Board at any time. At least forty eight (48) hours written notice of the time and place of special meetings shall be given, by either the Secretary or the Chairman, to each member of the board.

C. Cancellation of Meetings

If there is no business for the Board, or if so many members cannot attend that a quorum will not be available, the Chairman may dispense with a regular meeting by giving written or oral notice to all members not less than twenty four (24) hours before the time set for the meeting.

D. Quorum

A majority of the full membership of the Board must be present at a meeting if the Board is to transact any business other than to adjourn. The Chairman may not call a meeting to order until such a quorum is present unless, after waiting a reasonable time past the meeting's scheduled starting time, the chairman determines that there is no hope of obtaining a quorum. In that case, the chairman shall call the meeting to order, note the lack of a quorum, and adjourn the meeting. If a quorum ceases to be present at any time during a meeting, the chairman shall note the lack of a quorum, order the cessation of business, and adjourn the meeting.

E. Voting

The vote of majority of those members present shall be sufficient to decide all matters before the planning board of a legislative nature, provided a quorum is present. All matters of an evidentiary (Special Exception) nature shall require a four-fifths (4/5) vote for approval. Ex-officio members shall have a vote. No planning board member shall participate in the decisions of any matter in which they have a personal financial interest. Each member shall vote either "yes or no" except when excused by the chairman. The chairman shall be entitled to the same voting privileges as any other member of the board. In the case where a board member excuses himself or herself from participation in planning board matters without prior approval of the chairman, the board members vote shall be recorded a "yes".

F. Conflicts of Interest

To preserve public confidence in the integrity of the planning board and the county's governmental process, each board member shall have right and duty to avoid even the appearance of a conflict of interest. A conflict of interest can be defined as participating in a matter where there is either a direct/indirect benefit to the board member, or the perception of a benefit. The board member shall ask the chairman to be excused from participation in any matter before the board in which the members's impartiality might reasonably be questioned. If any other board member questions the impartiality of a board member before or during the board's consideration of a matter, the chair shall treat this as a request that the member be excused from participation. Any request that a board member be excused from participation must disclose the basis for the request. It is the chairman's responsibility to determine if a conflict of interest does exist and to either excuse or not excuse the board member from participation.

ARTICLE VII - BASIC STUDIES

A. Gathering Maps and Aerial Photographs

The Planning Board may gather maps and aerial photographs of man-made and natural physical features of the county and surrounding area, statistics on past trends and present conditions with respect to population, property values, economic base, land use, and any other pertinent information deemed necessary.

B. Special Studies

The Planning Board may make, cause to be made, or obtain special studies on the location, condition and adequacy of specific facilities, which may include such things such as housing

inspections, commercial and industrial facilities, parks, playgrounds and recreational facilities, including water and waste disposal systems; and traffic, transportation and parking facilities.

C. Records or information by County Officials

All county officials shall, upon request, furnish to the planning board such available records or information as it may require in its work. The board or its agents may, in the performance of their official duties, enter upon lands during reasonable hours and make what ever examinations or surveys and maintain necessary monuments thereon in accordance with State law.

ARTICLE VIII - RECOMMENDATIONS

A. Subdivision Regulations

The Planning Board shall, from time to time, review the need for regulations for the control of land subdivision in the county and submit their recommendations to the Board of Commissioners. The Planning Board shall be responsible for subdivision plat review and approval in accordance with the Columbus County Subdivision Ordinance.

ARTICLE IX - ADMINISTRATION

A. Attending Conferences, Meetings, Traveling Expenses

Members of the Planning Board, when authorized by the Planning Board and approved by the Planning Director, may attend planning conferences, meetings of planning institutions, hearings upon pending planning legislation, and the Planning Board may upon the County Administrators approval, and by formal affirmative vote be reimbursed the reasonable travel expense incident to such attendance.

B. Publicity and Education

The Planning Board shall have the power to promote public interest in and on understanding its' recommendations. The Planning Board, with the Planning Director's approval, may publish and distribute copies of its' recommendations and may employ such other means of publicity and education as it may determine.

ARTICLE X. - ORIENTATION AND TRAINING

A. Orientation of New Members

The Planning Director shall meet with new board members as soon as possible after their appointment to prepare them for effectively serving on the Planning Board. At that meeting, the Planning Director shall provide each new member a copy of the Planning Board Creation Ordinance and by-laws, and other major statements of the County's growth management and land development policies. The Planning Director shall also generally explain the County's growth management and land development policies, the relationship between the Board and County Planning Staff, and the organization, duties and responsibilities, procedural rules, and legal constraints under which the Board operates.

B. General

Board members are encouraged to expand their knowledge and understanding of planning issues by reading planning related literature and attending planning conferences, courses, seminars, and workshops.

ARTICLE XI. - EFFECTIVE DATE

These rules of procedure shall become effective on the date of approval by the Columbus County Board of Commissioners, the 6th day of May, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
 /s/ AMON E. MCKENZIE, CHAIRMAN

ATTEST:
 /s/ JUNE B. HALL, Clerk to Board

Commissioner Dutton made a motion for the approval of the previous listed documents, seconded by Commissioner Memory. The motion so carried.

APPOINTMENT to COLUMBUS COUNTY PLANNING BOARD

The following people were appointed to serve the Columbus County Planning Board.

<u>ZONE</u>	<u>COMMISSIONER</u>	<u>APPOINTEE</u>
I	Amon E. McKenzie	J. B. Evans
II	Gene Wilson	William Bill Ashley
VII	David L. Dutton, Jr.	James Register

CHANGE in FIRE INSPECTOR STATUS

Billy Joe Farmer, Columbus County Administrator, is requesting the Board to change the Columbus County Fire Inspector status to a part-time County employee.

Commissioner Norris made a motion this be approved, seconded by Commissioner Britt. The motion so carried.

RESOLUTION - A RESOLUTION REQUESTING THAT LOCAL GOVERNMENT REVENUE SOURCES BE MADE SECURE

The North Carolina Association of County Commissioners is requesting the Board to approve and adopt the following Resolution.

A RESOLUTION REQUESTING THAT LOCAL GOVERNMENT REVENUE SOURCES BE MADE SECURE

WHEREAS, the County of Columbus is required by North Carolina law to operate and maintain a balanced budget and comply with the provisions of the Local Government Budget and Fiscal Control Act; **and**

WHEREAS, the County of Columbus is required to maintain a sufficient fund balance to operate in a fiscally sound manner and to have adequate reserves in case of emergencies; **and**

WHEREAS, the Columbus County Board of Commissioners has a responsibility to provide for the health, safety and well being of the citizens of this community by providing necessary services; **and**

WHEREAS, the ability of county governments to borrow for capital infrastructure needs is dependent on reliable revenue sources for repayment; **and**

WHEREAS, adequate revenues are required to carry out the above mentioned responsibilities.

NOW, THEREFORE BE IT RESOLVED THAT the Columbus County Board of Commissioners respectfully requests that the General Assembly enact legislation that will secure the local government revenue sources and ensure that these revenues are distributed to local governments on a timely basis as set forth by the State's General Statues.

ADOPTED this the 6th day of May, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **AMON E. MCKENZIE, Chairman**

ATTESTED:

/s/ **JUNE B. HALL, Clerk to Board**

Commissioner Wilson made a motion for this Resolution to be approved and adopted, seconded by Commissioner Jacobs. The motion so carried.

REQUEST for MAINTENANCE to RIVER ROAD

A private citizen who did not state their name requested the Board to contact the North Carolina Department of Transportation to maintain River Road.

Commissioner Wilson made a motion to ask Billy Joe Farmer, Columbus County Administrator, to forward a letter to the Department of Transportation requesting them to maintain River Road, seconded by Commissioner Memory. The motion so carried.

NETTING BILL to PIGGYBACK to TOWN CREEK

Commissioner Dutton requested the Board to request an amendment to local legislation to have the netting bill piggybacked to Town Creek.

Commissioner Norris made a motion for this action, seconded by Commissioner Memory. The motion so carried.

RECESS REGULAR SESSION and ENTER INTO CLOSED SESSION

At 8:05 P.M., Commissioner Memory made a motion to recess Regular Session and enter into Closed Session.

CLOSED SESSION

At 8:10 P.M., Closed Session was entered into, in accordance with N.C.G.S. 143-418-11. No official action was taken.

ADJOURN CLOSED SESSION and ENTER INTO REGULAR SESSION

At 8:45 P.M., Commissioner Norris made a motion to adjourn Closed Session and enter into Regular Session, seconded by Commissioner Memory. The motion so carried.

DEPARTMENT of TRANSPORTATION CORRESPONDENCE

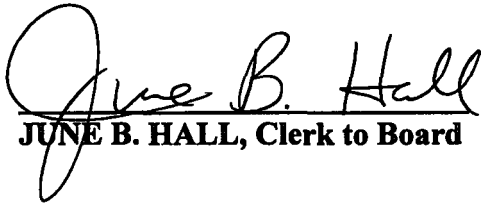
Commissioner Wilson made a motion for Billy Joe Farmer, Columbus County Administrator, to forward a letter to the Department of Transportation requesting they look into the intersection of Highway 410 and Silverspoon Road. In addition to this intersection, request they look into all secondary roads leading into major roads. The motion was seconded by Commissioner Memory. The motion so carried.

SUGGESTED WAYS to COST SAVINGS

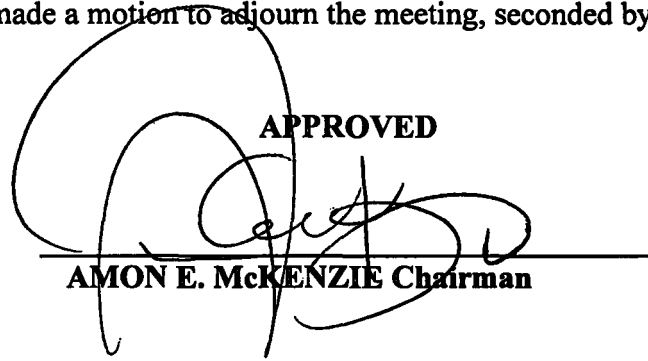
Commissioner Memory made the following suggestions to the Board to consider relating to cost savings for the County: (1) to bill county residents like monthly water bills in lieu of a yearly amount; and (2) getting out of the homehealth care.

ADJOURNMENT

At 8:51 P.M., Commissioner Memory made a motion to adjourn the meeting, seconded by Commissioner Norris. The motion so carried.



JUNE B. HALL, Clerk to Board

APPROVED


AMON E. MCKENZIE Chairman