

COLUMBUS COUNTY BOARD OF COMMISSIONERS

October 19, 2009

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 the purpose of holding their regular scheduled meeting on the third Monday.

COMMISSIONERS PRESENT:

James E. Prevatte **Chairman**
 Ricky Bullard, **Vice Chairman**
 Amon E. McKenzie
 Giles E. Byrd
 Edwin Russ
 Lynwood Norris
 Ronald Gore

APPOINTEES PRESENT:

William S. Clark, **County Manager**
 Mike Stephens, **County Attorney**
 June B. Hall, **Clerk to Board**
 Bobbie Faircloth, **Finance Officer**

Agenda Items #1 and #2: MEETING CALLED to ORDER, INVOCATION and PLEDGE of ALLEGIANCE:

At 6:30 P.M., Chairman James E. Prevatte called the October 19, 2009 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Vice Chairman Ricky Bullard. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Vice Chairman Ricky Bullard.

Agenda Item #3: BOARD MINUTES APPROVAL:

Commissioner McKenzie made a motion to approve the September 28, 2009 Manufactured/Mobile Home Park Ordinance Workshop Minutes, as recorded, seconded by Commissioner Byrd. The motion unanimously passed.

Commissioner Norris made a motion to approve October 05, 2009 Regular Session Board Meeting Minutes, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

Agenda Item #4: PUBLIC INPUT:

Chairman Prevatte opened the floor for public input, and stated that as per the Public Address to the Board Policy, the Board is not required to comment on matters brought to the Board during this time, but these matters will be taken into consideration. The following people spoke.

1. **Steve Smith, 117 East Wyche Street, Whiteville, North Carolina 28472:** stated the following:
 - A. In the process of looking at the recycling of plastics, I am requesting that you look at the recycling of glass;
 - B. At the present, Columbus, Bladen and Robeson Counties do not recycle glass;
 - C. I encourage you to appoint a Citizen Advisory Committee that would be able to help the citizens with their questions regarding recycling; **and**
 - D. I encourage you to place a time limitation on when the trash containers can be emptied in residential and industrial areas.

2. **James Register, 664 Ward Town Road, Whiteville, North Carolina 28472:** stated the following:
 - A. Due to my experience in the mobile home business, I would like to comment on the Manufactured / Mobile Home Park Ordinance:
 - B. I agree with most of what you have in the Ordinance, but there are some things that you need to look at;
 - C. I would like to refer to this as a city and a country mobile home park;
 - D. With the amount of space specified for each mobile home, you will be faced with problems relative to roads, security and safety, in the city mobile home park; **and**
 - E. I will save my remaining comments for the next meeting since my time is up.

3. **Nadena Graham, 2022 Harrelsonville Road:** asked why the \$850,000 CDBG Grant was rejected.
4. **Sherica McCoy, 102 East Calhoun Street, Whiteville, North Carolina 28472:** asked why the \$850,000 CDBG Grant was not approved.
5. **Alice Jones Bellamy, P.O. Box 285, Brunswick, North Carolina 28424:** asked why the \$850,000 CDBG grant was turned down.
6. **Eugene Johnson Bellamy, 3532 New Britton Highway South:** asked why the \$850,000 CDBG grant was turned down.

Agenda Item #5: WASTE MANAGEMENT - PRESENTATION of DISPOSAL of PLASTIC CONTAINERS:

Wade Jernigan, Waste Management Site Manager, delivered the following presentation on the disposal of plastic containers.

1. I have two (2) colleagues with me, Pat Kailembo and Chip Dodd;
2. At the present time, we have the convenience sites located throughout the County. We have boxes on hand there to take care of some of the recyclables;
3. There are a couple of things we can do to improve that a little bit, as follows:
-we can single stream those items, where you can get more into that container; **and**
-enlarge the hole in the containers;
4. Right now, what you have in place, would be the cheapest thing that we could offer the County; **and**
5. There is another recycling facility in Fayetteville, and he has got a few more options and ideas that he can discuss with you at this time also.

Pat Kailembo, Waste Management, stated the following:

1. You are familiar with the program you have now with the drop sites;
2. It is a program that is common through rural communities in southeast North Carolina and across North Carolina where a door-to-door curbside collection program isn't feasible;
3. The program you have in place is progressive in the sense that it is here in advance of any ordinance put out by the State, and it is not a reactionary, you are not behind offering some program to your citizens;
4. We have heard that some people may want more and the step behind that is to go to a door-to-door collection process through a cart whether that be weekly or every other week, and this is an option;
5. There is an option to possibly add some materials and make the system more robust and take more materials away, not just the plastic bottles, if you are going to have the recycling program;
6. Whether we can improve signage, modify containers and make the program more accessible and easily available to the citizens; **and**
7. This is something we can discuss.

Questions/Comments/Answers:

Commissioner McKenzie: stated the following:

1. In my district, we have elderly citizens, approximately twenty-five (25%) percent, or greater than that, who have no transportation to get the waste to the site;
2. A majority of the citizens are stating that they pay an annual fee for their garbage collection, and the County needs to come up with a better solution than we taking it a collection area;
3. The citizens don't want the responsibility of taking those plastic bottles up, gathering them up in a specific location, and then taking them to a convenience site;
4. We do charge these citizens a yearly rate for their garbage pickup, Waste Management has been picking up these same plastic bottles over the last several years, and all we want is for Waste Management, or someone, to give us a simple, or better, solution than putting these containers in a bag and taking them to one of the convenience sites which is a far distance for many citizens;
5. Some of our citizens do not have the transportation means to take these plastic containers to the sites, and would have to pay for them to be taken; **and**
6. Waste Management has been under contract for the past several years for picking up those

same bottles, so we want you to offer us a simple solution, something that does not require any additional work.

Chairman Prevatte: stated the following:

1. I have been talking with Pat and Wade today, and I think I have a possible solution for consideration;
2. I was talking with some of our constituents today, and the overall feeling of the constituents is they are paying two hundred ten and 00/100 (\$210.00) dollars per year for garbage collection, and they do not think they should have to go to any extra expense for the disposal of plastic containers; **and**
3. A possible solution is to have two (2) trash containers at every household and pick up the household garbage one week and the recyclables the next week, and this would not require any extra trips or manpower.

Commissioner Byrd: stated the following:

1. If each household is provided with two (2) containers, then Waste Management would only be picking up one-half (½) the amount of the normal trash pickup;
2. The trash trucks could go twice the distance before having to go the landfill and empty their load, therefore they could make the second trip for the second container, possibly household waste on Monday and plastic containers on Wednesday; **and**
3. Going two (2) weeks for household garbage is not sanitary.

Chip Dodd, Waste Management, stated the following:

1. I have been working with municipalities and counties throughout eastern North Carolina, and some of our other folks are working with people all over the state, and there are lots of questions and conversation about this plastic ban and how to handle it;
2. Being your garbage provider, we very much want to work with the county, and we would like to study, talk and discuss with you to figure out the best program for you;
3. I think you are one (1) step ahead right this minute because you already have the convenience sites, you have the containers there to collect the plastics;
4. You are actually complying with the law now;
5. You are offering your residents and citizens a way to recycle; **and**
6. I think we need to look at how it all unfolds; and try to get ideas like you are presenting and see how we can cobble them together and make a program that is going to work for you.

Commissioner Byrd: stated the following:

1. With the utilization of additional containers, the garbage trucks would only pick up a portion of their normal load, and would finish their routes in less time;
2. This would allow the trucks additional days to pick up the additional containers; **and**
3. You have three (3) commodities that you want separated.

Chip Dodd, Waste Management, stated the following:

1. They don't have to be separated anymore;
2. We have a new way of recycling;
3. We are afforded a new system with some new operations and plants that have come to the region;
4. We may look at that and say we can put them all together instead of having to separate them and then you would have only one (1) container;
5. I think it is hard to look at the whole operation and cut it in half like that;
6. You can't really cut it in half; **and**
7. The ideas that you are coming up with are interesting, and innovative, and we want to help you be innovative and come up something that will work well for everybody.

Commissioner Gore: stated the following:

1. I agree with Chip wholeheartedly and I think they are privy to some information that we are not;
2. I think we need to have a workshop on this and let's set down and see if we all can work together and come up some ideas that will help us;
3. This is a matter that can't be resolved here tonight because each one has different ideas;
4. We are going to have to involve some other people who is knowledgeable of what needs to be done; **and**
5. I think we need to form a committee or group to meet and discuss this matter.

Commissioner McKenzie: stated the following:

1. The feedback I am getting from the citizens is to let Waste Management separate the garbage;
2. I am paying my annual fee of two hundred ten and 00/100 (\$210.00) dollars, and I don't see where I need to separate my garbage; **and**
3. This is the attitude a large majority of the citizens have on this matter.

Chip Dodd: stated maybe we need to analyze and know more about how many elderly you have that can't get their garbage to the convenience sites, and maybe we can focus on some way and plan, that we can serve them

Commissioner McKenzie: stated the following:

1. I wish they could come up with a simple solution, something that we can all live with, that would not require people going to a convenience center to drop off plastics;
2. I think we can work around that;
3. Two (2) cans at each residence is the best idea that I have heard so far; **and**
4. The idea of transporting the plastics to a convenience site is not a good idea.

Chairman Prevatte: stated the following:

1. When I went to Hickory, North Carolina for the NCACC Conference is the first time that I had heard that you could not put plastics in the landfill after October 01, 2009; **and**
2. After that I started separating the plastics from my household garbage, but it does cost to transport this material to the convenience site.

Mike Stephens (County Attorney): stated I was reading the contract with Waste Management and discovered some long names of different plastics, and I would like to know specifically what the different kinds of plastics were that are mentioned in the contract.

Chip Dodd: stated the following:

1. As we know today, they have categorized the different types of recyclable plastics in seven (7) categories;
2. On the bottom of each recyclable plastic container, there is a number that tells us what type of plastic the container is made of; **and**
3. These plastic containers can be collected together, but when they reach the recycling center, they do have to be separated because they melt at different temperatures.

Mike Stephens (County Attorney): That is Waste Management's responsibility, once we get all the plastic together, to separate the numbers, from the way I read the contract.

Chip Dodd: Actually, we take it to a processing facility where it gets separated with machinery, and there is some hand picking, and once it is separated, it is transported to a market like the glass and is melted down, and the plastic is melted down, and made into new products.

Commissioner Byrd: In my community, the households are ready to sort the plastics, but they will not haul the plastics to the convenience sites due to the long distances, and if we don't do something, we are going to litter up our highways.

Commissioner McKenzie: stated the following:

1. In previous years, we had green dumpsters located at various sites throughout the county that our citizens could take their garbage to, at a much cheaper cost,
2. These green dumpsters did attract a wide array of animals;
3. Then the individual trash receptacle was introduced for each household which has proved to be advantageous;
4. The majority of the citizens are stating they are not going to incur the added expense of transporting these plastics to a convenience site when I am already paying the county two hundred ten and 00/100 (\$210.00) dollars per year;
5. We need something simple that will not require any extra work on the part of the citizens; **and**
6. In previous years, the citizens in the rural areas burned their trash in barrels behind their house, and this practice could be reinstated if we make it too difficult for the citizens.

Vice Chairman Bullard: Does Waste Management not have a facility or the equipment to separate cans or plastics out of household trash?

Pat Kailembo: I would offer that over time, the market has attempted to take everything on the truck, split it up, and take it apart again, and it is not a feasible solution. There is no where, I am not aware of any place in North Carolina where I can take a truckload of our household waste, dump it on the floor, and have someone take it apart and get the recyclables out of it. Once it is there and together, it is not something that you can separate and take to market and sell.

Commissioner Gore: Are they not doing that in New Hanover County?

Chip Dodd: stated the following:

1. I am not aware of a facility there where the recyclables are picked out of the garbage;
2. There is a facility and it happens to be Waste Management's facility, it is at our garbage operation, but there is a warehouse over to the side, and recyclables come in from the City of Wilmington;
3. The recyclables are all mixed up, they put them on a truck which goes up to Raleigh to another Waste Management processing facility and that is where the machinery and the hand pickers separate the recyclables, but there is not any garbage in it;
4. I am going on a tour tomorrow to a landfill where they do still bring in garbage with the recyclables, but I talked to the man who runs it, and he says that probably by the end of this year, that they are going to stop doing it this way;
5. This is the last one that I know of in North Carolina that is operating that way;
6. It has not proven successful in other places.

Pat Kailembo: stated the following:

1. The City of Fayetteville introduced a curbside recycling program last July;
2. They have a second cart and all the recyclables go into that cart;
3. They have two (2) carts at their houses now, one (1) for household trash, and one (1) for recyclables - (cardboard, newspapers, magazines, cans, glass and plastics);
4. All the recyclables are put into that can, put in the truck and taken to a processing facility, at that point;
5. They have a big warehouse where the recyclables are separated; **and**
6. The city picks up the household garbage one day, and we pickup the recyclables that same day, but in a second cart.

Commissioner Byrd: I think running two (2) trucks in the same day will work in this County.

Pat Kailembo: stated the following:

1. It is still true that the trash truck still collects more materials than the recycling truck;
2. Primarily, household trash weighs more; **and**
3. No matter what program you introduce, you are depending on your constituents to work with the program and use it.

Vice Chairman Bullard: stated the following:

1. That will add extra cost to the trash pickup per year; **and**
2. What will it cost to pick up two (2) trash receptacles?

Pat Kailembo: That will be something that we will have to analyze.

Commissioner Byrd: stated the following:

1. Does the contract say that you will handle so many tons?;
2. The contract does not say how you will handle it;
3. The contract we have with your company states that you have contracted to handle a certain amount of tons of garbage, period;
4. If the state has come in and made changes, I feel like that contract is binding;
5. We should not have to come back and renegotiate with you when you have contracted to handle a certain amount of tonnage, and I don't think we have exceeded those tons; **and**
6. However you choose to pick it up, if you choose to separate it, or households choose to separate it, I think it should be covered under that contract.

Chip Dodd: We can take a look at the contract.

Commissioner Byrd: When you contract to move a certain amount of tons of household garbage, it is however you choose to move it.

Chip Dodd: stated the following:

1. Thank you for your help;
2. We will take a look at the big picture and all the details;
3. We will work with you, and let you see the details we have to look at when we are figuring out how much something is going to cost;
4. We are talking about more containers, there is a cost there;
5. We probably could not use the same trucks that we are using to pick up garbage; **and**
6. These are just a couple of things, but I still offer to you that we can talk more and think about it more, and see if we can come up with something.

Commissioner Byrd: Why would you not use the same trucks to pick up the household garbage?

Pat Kailembo: stated the following:

1. At the end of the day, we still have to pick up -
2. The trucks have a certain amount of volume they can carry;
3. No program diverts so much out of the trash screen that, you know, it is a 50 - 50 split that you can suddenly drive these trash trucks that much harder;
4. There are twenty thousand (20,000) houses to go by every week and that takes people and equipment to do that; **and**
5. With the current fleet that we have now, they wouldn't be in a situation where they could go by every house two (2) times weekly with a different program.

Wade Jernigan: the stops and miles would not change any. You would still have the same stops and miles to travel with the truck.

Commissioner Byrd: It may be possible to pick up the recyclables every other week.

Commissioner Russ: stated the following:

1. I like the idea that Steve Smith introduced of a Citizen Advisory Committee for Recyclables;
2. The dual trash carts will be a good idea;; **and**
3. You do need manpower to handle the recyclables.

Pat Kailembo: stated the following:

1. We were asked here tonight because the changes in state law have prompted everyone to look more closely at this;
2. We are willing to listen to all the ideas and continue to work on this;
3. You do meet the requirements right now;
4. Whether it works for everyone, and it doesn't, you are saying that it doesn't, it is something that you are offering; **and**
5. You have a compliance factor there, and we are willing to be here as your vendor, and continue the conversation.

Commissioner Gore: Are you saying right now that we are compliant with all the legislation that has been handed down?

Pat Kailembo: Yes.

Vice Chairman Bullard: I think the monkey is on their backs for them to tell our county residents that we have to change our trash pickup before we can do anything.

Chip Dodd: stated the following:

1. We want to work with you, we want to help you;
2. But, I think that is really a question that should go to the State, because our Legislature passed the law;
3. I'm not sure that we feel comfortable standing here and saying that you comply with the law; **and**
4. We are learning about it just like you'll be, and how it is going to unfold, and as far as we understand it, you are complying, but, I think ultimately, that would be a question for the folks at the Department of Environment and Natural Resources.

Commissioner Byrd: stated the following:

1. It is coming and we will have to do it;
2. Any plan we do now will benefit us down the road, six (6) months or a year from now; **and**
3. I think it will be forced in time.

Chairman Prevatte: I thought the law stated that you were required to do it, not that you could voluntarily do it

Chip Dodd: stated the following:

1. That is my understanding of it;
2. The law bans plastic bottles from the landfill, as well as a couple of other items; **and**
3. That is not really saying that you are required to recycle.

Chairman Prevatte: No, but it says that we can't send it to the landfill.

Commissioner Byrd: What are going to do with it? If they ban it from the landfill, what are we going to do with it?

Vice Chairman Bullard: Are you still hauling plastic to the landfill? Are you still disposing of the trash that you pick up?

Chip Dodd:

1. We are still disposing of the trash that we pick up;
2. We really don't have a way to know what everything is that is in there;
3. I think there is going to be a learning curve and a grace period; **and**
4. There is going to be some time to get this thing started and move accordingly.

Chairman Prevatte: From what I am hearing, the general consensus of the Board is that we don't need a workshop yet, but they need to work in conjunction with our solid waste person and see if there are any alternatives that we have. Is that what I am hearing, and come back at a later date?

Vice Chairman Bullard: I think we need to find out if we got to change our way of disposing of our trash before we can make any decisions.

Chairman Prevatte: They need to look at the contract, and Mr. Stephens needs to review the contract, and bring this matter back to the Board.

Agenda Item #6: PUBLIC TRANSPORTATION - APPROVAL of NC DOT TRANSPORTATION CONTRACT for FY 09-10:

Charles Patton, Transportation Director, requested Board approval of the contract with North Carolina Department of Transportation for Fiscal Year 2009-2010 in the amount of one hundred seventy-one thousand, one hundred two and 00/100 (\$171,102.00) dollars.

Commissioner Byrd made a motion to approve the contract with North Carolina Department of Transportation for Fiscal Year 2009-2010 in the amount of one hundred seventy-one thousand, one hundred two and 00/100 (\$171,102.00) dollars, seconded by Commissioner Russ. The motion unanimously passed. A copy of this document will be kept on file in the Clerk to the Board's Office and the Public Transportation Office for review.

Agenda Item #7: RESOLUTION - APPROVAL of RESOLUTION SUPPORTING a COUNTY EMPLOYEE WELLNESS PROGRAM (COLUMBUS S.A.I.L.S.):

Sarah Gray, Health Department, Meleah Stanley, Cooperative Extension, and Kim Smith, Health Director, are requesting Board approval and adoption of the following Resolution Supporting a County Employee Wellness Program (Columbus S.A.I.L.S.).

**Columbus County Board of Commissioners
Resolution Supporting a County Employee Wellness Program
(Columbus S.A.I.L.S)**

WHEREAS, approximately 36.1% of Columbus County residents are overweight and 30.1% are obese;

WHEREAS, approximately 30.8% of Columbus County residents have hypertension;

WHEREAS, approximately 25.4% of Columbus County adults currently smoke;

WHEREAS, NC ranks among the 4 states with the highest rates of high blood pressure, tobacco use, poor nutrition and diabetes 75% of employees believe that they have more on-the-job stress than the generation before them;

WHEREAS, 26% of workers reported they were often or very often burned out or stressed by their work;

WHEREAS, many studies have demonstrated ROI's (Return On Investments) in the range of \$3 in return for every \$1 spent. ROI generally includes direct medical savings and reduced absenteeism costs;

WHEREAS, companies with comprehensive workplace wellness programs achieve a 25 to 30 percent reduction in medical and absenteeism costs in about 3.6 years;

THEREFORE, be it resolved, on this 19 day of October 2009, that the Columbus County Board of Commissioners (as indicated by Board of Commissioners Chairman's signature) supports and recognizes the importance of establishing and implementing a comprehensive employee wellness program.

Board of Commissioners Chairman's Signature:

/s/ **JAMES E. PREVATTE, Chairman**

Ms. Gray stated the following:

1. Meleah Stanley could not be here tonight;
2. We wanted to discuss with you about an Employee Wellness Program;
3. The Employee Wellness Program will not cost the County any money;
4. It will not cost the County any money for us to do this program;
5. We will run the program out of the Health Department;
6. Any County employee will be eligible to participate;
7. The main components are physical activity, nutrition, tobacco cessation and some other smaller components;
8. We know that approximately thirty (30%) percent of our residents are obese, so this program will support helping our employees become healthier;
9. What this means to the County, hopefully it will save you cost in the long run in terms of insurance; **and**
10. The Health Department has already set up a data base so that every county employee will be able to log in on the County website, off of the Health Department page, and log their physical activity, their healthy eating, and anything they are doing to make them healthier.

Vice Chairman Bullard asked Ms. Gray if equipment would have to be purchased. Ms. Gray replied stating that she had spoken with a representative from CIGNA, and I will apply for a grant from CIGNA to help us purchase some of the incentive items for employees. We have no money for large-scale exercise equipment.

Commissioner Byrd made a motion to approve and adopt the Resolution Supporting a County employee Wellness Program, seconded by Commissioner Russ. The motion unanimously passed.

Agenda Item #8: MAINTENANCE - REQUEST for ADDITIONAL FUNDS for RENOVATION COMPLETION of FORMER TAX OFFICE BUILDING:

Tony Soles, Maintenance Director, requested additional funds to complete the renovation of the former Tax Office to be utilized by the District Attorney's Office.

Mr. Soles stated the following:

1. The Board approved forty thousand and 00/00 (\$40,000.00) dollars in this year's budget to renovate the former Tax Office;
2. When I was asked to undertake this by the District Attorney, I looked at it and this amount of money will not touch the Tax Office on renovation;
3. Gene Soles did some preliminary work when he was here, and his estimate he received was ninety thousand and 00/100 (\$90,000.00) dollars;
4. The lower price that I have is probably due to the down economy;
5. If we are going to do this, now is the time to do it.

6. I have sent out for some bids for the HVAC; **and**
7. The amount I am asking for is thirty-one thousand, four hundred and 00/100 (\$31,400.00) dollars.

Commissioner Russ made a motion to approve the request for thirty-one thousand, four hundred and 00/100 (\$31,400.00) dollars of additional funds to complete the renovation of the former Tax Office to be utilized by the District Attorney's Office, and for these funds to be taken from the Contingency Fund, seconded by Commissioner McKenzie. The motion unanimously passed.

Agenda Item #9: ANIMAL CONTROL - DEPARTMENTAL UPDATE:

Rossie Hayes, Animal Control Director, delivered the following departmental update to the Board.

1. We have switched over to injection euthanasia and all of us have been certified with Dr. Martin, and she doesn't charge us anything for this;
2. I have the State license and all I need now is the DEA license;
3. After we get our license, we still have to work under Dr. Martin;
4. The adoption of the animals is high as follows:

Dogs entered Animal Shelter	-	1865
-Dogs Adopted	-	1196
-Dogs Euthanized	-	669
-Cats Entered Animal Shelter	-	1431
-Cats Adopted	-	29
-Cats Euthanized	-	1402
4. The adoption rate is high due to Petfinder on the internet;
5. The multiple phone calls we receive are a hindrance due to not having the manpower to handle them; **and**
6. The adoption cost is twenty-five and 00/100 (\$25.00) dollars and this price includes the rabies shot.

Agenda Item #10: ANIMAL CONTROL - APPOINTMENT of TWO (2) PEOPLE for APPEAL PROCESS:

Rossie Hayes, Animal Control Director, requested the Board to appoint two (2) people for the purpose of hearing an appeal relative to an animal being dangerous or potentially dangerous.

Chairman Prevatte stated the following:

1. In accordance with our Ordinance, upon determination by the Animal Control Officer that an animal is dangerous or potentially dangerous, the owner or keeper has the right to appeal within twenty-four (24) hours to a panel of two (2) people appointed by the Board of Commissioners;
2. If there is a split decision among these two (2) people, the Chairman of the Board of Commissioners, or his designee, will make the final determination; **and**
3. At the present time, we do have an appeal that needs to be heard and ruled on.

Commissioner Byrd made a motion to appoint Mike Stephens, Columbus County Attorney, and William S. Clark, Columbus County Manager, as the two (2) people to hear the appeal, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #11: APPOINTMENT - VOLUNTARY AGRICULTURAL DISTRICT BOARD:

Edward E. Davis, Soil and Water Director, requested the final appointments to be made for the Voluntary Agricultural District Board (District I, District III and District VI).

Vice Chairman Bullard appointed John Wayne Hardwick, 12287 James B. White Highway, Whiteville, North Carolina 28472, Telephone: (910) 653-2516, to the Voluntary Agricultural District Board.

Agenda Item #12: UNC SCHOOL of GOVERNMENT - DAVID M. LAWRENCE DISTINGUISHED PROFESSORSHIP:

DeWitt F. McCarley, Chairman of Lawrence Committee, and Michael R. Smith, Dean of School of Government, are requesting the Board's consideration of a contribution to the David M. Lawrence Distinguished Professorship.

Chairman Prevatte stated the following:

1. I am sure the majority of us have had the opportunity to talk to Mr. Lawrence on one occasion or another;
2. We have relied heavily on his legal expertise through the years;
3. He is now retiring, and the North Carolina Association of County Commissioners and the School of Government are trying to establish a professorship for Mr. Lawrence;
4. In other words, they want to replace Mr. Lawrence with the same skilled person as he is; **and**
5. They are asking municipalities and the county governments to contribute to this fund at whatever level they deem appropriate.

After a brief discussion, Commissioner Norris made a motion to approve the amount of five hundred and 00/100 (\$500.00) dollars to be contributed to the David M. Lawrence Distinguished Professorship, seconded by Commissioner Byrd. The motion unanimously passed.

RECESS REGULAR SESSION and enter into COMBINATION MEETING of COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V BOARD MEETING:

At 8:09 P.M., Commissioner McKenzie made a motion to recess Regular Session and enter into a **combination meeting** of the Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Russ. The motion unanimously passed.

Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

This information will be recorded in Minute Book Number 1 for each Water District, respectively.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the SEPTEMBER, 2009 MONTHLY WATER BILLS:

Kip McClary, Public Utilities Director, requested Board approval of the adjustments to the September, 2009 monthly water bills.

This information will be recorded in Minute Book Number 1 for each water district, respectively.

ADJOURN COMBINATION MEETING of COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III IV and V BOARD MEETING and resume REGULAR SESSION:

At 8:11 P.M., Commissioner McKenzie made a motion to adjourn the **combination meeting** of the Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, and resume Regular Session, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #15: CONSENT AGENDA ITEMS:

A. Tax Refunds and Releases:

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

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):
October 19, 2009**

Refunds Name: Brookbank, Samuel Amount: \$0.00
 Value: \$0.00 Year 009 Account # 06-03127 Bill # 17356 Total \$52.50
 Refund a portion of the user fee. Did not have the trash can for a full year.
 935 Forest lake Dr. Asheboro NC 27205

Refunds Name: Hayes, James D. Amount: \$358.60
 Value: \$44,000.00 Year 007 Account # 01-38440 Bill # 55496 Total \$398.20
 Refund a portion of the property value, a portion of the Brunswick Fire (30.80) and a portion of the Whiteville
 Rescue (8.80). The house is only 35% complete. Make check payable to Odessa Galloway.
 4369 Moonstone Court Fayetteville, NC 28311

Refunds Name: Powell, Walter H. Jr. & Virginia Amount: \$0.00
 Value: \$0.00 Year 009 Account # 01-72540 Bill # 99999 Total \$246.00
 Refund two user fees on houses that have been torn down. Make check payable to Virginia Powell.
 PO Box 66 Whiteville NC 28472

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):
 October 19, 2009**

Release the Property Value in the name of Bravo, Isreal Amount: \$316.22
 Value: \$38,800.00 Year: 2009 Account # 07-02845 Bill # 7064 Total \$355.02
 Release the value of a house, the Nakina Fire (31.04) and Columbus Rescue (7.76). The house is double listed
 in the name of Eldher B. Nunez.

Release the Property Value in the name of Mauney, Christopher Amount: \$59.50
 Value: \$7,300.00 Year: 2009 Account # 15-00830 Bill # 9357 Total \$69.72
 Release the value of a garage, the Acme Delco Fire (8.76) and the Columbus Rescue (1.46). The garage is dbl
 in the same name on a different tract of land.

Release the Property Value in the name of Nelson, Robert (Photography) Amount: \$10.21
 Value: \$1,253.00 Year: 2009 Account # 01-64782 Bill # 2943 Total \$10.46
 Release the business personal value and the Whiteville Rescue. The business closed in 2008.

Release the User Fee in the name of Brown, Fearil Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 14-02460 Bill # 7608 Total \$210.00
 Release the user fee. House is vacant and has no trash can.

Release the User Fee in the name of Cox, Hilton B. Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 01-17900 Bill # 1945 Total \$210.00
 Release the user fee. House is vacant and trash can removed.

Release the User Fee in the name of Hayes, James Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 01-38440 Bill # 1673 Total \$210.00
 Release the user fee. House is vacant and trash can removed in 2008.

Release the User Fee in the name of Henry O. Milligan Trust Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 06-03450 Bill # 2115 Total \$210.00
 Release the user fee. House is vacant and trash can removed in 2008.

Release the User Fee in the name of Long, Henry Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 06-23460 Bill # 8059 Total \$210.00
 Release one of two user fees. There is only one trash can here. Mobile home is used for storage.

Release the User Fee in the name of Long, Lawrence Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 09-02947 Bill # 8155 Total \$210.00
 Release the user fee. House vacant and trash can removed in 2007.

Release the User Fee in the name of McPherson, John P. Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 01-02365 Bill # 0674 Total \$369.00
 Release three of four user fees. There is only one trash can at the apartments.

Release the User Fee in the name of Nobles, Gary B. Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 12-20707 Bill # 3198 Total \$210.00
 Release the user fee. House is vacant and has no trash can.

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Release the User Fee in the name of Norris, Annette Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 06-01402 Bill # 3373 Total \$490.00
 Release two user fees on houses that are vacant with no cans and release a portion of one user fee on a trash can that customer did not have for a full year.

Release the User Fee in the name of Nye, Benjamin E. Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 08-13940 Bill # 3746 Total \$210.00
 Release the user fee. House is vacant and trash can picked up in 2004.

Release the User Fee in the name of Plowman, Walter S. Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 07-02429 Bill # 5094 Total \$105.00
 Release half of the user fee. This is a vacation home.

Release the User Fee in the name of Ray, Ervin Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 09-03564 Bill # 6659 Total \$210.00
 Release the user fee. House is vacant and trash can removed in 2008.

Release the User Fee in the name of Reaves, Jill Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 01-75265 Bill # 6843 Total \$210.00
 Release the user fee. House vacant and trash can removed in 2008.

Release the User Fee in the name of Shelley, C. W. Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 10-15251 Bill # 9444 Total \$210.00
 Release the user fee. House is vacant and has no trash can.

Release the User Fee in the name of Ward, David V. Amount: \$0.00
 Value: \$0.00 Year: 2009 Account # 02-01200 Bill # 6604 Total \$210.00
 Release the user fee. House is vacant and trash can removed in 2008.

B. Budget Amendments:

Commissioner Norris made a motion to approve the following Budget Amendments, seconded by Commissioner McKenzie. The motion unanimously passed.

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-4960-535903	M/R - No Till Drill	861
Revenue	10-3496-499110	Fund Balance Appropriation - No Till Drill	861
Expenditure	10-5303-560100	F&N ARRA	39,879
	10-5301-526000	Office Supplies	(1,503)
	10-5303-560100	F&N ARRA	1,503
Revenue	10-3531-432500	F&N ARRA	39,879

Agenda Item #16: COMMENTS:

Chairman Prevatte opened the floor for comments. The following spoke:

A. Department Head:

Bobbie Faircloth: I need clarification on the origin of the five hundred and 00/100 (\$500.00) dollars contribution to the David M. Lawrence Distinguished Professorship. Chairman Prevatte replied stating that the funds would be taken out of the Contingency Fund.

B. Board of Commissioners:

1. **Commissioner McKenzie:** Kip, are you working on the policy for the water cut offs? Kip replied stating yes.
2. **Commissioner Russ:** stated the following:
 - A. We are all elected officials, and we need to work together as a team;

- B. We need motivation to get things done;
 - C. We need to listen and understand other points of view;
 - D. We need to recycle more;
 - E. We have a large number of residents in the Riegelwood Sanitary District who would like to be a part of the County water system, but the Riegelwood Sanitary District Board will not agree;
 - F. Mike Stansky is in the business of recycling ink cartridges and he needs to be utilized more; **and**
 - G. Office supplies are being purchased from another county, and I think they need to be purchased within Columbus County.
3. **Commissioner Byrd:** stated the following:
- A. We are a seven (7) member board, each member is entitled to have their opinion which needs to be respected, and we need to work together as a team and respect each other; **and**
 - B. I would like to apologize to the 4-H members that were present at our last week which we overlooked to recognize them.
4. **Chairman Prevatte:** stated the following:
- A. I concur with Commissioner Byrd about the 4-H members, we were not made aware of their presence, and we will be glad to give them special recognition at another meeting; **and**
 - B. The policy for the servicing of County vehicles was on our last Agenda, Mr. Russ and I are working out some details that we had some problems with, and hopefully by our next meeting, we will have something to bring back.
- C. **County Manager (William S. Clark):** stated the following:
- 1. The Golden Leaf Community Systems Program is continuing to go through that process;
 - 2. Out of the eight (8) remaining projects, the County has six (6) of those projects;
 - 3. The number one priority that is listed by the Review Committee is the Columbus County Regional Sewer Project which was discussed at our last meeting;
 - 4. The remaining proposals are as follows:

#2	Fair Bluff Career Technical Academy	\$1,226,000
#3	Agribusiness Marketing	\$39,000
#4	Creation of a 501c3 Real Estate Development Corporation and Revolving Loan Fund	\$95,000
#5	Water Districts I and II Interconnection	\$688,000
#6	Tourism Marketing	\$30,000
#7	Columbus County Land Use Plan	\$70,000
#8	Columbus County Corridor Clean-Up Initiative	\$150,000
 - 5. We still have eight (8) projects in the running which total \$2.5 million, and only \$2 million available, but they have gone over the \$2 million on occasion;
 - 6. Our next meeting is on October 27, 2009, at 10:00 A.M., and each one of the projects will make a three (3) minute presentation to the Golden Leaf Board;
 - 7. The Golden Leaf Board will make the final decision; **and**
 - 8. It has been a great process, a lot of hard work has been put in, I appreciate everybody's work on this, and I think this will be good for our county once it all gets resolved.

Chairman Prevatte stated that Mr. Clark would not be available on this date, and he will make the presentation to the Golden Leaf Board on the Water Districts I and II Interconnection.

RECESS REGULAR SESSION and enter into CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (6) PERSONNEL:

At 8:27 P.M., Commissioner Byrd made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 143-319.11 (6) Personnel, after a five (5) minute recess, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #17: CLOSED SESSION IN ACCORDANCE WITH N.C.G.S. § 143-318.11 (6) PERSONNEL:

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 8:48 P.M., Commissioner Norris made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Russ. The motion unanimously passed.

READING of and APPROVAL of CLOSED SESSION GENERAL ACCOUNT:

Chairman Prevatte requested that Mike Stephens, Columbus County Attorney, read orally the Closed Session General Account. Mr. Stephens orally read the following:

“The Board discussed the vacant Cooperative Extension position and the salary”.

Commissioner McKenzie made a motion to approve the Closed Session General Account, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #18: ADJOURNMENT:

At 8:49 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Byrd. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING**

October 19, 2009

8:09 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 Districts I, II, III, IV and V Board.

COMMISSIONERS PRESENT:

James E. Prevatte, **Chairman**
Ricky Bullard, **Vice Chairman**
Amon E. McKenzie
Giles E. (Buddy) Byrd
Edwin Russ
Lynwood Norris
Ronald Gore

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:09 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner McKenzie made a motion to approve the October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the SEPTEMBER, 2009 MONTHLY WATER BILLS:

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District I.

DISTRICT I ADJUSTMENTS FOR THE MONTH OF SEPTEMBER, 2009

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTMENT
9/1/2009	600130.0098	GERALD MESTYANEK	50.00	METER TAMPERING FEE

9/1/2009	601350.0095	ROSA LYNN HIBBERT	50.00	METER TAMPERING FEE
9/2/2009	104910.0097	LORI WOODARD	76.00	BALANCE TRANSFERRED
9/4/2009	601880.0093	BILLIE EVANS	-21.00	BILLING ERROR
9/17/2009	602340.0097	WALTER STEPHENS	-54.00	BILLING ERROR
9/18/2009	200610.0092	WILLIAM SMITH	32.00	CREDIT TRANSFERRED
9/18/2009	200610.0091	THOMAS SMITH	-32.00	CREDIT APPLIED
9/21/2009	401710.0097	SHARON SOLES	-49.00	TAP FEE ADJUSTMENT
9/23/2009	205430	BEDFORD HICKMAN	-30.00	BILLING ERROR (TABOR)
9/24/2009	300610.0096	PAM DORMAN	38.80	CREDIT REFUNDED
9/29/2009	602660.0098	TANGELA SINGELTARY	50.00	METER TAMPERING FEE
9/29/2009	206430.0098	THERESA MILLS	-228.00	METER READ WRONG
9/30/2009	100445.0098	JOHN MCCUMBEE	150.00	METER TAMPERING FEE
9/30/2009	201635	MICHEAL SMITH	50.00	METER TAMPERING FEE
9/30/2009	602130	JAMES L. SMITH	50.00	METER TAMPERING FEE
TOTAL			132.80	

Commissioner McKenzie made a motion to approve the adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District I, seconded by Commissioner Byrd. The motion unanimously passed.

WATER DISTRICTS UPDATE:

Commissioner Byrd requested that Kip McClary, Public Utilities Director, present an update on the water districts. Mr. McClary delivered the following update to the Board.

1. We are approximately twenty-five (25%) percent underway in Water District IV with the new construction in the Delco and Riegelwood area;
2. We will soon be making the new connection to the Northwest water line which will empower a portion of that system, or turn water on to a portion of that system;
3. The tank foundation is underway;
4. We have a good portion of the projects ongoing at this time;
5. We have distributed additional letters in the north Hallsboro area inquiring as to who might be interested in water in that area;
6. We passed out letters today in the South Whiteville area, as I presented to you before, inquiring as to who might be interested in water in that area; **and**
7. On the Herbert Norris Road request, we were asked by the Department of Transportation to postpone the installation of the water line there until they do some road widening, and now we are ready to proceed with that project.

ADJOURNMENT:

At 8:11 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING**

October 19, 2009

8:09 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 Districts I, II, III, IV and V Board.

COMMISSIONERS PRESENT:

James E. Prevatte, **Chairman**
Ricky Bullard, **Vice Chairman**
Amon E. McKenzie
Giles E. (Buddy) Byrd
Edwin Russ
Lynwood Norris
Ronald Gore

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:09 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner McKenzie made a motion to approve the October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the SEPTEMBER, 2009 MONTHLY WATER BILLS:

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District II.

DISTRICT II ADJUSTMENTS FOR THE MONTH OF SEPTEMBER, 2009

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
9/1/2009	142279.0098	AMANDA FOWLER	50.00	RETURN CHECK

9/1/2009	132630.0097	JAMES BLACKWELL	-108.00	CUST LEAK
9/2/2009	140600.0097	NICOLAS MIRRA	-4.17	BILLING ERROR
9/2/2009	140600.0097	NICOLAS MIRRA	50.00	DEPOSIT REFUNDED
9/2/2009	143410.0096	ALLEN DAVIS	-216.00	CUST LEAK
9/2/2009	120585.0098	BEVERLY STRICKLAND	-30.00	CUT OFF FEE WAIVE
9/8/2009	140940.0097	DONEL DANIELS	34.00	NSF
9/8/2009	140940.0097	DONEL DANIELS	25.00	NSF FEE
9/9/2009	142279.0098	AMANDA FOWLER	-50.00	CLERK ERROR
9/9/2009	120150.0097	ANTHONY & KIM WILLIAMS	50.00	NSF
9/9/2009	120150.0097	ANTHONY & KIM WILLIAMS	25.00	NSF FEE
9/17/2009	120150.0097	ANTHONY & KIM WILLIAMS	-25.00	NSF FEE WAIVED
9/17/2009	132630.0097	JAMES BLACKWELL	-105.00	CUST LEAK (ADJ DONE WRNG)
9/17/2009	121755	JAMES MEARES	-5.00	PEN WAIVED
9/18/2009	131649.0098	KAREN WILLIAMSON	32.00	CREDIT TRANSFERRED
9/18/2009	131649.0098	KAREN WILLIAMSON	-32.00	CREDIT APPLIED
9/24/2009	111190.0098	JUANITA STANLEY	-40.00	CREDIT REFUNDED
9/29/2009	1226345.01	DOUG KLIER	25.00	RECONNECTION FEE
9/29/2009	131012.0094	MICHEAL TUBBS	-252.00	METER READ WRONG
9/29/2009	121530.0098	SCOTTIE HARPER	-469.75	BILLING ERROR (MAN. FEES)
096-30-2009	140361	RHONDA CLARY	50.00	METER TAMPERING
9/30/2009	131012	MICHEAL TUBBS	\$50.00	METER TAMPERING
9/30/2009	131072.0095	CHRISTOPHER GIGGEY	\$50.00	METER TAMPERING
09-302009	131151.0098	SCOTT GARDNER	\$50.00	METER TAMPERING
		TOTAL	-895.92	

Commissioner McKenzie made a motion to approve the adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District II, seconded by Commissioner Byrd. The motion unanimously passed.

WATER DISTRICTS UPDATE:

Commissioner Byrd requested that Kip McClary, Public Utilities Director, present an update on the water districts. Mr. McClary delivered the following update to the Board.

1. We are approximately twenty-five (25%) percent underway in Water District IV with the new construction in the Delco and Riegelwood area;
2. We will soon be making the new connection to the Northwest water line which will empower a portion of that system, or turn water on to a portion of that system;
3. The tank foundation is underway;
4. We have a good portion of the projects ongoing at this time;
5. We have distributed additional letters in the north Hallsboro area inquiring as to who might be interested in water in that area;
6. We passed out letters today in the South Whiteville area, as I presented to you before, inquiring as to who might be interested in water in that area; **and**
7. On the Herbert Norris Road request, we were asked by the Department of Transportation to postpone the installation of the water line there until they do some road widening, and now we are ready to proceed with that project.

ADJOURNMENT:

At 8:11 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING**

October 19, 2009

8:09 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 Districts I, II, III, IV and V Board.

COMMISSIONERS PRESENT:

James E. Prevatte, **Chairman**
Ricky Bullard, **Vice Chairman**
Amon E. McKenzie
Giles E. (Buddy) Byrd
Edwin Russ
Lynwood Norris
Ronald Gore

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:09 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner McKenzie made a motion to approve the October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the SEPTEMBER, 2009 MONTHLY WATER BILLS:

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District III.

DISTRICT III ADJUSTMENTS FOR THE MONTH OF SEPTEMBER, 2009

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
9/1/2009	340010	THOMAS ROWLAND	22.83	CREDIT BALANCE REFUNDED

9/2/2009	350905.0098	MORRIS PRIDGEN	-64.00	CUST LEAK
9/9/2009	341250	SHABARA LACY	-196.00	CUST LEAK
9/14/2009	350653.0095	JEANETTE FIELDS	54.00	NSF
9/14/2009	350653.0095	JEANETTE FIELDS	25.00	NSF FEE
9/18/2009	330395.0098	R C BROWN JR	-5.00	PEN WAIVED
9/24/2009	350970.0093	LOUISE TURNER	-50.00	CREDIT REFUNDED
9/30/2009	341540.0095	ERIC SMITH	50.00	METER TAMPERING

TOTAL -163.17

Commissioner McKenzie made a motion to approve the adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District III, seconded by Commissioner Byrd. The motion unanimously passed.

WATER DISTRICTS UPDATE:

Commissioner Byrd requested that Kip McClary, Public Utilities Director, present an update on the water districts. Mr. McClary delivered the following update to the Board.

1. We are approximately twenty-five (25%) percent underway in Water District IV with the new construction in the Delco and Riegelwood area;
2. We will soon be making the new connection to the Northwest water line which will empower a portion of that system, or turn water on to a portion of that system;
3. The tank foundation is underway;
4. We have a good portion of the projects ongoing at this time;
5. We have distributed additional letters in the north Hallsboro area inquiring as to who might be interested in water in that area;;
6. We passed out letters today in the South Whiteville area, as I presented to you before, inquiring as to who might be interested in water in that area; **and**
7. On the Herbert Norris Road request, we were asked by the Department of Transportation to postpone the installation of the water line there until they do some road widening, and now we are ready to proceed with that project.

ADJOURNMENT:

At 8:11 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING**

October 19, 2009

8:09 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 Districts I, II, III, IV and V Board.

COMMISSIONERS PRESENT:

James E. Prevatte, **Chairman**
Ricky Bullard, **Vice Chairman**
Amon E. McKenzie
Giles E. (Buddy) Byrd
Edwin Russ
Lynwood Norris
Ronald Gore

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:09 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner McKenzie made a motion to approve the October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the SEPTEMBER, 2009 MONTHLY WATER BILLS:

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District IV.

DISTRICT IV ADJUSTMENTS FOR THE MONTH OF SEPTEMBER, 2009

DATE	ACCT #	NAME ON ACCT	AMOUNT	REASON FOR ADJUSTMENT
09/01/2009	420115	Monserrate Hernandez	-35.00	Penalty and Cut-off Waived

09/21/2009	420512.0094	Ramona Ragin	-43.00	Cust Leak
		TOTAL:	-78.00	

Commissioner McKenzie made a motion to approve the adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District IV, seconded by Commissioner Byrd. The motion unanimously passed.

WATER DISTRICTS UPDATE:

Commissioner Byrd requested that Kip McClary, Public Utilities Director, present an update on the water districts. Mr. McClary delivered the following update to the Board.

1. We are approximately twenty-five (25%) percent underway in Water District IV with the new construction in the Delco and Riegelwood area;
2. We will soon be making the new connection to the Northwest water line which will empower a portion of that system, or turn water on to a portion of that system;
3. The tank foundation is underway;
4. We have a good portion of the projects ongoing at this time;
5. We have distributed additional letters in the north Hallsboro area inquiring as to who might be interested in water in that area;;
6. We passed out letters today in the South Whiteville area, as I presented to you before, inquiring as to who might be interested in water in that area; **and**
7. On the Herbert Norris Road request, we were asked by the Department of Transportation to postpone the installation of the water line there until they do some road widening, and now we are ready to proceed with that project.

ADJOURNMENT:

At 8:11 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING**

October 19, 2009

8:09 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 Districts I, II, III, IV and V Board.

COMMISSIONERS PRESENT:

James E. Prevatte, **Chairman**
Ricky Bullard, **Vice Chairman**
Amon E. McKenzie
Giles E. (Buddy) Byrd
Edwin Russ
Lynwood Norris
Ronald Gore

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:09 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner McKenzie made a motion to approve the October 05, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the SEPTEMBER, 2009 MONTHLY WATER BILLS:

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District V.

DISTRICT V ADJUSTMENTS FOR THE MONTH OF SEPTEMBER, 2009

<u>DATE</u>	<u>ACCT #</u>	<u>NAME ON ACCT</u>	<u>AMOUNT</u>	<u>REASON FOR ADJUSTMENT</u>
09/10/2009	700024.0098	Theibert Hill	48.60	Credit Refunded

09/10/2009	800091.0098	Steven Guyton	-31.60	Cust Leak
09/15/2009	709173	Leslie Scalzo	-21.00	Billing Error
09/22/2009	700024	Fred Buck	-22.00	Cust Leak
TOTAL:			-26.00	

Commissioner McKenzie made a motion to approve the adjustments to the September, 2009 monthly water bills for Columbus County Water and Sewer District V, seconded by Commissioner Byrd. The motion unanimously passed.

WATER DISTRICTS UPDATE:

Commissioner Byrd requested that Kip McClary, Public Utilities Director, present an update on the water districts. Mr. McClary delivered the following update to the Board.

1. We are approximately twenty-five (25%) percent underway in Water District IV with the new construction in the Delco and Riegelwood area;
2. We will soon be making the new connection to the Northwest water line which will empower a portion of that system, or turn water on to a portion of that system;
3. The tank foundation is underway;
4. We have a good portion of the projects ongoing at this time;
5. We have distributed additional letters in the north Hallsboro area inquiring as to who might be interested in water in that area;;
6. We passed out letters today in the South Whiteville area, as I presented to you before, inquiring as to who might be interested in water in that area; **and**
7. On the Herbert Norris Road request, we were asked by the Department of Transportation to postpone the installation of the water line there until they do some road widening, and now we are ready to proceed with that project.

ADJOURNMENT:

At 8:11 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman

**COLUMBUS COUNTY BOARD OF COMMISSIONERS
Manufactured/Mobile Home Park Ordinance Workshop**

October 19, 2009

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 holding a Columbus County Manufactured/Mobile Home Park Ordinance Workshop.

COMMISSIONERS PRESENT:

James E. Prevatte **Chairman**
Ricky Bullard, **Vice Chairman**
Amon E. McKenzie
Giles E. Byrd
Edwin Russ
Lynwood Norris
Ronald Gore

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**

PLANNING BOARD MEMBERS:

Jim Dossett, **County Planner**
Al Leonard, **Chairman**
Johnny Edge, **Vice Chairman**
James Sarvis, **Ex-Officio**

WORKSHOP CALLED to ORDER:

At 5:30 P.M., Chairman Prevatte called the October 19, 2009 Columbus County Manufactured/Mobile Home Park Ordinance Workshop to order.

READINGS of PROCEDURE:

Chairman Prevatte stated the following:

Workshop meetings normally differ from regular board meetings in two respects as follows:

- the meeting is to inform the Board and permit discussion - no final action is taken; **and**
- the procedures are less formal than at a regular meeting, but such meetings are part of the decision-making process, deliberations are going on, and therefore, they constitute "official meetings".

PRESENTATION by JIM DOSSETT, COUNTY PLANNER:

Jim Dossett, Columbus County Planner, presented the following information to the Board on the **revised** Manufactured / Mobile Home Park Ordinance.

A work session was held on September 28th to review the proposed revisions to the Manufactured / Mobile Home Park Ordinance. The entire ordinance was reviewed and only three (3) issues were left unresolved. The purpose of this work session is to review those three (3) issues again and the available options. The Planning Board has discussed the three (3) issues and offer the following:

1. There was a discussion at the first work session concerning the **responsibilities of the park operator** as related to the connection of the home to the utilities (Article V, Section B, 8) the rationale being that a park operator may not have the technical knowledge to determine what is "proper" and has to rely on the county inspections. After speaking with the county's building official, the following alternative wording is offered and recommended:

Article V, Section B, 8

The Operator shall be required to observe the placement of all manufactured/mobile homes and to guarantee that no home is occupied until a current Certificate of Occupancy is issued by the Building Inspections Department.

2. There was significant discussion concerning the **“Farm Exemption”**. It was explained that the current ordinance does not provide any exemption for farm use. The proposed ordinance provides relief for farms renting or allowing farm workers to live in homes on the farm. There was a scenario offered concerning a farmer that had more homes in place than his workers needed and a suggestion that they (the extra homes) should also be exempt from the MHP Ordinance. There was also some discussion of the **“Migrant Camps”**. These camps, that are certified by the NC Department of Labor, are occupied several months per year during the planting/growing/harvesting seasons. The Planning Board’s rationale on the topic is:

The farming community’s importance, contributions and needs have been recognized with the addition of the **“exemption”** that was added to the proposed ordinance. In addition the Planning Board thought that it is only right to include any NC Dept. of Labor certified **“migrant camp”** as being exempt year round as long as they maintain the state certification. However, to provide an exemption for someone who is renting three or more homes on a non-temporary bases (more than 6 months) to non farm-workers provides them (the farmer) with an advantage over the legitimate mobile home park operators. It is the strong belief of the Planning Board that the farmer deserves an exemption on homes being used for farm workers whether it is long term or as an approved migrant camp. It is also the strong belief of the Planning Board that once those homes are made available to the general public and do not carry a current **“migrant camp”** certification, the farmer has expanded his means of income to include a use that should be regulated by the Mobile Home Park Ordinance... much in the same manner that would be required if the farmer expanded his income producing activities to include a restaurant, barber shop or car dealership that happens to be located on a farm.

The Planning Board offers and recommends the following alternative to be considered:

Article VI, Section B: Exception for Farms

This Ordinance shall in no way regulate, restrict, prohibit or otherwise deter any farm, as defined within this Ordinance. The farm owner may request that his farm be exempt from this Ordinance by submitting to the Planning Department a notarized statement stating that the manufactured/mobile homes on the farm property will be used for farm labor housing, which also includes NC Department of Labor certified “migrant camps”, or family. The farm owner shall provide additional documentation as requested by the Planning Board as supporting proof of the notarized statement.

3. **Article VI, Section G addresses the topic of “Right of Appeal”**. The wording in the proposed ordinance provides that the Planning Board’s decisions be appealed to the **“court of appropriate jurisdiction as provided by law”**. Prior to the discussion that took place at the previous work session, the Planning Board members examined this issue closely. It is important to recognize that the Planning Board members were individually appointed to their positions by the Board of County Commissioners as representatives of their particular districts who would reflect their (commissioner’s) values as related to development within the county. It is also extremely important to point out that the Technical Review Committee (TRC), established by proposed revisions, places the top county regulatory officials as the official review board. The TRC are the county’s technical experts, experienced, certified and schooled in their particular field to review and inspect proposed development. The Planning Board respectfully submits that such experts as the Fire Chief, Building Official, DOT District Engineer and Health Official should not be second guessed. Therefore, the Planning Board and the Technical Review Committee should be viewed as the best the county has to offer as related to technical review and any appeal must be based on the legality of an issue and thereby the jurisdiction of the court system. The Planning Board requests that the proposed language be adopted as is and not modified.

However, if it is the desire of the majority of the Board of Commissioners to be the point of appeal, the following language will provide that:

Article VI, Section G: Right of Appeal

If a Letter of Compliance is denied or revoked, the Operator may appeal the action of the Planning Department to the Planning Board. Such appeal may be made by

submitting written notice to the Planning Department. The Planning Board decisions may be appealed to the Board of County Commissioners. Such appeal may be made by submitting written notice to the Clerk to the Board of County Commissioners.

Finally, the Planning Commission and staff have spent hundreds of hours working toward an ordinance that will provide a more reasonable and easier to understand set of rules. Not only will the document help guide the MHP operators by providing predictable and consistent regulations, it will also provide those living in and adjacent to the parks a better neighborhood. The Planning Board recognizes that the county is diverse as are the Planning Board and the Board of County Commissioners. Being so, it is also understood that a 100% acceptance of every word and phrase is not always possible, but the document before you with the **two recommended changes** is believed by the entire Planning Board to be in the best interest of the county as a whole and respectfully request that it be allowed to move forward to the next available public hearing, followed by a vote for adoption from the Board of County Commissioners.

SYNOPSIS of RECOMMENDED CHANGES:

After discussion of the two (2) recommended changes, it was the general consensus of the Board to accept the two (2) recommended changes as presented by Jim Dossett, schedule the second public hearing for November 02, 2009 and to present the Manufactured / Mobile Home Park Ordinance for approval and adoption.

ADJOURNMENT:

At 6:01 P.M., Vice Chairman Bullard made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman