

## COLUMBUS COUNTY BOARD OF COMMISSIONERS

Monday, August 15, 2005

6:30 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.

**COMMISSIONERS PRESENT:**

Sammie Jacobs, **Chairman**  
 Kipling Godwin, **Vice Chairman**  
 Amon E. McKenzie  
 James E. Prevatte  
 Bill Memory  
 Lynwood Norris  
 David L. Dutton, Jr.

**APPOINTEES PRESENT:**

Billy Joe Farmer, **County Manager**  
 Darren L. Currie, **Assistant County Manager**  
 June B. Hall, **Clerk to Board**  
 Roxanne Coleman, **Finance Officer**

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

At 6:30 P.M., Chairman Jacobs called the meeting to order. The invocation was delivered by Commissioner James E. Prevatte. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America.

**Agenda Item #3: PRESENTATION - PLAQUES for RETIRED EMPLOYEES:**

Chairman Jacobs stated that two (2) Columbus County Retirees were in attendance and extended warm thanks for their many years of loyal and dedicated service. In recognition of their many years of service to Columbus County, plaques of appreciation were presented to the following retired employees.

<u>DEPARTMENT</u>	<u>NAME</u>	<u>EMPLOYMENT DATES</u>
<b>Elections</b>	Ruth W. Long	01-01-1975 - 01-31-2005
<b>Social Services</b>	Valentine O. Sutton	08-17-1981 - 09-30-2004

**Agenda Item #4: BOARD MINUTES APPROVAL:**

Commissioner Memory made a motion to approve the following Board Minutes, as recorded, seconded by Commissioner Norris. The motion so carried.

- A. July 18 Regular Session Minutes;
- B. July 18, 2005 Columbus County Water and Sewer District I Board Minutes;
- C. July 18, 2005 Columbus County Water and Sewer District II Board Minutes;
- D. July 18, 2005 Columbus County Water and Sewer District III Board Minutes;
- E. July 18, 2005 Columbus County Water and Sewer District IV Board Minutes;
- F. July 18, 2005 Columbus County Water and Sewer District V Board Minutes;
- G. July 28, 2005 Special Called Meeting Minutes;
- H. July 28, 2005 Special Called Meeting (Sheriff) Minutes;
- I. August 01, 2005 Regular Session Minutes
- J. August 01, 2005 Columbus County Water and Sewer District I Board Minutes; **and**
- K. August 01, 2005 Columbus County Water and Sewer District V Board Minutes.

**Agenda Item #5: NORTH CAROLINA FOREST SERVICE - APPROVAL of AGREEMENT for the PROTECTION, DEVELOPMENT and IMPROVEMENT of FOREST LAND in COLUMBUS COUNTY:**

Shane D. Hardee, District Forester, requested Board approval of an Agreement for the Protection, Development and Improvement of Forest Land in Columbus County.

Commissioner Memory made a motion to table this request until Mr. Hardee could be present, seconded by Commissioner Norris. The motion so carried.

**Agenda Item #6: COLUMBUS COUNTY HUMANE SOCIETY - PERMISSION to REMOVE ANIMALS from COLUMBUS COUNTY ANIMAL**

**SHELTER at NO COST:**

Morris Strickland, President of the Columbus County Humane Society, requested Board permission to remove animals from the Columbus County Animal Shelter, at no cost, for adoption of the same.

Mr. Strickland stated the following:

1. When we get possession of the animals, they are treated for whatever condition they may be in;
2. They are treated for heart worms, receive a rabies shot and they receive their first shot, if needed;
3. The animals are spayed or neutered;
4. We find loving homes for the animals;
5. We adopted out three hundred (300) animals last year of which two hundred (200) were dogs and one hundred (100) were cats;
6. We place the animals in foster homes until we are able to locate a permanent home for them;
7. We save the animals from being put down; **and**
8. We get as many of the animals as we can afford.

Vice Chairman Godwin asked Mr. Strickland how many animals did the Humane Society obtain from the Columbus County Animal Shelter last year. Mr. Strickland replied stating he did not know that he had not been the president until recently.

Commissioner Prevatte asked if the animals at the Columbus County Animal Shelter were being vaccinated before being euthanized.

Mr. Strickland stated he know of a non-profit organization within Columbus County that was getting dogs at no cost, but did not want to state the name of the organization.

Commissioner Memory asked if the Columbus County Humane Society had received a donation from the yearly budget. Darren Currie, Assistant County Manager, stated no.

Commissioner McKeznie asked Mr. Strickland if the Humane Society would take all animals or only select ones. Mr. Strickland replied stating the Humane Society takes all the animals they can afford, but it was very costly to provide the medical treatment the animals need.

Mr. Strickland presented a request to the Board to lease the old dog pound to the Columbus County Humane Society, and stated if they could lease this building, they would be able to receive a grant to tear down the old building and build another one.

After additional discussion was conducted among the Board members, Commissioner Norris made a motion to table this item until a future date to allow for the gathering of additional information, and the presence of Rossie Hayes, Columbus County Animal Control Director, seconded by Commissioner McKenzie. The motion so carried.

**Agenda Item #7: REGISTER of DEEDS - APPROVAL of CONTRACT with BUSINESS INFORMATION SYSTEMS and APPROVAL of BUDGET AMENDMENT for the ADDITIONAL COST:**

Kandance Whitehead, Columbus County Register of Deeds, requested Board approval of a Computer Services and Support Agreement with Business Information Systems, at the cost of seven thousand, five hundred, and 00/100 (\$7,500.00) dollars per month, and the approval of a Budget Amendment in the amount of twenty-four thousand and 00/100 (\$24,000.00) dollars, for the additional cost over the present company.

Ms. Whitehead stated the following:

1. The present company we are using has experienced some personnel changes which has reflected greatly on the quality of their performance;
2. I have not been pleased with the services the present company is providing; **and**
3. It is my opinion this company will provide us with the quality services that are needed.

Commissioner Memory made a motion to approve the Computer Services and Support Agreement and the Budget Amendment in the amount of twenty-four thousand and 00/100 (\$24,000.00) dollars for the additional cost, seconded by Commissioner Norris. The motion so

carried. A copy of this document will be kept on file in the Office of the Clerk to the Board and in the Office of the Columbus County Register of Deeds for review.

**Agenda Item #8: PURCHASING - APPROVAL of COPY MANAGEMENT AGREEMENT:**

Stuart Carroll, Purchasing Director, requested Board approval of the following Copy Management Agreement with Toshiba Business Solutions.

**Toshiba Business Solutions  
Copy Management Agreement**

**A CMGroup Program**

**Customer Information:**

Columbus County Government, 111 Washington Street, Whiteville, North Carolina 28472  
Telephone: (910) 640-1868 Fax: (910) 640-0731

Service Locations and Equipment: **SEE ATTACHMENT A** (copy not provided for review)

**Term Schedule:**

Program Beginning Date - October 1, 2005  
Program Completion Date - September 30, 2010

**Cost Per Copy Schedule:**

Toshiba CPC: \$0.0422 The Toshiba CPC includes equipment, accessories, facsimile equipment, service and supplies (**excludes paper, sorter staples, fax supplies and NC sales tax**).

Toshiba Color CPC: \$0.095 The Toshiba Color CPC includes equipment, accessories, service and supplies (**excludes paper, sorter staples and NC sales tax**).

**Invoice Schedule:**

Months Invoices Mailed	Payments Due By	Invoices Include All Copies Made During	Program Copies Toshiba	Program Copies Toshiba Color
January 1, 2006	January 31, 2006	Install through December 2005	562,500	1,000
April 1, 2006	April 30, 2006	January 2006 through March 2006	562,500	1,000
July 1, 2006	July 31, 2006	April 2006 through June 2006	562,500	1,000
October 1, 2006	October 31, 2006	July 2006 through September 2006	562,500	1,000
		All Subsequent Quarters	562,500	1,000

**Terms and Conditions:**

- Copy Management Program:** TBS shall provide to customer the equipment and accessories described on Attachment "A" (the "Equipment"). The copy charges and program copy charges set by this Agreement include payment for the use of the equipment, maintenance (during normal business hours), routine inspection, adjustment, parts replacement, drums and cleaning materials required for the proper operations. Paper, sorter staples and fax supplies may not be included in the cost per copy as specified within the cost per copy schedule above.
- Copy Management Program Billing:** For each invoice period during which customer participates in the Copy Management Program, TBS shall invoice customer for copy charges, determined by multiplying the actual number of copies made by Customer during such invoice period using the equipment by the applicable cost per copy described in the cost per copy schedule above. The program copy charges for an annual period shall be the dollar amount determined by the number of invoice periods within a 12-month period multiplied by the applicable cost per copy. The annual period shall be the period that begins on the program beginning date (or the day following the preceding annual period, as applicable) and ends on the next anniversary of the program beginning date (or, if earlier, on the program completion date or other date of termination of this agreement). Customer shall pay, no later than the due date shown in the invoice schedule above, the monthly invoices submitted to customer by TBS. Any payment not made within 10 days after such due date may be

assessed a late fee charge of 5% of the delinquent amount.

- 3. **Customer Representations and Agreements:** Customer represents and warrants that: (1) it has, in accordance with all legal requirements, fully budgeted and appropriated sufficient funds for the current budget year to pay copy charges and meet all other obligations under this agreement and such funds have not been expended for other purposes; (2) no action, proceeding or investigation is pending or threatened in any court or other tribunal or before any public body, which in any way would restrict or prohibit customer's performance of its obligations under this agreement or its ability to pay copy charges or other payments hereunder, nor is there any basis for any such action, proceeding or investigation; (3) the equipment will be operated by customer and will be used for essential state government purposes during the term of this agreement; and (4) customer has not previously terminated any agreement for non-appropriation, except as described in a letter attached hereto.
- 4. **Signature:** The person signing this agreement on behalf of customer personally represents and warrants that he/she is fully familiar with the applicable legal and regulatory provisions pertaining to this agreement and has full authorization to sign this agreement. Such signer further warrants the Governing Body of customer has taken the necessary steps, including any legal bid requirements, under applicable law to approve this Copy Management Program; the approval and execution of this agreement have complied with all applicable open meeting laws, and the authorization of the Governing Body of customer for the execution and delivery of this agreement remains in full force and effect.

**ACCEPTANCE:**

**TOSHIBA BUSINESS SOLUTIONS** by \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**CUSTOMER:**

**COLUMBUS COUNTY GOVERNMENT** by \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

Commissioner Prevatte made a motion to approve the Toshiba Business Solutions Copy Management Agreement, contingent on James E. Hill's, former Columbus County Attorney, approval, seconded by Commissioner Memory. The motion so carried.

**Agenda Item #9: TRAVEL and TOURISM - DEPARTMENTAL UPDATE:**

Due to the absence of Jennifer Long, Columbus County Travel and Tourism Director, Commissioner Memory made a motion to table this item, seconded by Commissioner Norris. The motion so carried.

**Agenda Item #10: APPOINTMENT - CITY of WHITEVILLE PLANNING and ZONING BOARD:**

Whiteville City Council, as per letter dated August 2, 2005, unanimously recommends the reappointment of Tom Ray to the Whiteville Planning and Zoning Board as an outside member.

Vice Chairman Godwin made a motion to reappoint Tom Ray to the City of Whiteville Planning and Zoning Board for a five (5) year term, with term expiring August 01, 2010, seconded by Commissioner Dutton. The motion so carried.

**Agenda Item #11: APPOINTMENT - HOUSING ADVISORY COMMITTEE:**

Commissioner Memory, Zone 4, appointed Marshall Shepherd, 36 Shorty's Lane, Whiteville, North Carolina 28472, Telephone: (910) 642-2953, to the Columbus County Housing Advisory Committee, to replace Boling McNeil, for a two (2) year term, with term expiring June 30, 2007.

**Agenda Item #12: CONSENT AGENDA ITEM:**

**Tax Refunds and Releases:**

Vice Chairman Godwin made a motion to approve the following Tax Refunds and Releases, seconded by Commissioner Norris. The motion so carried.

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

**Agenda Item #13: COMMENTS:**

Chairman Jacobs opened the floor for comments from anyone who would like to speak. The following comments were made.

**A. Board of Commissioners:**

1. **Vice Chairman Godwin:** There are three (3) issues I would like to address and they are as follows:

**A. Re-Classification of three (3) employees:**

The Columbus County Personnel Committee has met with Richard Gore, Columbus County Tax Administrator. Mr. Gore has stated he has three (3) employees who have taken on additional duties and is requesting these three (3) employees be re-classified as follows:

<u>NAME</u>	<u>OLD GRADE/STEP</u>	<u>OLD JOB TITLE</u>	<u>NEW GRADE/STEP</u>	<u>NEW JOB TITLE</u>
-Rebecca Ann Ray:	61-10	Land Records Specialist	62-11	Land Records Specialist II
-Gay Thompson	64-15	Computer Support Tech	70-8	Computer Support Administrator II
-Mamie Wilson	65-12	Accounting Tech V	67-11	Accounting Specialist I

The Personnel Committee is recommending these three (3) employees be re-classified as recommended by Richard Gore.

**MOTION:**

Vice Chairman Godwin made a motion to re-classify the three (3) employees, as listed above, and recommended by Richard Gore, seconded by Commissioner Memory. The motion so carried.

**B. Recommendation to appoint Steve Fowler as the new Columbus County Attorney:**

The Columbus County Personnel Committee is recommending the Board appoint Steve Fowler as the new Columbus County Attorney, to be effective August 29, 2005, with a starting salary of sixty-two thousand, five hundred, and 00/100 (\$62,500.00) dollars to hold the position of a full-time staff attorney.

**MOTION:**

Vice Chairman Godwin made a motion to appoint Steve Fowler as the new Columbus County Attorney, to be effective August 29, 2005, with a starting salary of sixty-two thousand, five hundred, and 00/100 (\$62,500.00) dollars, to hold the position of a full-time staff attorney, seconded by Commissioner McKenzie. The motion so carried.

**C. Thank-you Letter:**

I have with me tonight a thank-you letter from the youth who grew the watermelon the County Commissioners purchased at the Watermelon Festival in Fair Bluff. I think this letter is very nice and is the first of its kind we have received.

2. **Commissioner McKenzie:** I have been a part of a committee that has been searching for a more suitable location for the Columbus County Veterans Administration Office, as was requested by the Board of Commissioners. As a result of the findings of this committee, I offer the following motion.

**MOTION:**

Commissioner McKenzie made a motion to relocate the Columbus County Public Utilities Office to the vacated Register of Deeds Building which is located at 612 North Madison Street, and

to relocate the Veterans Administration Office to the Columbus County Public Utilities Office, when vacated, which is located at 805 Pinckney Street. This motion was seconded by Vice Chairman Godwin. The motion so carried.

- 3. **Commissioner Memory:** I think we need to take a closer look at the money handlers that we have in our various departments. It is my opinion that we need a central location for the receipt of all monies taken in by Columbus County. This will create inconvenience for some, but will allow Columbus County to keep a tighter rein on the monies taken in, and avoid any future problems similar to the ones we have experienced in the last few years.

**Agenda Item #14: CLOSED SESSION in ACCORDANCE with N.C.G.S. §143-318.11 (3) and (6):**

Deleted.

**TAX REFUNDS and RELEASES (See Agenda Item #12:**

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):  
August 15, 2005**

*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	Gore, Charlie		Refund user fee. House was destroyed during Hurricane Floyd. Approved by Solid Waste.	2003	03-0886	4129	\$177.00
		\$0.00					
	183 Bellamy Gore Ave. Whiteville						
	NC 28472						
Refunds	Gore, Charlie		Refund user fee. Home destroyed during Hurricane Floyd. Approved by Solid Waste.	2004	03-0886	9752	\$177.00
		\$0.00					
	183 Bellamy Gore Ave. Whiteville						
	NC 28472						
Refunds	Rooks, Emmanuel		Refund a portion of the user fee. Did not have a trash for a full year. Approved by Solid Waste.	2004	01-0157	1528	\$73.75
		\$0.00					
	68 E. Dasher St. Whiteville						
	NC 28472						

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):  
August 15, 2005**

*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
User Fee	Garver, Heidi		Release user fee. Did not have a trash can during 2004. Approved by Solid Waste.	2004	15-0075	96602	\$177.00
		\$0.00					
User Fee	Smith, Phyllis		Release user fee. Did not have a trash can during 2004. Approved by Solid Waste.	2004	15-0024	18338	\$177.00
		\$0.00					
User Fee	Smith, Phyllis		Release user fee. Did not have a trash can in 2003. Approved by Solid Waste.	2003	15-0024	61998	\$177.00
		\$0.00					

**Agenda Item #15: ADJOURNMENT:**

At 7:19 P.M., Commissioner Dutton made a motion to adjourn, seconded by Commissioner McKenzie. The motion so carried.

**APPROVED:**