

COLUMBUS COUNTY BOARD OF COMMISSIONERS

Monday, October 20, 2003

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 third Monday and for scheduled Public Hearing which was duly advertised.

COMMISSIONERS PRESENT:

C.E. "Gene" Wilson, **Chairman**
 Bill Memory, **Vice Chairman**
 David L. Dutton, Jr.
 Sammie Jacobs
 Amon E. McKenzie
 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**
 Gayle B. Godwin, **Finance Officer**

COMMISSIONER ABSENT:

Kipling Godwin

PUBLIC HEARING (LOCAL LAW ENFORCEMENT BLOCK GRANT):

At 7:18 P.M., Chairman Wilson called the duly advertised Public Hearing to order for the Local Law Enforcement Block Grant and stated the purpose of the Public Hearing is to notify citizens of the proposed application contents and to receive oral or written comments relative to the proposed application. Chairman Wilson asked if anyone had any comments they wish to express regarding the matter.

No comments were stated.

Chairman Wilson asked the Clerk to the Board if any oral or written comments had been received. The Clerk to the Board replied stating no.

At 7:21 P.M., Commissioner Norris made a motion to closed the Public Hearing, seconded by Commissioner McKenzie. The motion so carried.

Agenda Items #1 and #2: REGULAR SESSION CALLED TO ORDER:

At 7:30 P.M., Chairman Wilson called the meeting to order. The invocation was delivered by Commissioner McKenzie. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America.

Agenda Item #3: BOARD MINUTES APPROVAL:

Commissioner Norris made a motion to approve the October 6, 2003 Board Minutes, as recorded, seconded by Commissioner Dutton. The motion so carried.

Agenda Item #4: 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****Previous**
10-01-2003

TOTAL HOUSES				491		
Houses Inspected				491		
Replacement			296			296
Repair			195			195
Repair Work			195			

Work Write-up	0			0	
Bids Complete, Not Awarded	0			0	
Board Awarded, No Construction	1			1	
Title Opinion NOT Requested		0			0
Waiting on Title Opinion		0			1
Waiting on Prom. Note/D.O.T.		1			0
Waiting on Contractor		0			0
Under Construction	0			0	
Complete	194			194	
Replacement Work			296		
Work Write-up	0			0	
Board Awarded, No Construction	0			0	
Title Opinion NOT Requested		0			0
Waiting on Title Opinion		0			0
N.O.E. Not Sent		0			0
Waiting on Client		0			0
Under Construction	35			41	
Complete	261			255	
Not Visited				0	0
Legal Work					
Total Titles NOT Requested			0		0
Total Titles Requested			491		491
Titles Requested, Not Complete			0		1
Preliminary Title Complete			7		7
Prom. Note/D.O.T. Requested, Not Signed			43		44
Prom. Note/D.O.T. Recorded			441		439

Mr. Adams stated the one (1) listed under **Repair Work - Waiting on Prom. Note/D.O.T.** was started on today and the thirty-five (35) listed under **Replacement Work - Under Construction** were nearing completion.

Mr. Adams informed the Board the CHAF funds were exhausted and funds were needed for the following items to be completed:

1. **\$182,000** (to cover additional expenses related to the Chris Parker situation)
2. **\$ 51,000** (house previously not qualified, appealed the decision and now is qualified)
3. **\$300,000** (additional funds needed to provide insurance for every house in program)
NOTE: my interpretation of the memorandum received from the State was that we were to insure only the houses located in the flood plain, but the State is saying we must insure every house in the program.

\$533,000

We have requested additional funds from the State in the amount of five hundred thirty-two thousand seven hundred twenty-five and 00/100 (\$532,725.00) dollars to cover the above listed items. We do not know if we will receive these funds or not.

Commissioner Memory asked Mr. Adams if he had held any amount back for contingency out of the twenty-five million and 00/100 (\$25,000,000.00) dollars that had been granted to Columbus County for this program. Mr. Adams replied stating they had incurred some unanticipated problems along the way and one big problem was the nine (9) mobile homes that had been purchased from Chris Parker Mobile Homes which is still not settled.

Extensive discussion was conducted among the Board regarding this matter and Mr. Adams was asked what would happen if we did not get the additional funds that had been requested. Mr. Adams replied stating he did not know the answer, but he had not purchased the three hundred thousand and 00/100 (\$300,000.00) dollars worth of insurance as of yet.

Based Paint Risk Assessor:

Floyd Adams, The Adams Company, Incorporated, has received bids for the Lead Based Paint Risk Assessor for the CDBG Scattered Site Housing Grant #02-C-0947 and recommends this bid be awarded to the low bidder which is Carolinas Environmental, Incorporated at the amount of nine hundred twenty-five and 00/100 (\$925.00) dollars per unit, with a four hundred fifty and 00/100 (\$450.00) dollars Return Visit for Failed Clearance amount. Mr. Adams stated he knew this company and had done business with them before and they are a reputable company.

Commissioner Jacobs made a motion to award the bid for Lead Based Paint Risk Assessor to Carolinas Environmental, Incorporated at the amount of nine hundred twenty-five and 00/100 (\$925.00) dollars per unit, with a four hundred fifty and 00/100 (\$450.00) dollars Return Visit for Failed Clearance amount, seconded by Commissioner Norris. The motion so carried.

Item #6: PROCLAMATION - NATIONAL HOSPICE MONTH - NOVEMBER, 2003:

Dawn Dyson, Lower Cape Fear Hospice, Incorporated, requested Board approval and adoption of the following Proclamation.

NATIONAL HOSPICE MONTH - NOVEMBER, 2003**PROCLAMATION****Twenty-fifth Anniversary of Promoting Hospice Awareness**

WHEREAS, November 2003 marks the twenty-fifth (25th) anniversary of National Hospice Month; **and**

WHEREAS, last year, approximately eight hundred eighty-five thousand (885,000) terminally ill patients and their families received care from the three thousand two hundred (3,200) hospice programs in communities throughout the United States; **and**

WHEREAS, hospice care provides patients and families with professional medical services, pain and symptom control and emotional and spiritual support, most often delivered in the home, allowing patients to live in dignity, treated with respect, surrounded and supported by loved ones, familiar friends and committed care givers.

WHEREAS, professional and compassionate hospice staff and trained volunteers - including physicians, nurses, social workers, therapists, counselors, health aides and clergy - provide comprehensive care making the wishes of each patient a priority; **and**

WHEREAS, family members and loved ones receive counseling and bereavement care to help them cope with the many losses they face during the illness and with the grief they experience afterwards; **and**

WHEREAS, providing high-quality hospice care reaffirms our belief in the essential dignity of every person, regardless of age, health or social status, and that every stage of human life deserves to be treated with the utmost respect and care.

NOW, THEREFORE, BE IT RESOLVED that, we, **The Board of Commissioners of Columbus County**, do hereby proclaim November, 2003 as “**NATIONAL HOSPICE MONTH**” in Columbus County, and urge all of our citizens to encourage citizens to increase their awareness of the importance and availability of hospice services and to observe this month with appropriate activities and programs.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **C.E. WILSON, Chairman**

ATTESTED BY:

/s/ **JUNE B. H ALL, Clerk to Board**

Commissioner McKenzie made a motion to approve and adopt the National Hospice Month - November, 2003 Proclamation, seconded by Commissioner Dutton. The motion so carried.

Agenda Item #7: CCAVE - ANNUAL REPORT:

Ms. Annie Hayes, former Interim Director of the CCAVE Volunteer Center presented the

following Annual Report to the Board.

Columbus County Volunteer Center
*Proposed Project Outline

Southeastern Community College will host the volunteer center (VC) under the direction of Melody Prevatte and Julie Stocks.

Benefits:

1. Experienced staff
2. SCC Administration is familiar with national and community service
3. Free office space, Internet, phone, etc.
4. Financial system

Plans:

1. VC will be located in M-Building, Suite 116 (with the RSVP Program)
2. Melody Prevatte will supervise the VC
3. AmeriCorps*VISTA member will manage the program (includes marketing)
4. RSVP Advisory Council and VC Board of Directors will be combined into "Volunteer Services Advisory Council" using current members
5. SCC Board of Trustees will be the governing board as required by the 501(c)3

Upon Approval:

1. VC/RSVP Director will present this change to the County Commissioners
2. Annie Hayes, Nakoma Simmons and Melody Prevatte will oversee the transition
3. Advisory Council Meetings will be at SCC
4. Committee will be established to amend the by-laws
5. At this time, official steps will not be taken to change the name of the VC, but the center will be referred to as the Columbus County Volunteer Center and the phone will be answered accordingly
6. Since the VC does not have a current chairman, the RSVP Advisory Council Chairman (Amon McKenzie) will serve as Chairman of the Volunteer Services Advisory Council
7. Second priority will be to ensure that the VC is ready for the re-certification process to remain a center within the national network

*Presented by Melody Prevatte to the CCAVE BOD Meeting 8/25/03; accepted by all of the board members present, more than 50%

Chairman Wilson and Commissioner McKenzie commended Ms. Hayes for the dedication and hard work she had contributed to CCAVE.

Commissioner McKenzie made a motion to approve the relocation of the CCAVE Office to RSVP at Southeastern Community College, seconded by Commissioner Dutton. The motion so carried.

Agenda Item #8: DIVISION OF COMMUNITY CORRECTIONS - 13th DISTRICT:

Katherine Horne, Chief Probation Parole Officer, presented her Annual Report. Some highlights are as follows:

Mission Goal:

- Our mission is to protect the safety of citizens throughout North Carolina by providing viable alternatives and meaningful Supervision to offenders placed in our custody.
- Our primary goal is to accomplish our mission by reaching an equal balance of control and treatment for offenders that will positively affect their behavior and lifestyle patterns.

Introduction to Division of Community Corrections:

The Division of Community Correction (DCC) is a division of the North Carolina Department of Correction. DCC is responsible for the supervision of offenders placed on probation by the court system, and inmates released from prison on parole/supervised release. There are 43 districts across the State, and District 13 is comprised of Bladen, Brunswick and Columbus Counties. Statewide, DCC currently supervises 117,508 offenders. In District 13, there are currently 2814 offenders under the supervision of 51 Probation/Parole Officers.

Ms. Horne stated that one (1) of her employees was recognized by the name of Ray Smith

and they presently had twenty (20) employees. A copy of this Annual Report will be kept on file in the Office of the Clerk to the Board for review.

Agenda Item #9: AGING - APPROVAL to HOLD PUBLIC HEARING:

Ed Worley, Aging Director, requested Board approval of a Public Hearing on November 5, 2003, at 3:00P.M., to receive seniors' input regarding the programs, etc., the Department of Aging was sponsoring and if there existed a need for any additional programs that were not being sponsored.

Commissioner Dutton made a motion to approve the Department of Aging to hold a Public Hearing on November 5, 2003, at 3:00 P.M. for the purpose of receiving seniors' input regarding the programs being sponsored by the Department of Aging, seconded by Commissioner Norris.

Mr. Worley stated he would like the Aging Advisory Board to be delegated as the one to conduct this hearing. Commissioner Dutton withdrew his motion and Commissioner Norris withdrew his second.

Commissioner McKenzie made a motion to delegate authority to the Aging Advisory Board to conduct the Public Hearing on November 5, 2003, at 3:00 P.M. for the purpose of receiving seniors' input regarding the programs being sponsored, seconded by Commissioner Jacobs. The motion so carried.

Two (2) items of interest:

1. **Prescription Drug Plan:** Mr. Worley stated the grant they received for this plan had enabled them to work with ninety-six (96) senior citizens which resulted in a savings for them of twenty-three thousand two hundred forty-eight and 00/100 (\$23,248.00) dollars on their medicine.
2. **International Paper Grant:** we have been awarded a three thousand and 00/100 (\$3,000.00) dollars grant from International Paper.

Item #10: AGING - APPOINTMENT to CAPE FEAR COUNCIL of GOVERNMENTS REGION O ADVISORY COUNCIL:

Ed Worley, Aging Director, recommended the appointment of Willie Burns to the Cape Fear Council of Governments Region O Advisory Council as a replacement for T. Ben Douglas, who has resigned.

Commissioner Dutton made a motion to appoint Willie Burns, 107 Diamond Branch Road, Whiteville, North Carolina 28472, Telephone: (910) 642-4803, to the Cape Fear Council of Governments Region O Advisory Council to fill the unexpired term of T. Ben Douglas, who has resigned, with term expiring June 30, 2004, seconded by Commissioner Norris. The motion so carried.

Item #11: ECONOMIC DEVELOPMENT DISCUSSION:

Commissioner Memory stated a meeting had been held on September 30, 2003 with a local developer. The people in attendance were: Commissioners Godwin and Memory, Lacy Wilson and Eastern Carolina Development Group. The purpose of this meeting was to explore economic development using local real estate agents and developers and how they could be compensated.

One (1) suggestion rendered by a local developer, at this meeting, was as follows: for any development, industrial development, where ten (10) or more jobs are created, the developer be compensated one (1) year of property taxes paid over five (5) years.

Commissioner Memory made a motion for Administration and James E. Hill, Jr., Columbus County Attorney to check into this matter and come up with a policy and bring this information back to the Board at the last meeting in November, 2003, and that Phyllis Owens talk to New Hanover County about partnering with Columbus County and bring this information back to the Board in thirty (30) days, seconded by Commissioner Dutton.

James E. Hill, Jr., Columbus County Attorney, stated that he would like to check into the legality of giving local developers the compensation of property taxes before the development of a policy.

Commissioner Memory withdrew his motion, Commissioner Dutton withdrew his second.

Agenda Item #12: EMERGENCY SERVICES - E-911 OVERSIGHT COMMITTEE BY-LAWS:

Ronnie Hayes, Emergency Services Director, requested Board approval of the following E-911 Oversight Committee By-laws.

**BY-LAWS
THE COLUMBUS COUNTY
E-911 OVERSIGHT COMMITTEE**

ARTICLE I. NAME OF COMMITTEE

The Columbus County E-911 Oversight Committee (hereinafter called 911 Committee) is hereby organized and all resolutions not consistent with the provisions herein are declared null and void.

ARTICLE II. DUTIES OF 911 COMMITTEE

3. Promote safety and welfare for the citizens and first responders of Columbus County.
4. Promote better communications between public safety agencies.
5. Through the Board of Commissioners and Emergency Services Office seek available State and Federal grants to expand or improve Columbus County's Emergency Communications Center and Infrastructure.
6. Keep the Board of Commissioners informed about communication issues.
7. Make recommendations on the future improvements of 911 communications in Columbus County.
8. Help promote community education about 911.

ARTICLE III. MEMBERSHIP

1. The 911 committee shall consist of 8 members.
2. All members shall be permanent residents of Columbus County. Seven (7) members shall be from each respective commissioner's zones; these members shall be appointed by the Columbus County Board of Commissioners. The Eighth member shall be the Emergency Services Director of Columbus County.
3. The term of office for the seven (7) appointments under these by-laws shall be the same as the commissioner that appointed the member.
4. The appointed members shall be reappointed to serve full terms provided that such appointment will not cause total service to exceed eight (8) consecutive years.
5. An appointed member of the 911 committee may be removed for the following reasons:
 - A. Absence for two (2) consecutive meetings
 - B. Upon receipt, by the Board of Commissioners, of a letter of resignation from the member.

ARTICLE IV. OFFICERS AND THEIR DUTIES

1. The offices of Chairperson and Vice-Chairperson shall be elected for a two (2) year term. This election shall take place during the last quarterly meeting of every odd year.
2. The Chairperson shall preside over all meetings and shall decide all matters of order and procedure subject to these by-laws, unless otherwise directed by the majority of the 911 committee present at the meeting. The chairperson shall appoint committees and shall be in charge of the Executive Committee.

3. The Vice-Chairperson shall serve as acting Chairperson in the absence of the chairperson and shall have the same powers and duties as the chairperson when presiding.
4. The 911 Committee shall appoint the Recording Secretary who may or may not be a 911 Committee member. Recording Secretary shall keep all the Minutes of all 911 Committee proceedings; keep records of attendance, recommendations, and notify membership, and other necessary person of upcoming meetings or events.

ARTICLE V. VOTING

1. Four (4) members of the 911 Committee shall constitute a quorum.
2. Official business shall not be conducted unless a quorum is present.
3. A minimum of a simple majority of the quorum voting in the affirmative action shall be necessary to pass a motion.
4. All 911 Committee members are voting members.

ARTICLE VI. MEETINGS

1. The 911 Committee shall hold a quarterly meeting at a place and time it designates.
2. The Chairperson, a simple majority of the members in a session, the County Emergency Services Director, the County Administrator, or Board of County Commissioners may call for a special meeting.
3. Notice of all meetings shall be mailed to each 911 Committee member so that he/she receives said notice not less than two (2) days before the meeting. Notice of all meeting shall state in brief the purpose thereof. Meetings may be cancelled by like notice.

ARTICLE VII. PARLIAMENTARY PROCEDURE

Meetings of the Columbus County 911 Committee shall be conducted according to the latest edition of Roberts Manual of Parliamentary Rules.

ARTICLE VIII. EXECUTIVE COMMITTEE

1. An Executive Committee may be formed consisting of the Chairperson or Vice-Chairperson, Emergency Services Director, and one (1) member of the 911 Committee.
2. Duties of the Executive Committee shall be to perform duties the 911 Committee may entrust to it. Minutes of the Executive Committee meetings shall be recorded and copies distributed to 911 Committee members and the Columbus County Board of Commissioners.

ARTICLE IX. COMPENSATION OF MEMBERS

The members of the 911 Committee shall serve as such without compensation unless otherwise provided for by the Board of County Commissioners.

ARTICLE X. COUNTY SUPPORT STAFF

The Emergency Services Director shall provide and additional county support staff needed. The Board of County Commissioners or County Administrator may also appoint needed staff.

ARTICLE XI. AMENDMENTS

1. An affirmative vote of four (4) members shall be required before the 911 Committee can recommend amendments to its By-laws.
2. All proposed amendments shall be brought before the 911 Committee at least one meeting prior to the meeting in which the vote was taken.
3. All amendments are subject to the approval of the Board of Commissioners.

ARTICLE XII. EFFECTIVE DATE

These By-laws shall become effective on the date of approval, the 20th day of October, 2003

Columbus County Board of Commissioners
/s/ C. E. Wilson, Chairman

ATTEST:
/s/ June B. Hall, Clerk

Commissioner Dutton made a motion to approve the E-911 Oversight Committee By-Laws, seconded by Commissioner Memory. The motion so carried.

Agenda Item #13: **TRANSPORTATION - EASEMENT APPROVAL for TRANSIT FACILITY:**

Charles Patton, Transportation Director, presented the following easement from Columbus County to Progress Energy for the Transit Facility for approval by the Board.

EASEMENT

**NORTH CAROLINA
COLUMBUS COUNTY**

THIS EASEMENT made this 20th day of October, 2003, from County of Columbus, A Body Politic, hereinafter referred to as GRANTOR (whether one or more), to PROGRESS ENERGY CAROLINA, INC., a North Carolina public service corporation, hereinafter referred to as PEC;

WITNESSETH :

THAT GRANTOR, for an in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto PEC, its successors and assigns, the right, privilege, and easement to go in and upon the land of GRANTOR situated in Whiteville Township of said County and State, described as follows: being the land described in a deed from Garland Williamson and wife, Shelba P. Williamson, to County of Columbus, a Body Politic, dated August 20, 1986, and recorded in Book #76, Page 362, Columbus County Registry, LESS AND EXCEPT any prior out-conveyances, and to construct, maintain, and operate electric and/or communication facilities thereon consisting of poles, cables, wires, guys, anchors, underground conduits, enclosures, and other pertinent facilities within an easement area thirty (30') feet wide for the overhead portion of said facilities and ten (10') feet wide for the underground portion of said facilities together within an area ten (10') feet wide on all sides of the foundation of any enclosure, with the right to do all things necessary, including, but not being limited to, the right: (a) to enter said easement area at all time over the adjacent land to inspect, repair, maintain, and alter said facilities; (b) to keep said easement area cleared of trees, shrubs, undergrowth, buildings, structures, and obstruction; (cc) to trim or cut any tree adjacent to said easement area that may, in the opinion of PEC, endanger the overhead facilities or hinder the maintenance, operation, and use of the same; and (d) to install, at angle point of the overhead facilities, guy wires and anchors outside of said easement area. The center line of the facilities shall be the center line of said easement area. **PEC shall not install facilities outside of said easement area without obtaining another EASEMENT, except for those facilities that may be installed as set forth in item (D) above.**

It is understood and agreed that said overhead and underground electric lines shall be located as shown on the attached copy of a drawing entitled "Map of an easement survey for Columbus County Transportation", dated July 22, 2003, prepared by David B. Goldston, Jr., PLS, License No. 1353.

TO HAVE AND TO HOLD said rights, privilege, and easement unto PEC, its successors and assigns, forever, **IN WITNESS WHEREOF, GRANTOR** has caused this **EASEMENT** to be signed by its duly authorized officials and its official seal to be hereunto affixed, pursuant to a resolution of its governing body, as of the date first above written.

COLUMBUS COUNTY
/s/ **C.E. WILSON, Chairman**
BOARD OF COMMISSIONERS

(SEAL)

ATTESTED BY:
/s/ **JUNE B. HALL, Clerk**

A copy of this document along with its notarization and recordation will be kept on file in the Office of the Clerk to the Board for review.

Commissioner Norris made a motion to approve the Easement from Columbus County to Progress Energy Carolina, Inc., seconded by Commissioner McKenzie. The motion so carried.

Agenda Item #14: GIS - DEPARTMENTAL UPDATE:

Carla Strickland, GIS Lead Technician, presented the following Departmental Update to the Board, along with Chris Formyduval, Land Records Supervisor, Dan Meares, Land Records G.I.S. Coordinator, and Carol Clark, Addressing Specialist.

1. The goals of said department are as follows:
 - A. To capture and maintain data needed to provide services for our county residents and offices;
 - B. To provide the access and ability to share needed information to the Columbus County Departments, Administration and Board of Commissioners in a manner that is accurate, expedient and efficient;
 - C. To provide mapping and statistical information along with support services to said departments that cannot otherwise be accessed through the aforementioned; **and**
 - D. To always present the above mentioned with professionalism and respect, bearing in mind that our actions and the data released from this office have a direct reflection on our county government and the decision making process.
2. Over the past year, we have experienced many innovative and exciting changes with Columbus County primarily dealing with how information is accessed and shared.
3. Implemented an on-line work order request system for G.I.S., I.T.S. and Maintenance Departments.
4. Presently a new on-line program is being designed. This program will eventually tie the G.I.S. Addressing, Environmental Health, Building Inspections, Public Works, Solid Waste and Land Records data in with the G.I.S. system.
5. Hired two (2) new employees during the month of August, 2003, to fill the once vacated Addressing Specialist and the Addressing Assistant positions.
6. Worked closely with several state agencies, to include F.E.M.A., North Carolina General Assembly, the N.C. State Board of Elections and the N.C.D.O. T.
7. Verifying the data in the proposed flood plain maps for the Flood Plain Department of F.E.M.A.
8. Assisting the County Board of Elections with their geo-coding, both locally, as well as, at a state level in anticipation of the recent special election, as well as future elections.
9. Working closely with the Columbus County Fire Marshal with regard to the six (6) mile districts.
10. Been an effective participant with the Economic Development Commission, as well as the Soil and Water Conservation Office.
11. Have assisted the Emergency Services Department during Hurricane Isabel.
12. Been working with the Public Utilities Office.
13. Had the opportunity to work with the Columbus County School District, with full anticipation of digitized school district boundaries before the year end.
14. Has requested an external CD ROM/BURNER so that we can download data from the existing Interact Server located in the Emergency Services Building on an as-needed basis.
15. Been actively involved, along with the Assistant County Administrator, Darren Currie, Emergency Services Director, Ronnie Hayes, Tax Administrator, Richard Gore, Brunswick County Personnel and Brunswick Electric Company, in the future endeavor of updating our present Ortho-photography imagery.
16. Responsible for the coordination, implementation, design, upgrade and maintenance of the County Geographical Information System (G.I.S.). Provide prompt and precise services on a daily basis to the public, to include our residents, attorneys, real estate agents, property surveyors and engineering companies.
17. **Land Records:** primarily responsible for the mapping and appraisal of land records parcel data to include updates of ownership and subdivisions of said data properties utilizing legal documentation from the Register of Deeds and Estates Office and G.I.S. applications.
18. **Addressing:** primary duties include the addressing of new structures and issuing of said addresses, maintaining and updating residential, structural descriptions and the addition of new roads in our county utilizing present addressing and m-sag databases. Personnel are presently being cross trained in the capturing and maintenance of structural and centerline data utilizing the County G.I.S. work station.

Agenda Item #15: TOWN of LAKE WACCAMAW - FIRE INSPECTION WITHIN:

Billy Joe Farmer, County Administrator, requested Board consideration of the request made by Lloyd Payne, Jr., Lake Waccamaw Town Manger in the following letter.

July 29, 2003

Columbus County Administration Offices
Attn: Billy Joe Farmer, County Administrator
111 Washington Street
Whiteville, NC 28472

Re: Fire Inspections within Town of Lake Waccamaw

Dear Mr. Farmer:

The issues of fire inspections and jurisdictional authority have surfaced and must be addresses. I understand the County has been working under the assumption which permitted the County Fire Marshal to conduct fire inspections within the Town limits per the state published schedule. However, the Town’s Fire Chief has always assumed he had the jurisdictional authority to make these inspections and other decisions as they relate to the State Fire Code.

Upon consultation with the Mayor and Fire Chief of Lake Waccamaw, I humbly request for Columbus County to relinquish, from this point forward, any fire inspection proceedings within the corporate limits of Lake Waccamaw. The Town’s Fire Chief will undertake the responsibility of said inspections per the state published schedule.

Feel free to contact me should other issues concerning this matter arise. Thank you.

Sincerely,
/s/ Lloyd Wm. Payne, Jr., Town Manager

c.c. Mayor McNeill and Board of Commissioners
Lake Waccamaw Fire Chief Eddy Morgan
Columbus County Fire Marshall Jerry Avery

Commissioner Dutton made a motion to approve the request made by Lloyd Payne, Lake Waccamaw Town Manager, for Columbus County to relinquish, from this point forward, any fire inspections proceedings within the corporate limits of Lake Waccamaw, seconded by Commissioner Norris. The motion so carried.

Agenda Item #16: HILL BUILDING - ABBREVIATED STANDARD FORM of AGREEMENT between OWNER and ARCHITECT for ADAPTIVE REUSE of COLUMBUS COUNTY OFFICES, EDA PROJECT #2003413.00:

Billy Joe Farmer, County Administrator, requested Board approval and signature of the Abbreviated Standard Form of Agreement between Owner and Architect for Adaptive Reuse of Columbus County Offices, EDA Project #2003413.00, for the renovation of the Hill Building from EDA pa, north carolina. This is based on a proposal that was submitted and approved at the August 18, 2003 Board Meeting. This document will be kept on file in the Office of the Clerk to the Board for review.

Commissioner Jacobs made a motion to approve the Abbreviated Standard Form of Agreement between Owner and Architect for Adaptive Reuse of Columbus County Offices, EDA Project #2003413.00, for the renovation of the Hill Building from EDA pa, north carolina, seconded by Commissioner Norris. The motion so carried.

RECESS REGULAR SESSION and enter into COLUMBUS COUNTY WATER and SEWER DISTRICT III BOARD MEETING:

At 8:29 P.M., Commissioner Norris made a motion to recess Regular Session and enter into Columbus County Water and Sewer District III Board Meeting, seconded by Commissioner Jacobs. The motion so carried.

This information will be recorded in Minute Book I for Columbus County Water and Sewer District III Board.

ADJOURN COLUMBUS COUNTY WATER and SEWER DISTRICT III BOARD MEETING and resume REGULAR SESSION:

At 8:37 P.M., Commissioner Norris made a motion to adjourn Columbus County Water and Sewer District III Board Meeting and resume Regular Session, seconded by Commissioner Dutton. The motion so carried.

Agenda Item #19: COMMITTEE APPOINTMENT:

Tabled until November 3, 2003.

Agenda Item #20: CONSENT AGENDA ITEMS:

Commissioner Norris made a motion to approve the following Consent Agenda Items, seconded by Commissioner McKenzie. The motion so carried.

A. Budget Amendments:

TYPE	CCOUNT	DETAILS	AMOUNT
Expenditure	1-0400	Development Services	00
	1-1100	Wide Roadrunner Line	00
	1-3300	Printer; Digital Camera; Software	00
	1-7400	IT - Dell 2650 Webserver	00
Revenue	8-2600	Library Center - LEG-UP / RIAA	00
	6-0301	State Grant - From Municipalities	00
Expenditure	1-6400	State Needs Grant - Hurricane Isabel	85
Revenue	8-0009	State Needs Grant - Hurricane Isabel	85
Expenditure	0-0402	Professional Services - Other	500
Revenue	9-0000	Balance Appropriated	500

B. Tax Refunds:

**TAX REFUNDS (as submitted to Governing Body from the Tax Office):
October 20, 2003**

The Tax Administrator's Office recommends that the values listed below be refunded to the following citizens:

Type	First Name	Amount Released	Property	Year	Account #	Bill #
Refunds	Minnis, Earl		Refund a portion of the user fee. Customer did not receive the trash can until April. Refund of user fee has been approved by Solid Waste.			
		\$0.00	\$0.00	2003	15-0133	5326
Total:						\$44.25

421 Gus Bryatn Rd.
Riegelwood, NC 28456

Refunds	St Stephens Holiness		Refund user fee that is double listed in the same name on a different account number with a different address. Refund approved by Solid Waste.			
		\$0.00	\$0.00	2003	18-0010	7126
Total:						\$173.46

203 Fair Bluff Rd.
Tabor City NC 28463

AGENDA ADD-ONS:

Add-on #1: SPRINT COMMUNICATIONS - COMMUNICATION SYSTEMS RIGHT-OF-WAY and EASEMENT DEED:

James E. Hill, Jr., Columbus County Attorney, requested Board approval of the modifications to the following Communication Systems Right-of-Way and Easement Deed from Sprint Communications to construct a telephone cabinet on the landfill property to enhance the communications service in the area. This matter was handled at the August 4, 2003 Meeting and has been under negotiation. If the modifications are approve by the Board, an original will be hand delivered by Sprint, signed at that time and duly recorded.

Prepared by/return to:
Alicia Martin, Sprint
14111 Capital Boulevard
Mailstop: NCWKFR0331
Wake Forest, NC 27587

COMMUNICATION SYSTEMS RIGHT-OF-WAY EASEMENT DEED

Grant of Easement Deed by: **County of Columbus, A Body Politic (“Grantor”)**, whose address is 111 Washington Street, Whiteville, North Carolina 28472. For the sum of Ten Dollars (\$10.00) and other valuable consideration, Grantor grants to **Carolina Telephone and Telegraph Company**, its successors, assigns, lessees and agents, (**“Grantee”**), subject to the terms stated below, a right-of-way and easement (**“Easement”**) to construct, operate, maintain, expand, replace and remove a communication system that Grantee may, form time to time, require, consisting of but not limited to underground cables, wires, conduits, manholes, drains, splicing boxes, surface location markers, equipment cabinets and associated wooden or concrete pads, aerial lines or cables, buildings, and other facilities or structures for similar uses, upon, over, through, under and along a parcel of land as depicted and legally described on Exhibit “A” (**“Easement Tract”**) and crossing a portion of the real property legally described in Exhibit “B” (**“Land”**), both attached and incorporated.

This grant of Easement also includes:

- (A) the right of ingress and egress over and across the Land legally described on Exhibit “B” or any real property owned or controlled by Grantor adjacent to the Land for the purpose of exercising the rights granted herein;
- (B) the right to clear and keep cleared all trees, roots, brush and other obstructions from the surface and sub-surface of the Easement Tract during construction and maintenance and to use adjacent areas as necessary;
- (C) the right to permit the attachment of and/or carry in conduit, the wires and cables of any other company or person as required by law; **and**
- (D) the right to place electrical service to the Easement Tract for Grantee’s use and at Grantee’s expense.

This grant of Easement does not include the right to disturb the graveyard or the reasonable enjoyment thereof by any descendant of individuals buried therein in any manner whatsoever.

Grantor will have the right to use and enjoy the Easement Tract and Land so long as Grantor’s use does not interfere with the rights conveyed to Grantee. Grantor will not erect any structure, or plant trees or other vegetation within the Easement Tract.

Grantor warrants that Grantor is the owner of the Land and will defend title to the Land against the claims of any and all persons, and that Grantor has full authority to grant this Easement according to its terms.

Executed by Grantor this _____ day of _____, 2003.

Grantor: Columbus County, a body politic
By: _____
Printed Name: _____
Title: _____

ACKNOWLEDGEMENT

(Notarization)

Commissioner Memory made a motion to approve the modifications that have been made to the Communication Systems Right-of-Way from Sprint Communications, seconded by Commissioner Dutton. The motion so carried.

Add-on #2: ECONOMIC DEVELOPMENT - AGREEMENT for PROFESSIONAL ADMINISTRATION BETWEEN COLUMBUS COUNTY and the CAPE FEAR COUNCIL of GOVERNMENTS:

Phyllis Owens, Economic Development Executive Director, requested Board approval and signature of the following Agreement for Professional Administration Between Columbus County and the Cape Fear Council of Governments for the administration of the grants that have been awarded for the Columbus County Publicly Owned Treatment Wastewater Facility at Wright Corporation.

**AGREEMENT FOR PROFESSIONAL ADMINISTRATION
BETWEEN COLUMBUS COUNTY
AND THE CAPE FEAR COUNCIL OF GOVERNMENTS**

THIS AGREEMENT made and entered into by and between Columbus County and the Cape Fear Council of Governments (hereinafter called the COG).

WITNESSETH THAT:

WHEREAS, Columbus County has submitted proper application for funding in the sum of eight hundred sixty thousand dollars (\$860,000) from the United States Department of Commerce Economic Development Administration (hereinafter called EDA); five hundred thousand (\$500,000) from NC Department of Commerce (CDBG-ED); five hundred thousand (\$500,000) from NC Department of Commerce (IDF); two hundred thousand (\$200,000) from The Rural Center, Inc.; and two hundred forty three thousand (\$243,000) from local match (Wright Corp.) for a total of two million three hundred three thousand (\$2,303,000), hereinafter referred to as grants;

WHEREAS, Columbus County has successfully applied and received funding from the various agencies for the construction of a publicly owned treatment works facility in the Riegelwood area/Wright Corp;

WHEREAS, Columbus County is desirous of the COG providing assistance with respect to implementation and management of the aforementioned grants; and,

WHEREAS, the COG is staffed with professional planners and grant administrators and is desirous of providing implementation and management assistance related to the aforementioned grants during the grants period;

NOW, THEREFORE, it is distinctly understood and specifically agreed as follows:

4. **RETENTION OF COG**

Columbus County and the COG, in consideration of their mutual covenants herein, agree that Columbus County shall retain and pay the COG for performing specific professional administrative services as outlined in the Scope of Services in Section 2 of this contract.

5. **SCOPE OF SERVICES**

The COG shall provide the following professional services to Columbus County during the aforementioned grant period:

- a Provide necessary assistance in developing and maintaining a filing and record keeping system as required by all grant programs.
- b Monitor grant project activities, including on site visits on a regular basis to observe the progress (in consultation with the project engineer) and contractor compliance related to EDA & NC Department of Commerce requirements including the required Davis-Bacon monitoring.
- c Provide necessary assistance in gaining approval for any special conditions to the original grant approval as Columbus County may request.
- d Prepare, in coordination with the Project Engineer, quarterly progress reports and other reports applicable to federal and state regulations.
- e Provide necessary assistance in the final closeout procedures of the grants.
- f Meet and assist various grant agencies personnel during grant related visits to the recipient

community.

- g Maintain contact with various grant agencies and attend appropriate meetings and conferences for the purpose of keeping current with relevant changes in their respective programs.

3 ASSURANCES

The COG shall comply with the Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352) and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no person in the United States shall on the grounds of race, color, sex, age, handicap, political affiliation, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this assurance.

4 PERSONNEL

The COG represents that it has, or shall secure, all personnel required in performing the services under this agreement. Such employees will not be employees of Columbus County.

5 SERVICES TO BE FURNISHED BY COLUMBUS COUNTY

The responsibilities of Columbus County to the COG shall include but not be limited to the following:

- a To provide full information as to the EDA project and other grant awards as well as provide copies of all correspondence pertaining to the grants.
- b To provide assistance in obtaining the required Davis-Bacon monitoring information in a timely matter.
- c To make available from Columbus County's files any data and information necessary to provide continuity and accountability of grant funds and/or materials.
- d To designate a person to act as Columbus County's representative with respect to the work to be performed under this Agreement; and such person shall have complete authority to transmit instructions, receive information, interpret and define Columbus County's policies and decisions with respect to the services covered by this Agreement.
- e To bear all costs incidental to implementation of this project including, but not limited to, all advertising costs, legal, audit and bank charges.
- f To fully disclose all possible conflict of interest situations pertaining to the project under the provisions outlined in the Certified Assurances.
- g To prepare periodic drawdown of funds requests.
- h To record the reasonableness and allocability of all costs pertaining to funding in accordance with applicable federal and state regulations.
- i To maintain files of all source documents supporting financial transactions and administrative actions.

6 RETENTION AND ACCESS TO RECORDS

The COG shall allow access to any books, documents, papers and/or records of the COG which are directly pertinent to this project for the purpose of making audit, examination, excerpts, and transcriptions to Columbus County, the various grant agencies, or any of their duly authorized representatives, for a period of three (3) years following the project close out under this Agreement.

Columbus County shall allow access to any books, documents, papers and/or records of Columbus County which are directly pertinent to this project for the purpose of making audit, examination, excerpts, and transcriptions to the COG, the various grant agencies, or any of their duly authorized representatives, for a period of three (3) years following the project close out under this Agreement.

7 COMPENSATION

Columbus County agrees to pay the COG for performance of the scope of services outlined in Section 2 of this Agreement.

- a For performance of said services, Columbus County agrees to reimburse the COG \$45,000 during the next four (4) fiscal years and for each additional year thereafter \$12,500 per fiscal year or \$50 per hour for the remainder of the grants period. Said sum shall be payable upon receipt of periodic financial reports and requisitions from the COG. Columbus County hereby agrees to pay the COG in a timely manner upon receipt of invoices for payment for services rendered.

- b In the event any of the various grant agencies approves a Grant Adjustment Notice extending the grant period, additional compensation (contingencies) shall be charged for those grant related services provided by the COG during the extended grant period as noted in (a) above.

8 TERMINATION OF AGREEMENT

This Agreement shall terminate at the end of the grant period or prompt completion of all requirements imposed by the grants. It is further agreed that in the event that any of the provisions of the Agreement are violated by the COG, Columbus County may serve written notice upon the COG of its intention to terminate the Agreement, such notice to contain the reasons for such intention to terminate the Agreement, and unless within thirty (30) days after the serving of such notice upon the COG such violation or delay shall cease and satisfactory arrangement of correction is made, the Agreement shall, upon the expiration of said thirty (30) days, cease and terminate. In the event of any such termination, any finished or unfinished documents, plans, surveys, maps, and reports prepared by the COG under this Agreement shall, at the option of the Columbus County, become Columbus County property and the COG shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials, unless compensation has previously been paid by Columbus County.

9 EFFECTIVE DATE

This Agreement shall become a legally binding instrument this 20th day of October, 2003, when properly entered into and executed by each of the parties.

COLUMBUS COUNTY

CAPE FEAR COUNCIL OF GOVERNMENTS

/s/ CE "Gene" Wilson, Chairman

Chris May, Executive Director

/s/ June B. Hall, Clerk to Board

ATTEST

ATTEST

This instrument has been pre-audited in a manner required by the Local Government Budget and Fiscal Control Act.

/s/ Gayle Godwin, Finance Director

Commissioner Memory made a motion to approve the Agreement for Professional Administration Between Columbus County and the Cape Fear Council of Governments, seconded by Commissioner Dutton. The motion so carried.

Add-on #3: BUDGET AMENDMENT for the HURRICANE ISABEL - UNMET NEEDS GRANT:

Gayle Godwin, Columbus County Finance Officer, requested Board approval and signature of a Budget Amendment for the Hurricane Isabel - Unmet Needs Grant in the amount of nineteen thousand two hundred eighty-five and 00/100 (\$19,285.00) dollars.

Ronnie Hayes stated the following relating to the Unmet Needs Grant:

- 8. We were contacted by the State we had three (3) to form a committee, take applications for this grant and dispense the money that has been allotted;
- 9. 1231 People have called the FEMA hotline number regarding assistance from Hurricane Isabel;
- 10. Committee has been formed, have met and have reached a decision on how to handle this money;
- 11. People are to apply through the Columbus County Department of Social Service from November 3, 2003 and November 14, 2003; **and**
- 12. There is a set amount of four hundred fifty and 00/100 (\$450.00) dollars per household.

Commissioner Dutton made a motion to approve the Budget Amendment for Hurricane Isabel - Unmet Needs Grant in the amount of nineteen thousand two hundred eighty-five and 00/100 (\$19,285.00) dollars, seconded by Commissioner McKenzie. The motion so carried. This Budget Amendment is listed under the Budget Amendments.

Add-on #4: AMENDMENT to the SEPTEMBER 15, 2003 MINUTES:

Chairman Wilson stated the following Amendment to the September 15, 2003 Board Minutes needed approval for the closing of the Farm Services Building Refinancing. In the September 15, 2003 Board Minutes, Agenda Item #16: Finance - Farm Services Building Refinancing, the taxable portion of the refinancing was omitted. This Amendment will now include the taxable and the tax-exempt portion.

ATTACHMENT "A"**Amendment to the September 15, 2003 Minutes****Agenda Item #16: FINANCE - FARM SERVICES BUILDING REFINANCING:**

Gayle Godwin, Columbus County Finance Officer, requested Board acceptance of the proposal that has been submitted from BB&T for the refinancing of the tax-exempt portion and the taxable portion of the Farm Services Building.

The fifty-nine (59%) percent of the tax-exempt refinancing will be covered with the approval of the following Resolution Approving Financing Terms.

Resolution Approving Financing Terms

WHEREAS: Columbus County ("County") has previously determined to undertake a project for the refinancing of 59% of the Farm Services Building (Tax-Exempt Portion), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated August 29, 2003. The amount financed shall not exceed \$779,464.87, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.54%, and the financing term shall not exceed a maturity of May, 2018.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 15th day of September, 2003.

/s/ Billy Joe Farmer, County Administrator
/s/ June B. Hall, Clerk to Board

Two (2) options were provided by BB&T for the taxable portion of the refinancing as follows:

Option 1: Bank's Prime Rate less 0.375%, as adjusted from time to time by Bank subject to a fixed maximum rate of 7.95% and a fixed minimum of 3.5%.

Option 2: A fixed rate of 5.75% for the first five (5) years of the scheduled amortization, then converted to a variable rate of the bank's Prime Rate less 0.375%, as adjusted from time to time by Bank subject to a fixed maximum rate of 7.95% and fixed minimum rate of 3.5% for the remainder of the term.

Option 1 was recommended by Gayle Godwin, Finance Officer, and Billy Joe Farmer, County Administrator.

Ms. Godwin stated this would save Columbus County approximately three hundred seventy thousand and 00/100 (\$370,000.00) dollars if the interest rates remain stable. These documents will be on file in the Office of the Clerk to the Board and in the Finance Office.

Commissioner McKenzie made a motion to approve the refinancing of the tax-exempt portion and the taxable portion of the Farm Services Building by approval of the Resolution Approving Financing Terms for the tax-exempt portion and the selection of Option 1 as recommended for the taxable portion, seconded by Commissioner Norris. The motion so carried.

Commissioner Jacobs made a motion to approve the Amendment to the September 15, 2003 Minutes to include the taxable portion of the Farm Services Building Refinancing, seconded by Commissioner Norris. The motion so carried.

Agenda Item #21: COMMENTS:

B. Board of Commissioners:

Commissioner Jacobs -

Balance owed to Hobbs, Upchurch and Associates for services rendered for Water District V: Commissioner Jacobs made a motion to pay Hobbs, Upchurch and Associates the balance due for services rendered for Water District V which is approximately one hundred eight thousand and 00/100 (\$108,000.00) dollars, seconded by Commissioner Norris.

A role call was taken with the following results:

AYES: Commissioners McKenzie, Jacobs, Norris, Wilson and Dutton.

NAYS: Commissioner Memory

ABSENT: Commissioner Godwin.

The motion carried with five (5) Ayes and one (1) Nay, with one (1) absent.

Commissioner McKenzie -

Suspension of Finance Committee and Personnel Committee: Commissioner McKenzie suggested the Finance Committee and the Personnel Committee be suspended and the authority now held by these two (2) committees be given solely to Billy Joe Farmer, County Administrator. Commissioner McKenzie stated these two (2) committees were established at a critical time when they were needed, but they have served their purpose and this authority needs to rest solely with the County Administrator.

900

Commissioner Dutton stated these two (2) committees were a good check and balance system which the County Commissioners had never had before. These committees allow the Commissioners to know more about how the County is being operated. There is no need for these committees to be dissolved. The Finance Committee allows the public to feel better about the way the tax dollars are being utilized.

Commissioner Memory stated these two (2) committee were good committees and are very effective. I recommend that these two (2) committees remain intact.

Agenda Item #22: ADJOURNMENT:

At 8:57 P.M., Commissioner Dutton made a motion to adjourn, seconded by Commissioner Norris. The motion so carried.

APPROVED:

JUNE B. HALL, Clerk to Board

C.E. WILSON, Chairman