

COLUMBUS COUNTY BOARD OF COMMISSIONERS

Monday, May 17, 2004

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, to conduct a Public Hearing and for their regular scheduled meeting on the third Monday.

COMMISSIONERS PRESENT:

Bill Memory, **Chairman**
David L. Dutton, Jr., **Vice Chairman**
Kipling Godwin
Sammie Jacobs
Amon E. McKenzie
Lynwood Norris
C.E. "Gene" Wilson

APPOINTEES PRESENT:

Billy Joe Farmer, **County Administrator**
Darren L. Currie, **Assistant County Administrator**
June B. Hall, **Clerk to Board**
Gayle B. Godwin, **Finance Officer**

APPOINTEE ABSENT:

James E. Hill, Jr., **County Attorney**

7:00 P.M.: PUBLIC HEARING - PROPOSED SECONDARY ROADS CONSTRUCTION PROGRAM FISCAL YEAR 2004-2005

At 7:00 P.M., Chairman Memory called the Public Hearing to order and stated this Public Hearing was being conducted to receive views and comments from any and all concerned parties regarding the Proposed Secondary Roads Construction Program for the Fiscal Year 2004-2005. This information has been posted on the bulletin board in the Columbus County Courthouse for two (2) weeks prior to this meeting.

Chairman Memory turned the Public Hearing over to Robert Crumpler, District Engineer for the North Carolina Department of Transportation. Mr. Crumpler explained the program by category expenditures and road numbers which is contained in the following Proposed Secondary Roads Construction Program Fiscal Year 2004-2005.

**2004-05 SECONDARY ROADS CONSTRUCTION PROGRAM
RESOLUTION**

WHEREAS, the Columbus County Board of Commissioners met with officials of the North Carolina Department of Transportation at a Public Hearing on May 17, 2004; **and**

WHEREAS, the purpose of this meeting was to present to the public the proposed Secondary Roads Construction Program for Columbus County for Fiscal Year 2004-2005 from the Department of Transportation as follows:

ALLOCATION	AMOUNT
Secondary Road Construction	\$1,703,503.00
Highway Trust Fund	\$1,317,599.00
TOTAL SECONDARY ROAD CONSTRUCTION FUNDS AVAILABLE:	\$3,021,102.00

MAINTENANCE OPERATIONS:

Funds required to supplement secondary road maintenance operations. To be used for: spot stabilization of unpaved roads with stone or local materials; widening of paved secondary roads, drainage improvements; safety projects; etc.

ALLOCATION	AMOUNT
Secondary Construction	\$ 192,252.00
Highway Trust Fund	\$ 191,743.00

ALLOCATION	AMOUNT
TOTAL MAINTENANCE OPERATIONS:	\$ 383,995.00

RESERVE for CONTINGENCIES:

Funds to be used for road additions; survey and right of way; overdrafts; property owner participation paving; paving of rural fire departments and rescue squads, continuation of paving down the priority list. **\$ 302,110.00**

PAVING PROGRAM:

Paving of unpaved roads in priority order from the Rural and Residential/Subdivision lists. The department will secure right-of-way and construct this program. Should additional funds become available or right-of-way be unobtainable on any road, then the program will be extended down the priority lists until available funds are expended.

ALLOCATION	AMOUNT
Secondary Construction	\$1,340,901.00
Highway Trust Fund	\$ 904,096.00
TOTAL PAVING PROGRAM	\$2,334,997.00

RURAL PAVING PROJECTS:

PRIORITY NO.	SR#	FROM SR#	TO SR#	LENGTH/DESCRIPTION/COST
42	1158	1141	1159	1.7 Miles Grade, Drain, Base, Pave and E/C \$595,000.00
43	1100	NC 905	S.C. Line	4.7 Miles (Right of Way Not Available) —
44	1714	1001	Dead End	0.9 Mile Grade, Drain, Base, Pave and E/C \$315,000.00
45	1116A	1113	1115	0.8 Mile Grade, Drain, Base, Pave and E/C \$280,000.00
46	1561	1562	1572	0.9 Mile Grade, Drain, Base, Pave & E/C \$315,000.00
47	1126	NC 904	S.C. Line	0.9 Mile Grade, Drain, Base, Pave & E/C \$315,000.00
48	1366	NC 904	1314	1.2 Miles Grade, Drain, Base, Pave & E/C \$420,000.00
49	1828	End Pvmt	1849	1.1 Miles Grade, Drain, Base, Pave & E/C \$ 94,997.00 (Partial funding; Additional Funds to be added later)

TOTAL MILES: 7.5 TOTAL FUNDS: \$2,334,997.00

RESIDENTIAL/SUBDIVISION PAVING PROJECTS: NONE

GRAND TOTALS: 7.5 TOTAL FUNDS: \$2,334,997.00

***NOTES:**

1. If additional maintenance monies are made available by Legislature, the monies listed under maintenance operations will be programmed on paving projects in accordance with the Columbus County Secondary Road Paving Priority List.
2. This Program is subject to availability of funding, right-of-way, and environmental review.

THEREFORE, BE IT RESOLVED, that the Columbus County Board of Commissioners does hereby concur with the 2004-2005 Secondary Roads Construction Program for Fiscal Year

2004-2005 as prioritized by the State as enumerated above.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ **BILL MEMORY, Chairman**

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

In accordance with the North Carolina General Statute, the Commissioners have three (3) choices. We are asking that you give us a concurrent Resolution for the program and vote to take no action at all and then the Board would proceed to work with this program, or if you opted to request that a road be paved out of priority, in accordance with the General Statute, you would be required to have a separate public hearing and also have just cause and good reason to pave a road out of priority, not just take it out of priority.

Chairman Memory asked if anyone had any questions or anything they wanted to discuss regarding this program.

The following County Commissioners spoke:

1. **Commissioner Wilson:** I would like to know the status of #1543 Charles Lennon Road and #1544 Tart Road. Mr. Crumpler replied stating #1543 had not come up on the to-be-paved list yet. Road #1544 is on the right-of-way hold list. Commissioner Wilson asked what priority number was Road #1543. Mr. Crumpler replied stating it was Priority #51.
2. **Commissioner Godwin:** I would like to know the priority number of #1358 Clawson Edmonds Road and #1359 Monroe Enzor Road. In addition, I would like to know the status of #1155 Butler Road. Mr. Crumpler replied stating #1358 was Priority #70 and we have not been able to obtain the necessary rights-of-way on #1359. On #1155 Butler Road, the people will not sign the necessary rights-of-way.
3. **Chairman Memory:** What is the situation of #1824 Water Tank Road. Mr. Crumpler replied stating they had not been able to obtain signatures.

Mr. Crumpler introduced Fred Edwards, engineer for Columbus County and works in the Maintenance yard, Terry Gibson, Division Engineer from Fayetteville and over our five (5) county division, and Mac Campbell, Department of Transportation Board Member appointed by the Governor representing Division 6.

The following private citizens spoke:

1. **Celia Malone:** I live on a secondary road, #1548 McQueen Road, and have been trying for twenty to twenty-five (20-25) years to get some work done on this road. In rainy conditions, this road is terrible and you have to be careful going out of this road. I would like to know what priority this road is. Mr. Crumpler replied stating it was Priority #73.

Mr. Crumpler stated these roads would be re-rated next years and they are typically done every two (2) years. Recently, two (2) governors have opted to rate road every four (4) years in lieu of every two (2) years. I estimate #1548 McQueen Road will be at least two to three (2-3) years away.

Commissioner McKenzie requested Mr. Crumpler to state the process that would need to be followed if the Board of Commissioners should decide to pave a road out of priority. Mr. Crumpler replied stating the following:

1. Will need to conduct a separate hearing for this purpose;
 2. Follow the same process as we have followed tonight, **and**
 3. Department of Transportation will have the final okay.
2. **Ethel McQueen Godwin:** I am here tonight regarding the same road as Ms. Malone spoke about earlier, Road #1548 McQueen Road. We have been to several of these hearings and are told the same information each year. I would like to know why the priority number never changes if you are continually paving the other roads. Mr. Crumpler replied stating the priority number will not change until the roads are re-rated and then they will be given

a new priority number. The new number will depend on how much construction and increase in households that have occurred since the last rating was done.

At 7:21 P.M., there being no further discussion or comments, Commissioner Dutton made a motion to close the Public Hearing, seconded by Commissioner Norris. The motion so carried.

7:30 P.M.: REGULAR SESSION

Agenda Items #1 and #2: MEETING CALLED to ORDER and INVOCATION:

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

Agenda Item #3: BOARD MINUTES APPROVAL:

Vice Chairman Dutton made a motion to approve the May 3, 2004 Regular Session Board Minutes, as recorded,, seconded by Commissioner Norris. The motion so carried.

Commissioner McKenzie made a motion to approve the May 3, 2004 Columbus County Water and Sewer District II Board Minutes and the Columbus County Water and Sewer District III Board Minutes, as recorded, seconded by Commissioner Godwin. The motion so carried.

Agenda Item #4: RESOLUTION - 2004-2005 SECONDARY ROADS CONSTRUCTION PROGRAM:

Robert Crumpler, District Engineer for the North Carolina Department of Transportation, requested Board approval and adoption of the 2004-2005 Secondary Roads Construction Program Resolution as listed in the Public Hearing information that was conducted at 7:00 P.M. previous to this meeting.

Commissioner Norris made a motion to approve the 2004-2005 Secondary Roads Construction Program Resolution, seconded by Commissioner Wilson. The motion so carried.

Agenda Item #5: WHITEVILLE DEPOT PROJECT - APPROVAL of LOWEST RECOMMENDED BIDDER by AUTHORIZATION RESOLUTION for VINELAND STATION, INCORPORATED:

Kim Neisler, Project Manager, requested Board approval of the lowest recommended bidder which is Bradley-Barnes Construction Company in the amount of one million two hundred nineteen thousand eight hundred eighty-six and 00/100 (\$1,219,886.00) dollars, for the Whiteville Depot Project, by the approval and adoption of the Authorization Resolution for Vineland Station, Incorporated giving Les High the authority to execute the necessary contract, as follows.

**AUTHORIZATION RESOLUTION for
VINELAND STATION, INCORPORATED**

WHEREAS, there exists a historical train depot that has been vacant for many years within Columbus County.

WHEREAS, this vacant depot serves as a major landmark for the City of Whiteville and the County of Columbus.

WHEREAS, Vineland Station, Incorporated has been created and is the official agent for the renovation of the historical Whiteville Depot Project.

WHEREAS, through many hours of hard work and dedication, this agent has created a way and the means to salvage this landmark for the citizens of Columbus County and for its generations of citizens to come.

WHEREAS, Vineland Station, Incorporated has determined a need for Les High to be authorized to execute, on behalf of the County of Columbus, a contract, and any change orders within the budgeted amount, with Bradley-Barnes Construction Company for the project know as the Whiteville Depot Renovation.

NOW THEREFORE, BE IT RESOLVED by the Columbus County Board of Commissioners that Les High, Vineland Station, Incorporated, is hereby authorized to execute, on behalf of the County of Columbus, a contract with Bradley-Barnes Construction Company in the amount of \$1,219,886.00, and any change orders within the budgeted amount for the Whiteville Depot Renovation Project and Concurrence in Award, provided the award of the contract is approved by the North Carolina Department of Transportation.

ADOPTED this 17th day of May, 2004.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ **BILL MEMORY, Chairman**

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

Commissioner Wilson asked Ms. Neisler how much money did they have at the present time. Ms. Neisler replied stating they had one million one hundred and 00/100 (\$1,100,000.00) dollars at the present, but had good prospects of having the remainder of the money by the time it was needed.

Chairman Memory asked Ms. Neisler who is the lowest recommended bidder. Ms. Neisler replied stating the lowest recommended bidder for this project was Bradley-Barnes Construction Company in the amount of one million two hundred nineteen thousand eight hundred eighty-six and 00/100 (\$1,219,886.00) dollars and we have met and worked out all the necessary details. Ms. Neisler stated she apologized for not having this information in a timely manner, but this needed to be placed in the mail by Wednesday.

Commissioner McKenzie requested Ms. Neisler to provide information previous to the meeting in the future.

Commissioner Jacobs made a motion to approve the lowest recommended bidder for the Whiteville Depot Project, and the Authorization Resolution for Vineland Station, Incorporated authorizing Les High to execute the contract with Bradley-Barnes Construction Company on behalf of Columbus County, seconded by Vice Chairman Dutton. The motion so carried.

Agenda Item #6: TRANSPORTATION - APPROVAL of SAFETY POLICY:

Charles Patton, Transportation Director, requested Board approval of the following Safety Policy:

Safety Policy

This operational policy was adopted by the Columbus County Commissioners, Governing Board on May 17, 2004

/s/ CHARLES R. PATTON
Transportation Coordinator

/s/ BILL MEMORY
Chair, Columbus County Commissioners

Description:

Safety is the number one priority of *Columbus County Transportation*. In support of that goal, the primary importance of the System Safety Program Plan policies and procedures are the prevention of accidents and injuries to transit customers, employees and the general public. Safety is a shared responsibility between system management.

It is the policy of *Columbus County Transportation* to provide a place of employment that is free from recognized hazards that could result in death or serious injury to employees, customers or the general public.

It is the responsibility of each employee to report all accidents or unsafe conditions to their supervisor. Supervisors must immediately take necessary corrective action to prevent unsafe conditions.

It is also the policy of the system to require that safety training and the use of safe protective

equipment and procedures are adhered to at all times. Individual employees are expected to perform their duties in a safe and responsible manner, as safe work behavior is a condition of employment.

Prohibited behaviors are behaviors that are in violation of the System Program. Such behaviors include behaviors that threaten the safety of employees, customers and the general public. Other unacceptable behaviors include those that result in damage to system, employee or public property.

An employee who intentionally violates safety-related policies and procedures will be subject to appropriate disciplinary action, as determined by the findings of investigation. Such discipline may include warnings, demotion, suspension or immediate dismissal. In addition, such action may cause the employee to be held legally liable under state or Federal law.

The established safety policies and procedures of *Laidlaw Transit Services, Inc.*, (comprising the System Program) govern all *Laidlaw* employees. The established safety policies and procedures of Columbus County govern all county employees.

Vice Chairman Dutton made a motion to approve the Safety Policy, seconded by Commissioner Norris. The motion so carried.

Agenda Item #: TAX - DEPARTMENTAL UPDATE:

Richard Gore, Columbus County Tax Administrator, presented the following Departmental Update to the Board.

1. From the handouts I have provided to you, on the Real Estate Transaction History and Parcel Count, you can determine from the year of 1998 to the year of 2003, the transactions have greatly increased in comparison to the Parcel Count.
2. On the Revenue Budget Worksheet, July 1, 2004 through June 30, 2005, the collection of prior year ad valorem taxes, plus the penalty and interest totals \$2,267,516.00. This puts us over the amount due to the inclusion of the penalty and interest amounts.
3. We still have two (2) months to go on the back taxes and the present year taxes.
4. The percentage collection for the year 2003 for Real and Personal Property is presently .9107 with two (2) months remaining and we hope to have this percentage rate up to approximately 94% or higher, if at all possible.
5. The percentage of collection for the year 2003 for vehicles is presently .6581, with two (2) months to go. You will notice the collection rate for years 2000 - 2002 is averaging .931%. The previous years were approved to be uncollectible.

Commissioner Godwin asked Mr. Gore why the vehicle tax collection was so low. Mr. Gore replied stating that a large percentage of people waited until the last minute to pay and some even waited for a block to be put into place. We are talking about a time frame of eight to ten (8 - 10) months.

Commissioner Godwin stated the property tax collection had been projected to be ninety-five (95%) percent and would we reach that amount? Mr Gore replied stating every effort within his ability was being applied toward this end.

Chairman Memory stated the process of collecting back taxes was important.

Commissioner Godwin asked Mr. Gore how many people had been placed on the foreclosure list. Mr. Gore replied stating the number was six (6) and if we had more attorneys to work on this process, we could have many more.

Chairman Memory asked Mr. Gore how many garnishments had been done. Mr. Gore replied stating quite a few.

Commissioner Jacobs asked Mr. Gore what the time frame was on the foreclosure process. Mr. Gore replied stating it was six (6) months. Commissioner Jacobs also stated the Board was aware of the fact the Tax Department was understaffed and measures were going to be taken to correct this situation.

Commissioner Godwin asked what needed to be done to get more attorneys. Mr. Gore replied stating that the money was not in his budget to allow for more attorneys to be used. Commissioner Godwin also stated Columbus County needed to get involved in the Debt Setoff Program which had been very successful in other counties.

Commissioner McKenzie asked Mr. Gore if he had sent out notices regarding the fact that partial payments could be made if the tax bill could not be paid in full. Mr. Gore replied stating this information was printed on the tax notice in red.

Vice Chairman Dutton thanked Mr. Gore for the good job he was doing and informed Mr. Gore that the Board was working on getting him additional personnel to accomplish some of these tasks he has been requested to do.

Commissioner McKenzie stated that the budget for Columbus County was based on the amount of predicted tax collections for the upcoming year.

Agenda Item #8: ADMINISTRATION - WRIGHT CORPORATION WATER MAIN EXTENSION CHANGE ORDER #1:

Natalie Carroll, Project Manager, requested Board approval of Change Order Number 1 to the Columbus County Wright Corporation Water System Improvements Project for Utilities Plus in the amount of one hundred thirty thousand one hundred three and 08/100 (\$130,103.08) dollars, and for McKim & Creed in the amount of eleven thousand five hundred and 00/100 (\$11,500.00) dollars. This Change Order #1 will extend a six (6") inch water main along Edgecombe Road to the right-of-way of U.S. 74/76. This will leave a balance of twenty-one thousand one hundred fifty-one and 88./100 (\$21,151.88) dollars of the total amount awarded. McKim and Creed is recommending this balance be dedicated as contingency in the event of unforeseen conditions that may be encountered during construction.

Commissioner Norris made a motion to approve Change Order Number 1 to the Columbus County Wright Corporation Water System Improvements Project in the total amount of one hundred forty-one six hundred three and 08/100 (\$141,603.08) dollars, seconded by Commissioner Dutton. The motion so carried.

Agenda Item #9: ADMINISTRATION - ESTABLISHMENT of PUBLIC HEARING DATE for CDBG APPLICATION for a MICRO ENTERPRISE ASSISTANCE GRANT:

Darren Currie, Assistant County Administrator, requested the Board to establish a Public Hearing date for a Community Development Block Grant entitled Stimulating the Mom and Pop Economy in the amount of sixty thousand and 00/100 (\$60,000.00) dollars. This grant will be a joint effort between Southeastern Community College and Columbus County and is primarily for technical assistance for businesses. Mr. Currie is recommending the public hearing date be established for June 7, 2004, at 7:15 P.M. for this grant to meet the required advertisements and hearing.

Commissioner Godwin made a motion to establish the Public Hearing date for the Micro Enterprise Assistance Grant so entitled "Stimulating the Mom and Pop Economy" in the amount of sixty thousand and 00/100 (\$60,000.00) dollars to be June 7, 2004, at 7:15 P.M., in the Dempsey B. Herring Courthouse Annex, seconded by Commissioner McKenzie. The motion so carried.

Agenda Item #10: CDBG # 02-c-0947 SCATTERED SITE HOUSING GRANT - APPROVAL of AGREEMENTS for HOUSING REHABILITATION:

Darren Currie, Assistant County Administrator, requested Board approval of Agreements for Housing Rehabilitation for the following four (4) people:

- A. Mary Lou Wilson;
- B. Mildred Jacobs;
- C. Edna Jones; and
- D. Queen Webb.

These documents will be kept on file in the Office of the Assistant County Administrator and The Adams Company, Incorporated for review.

Commissioner Wilson made a motion to approve the Agreements for Housing Rehabilitation for the four (4) people listed above, seconded by Commissioner McKenzie. The motion so carried.

Agenda Item #11: CDBG # 03-C-1089 CONCENTRATED NEED HOUSING GRANT - APPROVAL of RECOMMENDATIONS of AWARD:

Darren Currie, Assistant County Administrator, requested Board approval of the following two (2) Recommendations of Award:

- | | | | |
|----|-----------------|-------------------|------------------|
| A. | Contract #03-05 | Larry Hooks | \$21,050.00; and |
| B. | Contract #03-07 | Thomas J. Holland | #50,935.00. |

Commissioner Wilson made a motion to approve the above listed two (2) contracts, seconded by Commissioner Norris. The motion so carried.

Agenda Item #12: CDBG # 03-C-1089 CONCENTRATED NEED HOUSING GRANT - INCREASE BENEFIT AMOUNT:

Darren Currie, Assistant County Administrator, requested Board approval to increase the relocation benefits for Catherine Pierce by two thousand six hundred twenty-five and 00/100 (\$2,625.00) dollars, due to an oversight of an existing back porch.

Vice Chairman asked Mr. Currie if this increase was going to be grant money or County money. Mr. Currie replied stating it was grant money.

Commissioner Wilson made a motion to approve the increase of the relocation benefits for Catherine Pierce by two thousand six hundred twenty-five and 00/100 (\$2,625.00) dollars, seconded by Commissioner McKenzie. The motion so carried.

Agenda Item #13: ADMINISTRATION - APPOINTMENT of HIPPA INFORMATION SECURITY OFFICER:

Billy Joe Farmer, County Administrator, requested Board approval of the appointment of Tracy Simmons as the HIPPA Information Security Officer, with a salary increase of two thousand seven hundred thirty and 00/100 (\$2,730.00) dollars, to be effective June 1, 2004.

Commissioner Wilson made a recommendation that this matter be discussed with Marian Duncan, Health Director, and Theresa Smith before any decisions were made.

Commissioner Godwin made a motion to table the appointment of HIPPA Information Security Officer, seconded by Commissioner Norris. The motion so carried.

Agenda Item #14: ADMINISTRATION - RECOMMENDATIONS from PLANNING BOARD:

Darren Currie, Assistant County Administrator, requested Board approval of the following two (2) recommendation from the Columbus County Planning Board.

A. Approval of the extension of Chadbourn's ETJ Jurisdiction, by letter:

The Town of Chadbourn has requested a letter of approval for the extension of the ETJ limits two (2) miles on the north side of Chadbourn to begin preparing for possible development when the proposed interstate comes through the area.

Commissioner Dutton made a motion to approve the extension of Chadbourn's ETJ Jurisdiction, by letter, seconded by Commissioner Norris. The motion so carried.

B. Approval of the construction of an additional horse barn at Lumber River Campground:

Billy Williamson of the Lumber River Campground requested and received approval from the Planning Board to construct an additional horse barn provided it does not impact any of the environmental issues he is trying to correct.

Commissioner Dutton made a motion to approve the construction of an additional horse barn at Lumber River Campground, seconded by Commissioner Norris. The motion so carried.

Agenda Item #15: FIREWORKS DISPLAY REQUEST:

Cynthia S. Nelson, Executive Vice President of The Greater Tabor City Chamber of Commerce, requested Board approval, by letter, for a fireworks display at South Columbus High School on July 4, 2004, and approval for the permit fee from the Columbus County Fire Marshal's Office be waived.

Commissioner Norris made a motion to approve The Greater Tabor City Chamber of Commerce having a fireworks display at South Columbus High School on July 4, 2004, seconded by Commissioner Godwin. The motion so carried.

Agenda Item #16: APPOINTMENTS for COMMITTEES:

- A. **Equalization and Review Board:** still searching.
- B. **Nursing/Adult Care Home Joint Community Advisory Committee:**

Commissioner Wilson made a motion to table this matter until the recommended appointee could be contacted and asked if he was aware of all of the requirements to serve on this committee, seconded by Commissioner Norris. The motion so carried.

Agenda Item #17: CONSENT AGENDA ITEMS:

- A. **Budget Amendments:**

Commissioner Wilson made a motion to approve the following Budget Amendments, seconded by Commissioner McKenzie. The motion so carried.

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-610-6070	Crisis Intervention Prevention	\$23,734
Revenue	10-348-1621	Crisis Intervention Prevention	\$23,734
Expenditure	10-611-0200	Child Care	\$12,436
Revenue	10-348-2130	Child Care	\$12,436
Expenditure	10-610-6065	CP&L Project Share	\$826
	10-610-6065	CP&L Project Share	\$2,017
Revenue	10-384-1660	CP&L Project Share	\$2,843
Expenditure	10-611-0100	Smart Start	\$20,474
	10-611-0100	Smart Start	\$48,526
Revenue	10-348-2130	Child Care	\$69,000
Expenditure	31-660-1101	Postage	\$600
	31-660-1300	Utilities	\$1,400
	31-660-1500	M/R - Building and Grounds	\$1,000
	31-660-3300	Departmental Supplies	\$1,200
	31-660-4500	Contract Services	\$3,000
	31-660-5700	Miscellaneous	\$400
Revenue	31-312-0000	Refunds	(\$7,500)
	31-359-0000	Water Sales	\$13,300
	31-359-0100	Tap Fees	\$1,200

	31-359-0300	Penalties	\$400
	31-359-0400	Cutoffs	\$200

The following two (2) Budget Amendments were presented for consideration and approval:

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-900-3300	Transfer to WD II	\$425,751
Revenue	10-399-0000	Fund Balance Appropriated	\$425,751
	33-397-0000	Transfer from General Fund	\$425,751
	33-359-0000	Water Sales	(\$141,000)
	33-359-0100	Mandatory Tap Fees	\$284,751
Expenditure	10-900-3400	Transfer to WD III	\$318,845
Revenue	10-399-0000	Fund Balance Appropriated	\$318,845
	34-397-0000	Transfer from General Fund	\$318,845
	34-359-0000	Water Sales	(\$100,000)
	34-359-0100	Tap Fees	(\$218,845)

In-depth discussion was conducted among the Board members regarding these Budget Amendments. Commissioner Dutton made a motion to approve. The motion died for a lack of a second.

Further discussion was conducted among the Board members. Commissioner McKenzie made a motion to approve, seconded by Commissioner Wilson. A poll vote was taken with the following results:

AYES: Commissioners McKenzie and Wilson.
NAYS: Chairman Memory, Vice Chairman Dutton, Commissioners Jacobs, Norris, Godwin.

The motion died with a five (5) to two (2) vote against.

Additional discussion was conducted among the Board members. Vice Chairman Dutton made a motion to recess this meeting until Wednesday, May 19, 2004, at 5:00 P.M., in the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, for further discussion. The motion was seconded by Commissioner Norris. The motion so carried.

B. Amendments to Refunds and Releases May 17, 2004.

Release the deferred tax and Whiteville Rescue fee in the name of Billy Hooks for 2001. Property value should be \$3,630.00 instead of \$2,630.00

Refund the property value in the name of Sue Hall Walter for year 1999. Correct account number should be 12-28280 instead of 12-2/280.

C. Tax Refunds and Releases

*****NOTE:** This information can be found at the very end of these minutes due to the incompatibility of the computer program between the Tax Office and the Governing Body Office.

Agenda Item #18: COMMENTS:

A. Public:

Chairman Memory asked if anyone had any comments they would like to make. The

following person spoke.

Doug Klier: I made a statement at the last meeting regarding hooking up to the County water the following date which I must apologize for. I went in to do this but did not realize there was a fifty and 00/100 (\$50.00) dollars deposit that had to be paid to hook onto the water. I could not pay the fifty and 00/100 (\$50.00) dollars deposit fee, but I am working on this and will pay as soon as I possibly can. I would like to know what the responses are from this last decision that has been made. Leroy Sellers, Water Supervisor, replied stating they have had ten to fifteen (10-15) people to come in and hook on. We are presently in the process of getting all the letters out.

B. Board of Commissioners:

1. **Commissioner McKenzie:** I would like to know if the Columbus County Parks and Recreation Department can do anything for the Evergreen ball team. They are in desperate need for any help they can receive. Carroll Worrell, Parks and Recreation Director, replied stating it would not be this year due to the fact their budget had been cut. We have been in touch with Evergreen recently and gave them some baseballs and would look once more to see if they had any more supplies they could give them.
2. **Commissioner Jacobs:** As all of us are well aware, there have been two (2) more deaths at the Intersection of 74-76 and Blacksmith Road. This intersection is highly dangerous. I have spoke with Mac Campbell, North Carolina Department of Transportation, and we have set up a special meeting with Mr. Campbell on Thursday, May 20, 2004 in Bolton to discuss this matter. I would like the Board's endorsement to seek help in getting this dangerous intersection corrected by the following letter.

May 18, 2004

Mr. Mac Campbell
North Carolina Department of Transportation
Post Office Box 39
Elizabethtown, North Carolina 28337

**IN RE: Intersection of Highway 74-76 and Blacksmith Road
Bolton, North Carolina**

Dear Mr. Campbell:

It has been brought to our attention, once again, regarding hazardous conditions existing at the intersection of Highway 74-76 and Blacksmith Road in Bolton, North Carolina.

This intersection has just recently claimed the lives of two (2) more of the fine citizens in Columbus County. As you are aware, this is not the first time this matter has been brought to our attention by our citizens in their quest for help. In addition to fatalities, it has been the site for many injuries and some near misses.

As Chairman of the Columbus County Board of Commissioners, and on behalf of the entire Board, we need some extra attention paid to this critical issue. The fact that this danger exists prompts some of our citizens to utilize other routes to various destinations in order to avoid this dangerous intersection.

Life is very valuable to everyone and cannot be replaced. As a measure of safety for our citizens, we, as a Board, would greatly appreciate any attention that could be rendered to this matter in the near future for the mere safety of our citizens and for making Columbus County a safer and better place to live.

If additional information is needed to accomplish this task, we will be more than happy to supply such. Please allow me to express my thanks to you for all the hard work you have done for Columbus County.

Sincerely,
/s/ BILL MEMORY, Chairman
COLUMBUS COUNTY COMMISSIONER

BM/jbh

c.c. Mayor Frank Wilson

Commissioner Jacobs made a motion to approve the endorsement of the letter being forwarded to Mr. Mac Campbell, seconded by Commissioner Wilson. The motion so carried.

3. **Commissioner Wilson:** In regards to the Columbus County CHAF Program, the State has turned us down on paying the attorney fees for the Deeds of Trust that need to be redone. I would like to know what we are going to do about this and where is the money coming from. Billy Joe Farmer, County Administrator, replied stating the Adams Company was handling this program for us and it would be their coverage.

Chairman Memory stated a meeting was held with Mr. Dave Kelly and the decision was made to pull out the larger deeds-of-trust and have them redone and to not worry about smaller ones. The State has agreed to pay Ms. Yvonne Norris to do this work.

4. **Commissioner Godwin:** The Farmer's Market opened last Saturday and was very successful. They will be open on Tuesdays, Thursdays and Saturdays from 7:00 A.M. until 12:00 Noon. They wish to invite everyone to visit. In addition they are asking the Board's permission to allow them to remove some small tress and brush that are growing in a ditch and surrounding area for aesthetic purposes.

Commissioner Godwin made a motion to allow the Farmer's Market to remove small trees and brush that are growing in a ditch and surrounding areas for aesthetic purposes, seconded by Commissioner Dutton. The motion so carried.

5. **Commissioner McKenzie:** A matter has been brought to my attention regarding Jennifer Long. She filled in during the interim time after Phyllis Owens left and James Hinkle came on board and did a very good job. I feel we owe her some recognition for this, either in monetary value or even a plaque. Billy Joe Farmer, County Administrator, stated Jennifer Long had included a monetary value in her Budget information.

C. **Administrator:**

Billy Joe Farmer, County Administrator, stated we decided placing the notification, regarding the payment plan for the four hundred and 00/100 (\$400.00) tap-on fee, on the water bills, may not be a good idea due to the fact the bills might be disposed of. It was decided to send separate letters to the customers to be sure this information was looked at.

AGENDA ADD-ON

One (1) Item: ADMINISTRATION - CAPITAL IMPROVEMENT POLICY DIRECTIVE REQUEST:

Billy Joe Farmer, County Administrator, presented the following Memorandum, with the attached listing of Columbus County Capital Needs, to the Board and requesting direction regarding capital improvements and other additional budget related expenditures in the amount of fifteen million and 00/100 (\$15,000,000.00) dollars. Mr. Farmer requested the Board to schedule a Budget Workshop to discuss the requests and provide direction to staff.

MEMORANDUM

To: Chairman Bill Memory
The Board of Commissioners

From: Billy Joe Farmer

Re: Columbus County Capital Needs

Date: May 13, 2004

Staff has balanced the General Fund portion of the 2004/2005 annual budget without any tax increases, rate increases, etc. The water budgets are being worked on currently.

Staff requests a budget workshop with the Board of Commissioners to obtain guidance on the attached capital improvements expenditures, additional funding requests and policy issues related to the budget. As you can see, the requested additional funding requests are in the amount of approximately \$15,000,000.00, which equates to approximately 60 cents of property tax increase if funded all in one year.

Staff needs a policy decision from the Board defining how much, if any, of this requested amount is to be funded, and a directive pertaining to the means of paying for such to complete the 2004/2005 annual budget.

It is required that the budget be presented to the Board of Commissioners by the first Board meeting in June. A public hearing will be called at that time, the budget placed in the Clerk's Office for inspection by the public, the hearing held on June 21st, and the budget adopted thereafter, but before July 1st.

COLUMBUS COUNTY CAPITAL NEEDS

ITEM	COST TO COUNTY
SCHOOLS CAPITAL REQUEST:	
1. Columbus County Schools-	
a. Williams Township Classes	\$1,200,000
b. Auditorium	\$4,000,000
c. Other capital Outlay	\$1,377,000
TOTAL:	\$6,577,000
2. Whiteville City Schools - Various School Repairs	 \$501,307
21st Century Request- Capital Project Ordinance	 \$500,000
Prison Property Acquisition	\$300,000
New Detention Facility	\$6,000,000
Courthouse Renovation (Budgeted for in 04-05 budget)	\$32,000
Water Bond Payments	\$750,000
Chadbourn Parks and Recreation Request	\$35,000
Travel Reimbursement for Employees	IRS Rate of \$.375/Mile
State ADM Funding Withheld (Possible if Governor Easley's Budget Passes)	\$325,000
TOTAL CAPITAL NEEDS:	\$15,020,307

After discussion was conducted among the Board members regarding this matter, it was the general consensus of the Board to set a Budget Workshop at a later date for discussion.

RECESS REGULAR SESSION and enter into CLOSED SESSION in ACCORDANCE WITH N.C.G.S. §143-318.11:

At 8:49 P.M., Commissioner Dutton made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. §143-318.11, seconded by Commissioner Norris. The motion so carried.

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 10:01 P.M., Commissioner Wilson made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Norris. The motion so carried.

TAX REFUNDS and RELEASES (See Agenda Item #17.B.)

TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):
May 17, 2004

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 #	Total
Refunds	Spaulding, Sarah L.		Refund a portion of the property value, a portion of the Welches Creek Fire fee (1.68) and a portion of the Whiteville Rescue (.42). Customer paid on incorrect acreage.				
		\$15.12	\$2,100.00	2000	14-1614	1307	\$17.22
	<i>c/o Kenneth Spaulding, 4451 Hallsboro Rd. Clarkton, NC 28433</i>						
Refunds	Spaulding, Sarah		Refund a portion of the property value, a portion of the welches Creek Fire fee (1.68) and a portion of the Whiteville Rescue fee (.42). Customer paid on incorrect acreage.				
		\$14.60	\$2,100.00	1999	14-1614	3146	\$16.70
	<i>c/o Kenneth Spaulding, 4451 Hallsboro Rd. Clarkton, NC 28433</i>						
Refunds	Spaulding Sarah L.		Refund a portion of the property value, a portion of the Welches Creek Fire fee (1.68) and a portion of the Whiteville Rescue fee (.42). Customer paid on incorrect acreage.				
		\$16.38	\$2,100.00	2001	14-1614	1396	\$18.48
	<i>c/o Kenneth Spaulding, 4451 Hallsboro Rd. Clarkton NC 28433</i>						
Refunds	Spaulding, Sarah L.		Refund a portion of the property value, a portion of the Welches Creek Fire fee (1.68) and portion of the Whiteville Rescue fee (.42). Customer paid on incorrect acreage.				
		\$16.38	\$2,100.00	2002	14-1614	9211	\$18.48
	<i>c/o Kenneth Spaulding, 4451 Hallsboro Rd. Clarkton NC 28433</i>						
Refunds	Spaulding, Sarah L.		Refund a portion of the property value, a portion of the Welches Creek Fire fee (1.68) and a portion of the Whiteville Rescue fee (.42). Customer paid on incorrect acreage.				
		\$16.38	\$2,100.00	2003	14-1614	6279	\$18.48
	<i>c/o of Kenneth Spaulding, 4451 Hallsboro Clarkton NC 28433</i>						
Refunds	Walters, Sue Hall		Refund the property value that was double listed in the name of David Eugene Kennedy.				
		\$69.50	\$10,000.0	1999	12-2/280	3551	\$69.50
	<i>15614 NC HWY 72E Orrum NC 28369</i>						
Refunds	Walters, Sue Hall		Refund a portion of the property value that is double listed in the name of David Eugene Kennedy.				
		\$72.00	\$10,000.0	2000	12-2828	1727	\$72.00
	<i>15614 NC HWY 72E Orrum NC 28369</i>						
Refunds	Walters, Sue Hall		Refund a portion of the property value and a portion of the Columbus Rescue fee. The property is double listed in the name of David Eugene Kenndey.				
		\$78.00	\$10,000.0	2001	12-2828	1826	\$80.00
	<i>15614 NC HWY 72E Orrum NC 28369</i>						
Refunds	Walters, Sue Hall		Refund a portion of the property value and a portion of the Columbus Rescue fee. Property is double listed in the name of David Eugene Kennedy.				
		\$78.00	\$10,000.0	2002	12-2828	9644	\$80.00
	<i>15614 NC HWT 72E Orrum NC 28369</i>						
Refunds	Walters, Sue Hall		Refund a portion of the property value and a portion of the Columbus Rescue fee. Property is double listed				

				in the name of David Eugene Kennedy.			
		\$78.00	\$10,000.0	2003	12-2828	6720	\$80.00
15614 NC HWY 72E Orum	NC 28369 Core, Rutheria						
Refunds				Refund a portion of the double wide value. The home should be listed in the name of William Vereen.			
		\$150.00	\$30,000.0	2002	10-0292	6460	\$150.00
12909 Silver Springs Dr. S. Jacksonville	Florida 32246 Core, Rutheria						
Refunds				Refund the value of a double wide home that should be listed in the name of William Vereen:			
		\$272.83	\$30,000.0	2003	10-0292	3490	\$272.83
12909 Silver Springs Dr. S/ Jacksonville	Florida 32246						

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):
May 17, 2004:**
The Tax Administrator's Office recommends that the values listed below be released to the following citizens:

Type of Release	First Name	Amount Released	Property	Year	Account #	Bill #	Total
Property	Bryant, Willard		Release the value of a double wide, the Hallsboro Fire fee (20.76) and the Whiteville Rescue fee (6.92). Home was repossessed in 2000. Release of user fee approved by Solid Waste.				
		\$269.88	\$34,600.0	2001	11-0054	83797	\$462.56
Property	Bryant, Willard		Release the value of a double wide, the Hallsboro Fire fee (20.76) and the Whiteville Rescue fee (6.92). The home was repossessed in 2000. Release of user fee approved by Solid Waste.				
		\$269.88	\$34,600.0	2003	11-0054	31579	\$474.56
Property	Byrant, Willard		Release value of double wide the Hallsboro Fire fee (20.76) and the Whiteville Rescue fee (6.92). The home was repossessed in 2000. Release of user fee approved by Solid Waste.				
		\$269.88	\$34,600.0	2001	11-0054	61338	\$474.56
Property	Freeman, Christopher		Release the property value and the Buckhead Fire fee that is double listed in the name of Joseph Freeman and Susie Woodle.				
		\$86.18	\$12,400.0	1998	04-0441	48654	\$93.62
Property	Freeman, Christopher		Release the property value, the Buckhead Fire fee (7.44) and the Columbus Rescue fee (2.48) that is double listed in the name of Joseph Freeman and Susie Woodle.				
		\$96.72	\$12,400.0	2003	04-0441	39731	\$106.64
Property	Freeman, Christopher		Release the property value, the Buckhead Fire fee (7.44) and the Columbus Rescue fee (2.48) that is double listed in the name of Joseph Freeman and Susie Woodle./				
		\$96.72	\$12,400.0	2002	04-0441	69385	\$106.64
Property	Freeman, Christopher		Release the property value and the Buckhead Fire fee (7.44) and the Columbus Rescue fee (2.48) that is double listed in the name of Joseph Freeman and Susie Woodle.				
		\$96.72	\$12,400.0	2001	04-0441	91710	\$106.64
Property	Freeman, Christopher		Release the property value and the Buckhead Fire fee that is double listed in the name of Joseph Freeman and Susie Woodle.				
		\$86.18	\$12,400.0	1999	04-0441	10401	\$93.62
Property	Freeman, Christopher		Release the property value and the Buckhead Fire fee that is double listed in the name of Jospheh Freeman and Susie Woodle.				

Property	Freeman, Christopher	\$86.18	\$12,400.0	1997	04-0441	44277	\$93.62	Release the property value and the Buckhead Fire fee that is double listed in the name of Joseph Freeman and Susie Woodle.
Property	Freeman, Christopher	\$44.46	\$5,700.00	1996	04-0441	46238	\$47.88	Release the property value and the Buckhead Fire fee that is double listed in the name of Joseph Freeman and Susie Woodle.
Property	Freeman, Christopher	\$44.46	\$5,700.00	1995	04-0441	1238	\$47.88	Release the property value and the Buckhead Fire fee that is double listed in the name of Joseph Freeman and Susie Woodle.
Property	Freeman, Christopher	\$43.32	\$5,700.00	1994	04-0441	30045	\$46.74	Release the property value and the Buckhead Fire fee that is double listed in the name of Joseph Freeman and Susie Woodle.
Property	Gore, Deborah	\$89.28	\$12,400.0	2000	04-0441	91455	\$96.72	Release the value of a double wide and the Columbus Rescue fee that is double listed in the same name with a different account number. Release of user fee approved by Solid Waste.
Property	Gore, Deborah	\$216.84	\$27,800.0	2003	03-0902	41353	\$399.40	Release the value of a double wide and the Columbus Rescue fee that is double listed in the same name with a different account number. Release of user fee approved by Solid Waste.
Property	Gore, Deborah	\$216.84	\$27,800.0	2001	03-0902	93269	\$387.40	Release the value of a double wide and the Columbus Rescue fee that is double listed in the same name with a different account. Release of user fee approved by Solid Waste.
Property	Hooks, Billy	\$216.84	\$27,800.0	2002	03-0902	70986	\$399.40	Release the deferred tax and the Whiteville Rescue fee. The property was transferred to a family member.
Property	Hooks, Billy	\$28.31	\$2,630.00	2001	01-4286	83074	\$29.03	Release the deferred tax and the Whiteville Rescue fee. The property was transferred to a family member.
Property	Hooks, Billy	\$28.31	\$3,630.00	2002	01-4286	83073	\$29.03	Release the deferred tax and the Whiteville Rescue fee. The property was transferred to a family member.
Property	Hooks, Billy	\$28.31	\$3,630.00	2003	01-4286	83072	\$29.03	Release the deferred tax and the Whiteville Rescue fee. The property was transferred to a family member.
Property	Parker, Arnold	\$26.13	\$3,630.00	2000	01-4286	83075	\$26.85	Release a portion of the property value, a portion of the Acme Delco Fire fee (1.44) and the Columbus Rescue fee (.24). Customer was billed with incorrect acreage.
Property	Parker, Arnold	\$9.36	\$1,200.00	2002	15-2982	84930	\$11.04	Release a portion of the property value, a portion of the Acme Delco Fire fee (1.44) and the Columbus Rescue fee (.24). Customer was billed with incorrect acreage.
Property	Parker, Arnold L.	\$9.36	\$1,200.00	2003	15-2982	55567	\$11.04	Release a portion of the property value a portion of the Acme Delco Fire fee (1.44) and the Columbus Rescue fee (.24). Customer was billed with incorrect acreage.
		\$9.36	\$1,200.00	2001	15-2982	7002	\$11.04	

Property	Peterson, H.V.	Release the deferred tax, the Acme Delco Fire fee (5.84) and the Columbus Rescue fee (.97). The property was transferred to a family member.	\$37.96	\$4,867.00	2003	15-2956	83117	\$44.77
Property	Peterson, H.V.	Release the deferred tax, the Acme Delco Fire fee (5.84) and the Columbus Rescue fee (.97). The property was transferred to a family member.	\$37.96	\$4,867.00	2002	15-2956	83118	\$44.77
Property	Peterson, H.V.	Release the deferred tax, the Acme Delco Fire fee (5.84) and the Columbus Rescue fee (.97). The property was transferred to a family member.	\$37.96	\$4,867.00	2001	15-2956	83119	\$44.77
Property	Peterson, H.V.	Release the deferred tax and the Acme Delco Fire fee. The property was transferred to a family member.	\$35.04	\$4,867.00	2000	15-2956	83120	\$40.88
Property	Richardson, Nellie	Release the deferred tax, the Cole Service fee (3.13) and the Colombus Rescue fee (.62). The property was transferred to a family member.	\$24.46	\$3,137.00	2003	16-1273	83137	\$28.21
Property	Richardson, Nellie	Release the deferred tax and the Cole Service fee. The property was transferred to a family member.	\$22.58	\$3,137.00	2000	16-1273	83140	\$25.71
Property	Richardson, Nellie	Release the deferred tax, the Cole Service fee (3.13) and the Columbus Rescue fee (.62). The property was transferred to a family member.	\$24.46	\$3,137.00	2002	16-1273	83138	\$28.21
Property	Richardson, Nellie	Release the deferred tax, the Cole Service fee (3.13) and the Columbus Rescue fee (.62). The property was transferred to a family member.	\$24.46	\$3,137.00	2001	16-1273	83140	\$28.21
Property	Thompson, Carie	Release the value of a mobile home and the Columbus Rescue fee, that has been repossessed. Release of user fee approved by Solid Waste.	\$64.04	\$8,210.00	2003	13-3969	65202	\$159.25
Property	Thompson, Carie	Release the value of a mobile home that was repossessed. Release of user fee approved by Solid Waste.	\$74.37	\$10,700.0	1998	13-3969	30005	\$141.81
Property	Thompson, Carie	Release the value of a mobile home that has been repossessed. Release of user fee approved by Solid Waste.	\$70.68	\$10,170.0	1999	13-3969	33715	\$137.75
Property	Thompson, Carie	Release the value of a mobile home that has been repossessed. Release of user fee approved by Solid Waste.	\$69.12	\$9,600.00	2000	13-3969	15411	\$141.03
Property	Thompson, Carie	Release the value of a mobile home and the Columbus Rescue fee, that has been repossessed. Release of user fee approved by Solid Waste.	\$72.85	\$9,340.00	2001	13-3969	16334	\$157.19
Property	Thompson, Carie	Release the value of a mobile home and the Columbus Rescue Fire fee, that has been repossessed. Release of user fee approved by Solid Waste.			2002	13-3969	94468	\$164.09
User Fee	Dudney, Ruyland	Release user fee. Home vacant for two years. Approved by Solid Waste.	\$68.33	\$8,760.00				

		\$0.00	\$0.00	2002	06-0434	66511	\$177.00
User Fee	Dudney, Ruyland	Release user fee. House vacant for two years.					
		Approved by Solid Waste.					
		\$0.00	\$0.00	2003	06-0434	36817	\$177.00
User Fee	Nance, Dorothy	Release one of two user fees. House is vacant.					
		Approved by Solid Waste.					
		\$0.00	\$0.00	2003	12-1962	54163	\$177.00
User Fee	Strickland, Dennis	Release user fee. This user fee does not exist.					
		Approved by Solid Waste.					
		\$0.00	\$0.00	1998	05-0686	37297	\$100.00

MEETING RECESSED:

At 10:03 P.M., Vice Chairman Dutton made a motion to recess this meeting until Wednesday, May 19, 2004, at 5:00 P.M., to be held in the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, seconded by Commissioner Norris. The motion so carried.
