

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

December 07, 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 conducting their regular scheduled meeting on the first 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 Item #1: MEETING CALLED TO ORDER:**

At 6:30 P.M., Chairman James E. Prevatte called the December 07, 2009 Columbus County Board of Commissioners Regular Session Meeting to order.

**Agenda Item #2: RE-ORGANIZATION OF BOARD - ELECTION OF CHAIRMAN and VICE CHAIRMAN:**

Mike Stephens, Columbus County Attorney, presided as Acting Chairman for the election of the Chairman and Vice Chairman of the Columbus County Board of Commissioners for the upcoming year. The Acting Chairman stated the following:

1. At this time, we will proceed with the election of officers for the positions of Chairman and Vice Chairman for a term of one (1) year;
2. We will proceed with the election of the officers pursuant to N.C.G.S. § 153A-39, and also the Rules of Procedure for the Columbus County Board of Commissioners, as adopted on February 04, 2008;
3. Rule Number 6 states in part, of which I will read, "*...the present Chairman shall relinquish the chairmanship of the meeting to the County Attorney who shall preside over the Board only for the election of officers. The Chairman and Vice Chairman shall serve for a one (1) year term. The Board shall elect a chairman and vice-chairman from among its members, who, at the conclusion of the election of officers, shall then immediately assume those positions for the ensuing year. The Board shall take nominations and vote for or against persons nominated for Chairman and Vice-Chairman separately and for each individual office.*";
4. In order to do that, if we have more than one (1) person nominated for either of the offices, then the election will take the manner of going in reverse order, until we get a majority vote;  
**and**
5. At this time, I will open the floor for the nomination for the position of Chairman.

**Nominations for Chairman:**

Commissioner Prevatte made a motion to nominate Ricky Bullard for the office of Chairman, seconded by Commissioner Gore.

Commissioner McKenzie made a motion to nominate Edwin Russ for the office Chairman, seconded by Commissioner Norris.

Commissioner Byrd made a motion for the nominations to be closed, seconded by Commissioner Gore. The motion unanimously passed.

A roll-call vote was taken on the nomination of Commissioner Edwin Russ as Chairman, with the following results:

**AYES:** Commissioners McKenzie, Russ, Norris, Byrd and Bullard; **and**

**NAYS:** Commissioner Prevatte and Gore.

The motion passes on a five (5) to two (2) vote.

A roll-call vote was taken on the nomination of Commissioner Ricky Bullard as Chairman, with the following results:

**AYES:** Commissioner Prevatte and Gore; **and**

**NAYS:** Commissioners McKenzie, Russ, Norris, Byrd and Bullard.

The motion fails on a five (5) to two (2) vote.

Commissioner Russ has been elected for the position of Chairman for the Board of Columbus County Commissioners. I will now open the floor for the nominations for the position of Vice Chairman.

### Nominations for Vice Chairman:

Commissioner Gore made a motion to nominate Commissioner Norris as Vice Chairman, seconded by Commissioner Prevatte. Commissioner Norris stated that he will not accept the position of Vice Chairman. Commissioner Gore withdrew his motion and Commissioner Prevatte withdrew his second.

Commissioner McKenzie made a motion to nominate Commissioner Giles E. Byrd as Vice Chairman, seconded by Commissioner P. Edwin Russ.

Commissioner Prevatte made a motion to nominate Ricky Bullard as Vice Chairman, seconded by Commissioner Gore.

A roll-call vote was taken on the nomination of Commissioner Ricky Bullard as Vice Chairman, with the following results:

**AYES:** Commissioner Prevatte and Gore; **and**

**NAYS:** Chairman Russ, Commissioners McKenzie, Norris, Byrd and Bullard.

The motion fails on a five (5) to two (2) vote.

A roll-call vote was taken on the nomination of Commissioner Giles E. Byrd as Vice Chairman, with the following results:

**AYES:** Chairman Russ, Commissioners McKenzie, Norris, Byrd and Bullard; **and**

**NAYS:** Commissioners Prevatte and Gore.

The motion passes on a five (5) to two (2) vote.

Mr. Stephens stated that Commissioner Giles E. Byrd will be the Vice Chairman for the Board for the ensuing one (1) year term. Congratulations to both gentlemen, and I will now turn the meeting over to Chairman P. Edwin Russ.

## **NEWLY ELECTED CHAIRMAN PRESIDES**

Newly elected Chairman P. Edwin Russ stated the following:

1. I would like to thank the Board for all the confidence you have placed in me by giving me the position that I am now holding; **and**
2. I will promise you that I will do the best of my ability to make you proud and the citizens of Columbus County.

New elected Vice Chairman Giles E. Byrd stated the following:

1. I would like to thank this Board for nominating me as Vice Chairman;

2. I would like to commend former Chairman James E. Prevatte, you have done a good job;  
**and**
3. I look forward to working with the new Chairman and the former Chairman.

**Agenda Items #3 and #4: INVOCATION AND PLEDGE OF ALLEGIANCE:**

Commissioner Ricky Bullard delivered the invocation. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Vice Chairman Giles E. Byrd.

**Agenda Item #5: PRESENTATION - PLAQUE TO OUTGOING CHAIRMAN JAMES E. PREVATTE:**

Newly elected Chairman P. Edwin Russ presented the following plaque to outgoing Chairman James E. Prevatte.

**PRESENTED TO:**

<b>JAMES E. PREVATTE</b>
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\* \* \* \* \*

**THIS THE 7th DAY OF DECEMBER 2009**

**in GRATEFUL APPRECIATION of YOUR DEVOTED LEADERSHIP**

**as CHAIRMAN to the BOARD OF COUNTY COMMISSIONERS**

**12-03-2007 - 12-07-2009**

\* \* \* \* \*

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

Commissioner Prevatte stated the following:

1. It has been a pleasure to serve as your Chairman for the last two (2) years;
2. We underwent some difficult times during this time;
3. I was very proud to represent you; **and**
4. I appreciate your vote of confidence that you shared with me throughout those two (2) years, and I thank you very much.

**Agenda Item #6: BOARD MINUTES APPROVAL:**

Commissioner Norris made a motion to approve the November 16, 2009 Regular Session Board Meeting Minutes, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #7: PUBLIC INPUT:**

Chairman P. Edwin Russ opened the floor for public input. The following spoke.

1. **Charline Inman, 183 Merritt Road, Chadbourn, NC:** stated the following:
  - A. My sister and I are here tonight on behalf of our parents who applied for a grant in 2007, and are waiting for the repairs to be done;
  - B. We hope to receive some good news; **and**
  - C. We just wanted you to know that we are here.
2. **Gene F. McNeil, 736 Cemetery Road, Riegelwood, NC:** stated the following:
  - A. Three (3) years ago, when I moved into the County, it was the beginning of a new day for me;
  - B. My inspiration was to see the Riegelwood Community have clean water;
  - C. On the Agenda was Delco and Prosper, and we wanted to be along beside the Delco-Prosper area in the Riegelwood - Armour Community as well;
  - D. Tonight, I would like to commend the Board for all of their labor and hard work in what they have done;
  - E. If you travel through the community, you will see that easements are being done,

- pipes are being put down, and they are working on the tower, and a new well is in the making;
- F. I would like to thank this Board and thank the County for what they are doing;
  - G. I believe in the near future that the east end of the County will make the whole county proud;
  - H. It is our time and it is our season; **and**
  - I. The area between Livingston Creek and Hufham Road needs to have pipe laid.
3. **Robert Eugene Adams, 233 Mt. Calvary Road, Clarkton, NC 28433:** stated the following:
- A. Recently, I have had the opportunity to sit through several hours of hearings as a result from the municipal elections;
  - B. I will say, as a citizen, that I was very proud of the way the fact-finding procedures went;
  - C. The staff, the Board and the attorney went the extra mile in finding the facts, getting the problems aired out and sending the proper facts on to the State Board; **and**
  - D. I was totally proud of them, and I am proud to know that you have got such a staff doing this type of work.

**Agenda Item #8: SURETY BONDS - EXAMINATION and APPROVAL:**

Commissioner McKenzie made a motion to approve the following Surety Bonds, seconded by Vice Chairman Byrd. The motion unanimously passed.

NAME	TITLE	BOND \$	EXPIR DATE
Bobbie Faircloth	Finance Officer	\$50,000	Indefinite
Christopher Lee Batten	Sheriff	\$50,000	12-02-2010
Richard Jerome Gore	Tax Administrator	\$25,000	Indefinite
Douglas E. Ward	Deputy Tax Administrator	\$25,000	Indefinite
Natonya Hassell	Public Housing Director	\$25,000	Indefinite
Linwood Cartrette	Coroner	\$15,000	12-06-2010
William H. Hannah, Sr.	Assistant Coroner	\$15,000	12-06-2010
Kandance Whitehead	Register of Deeds	\$10,000	12-04-2012

**Agenda Item #9: CDBG GRANT # 08-C-1819 - APPROVAL of AWARD to LOW BIDDERS for UNIT NUMBER 08-06:**

Floyd Adams, The Adams Company, Incorporated, requested Board approval of the award to the low bidders for demolition, asbestos abatement and relocation benefits for Unit Number 08-06, as follows.

**Relocation Benefits Recommendation**

Unit No.	Owner	Max. Allow.	Unit Type	Moving Allow.	Total Max. Allow
1) 08-06	Charles Joyner 106 W 4 <sup>th</sup> Street Chadbourn, NC	\$88,500	New Construction Approx. 1280 sq. ft.	\$1,500	\$90,000

**Demolition Award Recommendation**

Unit No.	Owner	Contractor	Bid Price
1) 08-06	Charles Joyner 106 W 4 <sup>th</sup> Street Chadbourn, NC	Trigon of Whiteville	\$1,800

**Asbestos Abatement Award Recommendation**

1) 08-06	Charles Joyner 106 W 4 <sup>th</sup> Street Chadbourn, NC	Eastern Environmental	\$3,375
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Commissioner Prevatte made a motion to approve the award to the low bidders for Unit Number 08-06, in the CDBG Grant # 08-C-1819, at ninety thousand, and 00/100 (\$90,000.00) dollars for Relocation, one thousand, eight hundred and 00/100 (\$1,800.00) dollars for demolition,

and three thousand, three hundred seventy-five and 00/100 (\$3,375.00) dollars for Asbestos Abatement, seconded by Commissioner Bullard. The motion unanimously passed.

**Agenda Item #10: JUVENILE CRIME PREVENTION COUNCIL PROGRAM - APPROVAL of ADDITIONAL FUNDS:**

Greg Worthington, Program Director, requested Board approval of ten thousand, four hundred eleven and 00/100 (\$10,411.00) dollars of additional unallocated State funds for the Juvenile Crime Prevention Council Program. Mr. Worthington stated this is actually money that has been allocated by the State at the beginning of the year, and we are moving funds from unallocated funds to the Administration Budget for the Juvenile Crime Prevention Council.

Vice Chairman Byrd made a motion to approve the ten thousand, four hundred eleven and 00/100 (\$10,411.00) dollars of unallocated State funds for the Juvenile Crime Prevention Council Program, seconded by Commissioner Gore. The motion unanimously passed.

**Agenda Item #11: ECONOMIC DEVELOPMENT - APPROVAL for BOARD CHAIRMAN to SIGN LETTER for a NORTH CAROLINA RURAL CENTER BUILDING REUSE and RESTORATION PROGRAM APPLICATION:**

Justin Smith, Economic Development Director, requested Board approval for the Chairman to sign a letter to be included in the grant application to the North Carolina Rural Center Building Reuse and Restoration Program. Mr. Smith stated the following:

1. This is a company called Discovery Textiles that the County has been working with several months now;
2. With the help of Mr. Clark, the Emergency Services Department and the Building Inspections Department, we were able to compete against the Charleston, South Carolina area for this project;
3. It is a start-up textile company;
4. They will commit to creating three (1) new jobs in the County, and they plan to create sixteen (16) jobs within the first two (2) years;
5. This grant of \$42,210 would help them renovate a building that they are leasing in the Delco area; **and**
6. No cost to the County.

Commissioner McKenzie made a motion to authorize the Chairman to sign a letter to be included in the grant application to the North Carolina Rural Center Building Reuse and Restoration Program, seconded by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #12: ECONOMIC DEVELOPMENT - APPROVAL for BOARD CHAIRMAN to SIGN LETTER for a NORTH CAROLINA RURAL CENTER RURAL HEALTH CARE INITIATIVE:**

Justin Smith, Economic Development Director, requested Board approval for the Chairman to sign a letter to be included in the grant application to the North Carolina Rural Center Rural Health Care Initiative. Mr. Smith stated the following:

1. This grant can only be used for healthcare facilities;
2. This is a start-up business that is under contract to purchase the building in Delco and they would create a hyperbaric-oxygen treatment facility;
3. For the purpose of the grant, they would commit to create five (5) jobs, although they plan to create ten (10) jobs in the next two (2) years;
4. Hyperbaric-oxygen treatment is a chamber that is used to treat chronic degenerative health problems such as vascular disease, diabetic ulcers and wound healing;
5. Patients would be placed on a cot-like stretcher, rolled into the chamber, and stay in the chamber from one and one-half hours to two hours, and they breathe 100% pure oxygen; **and**
6. They are going to try to take advantage of their position there to Fort Bragg and Camp Lejeune for Veterans who have been wounded in combat who need this type of treatment.

Commissioner McKenzie made a motion to authorize the Chairman to sign a letter to be included in the grant application to the North Carolina Rural Center Rural Health Care Initiative,

seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #13: ELECTIONS - DEPARTMENTAL UPDATE:**

Carla Strickland, Elections Director, delivered the following departmental update to the Board.

1. The implementation of the handicap accessibility project at the Board of Elections office has been completed.
2. The parking lot has been extended, repaved and painted. The existing sidewalk has been replaced and a new sidewalk has been installed the length of the upgraded parking area to insure the safety of our voters upon entering and exiting the building. The costs were decreased by 4,277.00 in turn saving the County and reimbursing the State \$2, 138.98. We are presently reviewing our One-stop sites and Election Day Precincts for improvements that should be made.
3. The National Change of Address (NCOA) program was implemented and the first mailings went out in October of this year. A quarterly report of changes of addresses reported has been received from the U.S. Postal Service and is examined against our Voter Registration rolls. A NCOA mailing is sent to the Registered Voter to verify their new address, be it within or outside of our State or County. We have already received Cards back from some of these voters and are processing them as they are received. This will continue to be done on a quarterly basis.
4. We are also in the process of implementing a new process of receiving the Election night results via modem to further decrease the amount of time results are released on Election night.
5. The Municipal Elections were held on November 3, 2009. The total voter turnout for the Municipal Elections was close to a 30% turnout overall. Our Board members have been quite busy over the past two months. Outside of Election preparation, our Board members and staff attended State Training on September 1<sup>st</sup> and 2<sup>nd</sup> of this year. This Director received her State certification from the State Board of Elections at this meeting and was also sworn in as a Board Member of the North Carolina Association of Directors of Elections as well. Logic and Accuracy testing was completed by the Chairman and Director of Elections on September 24<sup>th</sup> of this year. Our Board members were also present for the Poll worker training that took place on October 15<sup>th</sup>, 2009 and along with two regularly scheduled meetings members of the Board were present for three absentee meetings that took place during the last three weeks of October and another on the Monday before the Election. Our one-stop voting took place in our Lobby from October 15, 2009 through October 31, 2009. The absentee Count was completed on Election Day.
6. A Hand eye audit was completed on November 9, 2009 as required by Statute. The Absentee by- mail - Whiteville City Council and Election day Precinct--Cerro Gordo Town Council were audited for accuracy and as chosen by The State Board of Elections. Requests for Machine recounts were received for Sandyfield, Chadbourn, and Brunswick. The Board approved the Chadbourn and Brunswick request as they were in the mandatory 1% differential. Sandyfield's was denied as they were not. The machine recounts took place on November 18, 2009 and requests for hand eye- recounts were requested for Chadbourn and Brunswick. The Hand-eye recount for Chadbourn took place on November 20, 2009 and for Brunswick on November 23, 2009.
7. Three protests were also received prior to 5:00 p.m. on November 13, 2009 deadline. These were for the Town of Brunswick Commissioner race filed by Phyllis Jones, Town of Fair Bluff Mayoral race filed by Spruell Randy Britt, and the Town of Sandyfield Mayoral Race filed by Perry Dixon.
8. The Columbus County Board of Elections met for preliminary consideration of the same on November 23, 2009 and found that the protests filed were filed properly and did cast enough concern to hold hearings. The Hearings for each were held on November 30, 2009 at Southeastern Community College and began at 1:00 p.m. The Board met again on December 2, 2009 to report their conclusions on each Protest. The Board found that there was enough evidence presented in the Fair Bluff Mayoral Race protest that could have affected the outcome of the Election and decided to forward the Protest and its findings to the State Board of Elections for further action. The Board also concluded in both the Sandyfield and Brunswick protests, there was not enough evidence presented to have affected the outcome of either of their Town's Elections and dismissed both Protests. The written decisions were placed on file in our office on Thursday December 3, 2009.
9. On December 4, 2009, our office received a request from Perry Dixon, (Town of Sandyfield) to appeal the County Board of Elections decision to the State Board of Elections. Said

Appeal has been forwarded to the State Board of Elections. Upon availability of the transcript of the County Board of Elections hearings, the same shall also be forwarded along with copies of records and exhibits provided to the Board Members during the local hearing. We are awaiting notification as to when this will be heard in Raleigh. It should be sometime this month and the Chairman and Director of Columbus County Board Elections will more than likely be required to attend.

10. We are presently looking toward the 2010 decennial census for any redistricting that may take place. We are also beginning preparation for the 2010 Primary Candidate filing and possibly a new Election for the Fair Bluff Mayoral seat.

**Agenda Item #14: FINANCE - RESOLUTION and AGREEMENT for DEPOSIT ACCOUNTS with BB&T:**

Bobbie Faircloth, Finance Officer, requested Board approval and adoption of the Resolution and Agreement for Deposit Account with BB&T.

Commissioner Prevatte made a motion to approve the Resolution and Agreement for Deposit Account with BB&T, seconded by Commissioner Norris. The motion unanimously passed. A copy of this document will be marked as Exhibit "A", and kept on file on the Minute Book Attachments, Book Number 3, in the Office of the Clerk to the Board, for review.

**Agenda Item #15: FINANCE - APPROVAL and ADOPTION of RESOLUTION of the COUNTY COMMISSIONERS of COLUMBUS COUNTY, NORTH CAROLINA PROVIDING for a NOTICE of INTENT to USE and REQUESTING ADDITIONAL ALLOCATION of RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS for USE by the COUNTY for PUBLIC FACILITIES:**

Bill Clark, County Manager, and Bobbie Faircloth, Finance Director, are requesting Board approval and adoption of the following Resolution of the Board of County Commissioners of Columbus County, North Carolina, Providing for a Notice of Intent to Use and Requesting Additional Allocation of Recovery Zone Economic Development Bonds for Use by the County for Public Facilities.

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY, NORTH CAROLINA PROVIDING FOR A NOTICE OF INTENT TO USE AND REQUESTING ADDITIONAL ALLOCATION OF RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS FOR USE BY THE COUNTY FOR PUBLIC FACILITIES.**

**WHEREAS**, the American Recovery and Reinvestment Act of 2009 (the "Act") amended the Internal Revenue Code of 1986, as amended (the "Code"), by authorizing the issuance of recovery zone economic development bonds (the "RZED Bonds") to finance qualified economic development recovery zone property (as defined in the Act) in recovery zones, which include areas having significant poverty, unemployment, rate of home foreclosures or general distress; **and**

**WHEREAS**, Columbus County, North Carolina (the "County") received an allocation of recovery zone facility economic development bond limitation in the amount of \$4,669,000, pursuant to Section 1400U-1 of the Code; **and**

**WHEREAS**, under the provisions of Article 51B of Chapter 143 of the General Statutes of the State of North Carolina, as amended by Session Law 2009-140 of the North Carolina General Assembly, the North Carolina Federal Tax Reform Allocation Committee (the "Committee") is given the authority to determine whether the initial allocations of RZED Bonds are being waived and in the event of such waiver determine reallocations of initial allocations; **and**

**WHEREAS**, the Department of Commerce (the "Department") promulgated Departmental Rules Section 400 of Subchapter 01H of Chapter of the NCAH (the "Allocation Rule" providing a procedure for a unit of local government to preserve its initial allocation of RZED Bonds and to request the reallocation of RZED Bonds as provided therein; **and**

**WHEREAS**, the County has heretofore by resolution adopted August 17, 2009 declared the entire County as a recovery zone in accordance with the provisions of Section 1400U-1 of the Code **and**

**WHEREAS**, the County has a need for certain public facilities that are expected to cost between \$10 and \$15 million and would like to preserve its original allocation of RZED Bonds and request reallocation of additional amounts.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the County (the "Governing Body") and **IT IS HEREBY RESOLVED**, as follows:

Section 1. The County Manager is hereby authorized and directed to file a Notice of Intent with the Department as required by the Allocation Rule not later than December 15, 2009.

- Section 2. The Governing Body makes the following findings:
- (a) The Governing Body has heretofore identified the entire County as a recovery zone.
  - (b) The obligations to be issued will be RZED Bonds.
  - (c) The County will be the issuer of the RZED Bonds.
  - (d) The project or projects to be financed include construction of public facilities that may include new judicial facilities or educational facilities.
  - (e) The maximum amount of REZD Bonds to be issued will be \$15 million.

Section 3. The County Manager is directed to provide such additional information relating to the project or projects as may be requested and to take all other action he deems reasonable or necessary to accomplish the goal of maintaining and increasing the County's RZED Bond allocations to such amount as may be necessary to provide for the public facilities.

Section 4. This resolution shall take effect immediately upon its adoption..

**APPROVED** this 7th day of December, 2009.

**BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY, NORTH CAROLINA**

/s/ **P. EDWIN RUSS**, Chairman  
(SEAL)

Attest: /s/ **JUNE B. HALL**, Clerk

**CLERK'S CERTIFICATE**

I, the undersigned Clerk of the Board of County Commissioners (the "Board") of Columbus County, North Carolina (the "Governmental Unit"), **DO HEREBY CERTIFY** that the foregoing pages of typewritten matter pertaining to recovery zone economic development bond allocations constitute a true and correct copy of the Resolution adopted on December 17, 2009 by a majority of the members of the Board in a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of said Resolution appears of record in the Minute Book of the Board which is in my custody and control.

**I DO HEREBY FURTHER CERTIFY** that a schedule of regular meetings of the Board, stating that regular meetings are held on the first Monday and the third Monday of each month at 6:30 P.M., respectively, in the Dempsey B. Herring Courthouse, Annex 112 W. Smith Street in Whiteville, North Carolina, has been on file in my office pursuant to G.S. 143-318.12 as of a date not less than seven days before said meeting.

**GIVEN** under my hand and the official seal of the Board of County Commissioners of Columbus County, North Carolina, this 7th day of December, 2009.

/s/ **JUNE B. HALL**  
Clerk, Board of County Commissioners  
(SEAL)

1. This resolution is a direct result of the American Recovery and Reinvestment Act; **and**
2. They authorized the United States Department of Treasury to allocate Recovery Zone Bonds.

Vice Chairman Byrd made a motion to approve the Resolution of the Board of County

Commissioners of Columbus County, North Carolina, Providing for a Notice of Intent to Use and Requesting Additional Allocation of Recovery Zone Economic Development Bonds for Use by the County for Public Facilities, seconded by Commissioner McKenzie. The motion unanimously passed.

**Agenda Item #16: RESOLUTION - APPROVAL and ADOPTION of RESOLUTION to OPPOSE TRANSFER of SECONDARY ROAD PROGRAM to COUNTIES:**

Bill Clark, County Manager, requested Board approval and adoption of the following Resolution to Oppose Transfer of Secondary Road Program to Counties.

**RESOLUTION to OPPOSE TRANSFER of SECONDARY ROAD PROGRAM to COUNTIES**

**WHEREAS**, Columbus County, on April 06, 2009, adopted a Resolution opposing: 1) the transfer of Secondary Road Program funding to the Primary Road Program or any other program that will reduce funding to secondary road construction, improvement and maintenance; 2) any efforts by the General Assembly or NCDOT and shifting of any transportation costs formerly paid by the State to counties; 3) any efforts by the General Assembly to appropriate local revenues whether property tax, sales tax, or any other local revenue for State transportation programs or any other State programs; and 3) urging all counties to be fully aware and concerned that any invitation to participate in discussions of transportation needs may lead to an indirect appropriation of local funds; **and**

**WHEREAS**, legislation has now been introduced (Senate Bill 758) that would transfer responsibility for and maintenance of secondary roads from the State to counties beginning in 2011; **and**

**WHEREAS**, according to statistics compiled by the North Carolina Association of County Commissioners, there are 976.15 miles of secondary roads in Columbus County; **and**

**WHEREAS**, without the continuation of existing State revenue streams to pay for road upkeep and construction, Columbus County would be forced to raise the property tax rate by \$ .227 cents in order to keep up the current level of funding needed to maintain our existing secondary roads; **and**

**WHEREAS**, Columbus County does not have the equipment or capital to take on this massive additional responsibility.

**NOW, THEREFORE, BE IT RESOLVED** that the Columbus County Board of Commissioners:

1. Strongly opposes SB 758, which, if ratified, would transfer responsibility for and maintenance of secondary roads from the State to counties;
2. Strongly urges all counties to contact their legislative delegation to solicit their support in defeating this proposed legislation;
3. Directs that a copy of this resolution be transmitted to the members of the North Carolina General Assembly representing Columbus County with each Commissioner's heartfelt concern about the transfer of this and future State costs to counties; **and**
4. Directs that a copy of this resolution be sent to the North Carolina Association of County Commissioners and to the other North Carolina counties.

**Approved and ADOPTED** this the 7<sup>th</sup> day of December, 2009.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

/s/ **P. EDWIN RUSS, Chairman**

**ATTESTED BY:**

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

Commissioner McKenzie made a motion to approve the Resolution to Oppose Transfer of Secondary Road Program to Counties, seconded by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #17: ADMINISTRATION - BRUNSWICK-COLUMBUS BUSINESS PARK WATER and SEWER IMPROVEMENTS PROJECT:**

Bill Clark, County Manager, requested Board approval for the Chairman to sign the following NC Rural Center Capacity Grant application documents:

1. Columbus County Board of Commissioners, North Carolina Rural Center Capacity Grant Application, Authorizing Resolution;
2. Certification by Chief Elected Official;
3. NC Economic Infrastructure Grant Program Memorandum of Understanding;
4. Commitment of Other Funds Form;
5. Conflict of Interest Statement; **and**
6. Certification of Minority Business Participation.

Mr. Clark stated the following:

1. This is a grant that we are eligible for;
2. It will not cost the County any money,
3. It is a matching grant, but we can use in-kind funds from the Water District IV project as the County's contribution;
4. Essentially, this will allow us to pay Skip Green and Associates, who wrote the Commerce Grant, his fee for doing this grant; **and**
5. It will be \$26,000, plus, to the good after we receive the grant.

Vice Chairman Byrd made a motion to approve the above listed six (6) documents for the NC Rural Center Capacity Grant application, seconded by Commissioner McKenzie. The motion unanimously passed. These documents will be marked as Exhibits "B" through "G" and kept on file in the Minute Book Attachments, Book Number 3, for review.

**Agenda Item #18: RESOLUTION - RESOLUTION to PROHIBIT ILLEGAL ALIENS FROM ATTENDING NORTH CAROLINA'S COMMUNITY COLLEGES:**

Bill Clark, County Manager, requested Board approval and adoption of the following Resolution to Prohibit Illegal Aliens From Attending North Carolina's Community Colleges.

**RESOLUTION to PROHIBIT ILLEGAL ALIENS FROM ATTENDING NORTH CAROLINA'S COMMUNITY COLLEGES**

**WHEREAS**, on September 18, 2009, the North Carolina State Board of Community Colleges supported a committee recommendation to allow illegal aliens to enroll in North Carolina's Community Colleges; **and**

**WHEREAS**, although the policy must still make its way through the administrative rules process and could subsequently be allowed or disallowed by the North Carolina General Assembly; **and**

**WHEREAS**, the Columbus County Board of Commissioners, through the offering of this resolution and its outcome to be entered into the official record, wishes to state its full and complete opposition to the ruling of the North Carolina State Board of Community Colleges allowing for illegal aliens to enter North Carolina's Community College System.

**NOW, THEREFORE, BE IT RESOLVED** that if such request be pursued by the North Carolina Community College System, the Columbus County Board of Commissioners is requesting the North Carolina General Assembly to fully dismiss and with due finality prohibit illegal aliens from enrolling in the North Carolina Community College System; **and**

**BE IT FURTHER RESOLVED** that the County Commissioner is respectfully requesting all other ninety-nine (99) counties in North Carolina to adopt this, or like resolutions, and that those resolutions also be forwarded to the North Carolina General Assembly with all due haste. Further, that the North Carolina Association of County Commissioners is also requested to oppose this action in writing, and that such statement of opposition is forwarded to the North Carolina General Assembly.

**APPROVED** and **ADOPTED** this the 7<sup>th</sup> day of December, 2009

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

/s/ **P. EDWIN RUSS, Chairman**

**ATTESTED BY:**

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

Commissioner McKenzie made a motion to approve the Resolution to Prohibit Illegal Aliens From Attending North Carolina's Community Colleges, seconded by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #19: RESOLUTION - APPROVAL and ADOPTION of SIGNATORY RESOLUTION by the COLUMBUS COUNTY BOARD OF COMMISSIONERS:**

June B. Hall, Clerk to the Board, requested Board approval and adoption of the following Signatory Resolution by the Columbus County Board of Commissioners.

**SIGNATORY RESOLUTION**

**by the**

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

**WHEREAS**, in the execution of business matters and other pertinent transactions pertaining to the operations of local government affairs, it is necessary, and legally required, to have on board a Chairman and Vice Chairman to serve on behalf and in the best interest of the Columbus County Board of Commissioners and the citizens of Columbus County; **and**

**WHEREAS**, at the first regular scheduled meeting in the month of December, annually, a Chairman and Vice Chairman is voted on and elected from the now seven (7) member Columbus County Board of Commissioners; **and**

**WHEREAS**, the Chairman and Vice Chairman of the said Columbus County Board of Commissioners, or their designee, have due authority to sign, execute and administer any and all documents on behalf, and in the best interest, of Columbus County.

**THEREFORE, BE IT RESOLVED**, by popular vote of the seven (7) member Columbus County Board of Commissioners, on the 7th day of December, 2009, Commissioner P. Edwin Russ has been duly elected to serve as Chairman and Commissioner Giles E. Byrd has been duly elected to serve as Vice Chairman for the Columbus County Board of Commissioners, or their designee, to sign, execute and administer any and all documents necessary in the normal operation of business and related affairs for the Columbus County Board of Commissioners and the citizens of Columbus County. The aforementioned will serve in these capacities until the first regular scheduled meeting in December, 2010.

**ADOPTED** this the 7th day of December, 2009.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

/s/ **P. EDWIN RUSS, Chairman**

**ATTESTED BY:**

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

Commissioner McKenzie made a motion to approve the Signatory Resolution by the Columbus County Board of Commissioners, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #20: NOTICE and RESOLUTION - CANCELLATION of DECEMBER 21, 2009 BOARD MEETING, UNLESS NEEDED:**

Bill Clark, County Manager, requested Board approval and adoption of the following Notice and Resolution to Cancel Meeting of the Board of County Commissioners of Columbus County, North Carolina.

**NOTICE and RESOLUTION to CANCEL MEETING of the  
BOARD of COUNTY COMMISSIONERS  
of COLUMBUS COUNTY, NORTH CAROLINA**

\_\_\_\_\_The **Board of County Commissioners** of Columbus County, North Carolina, unanimously approved on the 7th day of December, 2009, to adopt the following **Resolution**.

**W I T N E S S E T H :**

**WHEREAS**, the **Board of County Commissioners** of Columbus County, North Carolina, has presently scheduled meetings at 6:30 P.M. on the first Monday and at 6:30 P.M. on the third Monday of each month; **and**

**WHEREAS**, the **Board of County Commissioners** of Columbus County, North Carolina, is desirous of cancelling the meeting scheduled for the third Monday in December, only.

**BE IT, THEREFORE, RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY**, North Carolina, pursuant to N.C.G.S. 153A-40, to cancel the regular meeting of the said Board scheduled for December 21, 2009, be, and the same is hereby canceled, and the next regularly scheduled meeting of the said Board shall be in the Columbus County Commissioners' Chambers, Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina, on Monday, January 04, 2010.

**BE IT, FURTHER, RESOLVED** by the **Board of County Commissioners** that a copy of this **Resolution** and **Notice** shall be placed on the Courthouse Bulletin Board, as well as forwarded to all of the news media who has requested notice.

**ADOPTED** this the 7th day of December, 2009.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

/s/ **P. EDWIN RUSS, Chairman**

**ATTESTED BY:**

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

Vice Chairman Byrd made a motion to approve the Notice and Resolution to Cancel Meeting of the Board of County commissioners of Columbus County, North Carolina, seconded by Commissioner McKenzie. 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 7:13 P.M., Commissioner McKenzie made a motion to recess Regular Session and enter into a **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 #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

November 16, 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 #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - REDUCED WATER TAP FEES:**

Kip McClary, Public Utilities Director, requested a discussion of, and possible approval to discontinue the reduced water tap fees for all five (5) water districts.

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

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - WORKSHOP for DISCUSSION of POLICIES and PROCEDURES:**

Kip McClary, Public Utilities Director, requested a date and time be established for a workshop with the Columbus County Commissioners, Water Advisory Board and the Public Utilities staff to discuss policies and procedures.

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

**Agenda Item #24: Columbus County Water and Sewer District IV - Approval of the following for Proposed Well Site Number 2 -**  
**A. Offer to Purchase and Contract - Vacant Lot/Land;**  
**B. Addendum to Contract for Sale; and**  
**C. To Move Forward with Test Well:**

Kip McClary, Public Utilities Director, requested Board approval of the above listed three (3) items.

This information will be recorded in Minute Book Number 1 for Columbus County Water and Sewer District IV.

**Agenda Item #25: COLUMBUS COUNTY WATER and SEWER DISTRICT V - RIVER ROAD WATER MAIN EXTENSION:**

Kip McClary, Public Utilities Director, requested discussion of, and possible approval of funds for the installation of water lines on River Road.

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

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

At 7:43 P.M., Commissioner McKenzie made a motion to adjourn the combination meeting of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #26: APPOINTMENTS - COMMITTEE/BOARDS:**

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

COMMITTEE	ZONE/ EB	PERSON(S)	EXPIR. DATE	BOARD ACTION
Airport Authority (Meets Quarterly - next meeting January, 2009)	I III VI	Ronnell Williams Jesse Malpass Frank Horne	10-20-2009 10-20-2009 10-20-2009	Re-Appoint Re-Appoint Re-Appoint
Animal Control Advisory Council	I II III IV V VI VII	Ervin Wooten Leonard Walker Paula Lewis Dr. John A. Stih Susan Shipman Dr. Jeff Burroughs W. Ronald Hayes	12-05-2009 12-05-2009 12-05-2009 12-05-2009 12-05-2009 12-05-2009 12-05-2009	Re-Appoint Re-Appoint Re-Appoint Re-Appoint Re-Appoint Re-Appoint Re-Appoint
Board of Health (Columbus County) Motion: Commissioner Prevatte Second: Vice Chairman Byrd	EB III V	W.C. Burns, D.V.M. George Floyd Erik Kenyon, M.D.	12-31-2009 12-31-2009 12-31-2009	Re-Appoint Re-Appoint Re-Appoint

COMMITTEE	ZONE/ EB	PERSON(S)	EXPIR. DATE	BOARD ACTION
Columbus Regional Healthcare System Board of Trustees <b>Motion: Commissioner McKenzie</b> <b>Second: Vice Chairman Byrd</b>	EB	Lynwood Norris	Annual	<b>Re-Appoint</b>
EMS Peer Review Committee <b>Motion: Commissioner Bullard</b> <b>Second: Commissioner Gore</b>	EB EB	James E. Prevatte Edwin Russ	Annual Annual	<b>Re-Appoint</b> <b>Re-Appoint</b>
Fire Peer Review Committee <b>Motion: Commissioner Prevatte</b> <b>Second: Vice Chairman Byrd</b>	EB EB	Ricky Bullard Ronald Gore	Annual Annual	<b>Re-Appoint</b> <b>Re-Appoint</b>
Lower Cape Fear Water and Sewer Authority (Columbus County Members) <b>Motion: Commissioner Bullard</b> <b>Second: Commissioner Gore</b>	EB EB	Al Leonard Lynwood Norris	01-02-2010 01-02-2010	<b>Re-Appoint</b> <b>Re-Appoint</b>

**Agenda Item #27: CONSENT AGENDA ITEM - BUDGET AMENDMENTS:**

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

TYPE	ACCOUNT	DETAILS	AMOUNT
<b>Expenditure</b>	10-4201-549810	Penalties and Interest	7,547
	10-9999-999999	Contingency	7,547
<b>Expenditure</b>	10-6120-569917	IP Grant - Riegelwood	1,000
<b>Revenue</b>	10-3612-440034	International Paper Foundations Grant	1,000

**Agenda Item #28: COMMENTS:**

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

**A. Department Head:**

**Dalton Dockery (Cooperative Extension):** stated the following:

- I started my employment as the Cooperative Extension Director on December 01, 2009
- I thank you for allowing to come back home to where I was employed before;
- We are continuously striving to meet the educational needs of Columbus County;  
**and**
- Thank you for the confidence you have placed in me.

**B. Board of Commissioners:**

1. **Commissioner McKenzie:** stated the following:

- A. I would like to wish the Board and the entire Columbus County staff a very nice and **Merry Christmas** and **Happy New Year; and**
- B. We need to thank Rodney Fields for the patching of the parking lot at the Sheriff’s Department, at no cost to the County.

**MOTION:**

Commissioner Norris made a motion to send a letter of thanks to Rodney Fields for the patching of the parking lot at the Sheriff’s Department, at no cost to Columbus County, seconded by Commissioner Prevatte. The motion unanimously passed.

2. **Commissioner Prevatte:** stated the following:
  - A. I would like to read a Thank You card that the Board received from Ms. Dudley for our recognition of the loss of her husband, as follows:
 

Thank You Very Much

*Even Though You Didn't Have to do it,  
You Did It Anyway.  
And It was Much Appreciated.*

*Thank You Much and May God Always Bless You,  
As Always, Mildred Dudley*
  - B. I would like to thank the Board, along with all the five hundred, plus (500+) staff members for all the help they have given to make things run smooth in Columbus County; **and**
  - C. I wish each and everyone a very Merry Christmas and a Happy New Year.
3. **Commissioner Norris:** I would like to wish the Board and the entire staff of Columbus County employees a very Merry Christmas and a Happy New Year, and to let all the staff know how much we appreciate them.
4. **Vice Chairman Byrd:** stated the following:
  - A. I would like to reiterate the previous statements made about the holidays and how much we appreciate our staff; **and**
  - B. I have been on the Board for one (1) year, and I think we have accomplished many things, and we have got milestones ahead of us and we are looking forward to continued progress.
5. **Commissioner Bullard:** stated the following:
  - A. I would like to thank Commissioner Prevatte for the service he has done for the last two (2) years as Chairman, and I have enjoyed working with him; **and**
  - B. I would like for Mr. Clark and Bobbie Faircloth to meet and decide how much money we can earmark from the General Fund for the Courthouse, and report this to the Board at the next meeting.
6. **Commissioner Gore:** stated the following:
  - A. I would like to thank Commissioner Prevatte for his service as Chairman for the last two (2) years; **and**
  - B. I would like to thank the entire staff for the good work they have done.
- C. **County Manager (William S. Clark):** stated the following:
  1. Eight (8) Golden Leaf Grants were submitted and three (3) grants were approved as follows:
    - A. Bolton / Lake Waccamaw / Whiteville Sewer Project (fully funded);
    - B. Fair Bluff Alternative School (approved but deferred to ask for more money); **and**
    - C. Agri-Business Marketing Plan for Columbus County (\$39,000);
  2. I would like to thank Mr. Prevatte for the job he has done as Chairman, and I would like to thank him personally for all the help he has given me during my transition to the County; **and**
  3. I would like to reiterate that we are proud of all of our employees in the county, our managers, and I think we pull together well.
- D. **County Attorney (Mike Stephens):** On Agenda Item #29, we will need to enter into Executive Session for N.C.G.S. § 143-318.11 (3) Attorney-Client Privilege, in lieu of Personnel.

**RECESS REGULAR SESSION and enter into EXECUTIVE SESSION in ACCORDANCE WITH N.C.G.S. § 143-318.11 (3) ATTORNEY-CLIENT PRIVILEGE:**

At 8:05 P.M., Commissioner Bullard made a motion to recess Regular Session and enter into Executive Session in accordance with N.C.G.S. § 143.318.11 (3) Attorney-Client Privilege, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #29: EXECUTIVE SESSION in ACCORDANCE WITH N.C.G.S. § 143-318.11 (3) ATTORNEY-CLIENT PRIVILEGE:**

No official action was taken.

**ADJOURN EXECUTIVE SESSION and RESUME REGULAR SESSION:**

At 8:38, Vice Chairman Byrd made a motion to adjourn Executive Session and resume Regular Session, seconded by Commissioner Norris. The motion unanimously passed.

**Reading and Approval of Closed Session General Account:**

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

*“The County Attorney discussed with the Board the water issue involving the Town of Chadbourn.”*

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

**Agenda Item #30: ADJOURNMENT:**

At 8:41 P.M., Commissioner Prevatte made a motion to adjourn, seconded by Commissioner Bullard. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V**  
**COMBINATION BOARD MEETING**  
**December 07, 2009**  
**7:13 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:**

P. Edwin Russ, **Chairman**  
 Giles E. (Buddy) Byrd, **Vice Chairman**  
 Amon E. McKenzie  
 James E. Prevatte  
 Lynwood Norris  
 Ricky Bullard  
 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 7:13 P.M., Chairman Russ called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

**Agenda Item #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

November 16, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner Prevatte made a motion to approve the November 16, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - REDUCED WATER TAP FEES:**

Kip McClary, Public Utilities Director, requested a discussion of, and possible approval to discontinue the reduced water tap fees for all five (5) water districts. Mr. McClary stated the following:

1. The previous discount water tap fee expired November 30, 2009;
2. At the November 09, 2009 Water Advisory Board Meeting, this was discussed, and it was recommended that we not extend the reduced water tap fee into another period;

3. The reason for this recommendation is the loss of revenue in the department based on tap fees;
4. We have had an increase in the number of taps, but we have not received a verification from the people that have come in and paid for taps that they were doing this because of the reduced tap fee;
5. We have lost roughly \$16,000 in tap fees;
6. We had an increase in signups from 32 to 67; **and**
7. The reduced tap fee does cover the materials, but no labor.

**MOTION:**

Commissioner McKenzie made a motion to extend the reduced water tap fee for all five (5) water districts, until the end of the budget year, seconded by Vice Chairman Byrd.

**SUBSTITUTE MOTION:**

Commissioner Prevatte made a substitute motion to discontinue the reduced water tap fee, seconded by Commissioner Bullard. A roll-call vote was taken with the following results:

**AYES:** Chairman Russ, Commissioners Prevatte, Norris, Bullard and Gore; **and**  
**NAYS:** Vice Chairman Byrd and Commissioner McKenzie.

The substitute motion passes on a five (5) to two (2) vote.

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - WORKSHOP for DISCUSSION of POLICIES and PROCEDURES:**

Kip McClary, Public Utilities Director, requested a date and time be established for a workshop with the Columbus County Commissioners, the Water Advisory Board and the Public Utilities staff to discuss policies and procedures. Mr. McClary stated the following:

1. The Board of Commissioners requested that we look at two (2) or three (3) of the items that are in our present Water Policy;
2. One (1) of those items was the way we do water adjustments and the other was concerning the terminology we use for re-connect fee;
3. We have reviewed these and have done some comparisons with other water serving entities, and presented this information to the Water Board;
4. The Water Board went through and reviewed each of the items you requested, and it is the recommendation of the Water Board that we do not change our policy; **and**
5. I would like to schedule a time that the Board of Commissioners can meet with the Water Board and with my staff for a workshop to look at this policy together and talk about issues related to the construction of the Water Board and the way we operate our policy.

Commissioner Prevatte made a motion that the Board of Commissioners be surveyed for a workshop with the Water Board, after our first meeting in January, 2010, seconded by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**

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

**December 07, 2009**

**7:13 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:**

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

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
Mike Stephens, **County Attorney**  
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**MEETING CALLED TO ORDER:**

At 7:13 P.M., Chairman Russ called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

**Agenda Item #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

November 16, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner Prevatte made a motion to approve the November 16, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - REDUCED WATER TAP FEES:**

Kip McClary, Public Utilities Director, requested a discussion of, and possible approval to discontinue the reduced water tap fees for all five (5) water districts. Mr. McClary stated the following:

1. The previous discount water tap fee expired November 30, 2009;
2. At the November 09, 2009 Water Advisory Board Meeting, this was discussed, and it was recommended that we not extend the reduced water tap fee into another period;

3. The reason for this recommendation is the loss of revenue in the department based on tap fees;
4. We have had an increase in the number of taps, but we have not received a verification from the people that have come in and paid for taps that they were doing this because of the reduced tap fee;
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**MOTION:**

Commissioner McKenzie made a motion to extend the reduced water tap fee for all five (5) water districts, until the end of the budget year, seconded by Vice Chairman Byrd.

**SUBSTITUTE MOTION:**

Commissioner Prevatte made a substitute motion to discontinue the reduced water tap fee, seconded by Commissioner Bullard. A roll-call vote was taken with the following results:

**AYES:** Chairman Russ, Commissioners Prevatte, Norris, Bullard and Gore; **and**  
**NAYS:** Vice Chairman Byrd and Commissioner McKenzie.

The substitute motion passes on a five (5) to two (2) vote.

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3. We have reviewed these and have done some comparisons with other water serving entities, and presented this information to the Water Board;
4. The Water Board went through and reviewed each of the items you requested, and it is the recommendation of the Water Board that we do not change our policy; **and**
5. I would like to schedule a time that the Board of Commissioners can meet with the Water Board and with my staff for a workshop to look at this policy together and talk about issues related to the construction of the Water Board and the way we operate our policy.

Commissioner Prevatte made a motion that the Board of Commissioners be surveyed for a workshop with the Water Board, after our first meeting in January, 2010, seconded by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**

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

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Amon E. McKenzie  
James E. Prevatte  
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Ricky Bullard  
Ronald Gore

**APPOINTEES PRESENT:**

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**MEETING CALLED TO ORDER:**

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**SUBSTITUTE MOTION:**

Commissioner Prevatte made a substitute motion to discontinue the reduced water tap fee, seconded by Commissioner Bullard. A roll-call vote was taken with the following results:

**AYES:** Chairman Russ, Commissioners Prevatte, Norris, Bullard and Gore; **and**  
**NAYS:** Vice Chairman Byrd and Commissioner McKenzie.

The substitute motion passes on a five (5) to two (2) vote.

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Commissioner Prevatte made a motion that the Board of Commissioners be surveyed for a workshop with the Water Board, after our first meeting in January, 2010, seconded by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**

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

**December 07, 2009**

**7:13 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:**

P. Edwin Russ, **Chairman**  
Giles E. (Buddy) Byrd, **Vice Chairman**  
Amon E. McKenzie  
James E. Prevatte  
Lynwood Norris  
Ricky Bullard  
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 7:13 P.M., Chairman Russ called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

**Agenda Item #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

November 16, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Prevatte made a motion to approve the November 16, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - REDUCED WATER TAP FEES:**

Kip McClary, Public Utilities Director, requested a discussion of, and possible approval to discontinue the reduced water tap fees for all five (5) water districts. Mr. McClary stated the following:

1. The previous discount water tap fee expired November 30, 2009;
2. At the November 09, 2009 Water Advisory Board Meeting, this was discussed, and it was recommended that we not extend the reduced water tap fee into another period;

3. The reason for this recommendation is the loss of revenue in the department based on tap fees;
4. We have had an increase in the number of taps, but we have not received a verification from the people that have come in and paid for taps that they were doing this because of the reduced tap fee;
5. We have lost roughly \$16,000 in tap fees;
6. We had an increase in signups from 32 to 67; **and**
7. The reduced tap fee does cover the materials, but no labor.

**MOTION:**

Commissioner McKenzie made a motion to extend the reduced water tap fee for all five (5) water districts, until the end of the budget year, seconded by Vice Chairman Byrd.

**SUBSTITUTE MOTION:**

Commissioner Prevatte made a substitute motion to discontinue the reduced water tap fee, seconded by Commissioner Bullard. A roll-call vote was taken with the following results:

**AYES:** Chairman Russ, Commissioners Prevatte, Norris Bullard and Gore; **and**  
**NAYS:** Vice Chairman Byrd and Commissioner McKenzie.

The substitute motion passes on a five (5) to two (2) vote.

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - WORKSHOP for DISCUSSION of POLICIES and PROCEDURES:**

Kip McClary, Public Utilities Director, requested a date and time be established for a workshop with the Columbus County Commissioners, the Water Advisory Board and the Public Utilities staff to discuss policies and procedures. Mr. McClary stated the following:

1. The Board of Commissioners requested that we look at two (2) or three (3) of the items that are in our present Water Policy;
2. One (1) of those items was the way we do water adjustments and the other was concerning the terminology we use for re-connect fee;
3. We have reviewed these and have done some comparisons with other water serving entities, and presented this information to the Water Board;
4. The Water Board went through and reviewed each of the items you requested, and it is the recommendation of the Water Board that we do not change our policy; **and**
5. I would like to schedule a time that the Board of Commissioners can meet with the Water Board and with my staff for a workshop to look at this policy together and talk about issues related to the construction of the Water Board and the way we operate our policy.

Commissioner Prevatte made a motion that the Board of Commissioners be surveyed for a workshop with the Water Board, after our first meeting in January, 2010, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #24: Columbus County Water and Sewer District IV - Approval of the following for Proposed Well Site Number 2 -**

- A. Offer to Purchase and Contract - Vacant Lot/Land;**
- B. Addendum to Contract for Sale; and**
- C. To Move Forward with Test Well:**

Kip McClary, Public Utilities Director, requested Board approval of the above listed three (3) items for a proposed well site number 2. Mr. McClary stated the following:

1. We have approved, and have under construction for that district, one (1) well;
2. One (1) well has the capacity to produce about 144, 000 gallons of water a day;
3. We do meet the State criteria for a second water supply or backup supply because we are already connected to the Town of Northwest;
4. We are limited in the contract with Northwest to 25,000 gallons per day and we do pay a rate of \$2.75 per one thousand gallons for the water after the 25,000 gallons;
5. I have been looking at this, along with Leo Green, and we believe we can produce water at \$ .70 per one thousand gallons;
6. We have located a site that was in foreclosure with BB&T for 1,8 acres that can be purchased for \$15,000;
7. For an additional \$18,000, we can do a test well on that site to verify that it would be a good site; **and**
8. We are requesting that you authorize that we move forward with purchasing this property using funding from the Contingency Funds already assigned to the project.

Discussion was conducted relative to the following:

1. The lot being checked for wetlands;
2. The total amount being paid to the Town of Northwest;
3. The length of the contract with the Town of Northwest and how binding the contract is; **and**
4. The production of water at a cheaper rate than purchasing from the Town of Northwest.

**MOTIONS (2):**

Commissioner Prevatte made a motion to approve the following for the proposed Well Site Number 2:

- A. Offer to Purchase and Contract - Vacant Lot/Land;
- B. Addendum to Contract for Sale; **and**
- C. To Move Forward with Test Well.

The motion was seconded by Commissioner Bullard and passed unanimously. This information will be marked as Exhibit "A" and kept on file in the Minute Book Attachments, Book Number 3, for review.

Commissioner Prevatte made a motion for Mike Stephens, Columbus County Attorney, to look at the contract with the Town of Northwest to see how binding the contract is, seconded by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**

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

**December 07, 2009**

**7:13 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:**

P. Edwin Russ, **Chairman**  
 Giles E. (Buddy) Byrd, **Vice Chairman**  
 Amon E. McKenzie  
 James E. Prevatte  
 Lynwood Norris  
 Ricky Bullard  
 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 7:13 P.M., Chairman Russ called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

**Agenda Item #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

November 16, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner Prevatte made a motion to approve the November 16, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - REDUCED WATER TAP FEES:**

Kip McClary, Public Utilities Director, requested a discussion of, and possible approval to discontinue the reduced water tap fees for all five (5) water districts. Mr. McClary stated the following:

1. The previous discount water tap fee expired November 30, 2009;
2. At the November 09, 2009 Water Advisory Board Meeting, this was discussed, and it was recommended that we not extend the reduced water tap fee into another period;

3. The reason for this recommendation is the loss of revenue in the department based on tap fees;
4. We have had an increase in the number of taps, but we have not received a verification from the people that have come in and paid for taps that they were doing this because of the reduced tap fee;
5. We have lost roughly sixteen thousand, and 00/100 (\$16,000.00) dollars in tap fees;
6. We had an increase in signups from thirty-two (32) to sixty-seven (67); **and**
7. The reduced tap fee does cover the materials, but no labor.

**MOTION:**

Commissioner McKenzie made a motion to extend the reduced water tap fee for all five (5) water districts, until the end of the budget year, seconded by Vice Chairman Byrd.

**SUBSTITUTE MOTION:**

Commissioner Prevatte made a substitute motion to discontinue the reduced water tap fee, seconded by Commissioner Bullard. A roll-call vote was taken with the following results:

- AYES:** Chairman Russ, Commissioners Prevatte, Norris Bullard and Gore; **and**  
**NAYS:** Vice Chairman Byrd and Commissioner McKenzie.

The substitute motion passes on a five (5) to two (2) vote.

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - WORKSHOP for DISCUSSION of POLICIES and PROCEDURES:**

Kip McClary, Public Utilities Director, requested a date and time be established for a workshop with the Columbus County Commissioner, the Water Advisory Board and the Public Utilities staff to discuss policies and procedures. Mr. McClary stated the following:

1. The Board of Commissioners requested that we look at two (2) or three (3) of the items that are in our present Water Policy;
2. One (1) of those items was the way we do water adjustments and the other was concerning the terminology we use for re-connect fee;
3. We have reviewed these and have done some comparisons with other water serving entities, and presented this information to the Water Board;
4. The Water Board went through and reviewed each of the items you requested, and it is the recommendation of the Water Board that we do not change our policy; **and**
5. I would like to schedule a time that the Board of Commissioners can meet with the Water Board and with my staff for a workshop to look at this policy together and talk about issues related to the construction of the Water Board and the way we operate our policy.

Commissioner Prevatte made a motion that the Board of Commissioners be surveyed for a workshop with the Water Board, after our first meeting in January, 2010, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #25: COLUMBUS COUNTY WATER and SEWER DISTRICT V - RIVER ROAD WATER MAIN EXTENSION:**

Kip McClary, Public Utilities Director, requested discussion of, and possible approval of funds for the installation of water lines on River Road. Mr. McClary stated the following:

1. I was asked to look at the River Road area for the extension of a water line where State maintenance ends to the end of the road;
2. Through research, I discovered attempts had been made to run water lines but due to the failure to obtain easements, it was pulled from the project;
3. Through the help of Commissioners Norris and Russ, we went down there, made contact with people, verified ownership of properties, we then talked to the appropriate owners, and have negotiated the easements necessary to extend the water line where it presently ends on River Road to the end of River Road, which is all private property from that point forward;
4. We have the old plans in hand, and have approval from the State to proceed with construction;
5. This will be eight thousand, nine hundred sixty (8,960') feet of water line on private property;
6. We will pull money from Water District I;
7. I have estimated a cost of eighty-one thousand, one hundred thirty-nine, and 30/100 (\$81,139.30) to do the construction, including services, with this in mind, we presently have nineteen (19) people signed up for water along that road; **and**
8. If we can obtain twenty-eight (28) customers, with an average water bill of \$33.00 per month for 4,000 gallons, we can pay back the construction costs, with interest, in ten (10) years.

Commissioner McKenzie made a motion to approve the funds for the installation of water lines on River Road, seconded by Commissioner Norris.

**SUBSTITUTE MOTION:**

Commissioner Prevatte made a motion to table the approval of funds for the installation of water lines on River Road until the number of signups have reached twenty-eight (28), seconded by Commissioner Gore. A roll call vote was taken with the following results:

**AYES:** Vice Chairman Byrd, Commissioners Prevatte, Norris and Gore; **and**  
**NAYS:** Chairman Russ, Commissioners McKenzie and Bullard.

The substitute motion passes on a four (4) to three (3) vote.

**ADJOURNMENT:**

At 7:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**