COLUMBUS COUNTY BOARD OF COMMISSIONERS July 16, 2007 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:

APPOINTEES PRESENT:

Sammie Jacobs, **Chairman**James E. Prevatte, **Vice Chairman**Amon E. McKenzie
Bill Memory
Lynwood Norris
Ricky Bullard

Jimmy Varner, **County Manager** Steven W. Fowler, **County Attorney** June B. Hall, **Clerk to Board** Leo Hunt, **Interim Finance Officer**

COMMISSIONER ABSENT:

Ronald Gore

Agenda Items #1, #2 and #3: MEETING CALLED TO ORDER, INVOCATION AND

PLEDGE OF ALLEGIANCE:

At 6:30 P.M., Chairman Sammie Jacobs called the July 16, 2007 Regular Session Board Meeting to order. The invocation was delivered by Commissioner Bill Memory. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America, which was led by Vice Chairman James E. Prevatte.

Agenda Item #4: BOARD MINUTES APPROVAL:

Commissioner Norris made a motion to approve the following Board Meeting Minutes, as recorded, seconded by Commissioner McKenzie. The motion unanimously carried.

- A. June 25, 2007 Budget Workshop;
- B. June 29, 2007 Regular Session; and
- C. July 02, 2007 Regular Session.

Agenda Item #5: PRESENTATION - RECOGNITION AND PRESENTATION OF PLAQUES TO TWO (2) DIXIE SOFTBALL TEAMS:

Carol Worrell, Recreation Director, and Chairman Sammie Jacobs, presented resin statuettes to each player and coach of the following softball teams who are advancing to World Series Play:

- A. Dixie Darlings 6-8 Years Old (West Stanly, North Carolina); (Players: Morgan Nye, Kierra Brown, Courtnee Faulk, Alexis Suggs, Courtney Grainger, Hailey Sarivs. Autumn Anderson, Taylor Turbeville, Madison Spencer, Sadrine Jacobs, Lindsey Jones, Brianna Wright; COACHES: Chad Turbeville and Natalie Grainger, Wendy Suggs and Steven Suggs)
- B. Columbus County Dixie Debs 16-18 Years Old Marianna, Florida. (Players: Courtney Long, Yolanda McKoy, Samantha Smith, Kelly Strickland, Joyce Buffkin, Jessica McPherson, Brandi Fowler, Marci-anna Pridgen, Morgan Partrick. Briana Jacobs, Kayla McLean and Caroline Newman; COACHES: Bobby McPherson, Daylon Gore and Joanna Currie)

Chairman Jacobs congratulated each team for their accomplishment and stated the Board was proud to be a part of this presentation.

Agenda Item#6: 2005 CDBG-SSH#05-C-1358 - APPROVAL OF RECOMMENDATION OF AWARD FOR ASBESTOS ABATEMENT:

Tammy Jones and/or Floyd Adams, The Adams Company, Incorporated, is requesting Board approval of the Recommendation of Award for Asbestos Abatement to the low bidder as per the

following Bid Tabulation Summary.

2005 Columbus County CDBG-SSH Asbestos Abatement Bid Date: July 5, 2007 - 2:00 P.M.

Bid Tabulation Summary

CONTRACTOR	BID PRICE
Eastern Environmental, Inc.	\$575.00
Tymel Contractors	\$850.00
Environmental Concerns	\$1,500.00

Recommendation of Award

Award asbestos abatement contract to the low bidder, Eastern Environmental, Incorporated of Hampstead.

Approved: /s/ **SAMMIE JACOBS, Chairman COLUMBUS COUNTY**

Commissioner McKenzie made a motion to approve the Recommendation of Award for Asbestos Abatement to the low bidder, Eastern Environmental, Incorporated, as recommended by Floyd Adams, seconded by Vice Chairman Prevatte. The motion unanimously carried.

Agenda Item #7: PUBLIC TRANSPORTATION - APPROVAL OF REVISED DRUG AND ALCOHOL POLICY FOR COLUMBUS COUNTY TRANSPORTATION:

Charles Patton, Public Transportation Director, requested Board approval of the revised Drug and Alcohol Policy for Columbus County Transportation.. This item was tabled at the July 02, 2007 Board Meeting, at the request of Charles Patton, due to some ongoing revisions that had not been finalized.

Commissioner McKenzie made a motion to approve the revised Drug and Alcohol Policy for Columbus County Transportation, seconded by Commissioner Norris. The motion unanimously carried. A copy of this document will be marked as Exhibit "A" and filed in the Minute Book Attachments, Book Number 2, in the Clerk to the Board's Office, for review.

Agenda Item #8: PUBLIC TRANSPORTATION - APPROVAL OF SERVICES CONTRACT WITH FLUENT LANGUAGE SOLUTIONS, INCORPORATED, FOR LANGUAGE TRANSLATION SERVICES:

Charles Patton, Public Transportation Director, is requesting Board approval of the Services Contract with Fluent Language Solutions, Incorporated, for language translation services.

Vice Chairman Prevatte made a motion to approve the Services Contract with Fluent Language Solutions, Incorporated, for language translation services, seconded by Commissioner Bullard. The motion unanimously carried. A copy of this document will be marked as Exhibit "B" and filed in the Minute Book Attachments, Book Number 2, in the Clerk to the Board's Office, for review.

Agenda Item #9: RECREATION - APPROVAL AND ADOPTION OF CODE OF CONDUCT POLICY:

Carol Worrell, Parks and Recreation Director, requested Board approval and adoption of the following Columbus County Parks and Recreation Code of Conduct Policy, for its first reading

COLUMBUS COUNTY PARKS AND RECREATION POLICY FOR CODE OF CONDUCT

Columbus County Parks and Recreation (hereinafter "Parks and Recreation") is committed to creating and maintaining a safe, comfortable, and family-friendly sports and

entertainment experience at facilities owned, maintained, controlled, leased by or from Columbus County and/or Parks and Recreation including, but not limited to, any facility or building, basketball court(s), softball or baseball stadiums and/or fields, (hereinafter "Stadium") and establishes the following policy regarding visitor conduct.

- 1. Visitors will be treated in a consistent, professional and courteous manner by all Parks and Recreation staff and team personnel as applicable.
- 2. Visitors' experiences will not be disrupted by unruly actions or behaviors of others. Visitors should report any inappropriate behavior to the nearest usher, any security guard, umpire, official or Parks and Recreation staff member.
- 3, Visitors will enjoy the athletic viewing experience free from foul/abusive language or obscene gestures.
- 4. Visitors will not consume alcoholic beverages or use, sell or purchase illegal drugs on the premises. Intervention with an impaired, intoxicated or underage guest will be handled in as prompt and safe manner as possible. Those appearing intoxicated will be denied entry or will be subject to ejection from the Stadium and/or grounds. This includes, but is not limited to, any playing field, playground, spectator viewing area and/or parking lot.
- 5. Visitors, Coaches, Officials, or Players will not be allowed on the premises with any type weapon, including firearms such as, but not limited to, a rifle, shotgun or handgun. Knives unreasonably larger than a standard pocketknife will not be permitted.
- 6. Visitors may not keep any ball, of any type, hit into the stands as a souvenir. Home run and/or winning game ball is to be given to the league official for proper disbursement. Also, visitors must not physically go onto the field; throw objects onto the field of play or court; or interfere with balls in play. Violation will result in immediate ejection and/or arrest and prosecution.
- 7. Visitors may not display any obscene or indecent message on signs or clothing.
- 8. Visitors who engage in such behaviors as prohibited by this code of conduct will be subject to being prohibited from attending Parks and Recreation events/cosponsored events or properties for up to one (1) calendar year from the date of mailing of official notice by an appropriate party by U.S. Mail or hand-delivery to said Visitor or appropriate reasonable agent of said Visitor.
- 9. No convicted sex offenders will be allowed on properties maintained by Columbus County Parks and Recreation.
- 10. Any type of sexual act is prohibited on county maintained properties and may be subject to prosecution by the appropriate authorities.
- 11. Visitors must adhere to the Code of Conduct provisions or they will be subject to ejection without refund and revocation of any purchased ticket(s) and may also be in violation of appropriate ordinances and/or North Carolina General Statutes resulting in possible arrest and prosecution.

This	policy	is	ADOPTED a, 2007.	nd A	APPROVED	this		day	of
			COLUN	MBUS	COUNTY BO	ARD (OF COMMIS	SIONE	ERS
					SAMMIE	JACO	BS, Chairma	n	
					ATTE	ESTED	BY:		
					JUNE B. I	HALL	Clerk to Box	ard	

Ms. Worrell stated the following:

- 1. An incident occurred at one of the parks being maintained by the Parks and Recreation Department involving rude behavior, intoxication and foul language;
- 2. The said person was arrested but the court could not prosecute due to the fact Columbus County did not have a policy and/or ordinance in place as a legal avenue for prosecution;
- 3. I have discussed this matter with Steven W. Fowler, Columbus County Attorney, and he has, in turn, contacted the Sheriff's Department and the District Attorney; **and**
- 4. It is their opinion this policy, if adopted by the Board, would be grounds for prosecution of this type of behavior.

Chairman Jacobs requested Lieutenant Hatcher to speak on this matter. Lieutenant Hatcher stated that a policy alone would only grant permission to remove the offender from the area, but an

ordinance would need to be in place to allow prosecution to occur.

Mr. Fowler stated that an ordinance was more detailed and definitive than a policy and recommended that we start with this policy and lead up to an ordinance.

Vice Chairman Prevatte made a motion to approve and adopt the Columbus Count5y Parks and Recreation Policy for Code of Conduct, on its first reading, and this item to be placed on the August 06, 2007 Agenda for its second reading, seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #10: HUMAN RESOURCES - DEPARTMENTAL UPDATE:

Virginia Taylor, Human Resources Director, delivered the following Departmental Update to the Board.

- 1. On June 11 and June 15, 2007, we held Open Enrollment for the employees to change or add benefits:
- 2. There has been an increase in the dental insurance;
- 3. On April 1, 2007, the retirement supplement insurance premium increased;
- 4. We have four hundred seventy-three (473) full-time employees;
- 5. We have three hundred ninety-two (392) part-time employees;
- 6. Between July 1, 2006 and June 30, 2007, seventy-four (74) left employment with Columbus County;
- 7. Between June 30, 2006 and June 30, 2007, we had one hundred twenty-four (124) new hires, which includes CNA's, part-time and full-time employees;
- 8. The 2007-2008 Salary Plan was submitted on July 1, 2007; and
- 9. I will pass out a handout showing vacant positions and I need some clarification on the new hiring practice that was approved by the Board with the adoption of the Columbus County 2007-2008 Operating Budget.

Ed Worley, Aging Director, stated he experienced a high turnover with CNA's, on a daily basis, and needed an avenue to handle this situation quickly.

Lengthy and in-depth discussion was conducted relative to Commissioner Memory's previous motion on June 29, 2007, that accompanied the adoption of the 2007-2008 Operating Budget. The original motion is as follows:

"Commissioner Memory made a motion that the Columbus County tax rate for the 2007 - 2008 fiscal year be eighty-one and one-half (\$.815) cents, per one hundred (\$100) dollars property valuation, and the Board to adopt the Proposed 2007 - 2008 Columbus County Operating Budget presented, with the following stipulations for the upcoming fiscal year:

- A. No new hires;
- B. All positions that are vacant today will have to be analyzed by the applicable staff, Manager, and this Board before being advertised or hired, to determine if this is a critical needs position;
- C. If someone could be moved from another department that is top heavy into that position; and
- D. By following this practice consistently, it would result in giving Columbus county a leaner and meaner operation of County Government."

Commissioner Memory stated that the intent of this motion was to eliminate vacant positions that are not needed, to relocate employees from top-heavy departments to areas where there is a need and to reduce the number of the workforce by eliminating the positions that are not necessary which would result in a big savings for Columbus County.

MOTION of CLARIFICATION:

After additional discussion was conducted relative to the hiring procedure to be followed, Commissioner Memory made the following **Motion of Clarification** for **Part C** of the previous motion made on June 29, 2007, with the remainder of the original motion still standing:

- C-1. When an existing position becomes vacant, it is frozen. The Department Head will then make a request to the County Manager to lift the position from the freeze;
- C-2. The County Manager will do an analysis of the frozen position to be filled, and make

a determination if the vacant position needs to be filled; and

C-3. If a discrepancy should occur between the Department Head and the County Manager, the Department Head and/or the County Manager will bring the matter before the Board of County Commissioners for a determination to be made.

This motion was seconded by Vice Chairman Prevatte, and unanimously carried.

(Departmental Update (continued):

10. On July 18, 2007, at the next scheduled Department Head Meeting, I have scheduled a Reasonable Suspicion Workshop, and I would like to invite all the County Commissioners to attend. This will be at the Department of Aging at 9:00 A.M.

Agenda Item #11: APPOINTMENTS - COMMITTEE/BOARDS:

June B. Hall, Clerk to the Board, requested the following appointments/re-appointments be made to the following boards/committees.

<u>BOARDS - RESIGNATION from FOUR-COUNTY COMMUNITY SERVICES, INCORPORATED BOARD of DIRECTORS:</u>

Commissioner Memory stated he is officially submitting his resignation from the Four-County Community Services, Incorporated Board of Directors, and is recommending that Richard Wilson be appointed to this Board as a representative for the County Commissioners.

COMMITTEE	ZONE/ EB	PERSON(S)	EXPIR. DATE	BOARD ACTION
Four-County Community Services, Inc. Motion: Commissioner Memory Second: Commissioner Norris	ЕВ	Richard Wilson	06-30-2009	Richard Wilson
Housing Advisory Committee	IV	Marshall Shepherd (Deceased)	06-30-2007	Hold
Juvenile Crime Prevention Council	III V	Jerry Jacobs -Vacant-	06-30-2007 06-30-2007	Hold
Library Board of Trustees	II	Robert L. Young	06-30-2007	Hold
Nursing/Adult Care Home Joint Community Advisory Comm Motion: Vice Chairman Prevatte Second: Commissioner Memory	ЕВ	1 Vacancy (Diane Garcia)	01/03/2007	Robert Adams
Planning Board	IV	Ivan Wilson (Resigned)	09/30/2007	Hold

AGENDA ADD-ON:

FARMERS MARKET - LETTER of SUPPORT:

Jim Varner, Columbus County Manager, requested Board approval of the following Letter of Support for the Columbus County Community Farmers Market in their process of applying for IRS tax-exempt status, st the request of Kipling Godwin.

July 16, 2007

IN RE: Letter of Support for Columbus County Community Farmers Market

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Please allow this letter to serve as our **Letter of Support** for the Columbus County Community Farmers Market.

The following list will provide some factual information, along with a few attributes that Columbus County has realized from the Farmers Market:

- Organized in 1998, and has realized significant growth each year afterwards;
- Provides a venue for local farmers to sell their farm fresh fruits and vegetables to the public;
- Promotes economic development opportunities within the agricultural sector;
- Provides educational value to the community through nutritional information, food safety, and recipes;
- Promotes a healthier lifestyle through the availability of fresh fruits and vegetables;
- Assists senior citizens and families through the USDA Seniors and Women, Infants & Children (WIC) Farmers Market Nutrition Program vouchers;
- Encourages agri- and heritage tourism through special events;
- Encourages farmers to diversify and specialize in new areas of production; and
- Protects the farm and farm way-of-life for future generations.

From the above list, it is evident the Columbus County Community Farmers Market has been, and will continue to be, a great benefit to the citizenry of our County.

We, as a Board, fully support the **Columbus County Community Farmers Market**, and are very appreciative of the benefit it provides to our citizens.

Sincerely,

/s/ SAMMIE JACOBS, Chairman COLUMBUS COUNTY BOARD OF COMMISSIONERS

Vice Chairman Prevatte made a motion to approve the Letter of Support for the Columbus County Community Farmers Market, seconded by Commissioner Bullard. The motion unanimously carried.

Agenda Item #12: <u>CONSENT AGENDA ITEMS</u>:

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

TAX REFUND (as submitted to the Governing Body Office from the Tax Office): July 16, 2007

 Refunds
 Name: Ward, Richard C. & Vicky
 Amount:
 \$0.00

 Value:
 \$0.00 Year 006 Account # 01-00168 Bill # 59690 Total
 \$193.00

Refund user fee. House in not complete and there is no trash can here.

309 Pine St. Chadbourn NC 28461

TAX RELEASES (as submitted to the Governing Body Office from the Tax Office): July 16, 2007

Release the Property Value in the name of Hardie, James N. Amount: \$39.79 Value: \$5,201.00 Year: 2006 Account # 15-01836 Bill # 1037 Total \$244.78 Release the value of a mobile home, the Acme Delco Fire (6.24) and the Columbus Rescue (1.04). The home was billed twice on the same account number in error.

Release the Property Value in the name of Melvin, Hazel Amount: \$292.23 Value: \$38,200.00 Year: 2006 Account # 13-04711 Bill # 4241 Total \$360.99 Release the value of a mobile home, the Klondyke Fire (26.74) the Columbus Rescue (7.64) and W2 (34.38). The home was repoed in 2005.

Release the Property Value in the name of Norris, Lawrence Amount: \$91.72 Value: \$11,990.00 Year: 2006 Account # 09-03537 Bill # 6662 Total \$294.31 Release the value of a mobile home, the Williams Fire (7.19) and the Columbus Rescue (2.40). The home is double listed in the name of Beverly Norris.

Release the Property Value in the name of Stackhouse, James T. Amount: \$227.21

Value: \$29,700.00 Year: 2006 Account # 10-15953 Bill # 4889 Total \$339.15 Release the value of a mobile home and the Columbus Rescue. The home was repoed in 2005.

Release the User Fee in the name of Ammons, David B. Value: \$0.00 Year: 2006 Account # 01-00564 Bill # 7898 Release the user fee. House is vacant, has no power, no trash can and is unl	Total	\$0.00 \$193.00
Release the User Fee in the name of Bass, Richard D. Value: \$0.00 Year: 2006 Account # 01-03431 Bill # 9165 Release user fee. The mobile home burned in 2000.	Amount: Total	\$0.00 \$193.00
Release the User Fee in the name of Bennett, Henrietta Value: \$0.00 Year: 2000 Account # 01-02932 Bill # 1939 Release user fee. House has been moved and the trash can is no longer here		\$0.00 \$125.00
Release the User Fee in the name of Bennett, Henrietta Value: \$0.00 Year: 1997 Account # 01-02932 Bill # 1942 Release user fee. Home has been moved and there is no trash can here.	Amount: Total	\$0.00 \$100.00
Release the User Fee in the name of Bennett, Henrietta Value: \$0.00 Year: 1999 Account # 01-02932 Bill # 1940 Release user fee. House has been moved and the is no trash can here.	Amount: Total	\$0.00 \$100.00
Release the User Fee in the name of Bennett, Henrietta Value: \$0.00 Year: 2001 Account # 01-02932 Bill # 1938 Release user fee. The house has been moved and the trash can is no longer.	Amount: Total	\$0.00 \$165.00
Release the User Fee in the name of Bennett, Henrietta Value: \$0.00 Year: 1998 Account # 01-02932 Bill # 1941 Release user fee. House has been moved and there is no trash can here.		\$0.00 \$100.00
Release the User Fee in the name of Brown, Betty Value: \$0.00 Year: 2006 Account # 15-04720 Bill # 1532 Release user fee. House is unlivable, vacant, has no power and no trash can		\$0.00 \$193.00
Release the User Fee in the name of Farmer, Catherine Value: \$0.00 Year: 2006 Account # 06-02539 Bill # 9273 Release user fee. This is a vacant lot.	Amount: Total	\$0.00 \$106.00
Release the User Fee in the name of Hinson, Annette Value: \$0.00 Year: 2006 Account # 15-05738 Bill # 6326 Release a portion of the user fee. Trash was removed in October.	Amount: Total	\$0.00 \$32.16
Release the User Fee in the name of Jackson, Mack D. Value: \$0.00 Year: 2005 Account # 15-19590 Bill # 782 Release user fee. Mobile home is unlivable and does not have a trash can.	Amount: Total	\$0.00 \$177.00
Release the User Fee in the name of Jackson, Mack D. Value: \$0.00 Year: 2006 Account # 15-19590 Bill # 7857 Release user fee. House is unlivable and does not have a trash can.	Amount: Total	\$0.00 \$193.00
Release the User Fee in the name of Smith, David Value: \$0.00 Year: 2006 Account # 01-84731 Bill # 3260 Release user fee. House is unlivable, has no power and no trash can.	Amount: Total	\$0.00 \$106.00
Release the User Fee in the name of Smith, David Value: \$0.00 Year: 2005 Account # 01-84731 Bill # 1968	Amount: Total	\$0.00 \$90.48

Agenda Item #13: COMMENTS:

Release user fee. House is unlivable, has no power and no trash can.

Chairman Jacobs opened the floor for comments. The following spoke.

A. **Public:**

Jim Nance: I would like for this Board to seriously consider picking up the work on the Noise Ordinance and completing it, to allow the Sheriff's Department to be able to do something about the problem I have been experiencing for the last several years.

B. **Department Heads:**

- 1. **Ed Worley (Department of Aging):** stated the following:
 - a) I really do need some clarification on the hiring process due to the uniqueness of my situation;
 - b) I have six (6) people on contract and two hundred (200) CNA's; and
 - c) On some mornings, we get last-minute notification from our CNA's that they are leaving employment with Columbus County and going to another agency and we must fill this position immediately in order to fulfill our obligation to our clients.

After lengthy discussion was conducted, it was the general consensus of the Board for Mr. Worley to meet with Jim Varner, County Manager, and work out this process.

- 2. **Carol Worrell (Parks and Recreation):** stated the following:
 - a) We are starting soccer signups; and
 - b) We held a soccer camp with sixty-two (62) kids participating.
- 3. **NaTonya Hassell (Public Housing):** stated the following:
 - a) We were audited and some minor areas were brought to our attention;
 - b) We received our approval; and
 - c) Overall, the review was good.
- 4. **Leo Hunt (Finance):** stated I was asked by the Board to present some solutions to the credit card problems the County is experiencing. Steven W. Fowler, Columbus County Attorney, and I are working diligently on a policy to present to you for adoption. The following are the **Recommendations for Consideration on Credit Card Use and Purchasing Orders:**
 - A. Decrease in the amount that can be purchased on the Procurement Cards to \$200.00;
 - B. Decrease in the amount needed to issue a Purchase Order from \$500.00 to \$200.00;
 - C. Place an encumbrance against each department to cover the Procurement Cards;
 - D. Travel Credit Cards to be limited to paying for registration and motel/hotel rooms only, with receipts; **and**
 - E. Revise Personnel Policy's section on meals during travel, to allow for a per diem of \$30.00 per day, with receipts being required.

C. Board of Commissioners:

- 1. **Vice Chairman Prevatte:** I would like to thank the Sheriff's Department for their handling of the hostage situation in Chadbourn. It was settled without incident.
- 2. **Chairman Jacobs:** I would like to thank Vice Chairman Prevatte for handling the offices at the Sheriff's Department during the hostage situation in Chadbourn.
- 3. **Commissioner Bullard:** I have four (4) items I would like to discuss, and they are as follows.

1st Item - Status of the Boardman Water Meter Vault:

- -I have met with the officials from Boardman;
- -The town officials are stating this project is at a standstill;
- -The town may want to go back to Robeson County for their water needs; and
- -We have met on the contract with the sewer system

2nd Item - Town of Cerro Gordo:

-I have received a letter from the Town of Cerro Gordo and they are requesting to be exempt from the Water District Tax, and in the letter it stated that Fair Bluff and

Boardman are already exempt from this tax; and

-I would like to know where we stand on this matter.

<u>3rd Item - Water Fluoridation on Next Agenda:</u>

- -I have received a letter from Dr. Matthews on this matter and I would like to know exactly where this Board stands; **and**
- -I am requesting this matter be placed on the August 06, 2007 Agenda for discussion.

4th Item - FEMA Properties on Next Agenda;

- -I have received some information on the FEMA lots that are now owned by Columbus County; **and**
- -I would like for this to be placed on the August 06, 2007 Agenda for discussion.

Agenda Item #14: <u>ADJOURNMENT</u>:

At 8:15 P.M., Commissioner Norris made a motion to adjourn, seconded by Commissioner Memory. The motion unanimously carried.

	APPROVED:		
JUNE B. HALL, Clerk to Board	SAMMIE JACOBS, Chairman		