

COLUMBUS COUNTY BOARD OF COMMISSIONERS

November 20, 2006

5:30 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 the purpose of conducting three (3) Public Hearings and for their regular scheduled meeting on the third Monday.

COMMISSIONERS PRESENT:

Kipling Godwin, **Chairman**
 David L. Dutton, Jr., **Vice Chairman**
 Amon E. McKenzie (Arrived: 5:45 P.M.)
 James E. Prevatte
 Sammie Jacobs
 Bill Memory
 Lynwood Norris

APPOINTEES PRESENT:

Jimmy Varner, **County Manager**
 Steven W. Fowler, **County Attorney**
 June B. Hall, **Clerk to Board**

APPOINTEE ABSENT:

Leo Hunt, **Interim Finance Officer**

5:30 P.M.

PUBLIC HEARING #1: Proposed Columbus County DREAM Center Capacity Building Grant Application: to receive oral and/or written comments from the public on this application.

PUBLIC HEARING CALLED TO ORDER:

At 5:30 P.M., Chairman Godwin called the Public Hearing to order, and stated the purpose of this Public Hearing is to receive oral and/or written comments from the public on the Capacity Building Grant Application for the DREAM Center. Chairman Godwin stated the following:

1. Capacity Building grants assist local non-profits in partnership with their local governments in developing appropriate and competitive projects using state CDBG funds of other grant categories;
2. Non-profits must have a 501-C-3 designation to participate;
3. The non-profit must have been in operation for three (3) or more years with a functioning board and organizational structure; **and**
4. Applicants submitting CB applications must certify that a future CDBG application will be submitted within twenty-four (24) months of the grant award and that any project developed and funded as a result of the CB grant will primarily benefit low and moderate-income people.

No comments were received, either oral or written, from the public.

PUBLIC HEARING CLOSED:

At 5:34 P.M., Commissioner Norris made a motion to close the Public Hearing, seconded by Vice Chairman Dutton. The motion unanimously carried.

5:35 P.M.

PUBLIC HEARING #2: Amendment to the Articles of Incorporation of the Lower Cape Fear Water and Sewer Authority: to receive oral and/or written comments from the public on the approval to increase the membership of Bladen County on the Authority's Board, from one (1) to two (2) members.

PUBLIC HEARING CALLED TO ORDER:

At 5:35 P.M., Chairman Godwin called the Public Hearing to order, and stated the purpose of this Public Hearing is to receive oral and/or written comments from the public on the approval to increase the membership of Bladen County on the Authority's Board, from one (1) to two (2) members. Chairman Godwin stated the Authority needed three (3) of the five (5) member governments to approve.

Commissioner Norris stated it was only fair to allow Bladen County to have two (2) members

on the Board.

No comments were received, either oral or written, from the public.

PUBLIC HEARING CLOSED:

At 5:37 P.M., Commissioner Jacobs made a motion to close the Public Hearing, seconded by Commissioner Norris. The motion unanimously carried.

6:00 P.M.

PUBLIC HEARING #3: **Proposed Ordinance for the Control of Sound Crossing Real Property Boundaries:** to notify citizens of the proposed Ordinance contents and to receive oral and/or written comments from the public.

PUBLIC HEARING CALLED to ORDER:

At 6:00 P.M., Chairman Godwin called the Public Hearing to order, and stated the purpose of this Public Hearing is to notify citizens of the proposed Ordinance contents and to receive oral and/or written comments from the public. Chairman Godwin opened the floor for comments, and the following people spoke.

1. **Robert Adams:** stated the following
 - A. I think this proposed Ordinance is unenforceable;
 - B. This document gets into specifics, such as chain saws, animals, children, and other noise that occurs from normal routine living;
 - C. This would also include neighbors fussing at each other;
 - D. This document may cause a lot of animals to be euthanized; **and**
 - E. I think another approach should be considered, and that approach would be a nuisance Ordinance.

2. **David McPherson:** stated the following:
 - A. I am with the East Coast Hunters Association, and we have approximately two thousand five hundred (2,500) members; **and**
 - B. This document has its merits, but in Section 7, Item #4, I am requesting that a statement be added that reads "This does not apply to dogs".

Commissioner Norris stated that he would not support anything against dogs.

Commissioner Memory stated that a sentence needed to be inserted into the document relative to animals being used in sporting events being exempt.

Vice Chairman Dutton stated that this document could easily apply to house dogs.

Commissioner McKenzie stated that there was a need to take out howls and barks.

Commissioner Memory asked if Columbus County had a permitting process to allow for hunters to be exempt. Columbus County Attorney Steve Fowler stated no we do not. Commissioner Memory stated that hunters have to have permission to go on land from the property owner.

3. **Tonya Norris:** stated the following:
 - A. I live in the Southwood Housing Development;
 - B. I am greatly disturbed by the neighbor's dogs at all times of the night;
 - C. I have called the Sheriff's Department and have been told there is nothing they can do;
 - D. I lived in this area before the dogs;
 - E. I attempted to talk to my neighbor about this matter and my neighbor blessed me out; **and**
 - F. I would like to see something done about matters of this nature.

4. **Terry Strickland:** stated the following:
 - A. I train coon dogs for a living;
 - B. I receive dogs to be trained from nine (9) different states;
 - C. I have permission from thirty (30) landowners to coon hunt on their property;
 - D. If a coon dog has a coon at bay, it could take you as much as thirty (30) to forty-five

- (45) minutes to reach where he is located;
- E. If this document is adopted, it could put a large cramp on hunters;
- F. The East Coast Hunters Association does a lot of fund raisers for various events which aids a large number of our citizens; **and**
- G. If a document of this nature is adopted, I recommend that it be modified.
5. **Jim Nance:** stated the following:
- A. I have no problem with duck hunters and coon hunters; **and**
- B. I do have a problem with amplified sound being produced by entertainment mechanisms.
6. **Alexis Prease:** stated the following:
- A. I am an attorney in Robeson County and I deal with matters relating to this Ordinance on a daily basis;
- B. Before you adopt this Ordinance, I am recommending the following:
- see if your elected official will enforce;
 - send letters to every judge that presides in your area;
 - make the process simple for the Assistant District Attorney;
 - type a letter with the required legislative steps that were taken to get this document produced, and send a certified stamped copy of the Noise Ordinance;
 - let the judges know that you are serious;
 - cases of this nature will be held in District Court; **and**
 - judges process these cases quickly, and do not have time to wait for needed information.
7. **Joel Blackman:** stated the following:
- A. I am requesting that if this document is adopted, that fox preserves be exempt;
- B. We hold several fox hunts for the purpose of raising money for charitable organizations;
- C. The East River Association has a scholarship fund; **and**
- D. We bring revenue into Columbus County which is badly needed.
8. **Joe Norris:** stated the following:
- A. I am concerned about housing developments;
- B. I am familiar with the situation in the Southwood Housing Development, and I know that this particular neighbor can not be reasoned with; **and**
- C. I am requesting that a stipulation be included to address these types of problems.
9. **Ricky Simmons:** stated the following:
- A. I live in the Pleasant Plains Community, and I own several dogs;
- B. Someone is in the process of building multiple apartment complexes across the road from where I reside;
- C. What is going to happen when the tenants do move in and start complaining about the noise my dogs are making?; **and**
- D. I have been living here long before this apartment complex was even considered.

Discussion was conducted among the Board members relative to the need for a workshop to be conducted to revise this Ordinance before it is adopted.

PUBLIC HEARING CLOSED:

At 6:39 P.M., Commissioner McKenzie made a motion to close the Public Hearing, seconded by Commissioner Norris. The motion unanimously carried.

**6:39 P.M.
REGULAR SESSION**

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

At 6:39 P.M., Chairman Godwin called the Regular Session to order. After a period of silence that was held in memory of the citizens who lost their lives in the Riegelwood area, resulting from the tornado, the invocation was delivered by Commissioner Sammie Jacobs. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America, which was led

by Vice Chairman David L. Dutton, Jr..

Agenda Item #3: BOARD MINUTES APPROVAL:

Commissioner Norris made a motion to approve the following Board Minutes, as recorded, seconded by Commissioner Memory, and unanimously carried:

- A. November 02, 2006 Joint Meeting with Medicaid Advisory Committee;
- B. November 06, 2006 Regular Session Minutes; **and**
- C. November 06, 2006 Water and Sewer District V Board Meeting.

Agenda Item #4: PRESENTATION - GUARDIAN AD LITEM PROGRAM:

Christy Robbins, Program Supervisor, State of North Carolina, Administrative Office of the Courts, delivered the following presentation on the Guardian Ad Litem Program:

- 1. The first known case of child abuse was in 1874 in New York;
- 2. In 1974, child abuse laws were enacted;
- 3. In 1996, the child abuse laws were amended to include the Guardian Ad Litem Program;
- 4. There are one million, plus, cases of child abuse;
- 5. The Guardian Ad Litem Program serves as a checks and balance system for child abuse;
- 6. This program is on three (3) different levels - Federal, State and local levels;
- 7. In accordance with N.C.G.S. § 7B, Sub-chapter 1, Article 12, the Guardian Ad Litem Program can recruit volunteers;
- 8. Our local caseload is eighty-five (85) to ninety-five (95), and we are in desperate need of volunteers;
- 9. The Guardian Ad Litem is a trained community volunteer, appointed by a district court judge to investigate and determine the needs of abused and neglected children who are petitioned into the court system by the Department of Social Services;
- 10. The Guardian Ad Litem makes independent recommendations to the court for services, which focus on the needs of the child and advocates for a permanent and safe home for every child within the shortest time possible;
- 11. The Guardian Ad Litem main qualifications are to have a sincere concern for the well being of children and a continuing commitment to advocate for a child until a safe and permanent home is obtained;
- 12. To become a Guardian Ad Litem volunteer, you will be required to submit a written application along with three (3) personal/professional references;
- 13. The North Carolina Volunteer Guardian Ad Litem training curriculum is taught by certified and experienced GAL trainers or staff; **and**
- 14. We never have enough volunteers for the number of children we have, and, if you are interested, please call.

Agenda Item #5: WHITEVILLE CHAMBER of COMMERCE - APPROVAL of SUPPLEMENTAL ENHANCEMENT AGREEMENT, PROJECT: E-4121, and APPROVAL and ADOPTION of RESOLUTION PASSED by the BOARD of COMMISSIONERS of the COUNTY of COLUMBUS, NORTH CAROLINA, for the WHITEVILLE DEPOT:

Janice Young, Executive Vice President, Whiteville Chamber of Commerce, requested Board approval of a Supplemental Enhancement Agreement, Project: E-4121, between the North Carolina Department of Transportation, the County of Columbus and the Greater Whiteville Chamber of Commerce, in the amount of sixty thousand and 00/100 (\$60,000.00) dollars, for the Whiteville Depot Project., In addition, Ms. Young requested Board approval and adoption of a Resolution Passed by the Board of Commissioners of the County of Columbus, North Carolina. This Supplemental Agreement amends and supplements the Enhancement Agreement which was executed on the 11th day of January, 2001.

Due to the length of this document, a copy of the Supplemental Enhancement Agreement, along with the attached Exhibit A, will be kept on file in Minute Book Attachments, Book #2, marked as Exhibit "A", for review. The Resolution is as follows.

**RESOLUTION PASSED by the BOARD of COMMISSIONERS
of the COUNTY of COLUMBUS, NORTH CAROLINA**

WHEREAS, the North Carolina Department of Transportation and the County of Columbus entered into an Enhancement Agreement on the 11th day of January, 2001, for the restoration of the Historic Whiteville Depot, and, due to budget constraints, the rehabilitation/ renovation of the depot platform and landscaping were deleted from the scope of work at the request of the County; **and**

WHEREAS, the Department, at the request of the County, has approved additional Enhancement Funding from a declined enhancement project (E-4934, City of Lumberton) for the restoration of the historic Whiteville depot platform; **and**

WHEREAS, the Department and the County now wish to amend the Agreement to reimburse the County to the extent of eighty (80%) percent of the approved eligible costs covered under this Agreement up to the maximum federal award, **SIXTY THOUSAND and 00/100 (\$60,000.00) DOLLARS**. The County may, contingent on a future agreement, provide at least twenty (20%) percent matching funds, fifteen thousand and 00/100 (\$15,000) dollars, and all costs that exceed the federal award of sixty thousand and 00/100 (\$60,000.00) dollars.

NOW, THEREFORE, BE IT RESOLVED that Project E-4121, Columbus County, is hereby formally approved by the Chairman of the Board of County Commissioners, and that the Chairman and Clerk of this County are hereby empowered to sign and execute the Agreement with the Department of Transportation.

ADOPTED this the 20th day of November, 2006.

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

Commissioner Memory made a motion to approve the Supplemental Enhancement Agreement, Project: E-4121, between the North Carolina Department of Transportation, the County of Columbus and the Greater Whiteville Chamber of Commerce, in the amount of sixty thousand and 00/100 (\$60,000.00) dollars, for the Whiteville Depot Project, and the Resolution Passed by the Board of Commissioners of the County of Columbus, North Carolina. This motion was seconded by Commissioner McKenzie, and unanimously carried.

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

At 6:53 P.M., Commissioner Norris made a motion to recess Regular Session and enter into a Columbus County Water and Sewer District V Board Meeting, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #6: **WATER and SEWER DISTRICT V - APPROVAL of STANDARD FORM of AGREEMENT BETWEEN OWNER and ENGINEER for PROFESSIONAL SERVICES:** Adam Kiker, Engineer with Hobbs, Upchurch and Associates, is requesting Board approval.

Agenda Item #7: **WATER and SEWER DISTRICT V - APPROVAL of LOW BID, AWARD of CONTRACT and NOTICE to PROCEED:** Leroy Sellers, Public Utilities Director, is requesting Board approval of the low bid, the award of the contract and notice to proceed.

This information will be recorded in Minute Book 1 for the Columbus County Water and Sewer District V Board.

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

At 7:00 P.M., Commissioner Prevatte made a motion to adjourn Columbus County Water and Sewer District V Board Meeting, and resume Regular Session, seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #8: PUBLIC HOUSING - AMENDED RESOLUTION ADOPTING the PAYMENT STANDARDS for COLUMBUS COUNTY PUBLIC HOUSING AUTHORITY:

NaTonya Hassell, Director, requested Board approval and adoption of the following Amended Resolution Adopting the Payment Standards for Columbus County Public Housing Authority which included November 01, 2006 as the effective date.

RESOLUTION ADOPTING the PAYMENT STANDARDS for COLUMBUS COUNTY PUBLIC HOUSING AUTHORITY
Resolution 2006-01, Amended

WHEREAS, the Columbus County Public Housing Authority of Columbus County, North Carolina, may annually adjust the Payment Standard used in the Housing Choice Voucher Program to levels that are appropriate to assist lower income families in finding affordable rental units in our jurisdiction; **and**

WHEREAS, the Quality Housing and Work Responsibility Act of 1998 gave housing agencies the authority to set payment standards within a range of 90% to 100% of the HUD established Fair Market Rents.

NOW, THEREFORE, BE IT RESOLVED that the amendment to the Payment Standards for Housing Choice Vouchers used in Columbus County Public Housing Agency, Section 8 Housing Choice Voucher Program, take effect on November 1, 2006, and be set at 110% of the FMRs as follows: 0-bedroom \$399; 1-bedroom \$515, 2-bedroom \$571; 3-bedroom \$684; 4- bedroom \$704, 5- bedroom \$810; 6-bedroom \$915.

APPROVED this the 20th day of November, 2006, by the Columbus County Board of Commissioners.

/s/ **KIPLING GODWIN, Chairman**

ATTESTED BY:

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

Commissioner Memory made a motion to approve the amended Resolution Adopting the Payment Standards for Columbus County Public Housing Authority, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #9: ECONOMIC DEVELOPMENT - CALL for PUBLIC HEARING for FILTEC PRECISE EXPANSION INCENTIVE GRANT:

Jim Hinkle, Economic Development Interim Director, requested the Board to establish December 04, 2006, at 7:00 P.M., as the date for the required Public Hearing to be conducted for the Filtec Precise Expansion Incentive Grant.

Commissioner Jacobs made a motion to establish December 04, 2006, at 7:00 P.M., as the date for the Public Hearing to be conducted for the Filtec Precise Expansion Incentive Grant, seconded by Commissioner McKenzie. The motion passed unanimously with a six (6) to zero (0) vote, with an abstention from Commissioner Memory.

Agenda Item #10: LOWER CAPE FEAR WATER and SEWER AUTHORITY - BOARD APPROVAL and ADOPTION of RESOLUTION APPROVING AMENDMENT to the ARTICLES of INCORPORATION of the LOWER CAPE FEAR WATER and SEWER AUTHORITY to INCREASE the REPRESENTATION of BLADEN COUNTY on the AUTHORITY'S BOARD:

Don Betz, Executive Director, requested Board approval and adoption of the following Resolution Approving Amendment to the Articles of Incorporation of the Lower Cape Fear Water and Sewer Authority to Increase the Representation of Bladen County on the Authority's Board.

“RESOLUTION APPROVING AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY TO INCREASE THE REPRESENTATION OF BLADEN COUNTY ON

THE AUTHORITY'S BOARD'.

WHEREAS, the Lower Cape Fear Water and Sewer Authority has recommended to the counties comprising the Authority's Board of Directors and to the City of Wilmington that the number of members to be appointed to the Authority's Board by the County of Bladen be increased from one to two;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for the County of COLUMBUS that:

Section 1. Paragraph (d) of the Articles of Incorporation of the Lower Cape Fear Water and Sewer Authority shall be amended to provided that the Authority shall have fourteen members, two appointed by each of the organizing political subdivisions, four appointed by Brunswick County, two appointed by Columbus County, two appointed by Pender County and two appointed by Bladen County.

Section 2. The Articles of Incorporation of the Authority, as so amended, shall be executed on behalf of COLUMBUS County by the Chairman of its Board of Commissioners and the official seal of said Board of Commissioners shall be affixed thereto and attested by the Clerk to said Board, and the Clerk to said Board is hereby authorized and directed to file with the Secretary of State of North Carolina or to assist the Authority in so filing, a certified copy of this resolution along with proof of publication of notice of public hearing on the question of this resolution.

Section 3. This resolution shall take effect upon its passage.

ADOPTED this the 20th day of November, 2006.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **KIPLING GODWIN, Chairman**

ATTESTED BY:

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

Commissioner Norris made a motion to approve the Resolution Approving Amendment to the Articles of Incorporation of the Lower Cape Fear Water and Sewer Authority to Increase the Representation of Bladen County on the Authority's Board, seconded by Commissioner Prevatte. The motion unanimously carried.

Agenda item #11: HUMAN RESOURCES - APPROVAL of AMENDMENTS, NUMBER 2 -11, to COLUMBUS COUNTY PERSONNEL POLICY MANUAL:

Virginia Taylor, Human Resources Director, requested Board approval of Amendments, Number 2 - 11, to the Columbus County Personnel Manual.

Chairman Godwin stated that as a result from the new policy that was adopted, a new Personnel Committee had been formed with the members being appointed by the County Manager. The Chair of this committee is Kimberly Smith and the Vice Chairman is Leroy Sellers.

Commissioner Prevatte made a motion to table this Agenda Item until a workshop is held to get a clear understanding of what these multiple changes were, seconded by Vice Chairman Dutton. The motion unanimously carried.

Agenda Item #12: PUBLIC TRANSPORTATION - DEPARTMENTAL UPDATE:

Charles Patton, Public Transportation Director, delivered the following Departmental Update to the Board.

1. The North Carolina Department of Transportation's building program traditionally returns \$3 for every dollar spent on road building projects. Public Transportation returns \$5-6 for every dollar funded and spent on transportation.
2. The transportation system has grown from 247,000 miles in 1999, when I came on board, to 601,000 miles last year.
3. Last year in Columbus County, there was \$553,330 spent on public transportation projects.
4. Public Transportation also serves our largest growing sector of the population, the elderly.

Since Hurricane Katrina, and the rise in gas prices, the use of public transportation in the county has risen by 20%.

5. Public Transportation is also important to retirees and industries looking to locate in our area.

Agenda Item #13: HEALTH - RESOLUTION in SUPPORT of LOCAL FEES for FOOD and LODGING:

Kimberly Smith, Health Director, requested Board approval and adoption of the following Resolution in Support of Local Fees for Food and Lodging.

**RESOLUTION IN SUPPORT OF LOCAL FEES FOR
FOOD AND LODGING**

WHEREAS, the State of North Carolina mandates that local government provide Food and Lodging support and inspections; **and**

WHEREAS, the State provides less than \$8,300 per year in support of providing Food and Lodging support and inspections; **and**

WHEREAS, it costs the local taxpayers of Columbus County upwards of \$110,771.64 to meet the State mandated requirements of the Food and Lodging Program; **and**

WHEREAS, the Columbus County Food and Lodging Program has been 100 percent compliant with the State mandate for the past five years, **and**

WHEREAS, Local Health Departments fully support holding the State Environmental Health Division harmless for the funding to develop and maintain the environmental health data system; **and**

WHEREAS, the Columbus County Commissioners believe fee for service funding for Food and Lodging support and inspections would be more equitable than asking county residents to bear the cost of this State mandated service through the use of ad valorem taxes; **and**

WHEREAS, other State mandated services such as the On-Site Sewage Program are funded using a fee for service approach; **and**

WHEREAS, Food and Lodging facility owners and operators are the ones who draw financial benefit from such facilities.

NOW, THEREFORE, BE IT RESOLVED, the Columbus County Commissioners, meeting in regular session, hereby request the General Assembly to enact legislation empowering local government to enact and collect fees for providing Food and Lodging support and inspections from such enterprises operating within their boundaries.

ADOPTED this the 20th day of November, 2006.

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

Kimberly Smith, Health Director, stated the following:

1. Currently, the costs of the county's inspections of food and lodging establishments are paid for by all taxpayers in Columbus County, not the businesses being inspected;
2. In 2005, the inspections cost the county approximately \$110,771.64, with only \$8,300.00 reimbursed by the state;
3. Columbus County had 936 food and lodging establishment inspections in 2005 which are mandated by the state. These inspections must be completed once a quarter. This number does not include the temporary food stands (those at festivals, fairs, carnivals) which average 60 inspections more per year;
4. Approving this resolution would indicate the county's support to our State's General Assembly, so that legislation might be passed that would empower the local governments

to collect fees for the required inspections on all mandated food and lodging establishments;
and

5. The Columbus County Board of Health approved this resolution on October 25, 2006.

Commissioner McKenzie made a motion to approve the Resolution in Support of Local Fees for Food and Lodging, seconded by Commissioner Memory. The motion unanimously carried.

Agenda Item #14: ORDINANCE - APPROVAL and ADOPTION of PROPOSED ORDINANCE for the CONTROL of SOUND CROSSING REAL PROPERTY BOUNDARIES:

Chairman Godwin requested Board approval and adoption of the revised Proposed Ordinance for the Control of Sound Crossing Real Property Boundaries. A Public Hearing was conducted at 6:00 P.M. previous to this meeting.

Commissioner Memory made a motion to table this Agenda Item until the Columbus County Attorney makes the recommended changes, and another workshop is held to revise this document, seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #15: APPOINTMENTS - BICENTENNIAL COMMITTEE:

Chairman Godwin requested appointments to be made to the Columbus County Bicentennial Committee.

Commissioner McKenzie appointed Alethia Britt, 108 Maultsby Drive, Whiteville, North Carolina 28472, Telephone: (910) 640-0847 (H), as his second appointment.

Commissioner Memory appointed Tom Stanley and Mary Alice Stanley, 112 South Thompson Street, Whiteville, North Carolina 28472, Telephone: (910) 642-9028 (H).

Commissioner Norris appointed Miona Fonville, 703 Anderson Street, Tabor City, North Carolina 28463, Telephone: (910) 653-2345 (H), and Angie Grainger, 205 Williams Street, Tabor City, North Carolina 28463, Telephone: (910) 653-2189 (W).

Chairman Godwin appointed Richard Wright, The McGougan Law Firm, 200 South Lewis Street, Post Office Box 457, Tabor City, North Carolina 28463-0457, Telephone: (910) 653-2082 (W), 653-5726 (F), and Esther Collier, 3198 Arthur Collier Road, Bladenboro, NC 28320, Telephone: (910) 648-4673.

Commissioner Elect Ricky Bullard stated he would like to reserve the right to appoint the members of his choice.

Agenda Item #16: APPOINTMENTS/RE-APPOINTMENTS:

Columbus County Planning Board:

Commissioner McKenzie re-appointed J.B. Evans for a three (3) year term, with term expiring September 30, 2009.

Agenda Item #17: CITY of WHITEVILLE ZONING BOARD of ADJUSTMENT - BOARD CONCURRENCE of PRESENT MEMBERSHIP and RE-APPOINTMENT:

June B. Hall, Clerk to the Board, requested Board concurrence of the membership of this committee, as submitted by Debbie Smith, City Clerk. The appointment information history in the Columbus County Board of Commissioners Minutes and the Whiteville City Council Board Minutes do not coincide with each other, with no way to determine when and where the discrepancy is. The information submitted by Debbie Smith is as follows:

**ZONING BOARD OF ADJUSTMENT (City of Whiteville)
 (Three (3) Year Appointment)**

	<u>NAME</u>	<u>EXPIRATION DATE</u>
Inside Members:	Johnny Britt	August 01, 2008

Gil Beresoff August 01, 2007
 Jerry Hall August 01, 2006

Inside Alternate: Coke Gray August 01, 2007

Outside Members: Robert Nelson August 01, 2006
-Vacancy- (Dean Hege Resigned)

Outside Alternate: Revice Butler August 01, 2007

Commissioner Prevatte made a motion to approve the concurrence of the membership of the City of Whiteville Zoning Board of Adjustment, as submitted by Debbie Smith, City Clerk, and to re-appoint Robert Nelson for a three (3) year term, with term expiring August 02, 2008. This motion was seconded by Commissioner Norris and unanimously carried.

Agenda Item #18: CONSENT AGENDA ITEM:

Commissioner Norris made a motion to approve the following Tax Refunds and Releases, seconded by Commissioner McKenzie. The motion unanimously carried.

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax office):
 November 20, 2006**

Refunds Name: Jones, James Edward Amount: \$0.00
 Value: \$0.00 Year 005 Account # 14-07866 Bill # 3972 Total \$127.80
 Refund a portion of the user fee. Mobile home has never been set up, unlivable.
 1604 Curn Spaulding Rd. Clarkton, NC 28433

Refunds Name: Reynolds, Donald Amount: \$0.00
 Value: \$0.00 Year 005 Account # 11-22480 Bill # 18746 Total \$177.00
 Refund one of two user fees. One house is vacant and does not have a trash can.
 PO Box 58 Hallsboro, NC 28442

Refunds Name: Reynold, Donald Amount: \$0.00
 Value: \$0.00 Year 006 Account # 11-22480 Bill # 50045 Total \$193.00
 Refund one of two user fees. One house is vacant and does not have a trash can.
 PO Box 58 Hallsboro NC 28442

Refunds Name: Wilder, James F. Amount: \$0.00
 Value: \$0.00 Year 006 Account # 07-19080 Bill # 61044 Total \$81.40
 Refund a portion of the user fee. Customer did not have the trash can for a full year.
 420 Martindale Dr. Raleigh, NC 27614

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):
 November 20, 2006**

Release the Property Value in the name of American Home Care Inc. Amount: \$43.08
 Value: \$5,632.00 Year: 2006 Account # 01-04378 Bill # 7885 Total \$44.21
 Release the business personal value and the Whiteville Rescue. The business was split in 2005 and is now listed to Allied Home Care and Trinity Home Care.

Release the Property Value in the name of Clark, Gattis W. Amount: \$678.56
 Value: \$88,700.00 Year: 2006 Account # 09-04941 Bill # 4819 Total \$942.22
 Release the value of a house, the Williams Fire (53.22) and the Columbus Rescue (17.44). The home burned in 2004.

Release the Property Value in the name of Fields, Curtis Amount: \$67.17
 Value: \$8,780.00 Year: 2006 Account # 12-01617 Bill # 9586 Total \$268.82
 Release the value of a mobile home and the Columbus Rescue. The home is double listed in the same name with a different account number.

Release the Property Value in the name of Fields, Curtis (Heirs) Amount: \$67.17
 Value: \$8,780.00 Year: 2006 Account # 12-07700 Bill # 9587 Total \$294.83

Release the value of a mobile home, the Evergreen Fire (25.00), the Columbus Rescue (1.76) and W2 Dist. (7.90). The home is double listed in the same name with a different account number.

Release the Property Value in the name of GMAC Mortgage Corp.	Amount:	\$332.78
Value: \$43,500.00 Year: 2006 Account # 01-01049 Bill # 1995	Total	\$584.48

Release the value of a double wide, the North Whiteville Fire (50.00) and the Whiteville Rescue (8.70). The home is double listed in the name of Page Home Sales.

Release the Property Value in the name of GMAS Mortgage Corp.	Amount:	\$317.55
Value: \$43,500.00 Year: 2005 Account # 01-01049 Bill # 007	Total	\$553.25

Release the value of a double wide, the North Whiteville Fire (50.00) and the Whiteville Rescue (8.70). The home is double listed in the name of Page Home Sales.

Release the Property Value in the name of Gore, Norman W.	Amount:	\$92.53
Value: \$12,045.00 Year: 2006 Account # 07-06980 Bill # 2832	Total	\$107.05

Release the value of a mobile home, the Yam City Fire (12.10) and the Columbus Rescue (2.42). The home is double listed in the name of Burnell Stanley.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$34.75
Value: \$5,000.00 Year: 1998 Account # 12-13780 Bill # 5963	Total	\$39.75

Release the property value and the North Whiteville Fire. This property does not exist.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$52.56
Value: \$7,200.00 Year: 2005 Account # 12-13780 Bill # 132	Total	\$65.52

Release the property value, the Klondyke Fire (504) the Columbus Rescue (1.44) and W2 Dist. (6.48). This property does not exist.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$39.00
Value: \$5,000.00 Year: 2004 Account # 12-13780 Bill # 182	Total	\$52.50

Release the property value, the North Whiteville Fire (5.00), the Columbus Rescue (1.00) and the W2 Dist. (7.50). This property does not exist.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$39.00
Value: \$5,000.00 Year: 2003 Account # 12-13780 Bill # 7951	Total	\$45.00

Release the property value, the North Whiteville Fire (5.00) and the Columbus Rescue (1.00). This property does not exist.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$39.00
Value: \$5,000.00 Year: 2002 Account # 12-13780 Bill # 7461	Total	\$45.00

Release the property value, the North Whiteville Fire (5.00) and the Columbus Rescue (1.00). This property does not exist.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$39.00
Value: \$5,000.00 Year: 2001 Account # 12-13780 Bill # 9602	Total	\$45.00

Release the property value, the North Whiteville Fire (5.00) and the Columbus Rescue (1.00). This property does not exist.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$55.08
Value: \$7,200.00 Year: 2006 Account # 12-13780 Bill # 9240	Total	\$68.04

Release the property value, the Klondyke Fire (504) the Columbus Rescue (1.44) and W2 Dist. (6.48). This property does not exist.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$34.75
Value: \$5,000.00 Year: 1999 Account # 12-13780 Bill # 7935	Total	\$39.75

Release the property value and the North Whiteville Fire. This property does not exist.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$36.00
Value: \$5,000.00 Year: 2000 Account # 12-13780 Bill # 9131	Total	\$41.00

Release the property value and the North Whiteville Fire. This property does not exist.

Release the Property Value in the name of Jordan, Fairley	Amount:	\$34.75
Value: \$5,000.00 Year: 1997 Account # 12-13780 Bill # 1265	Total	\$39.75

Release the property value and the North Whiteville Fire fee. This property does not exist.

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Release the Property Value in the name of Page, Paul Amount: \$7.30
Value: \$1,000.00 Year: 2005 Account # 16-03721 Bill # 5822 Total \$186.40
Release the value of a mobile home, the Cerro Gordo Fire (1.00), the Columbus Rescue (.20) and the W2 Dist. (.90).
The home is double listed in the name of Timothy Graham Stewart.

Release the Property Value in the name of Page, Paul Amount: \$21.49
Value: \$2,755.00 Year: 2004 Account # 16-03721 Bill # 1738 Total \$205.93
Release the value of a mobile home, the Cerro Gordo Fire (2.76), the Columbus Rescue (.55) and W2 Dist. (4.13).
The home is double listed in the name of Timothy Graham Stewart.

Release the Property Value in the name of Page, Paul Amount: \$19.38
Value: \$2,485.00 Year: 2003 Account # 16-03721 Bill # 5457 Total \$199.37
Release the value of a mobile home, the Cerro Gordo Fire (2.49) and the Columbus Rescue (.50). The home is
double listed in the name of Timothy Graham Stewart.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$31.20
Value: \$4,000.00 Year: 2002 Account # 12-28060 Bill # 5456 Total \$32.00
Release the property value and the Columbus Rescue. This property does not exist.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$30.60
Value: \$4,000.00 Year: 2006 Account # 12-28060 Bill # 8063 Total \$37.80
Release the property value, the Klondyke Fire (2.80) the Columbus Rescue (.80) and W2 Dist. (3.60). This property
does not exist.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$29.20
Value: \$4,000.00 Year: 2005 Account # 12-28060 Bill # 6728 Total \$36.40
Release the property value, the Klondyke Fire (2.80), the Columbus Rescue (.80) and the W2 Dist. (3.60). This
property does not exist.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$31.20
Value: \$4,000.00 Year: 2003 Account # 12-28060 Bill # 6206 Total \$32.00
Release the property value and the Columbus Rescue. This property does not exist.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$27.80
Value: \$4,000.00 Year: 1998 Account # 12-28060 Bill # 2121 Total \$27.80
Release the property value that does not exist.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$31.20
Value: \$4,000.00 Year: 2001 Account # 12-28060 Bill # 7309 Total \$32.00
Release the property value and the Columbus Rescue. This property does not exist.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$28.80
Value: \$4,000.00 Year: 2000 Account # 12-28060 Bill # 6357 Total \$28.80
Release the property value that does not exist.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$27.80
Value: \$4,000.00 Year: 1999 Account # 12-28060 Bill # 4619 Total \$27.80
Release the property value that does not exist.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$27.80
Value: \$4,000.00 Year: 1997 Account # 12-28060 Bill # 6676 Total \$27.80
Release the property value that does not exist.

Release the Property Value in the name of Twin City Lodge #810 Amount: \$31.20
Value: \$4,000.00 Year: 2004 Account # 12-28060 Bill # 2547 Total \$38.00
Release the property value, the Columbus Rescue (.80) and W2 Dist. (6.00). This property does not exist.

Release the Property Value in the name of White, Kenneth Amount: \$68.41
Value: \$8,770.00 Year: 2003 Account # 13-04327 Bill # 8885 Total \$89.46
Release the value of a mobile home, the Klondyke Fire (6.14) and the Columbus Rescue (1.75). The home is listed
to the wrong Kenneth White per DMV.

Release the Property Value in the name of White, Kenneth Amount: \$0.00
Value: \$0.00 Year: 2005 Account # 13-04327 Bill # 9422 Total \$221.73

Release the W2 water district and the user fees on a mobile home that is listed to the wrong Kenneth White per DMV.

Release the Property Value in the name of White, Kenneth	Amount:	\$55.85
Value: \$7,300.00 Year: 2006 Account # 13-04327 Bill # 0815	Total	\$647.99

Release the value of a mobile home, the Klondyke Fire (5.11), the Columbus Rescue (1.46) and W2 Dist. (6.57). The home is listed to the wrong Kenneth White per DMV.

Release the Property Value in the name of White, Kenneth	Amount:	\$64.27
Value: \$8,240.00 Year: 2004 Account # 13-04327 Bill # 5226	Total	\$84.05

Release the value of a mobile home, the Klondyke Fire (5.77), the Columbus Rescue (1.65) and W2 Dist. (12.36). This home is listed to the wrong Kenneth White per DMV.

Release the Property Value in the name of White, Kenneth	Amount:	\$278.77
Value: \$36,440.00 Year: 2006 Account # 13-03424 Bill # 0817	Total	\$592.53

Release the value of a mobile home, the Klondyke Fire (2.13) the Columbus Rescue (7.29) and W2 Dist. (2.74). This home is double listed to the wrong Kenneth White per DMV.

Release the Property Value in the name of White, Kenneth M.	Amount:	\$212.63
Value: \$27,260.00 Year: 2004 Account # 13-03424 Bill # 5229	Total	\$491.78

Release the value of a mobile home, the Klondyke Fire (2.21), the Columbus Rescue (5.45) and W2 Dist. (4.74). This home is double listed to the wrong Kenneth White per DMV.

Release the Property Value in the name of White, Kenneth M.	Amount:	\$49.04
Value: \$6,410.00 Year: 2006 Account # 13-43220 Bill # 0818	Total	\$639.56

Release the value of a mobile home, the Klondyke Fire (4.48), the Columbus Rescue (1.28) and W2 Dist. (5.76). This home is listed to the wrong Kenneth White per DMV.

Release the User Fee in the name of Abrams, Shirley	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 11-02102 Bill # 7614	Total	\$193.00

Release user fee on land that is vacant.

Release the User Fee in the name of Brown, Charles	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 01-09158 Bill # 1567	Total	\$193.00

Release user fee. House is vacant and does not have a trash can.

Release the User Fee in the name of Buffkin, Jerry	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 06-03247 Bill # 2342	Total	\$106.00

Release user fee on a house that burned.

Release the User Fee in the name of Carmichael, Jojo	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 09-05836 Bill # 3756	Total	\$87.00

Release a portion of the user fee. The property is inside the city limits.

Release the User Fee in the name of Chestnut, Margaret	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 11-05953 Bill # 4624	Total	\$193.00

Release user fee on land that is vacant.

Release the User Fee in the name of Christian, Michael	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 01-01519 Bill # 4690	Total	\$193.00

Release the user fee on a mobile home that is vacant and does not have a trash can.

Release the User Fee in the name of Graham, Lewis	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 08-04459 Bill # 3323	Total	\$193.00

Release user fee. Mobile home has not been set up yet.

Release the User Fee in the name of Hill, Willie	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 01-40740 Bill # 6247	Total	\$87.00

Release one of three user fees. Customer only has two houses.

Release the User Fee in the name of Jones, James Ed.	Amount:	\$0.00
Value: \$0.00 Year: 2005 Account # 14-07866 Bill # 919	Total	\$49.20

Release a portion of the user fee. Did not have the trash can for a full year.

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Release the User Fee in the name of Jones, James Ed. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 14-07866 Bill # 9031 Total \$193.00
Release user fee. Mobile home is unlivable and has never been set up. No trash can.

Release the User Fee in the name of Keith, Gregory Amount: \$0.00
Value: \$0.00 Year: 2005 Account # 15-21901 Bill # 338 Total \$177.00
Release user fee. There is no trash can here.

Release the User Fee in the name of Keith, Gregory Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 15-21901 Bill # 9463 Total \$193.00
Release user fee. There are no trash cans here.

Release the User Fee in the name of Kinlaw, David Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 06-22243 Bill # 9805 Total \$106.00
Release one of four user fees. One house is vacant and does not have a trash can.

Release the User Fee in the name of Lewis, William M. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 06-04112 Bill # 1094 Total \$193.00
Release one of two user fees. One house is vacant with no trash can.

Release the User Fee in the name of Long, Beatrice Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 03-01311 Bill # 1303 Total \$193.00
Release the user fee on a house that is vacant, has no power and no trash can.

Release the User Fee in the name of Malpass, Ashford Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 15-25340 Bill # 2045 Total \$193.00
Release one of two user fee. Trash can has been picked up.

Release the User Fee in the name of Mills, Joseph L. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 06-26181 Bill # 4680 Total \$106.00
Release user fee on land that is vacant.

Release the User Fee in the name of Nobles, David G. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 13-29620 Bill # 6286 Total \$193.00
Release user fee on a house that is vacant and does not have a trash can.

Release the User Fee in the name of Norris, Winston C. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 06-28460 Bill # 6779 Total \$144.74
Release a portion of the user fee. Customer did not have the trash can for a full year.

Release the User Fee in the name of Thompson, James C. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 12-27482 Bill # 7126 Total \$193.00
Release user fee on a house that is unlivable and does not have a trash can.

Release the User Fee in the name of White, Elaine B. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 02-04481 Bill # 0738 Total \$193.00
Release user fee. Trash can was picked up in 2004.

Release the User Fee in the name of White, Kenneth M. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 13-43220 Bill # 0819 Total \$193.00
Release user fee. Customer using a commercial hauler.

Release the User Fee in the name of White, William Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 03-29260 Bill # 0912 Total \$193.00
Release user fee. Trash can was picked up in 2005.

Agenda Item #19: COMMENTS:

Chairman Godwin opened the floor for comments. The following people spoke.

B. Department Heads:

1. **Carol Worrell:** we will be furnishing Thanksgiving Dinner in the Riegelwood area on Thanksgiving Day from 12:00 Noon to 2:00 P.M. for the tornado victims and

would like to invite anyone who would like to come out and assist in serving this meal.

2. **Kimberly Smith:** we have plenty of flu shots and would like to encourage anyone that hasn't received their flu shot to come to the Health Department and get one.
3. **Sheriff Batten:** I would like to thank the multitude of people who supported the Sheriff's Department and rendered help during the time of crisis resulting from the tornado. It was very surprising to see how well things were carried out and how diligent people were in their assistance.

C. Board of Commissioners:

1. **Commissioner McKenzie:** I would like to thank anyone and everyone that had a part in the tornado crisis that occurred. Everyone worked well together and did a spectacular job.
2. **Commissioner Jacobs:** stated the following:
 - A. I strongly concur with Commissioner McKenzie in thanking everyone for the role they played in helping with the tornado disaster. It makes a lot of difference when people work together for the greater good of our citizens.
 - B. I am very honored to have the privilege to present the following Proclamation of Appreciation to Vice Chairman David Dutton for his years of service as a Columbus County Commissioner and as an advocate for Columbus County.

OTHER:

PROCLAMATION - Proclamation of Appreciation to David Lloyd Dutton, Jr.: June B. Hall, Clerk to the Board, requested Board approval and adoption of the following Proclamation.

**PROCLAMATION of APPRECIATION
to
DAVID LLOYD DUTTON, JR.**

WHEREAS, when a private citizen reaches a decision in their lives to serve in the capacity of a public official and become a public servant for the citizens, they elect to make certain sacrifices of their time and normal activities; **and**

WHEREAS, a public official is only one (1) person who is diligently attempting to serve a multitude of others to the best of their ability and within certain limitations and constraints; **and**

WHEREAS, in December, 1994, a private citizen, namely **DAVID LLOYD DUTTON, JR.**, was elected by the voters of Columbus county as a public official, in the capacity of a Commissioner, for the County of Columbus in District VII; **and**

WHEREAS, Commissioner Dutton is the son of the late David Lloyd Dutton, Sr. and Mildred Augusta Dutton; is married to Rhonda Hinson Bullard-Dutton; and has two (2) children, namely, David Lloyd Dutton, III and Erica Bullard Stocks; **and**

WHEREAS, in 1969, **Commissioner Dutton** graduated from Whiteville High School, serving as a star player in their athletic programs of basketball and football, with the basketball team winning the North Carolina Championship in 1969; and was awarded a scholarship to Southwood Jr. College; **and**

WHEREAS, Commissioner Dutton attends, and is a member of New Hope Baptist Church; **and**

WHEREAS, Commissioner Dutton's forte fell into sales, as he owns and operates Columbus Auto Sales of Whiteville, where he is readily available for citizens to visit and speak with him; **and**

WHEREAS, among the many activities enjoyed by **Commissioner Dutton** are training and running hunting dogs; fox hunting; deer hunting; which has resulted in him being an avid hunter, serving as the President of the East Coast Hunters Association, and a member of the Fox Hunters Association; **and**

WHEREAS, Commissioner Dutton is gifted with the following attributes in his day-to-day life and exercised these qualities during his tenure as County Commissioner, of which the following are only but a few:

- An even-keeled personality;
- Ability to relate to people, at any level;
- Kindness and tenderness toward people;
- Unconditional love for people;
- Ability to talk to everyone and set a platform for conversation to pursue;
- Having an open-door policy for citizens, thus providing a welcoming environment;
- Endless desire to help citizens by providing answers to them, either from his own resources, or from other avenues that are made available to him; and
- Pursuing projects for the betterment of Columbus County.

NOW, THEREFORE, BE IT PROCLAIMED, we, the Columbus County Board of Commissioners, wish to present this **Proclamation of Appreciation to David Lloyd Dutton, Jr.** for his dedication and loyalty during his twelve (12) years of service as a Columbus County Commissioner..

ADOPTED this the 20th day of November, 2006.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **KIPLING GODWIN, Chairman, District VI** /s/ **AMON E. McKENZIE, District I**
 /s/ **JAMES E. PREVATTE, District II** /s/ **SAMMIE JACOBS, District III**
 /s/ **BILL MEMORY, District IV** /s/ **LYNWOOD NORRIS, District V**

ATTESTED BY:

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

Commissioner Jacobs made a motion to approve the Proclamation of Appreciation to David Lloyd Dutton, Jr., seconded by Commissioner Norris. The motion unanimously carried.

- C. It is also a great pleasure to present the following plaque to Chairman Kipling Godwin for his years of service as a Columbus County Commissioner and as the Chairman for the past year. Chairman Godwin has devoted endless hours to promote and better Columbus County.

PRESENTED TO:

KIPLING E. GODWIN

*** * * * ***

***THIS THE 20TH DAY OF NOVEMBER 2006
 in GRATEFUL APPRECIATION of YOUR DEVOTED LEADERSHIP
 as CHAIRMAN to the BOARD OF COUNTY COMMISSIONERS***

from 12-05-2005 - 12-04-2006, and

YOUR TERM as COUNTY COMMISSIONER

12-02-2002 - 12-04-2006

*** * * * ***

COLUMBUS COUNTY BOARD OF COMMISSIONERS

- D. **County Manager:** I would like to thank everyone for all the work that was done, and is being done, in the Riegelwood area, as the result of the tornado. Considering the extent of the devastation, everything went well and everyone worked together. There is still a lot of work left to be done. I would like to thank Chairman Godwin and Vice Chairman Dutton for their services as County Commissioners.
- E. **County Attorney:** I would like to thank Chairman Godwin and Vice Chairman for their dedication and service to Columbus County.

RECESS REGULAR SESSION and enter into CLOSED SESSION in ACCORDANCE WITH

N.C.G.S. § 143-318.11 (3) ATTORNEY-CLIENT PRIVILEGE:

At 8:05 P.M., Commissioner Memory made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 143-318.11 (3) Attorney-Client Privilege, seconded by Commissioner Norris. The motion unanimously carried.

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 8:35 P.M., Vice Chairman Dutton made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #20: ADJOURNMENT:

At 8:36 P.M., Vice Chairman Dutton made a motion to adjourn, seconded by Commissioner Jacobs. The motion unanimously carried.

APPROVED:

JUNE B. HALL, Clerk to Board

KIPLING GODWIN, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICT V
BOARD MEETING**

Monday, November 20, 2006

6:53 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 act as the Columbus County Water and Sewer District V Board.

COMMISSIONERS PRESENT:

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

APPOINTEES PRESENT:

Jimmy Varner, **County Manager**
Steven W. Fowler, County Attorney
June B. Hall, **Clerk to Board**

APPOINTEE ABSENT:

Leo Hunt, **Interim Finance Officer**

MEETING CALLED TO ORDER:

Chairman Godwin called the meeting to order and stated Adam Kiker, Engineer with Hobbs, Upchurch and Associates, is requesting Board approval of the Standard Form of Agreement Between Owner and Engineer for Professional Services.

STANDARD FORM of AGREEMENT BETWEEN OWNER and ENGINEER for PROFESSIONAL SERVICES:

Adam Kiker, Engineer with Hobbs, Upchurch and Associates, requested Board approval of a Standard Form of Agreement Between Owner and Engineer for Professional Services, which entails the following:

1. Construct approximately sixty (60) miles of water main, construct one (1) two hundred thousand (200,000) gallon elevated storage tank, and construct one (1) booster pump station in Water District V;
2. Exhibit C states "Out of the Total Lump Sum of three hundred nineteen thousand, two hundred nineteen, and 00/100 (\$319,219.00) dollars, a sum of two hundred twenty-seven thousand, and 00/100 (\$227,000.00) dollars was prepaid to the engineer in two (2) installments in 2003. This prepaid sum shall be credited toward the Total Lump Sum;
3. Exhibit C also states that compensation for Resident Project Representative Services will be the lump sum amount of one hundred seventy-four thousand, and 00/100 (\$174,000.00) dollars. This equates to a total cost of four hundred ninety-three thousand, two hundred nineteen and 00/100 (\$493,219.00) dollars, minus the prepaid amount of two hundred twenty-seven thousand, and 00/100 (\$227,000.00) dollars, which will leave a balance of two hundred sixty-six thousand, two hundred nineteen and 00/100 (\$266,219.00) dollars; **and**

4. This will be contingent on the final approval by USDA.

Commissioner Norris made a motion to approve the Standard Form of Agreement Between Owner and Engineer for Professional Services, seconded by Vice Chairman Dutton. The motion unanimously carried. Due to the length of this document, a copy will be filed in the Minute Book Attachments, Book #2, marked as Exhibit “B” for review. The original document should be on file in the Clerk to the Board’s Office.

APPROVAL of LOW BID, AWARD of CONTRACT and NOTICE to PROCEED:

Leroy Sellers, Public Utilities Director, requested Board approval of the low bid, the award of the contract and notice to proceed.

Adam Kiker, Engineer for Hobbs, Upchurch and Associates, stated the following:

1. On Thursday, November 16, 2006, bids were opened for Contracts 1 and 2;
2. This project consist of approximately fifty-four (54) miles of water main and one (1) booster pump station;
3. At the bid opening were six (6) responsive bidders and the Bid Summary for Contracts 1 and 2 are as follows:

BIDDERS	CONTRACT 1 BID AMOUNT	CONTRACT 2 BID AMOUNT	CONTRACTS 1 & 2 ALTERNATE BID AMOUNT
Goodyear Construction	\$2,716,765.00	---	---
T.A. Loving Company	\$2,875,890.00	\$1,494,230.00	---
McMahan Brothers Pipeline	\$2,977,220.72	\$1,617,733.19	\$4,589,920.97
McClam & Associates	\$3,675,687.50	\$1,472,205.80	---
Frank Horne Construction	\$3,978,019.00	\$1,882,863.00	\$5,800,301.00
LJ, Inc.	\$7,496,975.35	\$3,876,901.85	---

4. The two (2) low bids combined represent the lowest cost for the project’s construction of four million, one hundred eighty thousand, five hundred seventy, and 80/100 (\$4,180,570.80) dollars;
5. Funding for this project will be provided by a loan/grant combination from the USDA- Rural Development Program;
6. The construction cost budgeted for the water mains and booster pump station was four million, eight hundred seventy-one thousand, and 00/100 (\$4,871,000.00) dollars; **and**
7. It is the recommendation of Hobbs, Upchurch and Associates that the Contracts 1 and 2 be awarded to Goodyear Construction and McClam and Associates, respectively.

Commissioner Norris made a motion to approve the award of Contracts 1 and 2 to Goodyear Construction and McClam and Associates, respectively, the award of the contract and the Notice to Proceed, contingent on USDA - Rural Development’s approval, seconded by Vice Chairman Dutton.

The motion unanimously carried.

ADJOURNMENT:

At 7:00 P.M., Commissioner Prevatte made a motion to adjourn, seconded by Commissioner Norris. The motion so carried.

APPROVED:

JUNE B. HALL, Clerk to Board

KIPLING GODWIN, Chairman