

**COLUMBUS COUNTY BOARD OF COMMISSIONERS****Monday, November 01, 2010****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 a Public Hearing and their regular scheduled meeting on the first Monday.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**COMMISSIONER ABSENT:**

Ronald Gore

**6:33 P.M.**

**PUBLIC HEARING - Contracting to Make Economic Development Grant to Atlantic Corporation for Tabor City Expansion:** the purpose of this public hearing is to invite all interested persons to attend and present their views.

**PUBLIC HEARING OPENED:**

At 6:33 P.M., Chairman Russ opened the Public Hearing and stated the purpose of this Public Hearing was to receive the views and opinions of all interested persons on contracting to make an Economic Development Grant to Atlantic Corporation for the Tabor City Expansion. Chairman Russ requested Mike Stephens, County Attorney, to read orally the Policy on Comments at Public Hearings. Mr. Stephens read the policy orally in its entirety.

**COMMENTS:**

No comments were received either orally or written.

**PUBLIC HEARING CLOSED:**

At 6:35 P.M., Commissioner Norris made a motion to close the Public Hearing, second by Commissioner McKenzie. The motion unanimously passed.

**6:35 P.M.****REGULAR SESSION****Agenda Item #1: MEETING CALLED to ORDER:**

At 6:35P.M., Chairman P. Edwin Russ called the November 01, 2010 Columbus County Board of Commissioners Regular Session Board Meeting to order.

**ADJUSTMENT of AGENDA:**

Chairman Russ stated he needed a motion and a second to add a Closed Session for Attorney-Client Privilege.

**MOTION:**

Commissioner Prevatte made a motion to add a Closed Session in Accordance with N.C.G.S. § 318.11 (3) Attorney-Client Privilege, second by Vice Chairman Byrd. The motion unanimously passed.

Chairman Russ stated he needed a motion to delete Agenda Item Number 8 until the

November 15, 2010 Board Meeting.

**MOTION:**

Commissioner McKenzie made a motion to delete Agenda Item Number 8 until the November 15, 2010 Board Meeting, second by Commissioner Norris. The motion unanimously passed.

**Agenda Items #2 and #3: INVOCATION and PLEDGE of ALLEGIANCE:**

The invocation was delivered by Commissioner James E. Prevatte. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner Bullard.

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

Commissioner Bullard made a motion to approve the October 18, 2010 Regular Session Board Meeting Minutes, as recorded, second by Commissioner McKenzie. The motion unanimously passed.

**Agenda Item #5: PUBLIC INPUT:**

Chairman Russ opened the floor for public input. No comments were received either orally or written.

**Agenda Item #6: PRESENTATION - PLAQUE to COLUMBUS COUNTY for PARTICIPATION in THREE (3) NCACC RISK MANAGEMENT POOLS:**

Ed Wooters, North Carolina Association of County Commissioners, presented the following plaque to Columbus County for their participation in three (3) North Carolina Association of County Commissioners Risk Management Pools.

**RISK MANAGEMENT POOLS  
SUPER MEMBER**

**Presented With Appreciation To**

**COLUMBUS COUNTY**

**For Continued Support Of The Workers' Compensation  
Liability And Property And Group Benefits Pools  
2009-10 Policy Year**

Mr. Wooters stated the following:

1. On behalf of the North Carolina Association of County Commissioners, it is a pleasure to be here, and appreciate your continued support;
2. In January, 2011, there will be a Legislative Goals Assembly in Raleigh;
3. The Essentials of County Government, which is essentially a school for new Commissioners and a lot of veteran Commissioners also, will be held in February, and the closest one will be held in Craven County this year;
4. We did not get into the insurance business to make a profit, rather to help the small to medium-size counties who were experiencing problems with their insurance;
5. A couple of years ago, we came up with the idea of recognizing those counties who participated in all three (3) programs, with a multiple discount based on the number of programs you participate in;
6. You participate in all three (3), and that is what we call a Super Member size;
7. There are twenty-three (23) counties and nineteen (19) public entities that participate;
8. What we have done is to provide a plaque for each of the counties that achieve that number with little plates for each year thereafter if they continue that status;
9. I would like to commend the appropriate staff that have contributed to this; **and**
10. You are one of the few counties last year that had no increase.

**Agenda Item #7: LOCAL EMERGENCY PLANNING COMMITTEE - PRESENTATION of PLAQUE to ED WORLEY:**

In the absence of David McPherson, Chairman of the Local Emergency Planning Committee, Kay Worley, Assistant Emergency Services Director, and Tony Miller presented the following plaque to Ed Worley for his many years of service.

**This plaque is presented to  
Ed Worley  
In recognition and appreciation  
for your  
outstanding years of service  
on the  
Columbus County  
Local Emergency Planning Committee  
2010**

Mr. Worley stated he had served on this committee for sixteen (16) years, it was a very needful committee, and I appreciate this plaque.

**Agenda Item #8: LOCAL EMERGENCY PLANNING COMMITTEE -DISCUSSION of APPROVAL of WAIVER of RESIDENCY REQUIREMENT for LOCAL EMERGENCY PLANNING COMMITTEE:**

David McPherson, Chairman, requested Board approval of the waiver of the residency requirement for the Columbus County Local Emergency Planning Committee. Mr. McPherson stated the following:

**Deleted at the beginning of the meeting, and to be placed on the November 15, 2010 Agenda.**

**Agenda Item #9: CRIMINAL JUSTICE PARTNERSHIP BOARD - APPROVAL of TWO (2) MEMBERS:**

Katherine Horne, Chair, requested Board approval to add the following two (2) new members to the Criminal Justice Partnership Board:

Carol Caldwell with the Dream Center; **and**  
Charles Garrett with Employment Security Commission.

Commissioner Bullard made a motion to table this Agenda item until the November 15, 2010 Board Meeting, second by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #10: HUMAN RESOURCES - APPROVAL and ADOPTION of AMENDMENT NUMBER 3 to COLUMBUS COUNTY PERSONNEL POLICY MANUAL:**

Virginia Taylor, Human Resources Director, requested Board approval and adoption of Amendment Number 3, as follows, to the Columbus County Personnel Policy Manual, on the first reading.

**COLUMBUS COUNTY PERSONNEL POLICY MANUAL  
Amendment Number III**

Policy #730 - Vehicle Policy (Page: 116)

2. Requirements

2.11. Smoking is strictly prohibited in county-own vehicles.

**APPROVED** and **ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2010.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

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**P. EDWIN RUSS, Chairman**

**ATTESTED BY:**

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

Commissioner Prevatte made a motion to approve Amendment Number 3 to the Columbus County Personnel Policy Manual, on the first reading, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #11: ECONOMIC DEVELOPMENT - APPROVAL of GRANT AGREEMENT for ATLANTIC CORPORATION, and APPROVAL of STANDARD LANGUAGE CHANGE in GRANT AGREEMENT:**

Gary Lanier, Economic Development Director, requested Board approval of the following Agreement with Atlantic Corporation of Wilmington, Inc., and approval of the standard language change in the Agreement.

**STATE OF NORTH CAROLINA  
COUNTY OF COLUMBUS**

**AGREEMENT**

This Agreement is made and entered into by and between COLUMBUS COUNTY (hereinafter referred to as "County"), a political subdivision of the State of North Carolina, and ATLANTIC CORPORATION OF WILMINGTON, INC., A North Carolina corporation (hereinafter referred to as "Company").

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

WHEREAS, the Company has received a proposal from the County which provides for certain economic incentives to encourage (1) the development of the facility located at 1109 East Fifth Street, Tabor City, Columbus County, North Carolina 28463 (hereinafter referred to as "Facility"); (2) the addition of equipment; and (3) the employment of citizens of Columbus County; and,

WHEREAS, after careful consideration and evaluation of the proposal, the Company has determined that the development of the Facility, addition of new equipment, and employment of Columbus County citizens, is in the best interest of the Company.

NOW, THEREFORE, in consideration of the mutual promises set forth in this Agreement and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the County and the Company do hereby agree as follows:

**SECTION 1: INCENTIVE GRANT PROGRAM**

- 1.1 The County shall pay to the Company the incentive grants (hereinafter referred to as "Grant" or collectively "Grants") described in the Industrial Development Incentive Grant Program (hereinafter referred to as the "Program" and attached as Exhibit A) in accordance with the approval by the Board of County Commissioners to apply the Program and authorize the Grants to this Facility.
- 1.2 The Company understands that the following items will be considered when authorizing payment of the Grants:
  - a. The size of the project based upon investment in site development, plant facilities and infrastructure;
  - b. The number of and types of jobs created;
  - c. The relationship between job development and total investment;
  - d. Potential for future expansion and increased employment;
  - e. Site specific issues that impact upon local infrastructure responsibilities; and,

- f. Site specific initiatives that may be pursued to stimulate other development in areas that the county deem of significant benefit to the community.
- 1.3 The Company understands that no change in the Program made after the effective date of this Agreement shall apply to the provisions of this Agreement. In the event any lawsuit is filed against the County or any County elected official challenging the legality of this Agreement pertaining to the Program and determined by a Court of Law to be invalid, the County agrees that it will provide the Company, only to the extent as permitted by law, with other incentives of substantially equal value pursuant to any replacement grant incentive program.
- 1.4 The parties agree that the term of this Agreement will be a five-year period for each Grant given to the Company. The Grant period will commence when all capital improvements have been completed and Columbus County Tax records have been update to reflect the investment level specified on the Columbus County Incentive Calculations spreadsheet attached hereto as Exhibit B.
- 1.5 It is anticipated that the first payment will be made in the first quarter of 2013, following the payment of 2012 property taxes. The begin date may be negotiated in the event the Project is delayed.

## **SECTION 2: FAILURE TO MEET GOALS**

- 2.1 In the event the Company fails to meet the goals established under Sections 3 and 4 below, the grant amount will be prorated based on the actual capital investment and/or the number of jobs created.

## **SECTION 3: INVESTMENT**

- 3.1 The Company has agreed to make an initial investment in the amount of Six Million Five Hundred Thousand and no/100 Dollars (\$6,500,000.00) toward the development of the Facility and purchase of equipment during the first three (3) years of the five-year Grant period.
- 3.2 The initial investment must be complete and on the tax books before the Application for Incentives is presented to the Columbus County Economic Development Commission.
- 3.3 For budget purposes, the Company is required to provide written notice to Columbus County Economic Development Commission of the Company's intent to collect incentive payments for the next or upcoming fiscal year prior to the completion of the budget adoption for the then current fiscal year. Failure to comply with this requirement will result in a one-year delay in the beginning of the Program.
- 3.4 After the Company has qualified for a Grant and notified the Columbus County Economic Development Commission of its election to begin the five-year period, the Company will, during the first three (3) years of the five-year period of such Grant, send to the Columbus County Economic Development Commission, at the time the Company makes its annual tax payment, a summary report stating the current investment for that year and the remaining balance due.

## **SECTION 4. JOB CREATION**

- 4.1 The Company has agreed to create forty (40) full-time jobs within the first three years of this Agreement.
- 4.2 After the Company has qualified for a Grant and notified the Columbus County Economic Development Commission of its election to begin the five-year period, the Company will, during the first three (3) years of the five-year period of such Grant, send to the Columbus County Economic Development Commission, at the time the Company makes it annual tax payment, a summary report stating the current employment levels and indicating how many more jobs will be needed to meet the requirement of forth (40) full-time jobs.

## **SECTION 5: GRANT PAYMENTS**

- 5.1 The parties agree that the Columbus County Economic Development Commission will provide for annual grants within its annual budget based upon the actual investment recorded by the Columbus County Tax Office on or after March 15 of each calendar year as well as the number of jobs actually created. Grant amounts noted in this Agreement may change to reflect investments not having reached the amounts noted in Section 3 or the number of jobs created not having been reached as noted in Section 4. In no case will the incentive be greater than the number agreed upon in this Agreement or based upon investment numbers greater than originally projected unless a new agreement is negotiated to replace this Agreement.
- 5.2 Based upon the commitments and considerations made in this Agreement, the Columbus County Economic Development Commission will budget a Grant of \$201,305.00, payable as follows:
- \$45,028.75 in year 1; \$42,380.00 in year 2; \$39,731 in year 3; \$37,082.50 in year 4; and \$37,082.50 in year 5.
- 5.3 The Company will provide a copy of its most recent NCUI-101 report when requesting a Grant payment each year. The NCUI-101 report will confirm that the wages of each employee remain at or above the state average for wages.
- The Company will also provide a copy of the property tax payment receipt.
- 5.4 The County agrees that Grant payments to the Company will be disbursed within thirty (30) days after the Company has paid its annual property taxes and delivered the items listed above.
- 5.5 It is understood by all parties that no Grant payment will be made by the County to the Company until all ad valorem property taxes associated with the Company's business activities in Columbus County are paid in full at the time of application for payment is made.

#### **SECTION 6: EXPANSION**

- 6.1 The Company may receive additional Grants under the Program for any additional qualifying expansion of the Facility on the Property by the Company. Each Grant will be for a five-year period, beginning with such fiscal year as the Company shall elect.
- 6.2 A "qualifying expansion" shall be:
- a. An additional expenditure of equal or greater than One Hundred Thousand Dollars (\$100,000.00) by the Company which would result in an increase in the net tax base of the County; and
  - b. The creation of five (5) new jobs by year three (3) at the Facility.
- 6.3 In calculating the three-year period for the creation of five new jobs, the period would begin when the Company submits written notice to the County of each ELECTION of the five-year period for each Grant and NOT from the time the Company QUALIFIES for the Grant.
- 6.4 "An increase in the net tax base" shall mean the added value of both the real and personal property located on the Property. Personal property to be assessed shall include all buildings, machinery, equipment and other personal property added or installed AFTER December 31, 2009.
- 6.5 All Grants made under this section will be determined by the Executive Director of the Columbus County Economic Development Commission and will be based upon such previous Grants and the actual new investment and jobs created. Grant determination is final when the Columbus County Board of Commissioners approves the Grant package.

#### **SECTION 7: ADJUSTMENTS**

- 7.1 Adjustments to real or personal property values NOT associated with the projects as proposed or included in this Agreement SHALL NOT be included in any determination of

the Grant amount by the Executive Director in offering the Grant.

- 7.2. Reappraisals or adjustments to real and personal property values based upon market adjustments or changes in the North Carolina property assessment laws will be adjusted so as to avoid any distortion of the base value and the value of any proposed expansion project to be completed by the Company.
- 7.3 Adjustments to the project's base level of investment must be confirmed by written acknowledgment from the executive director of the Company and the Executive Director of the Columbus County Economic Development Commission or their representatives.

#### **SECTION 8: MISCELLANEOUS ITEMS**

- 8.1 NOTICES - All notices, certificates or other communications required by or made pursuant to this Agreement shall be deemed duly given if sent by registered or certified United States mail, postage prepaid or sent by facsimile and confirmed by the party providing notice, addressed as follows:

TO THE COUNTY:

Columbus County Economic Development Commission  
111 Washington Street  
Whiteville, NC 28472  
Telephone: (910) 640-6608  
Fax: (910) 642-1876

TO THE COMPANY:

Atlantic Corporation of Wilmington, Inc.  
Roger D. Teague, Vice President  
806 North 23<sup>rd</sup> Street  
Wilmington, NC 28405  
Telephone: (910) 398-6106

- 8.2 BINDING EFFECT – This Agreement shall inure to the benefit of and is binding upon the County and the Company, their respective successors and/or assigns.
- 8.3 AMENDMENTS, CHANGES AND MODIFICATIONS – Except as otherwise provided in this Agreement, this Agreement may not be amended, changed, modified or altered without the written agreement of the parties.
- 8.4 SEVERABILITY – If any provision of this Agreement is held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement.
- 8.5 AGREEMENT TERMS PREVAIL – In the event of any conflict between the terms set out in this Agreement and those in the Program, the terms of this Agreement shall prevail. In the event the Program is terminated within the five (5) year term of this Agreement, the terms and conditions contained herein shall continue to remain in effect.
- 8.6 FORMAL AGREEMENT – This Agreement constitutes the “formal agreement” required under the Program. The terms and conditions of this Agreement and those in the Program shall govern the application of the Program to the Facility.
- 8.7 COUNTERPARTS – This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be deemed an original.
- 8.8 GOVERNING LAW – This Agreement is governed by and shall be construed in accordance with the laws of the State of North Carolina.
- 8.9 CAPTIONS – The captions or headings used throughout this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provision of this Agreement.

- 8.10 CONFIDENTIALITY – The Company and the County acknowledge that certain exhibits to this Agreement and other information provided by the Company may contain Company trade secrets. Accordingly, such information will be maintained in confidence by the County, unless its release is consented to in writing by the Company.
- 8.11 CONSTRUCTION – The parties acknowledge and stipulate that this Agreement is the product of mutual negotiation and bargaining and has been drafted by counsel for the parties. As such, the doctrine of construction against the drafter shall have no application to this Agreement.
- 8.12 CLOSURE OF FACILITY – If, at any time during the five (5) year term of this Agreement, the Company decides to sell or close the Facility, the Grants shall be forfeited for that year and any subsequent remaining years.
- 8.13 EXPIRATION – The parties acknowledge and stipulate that this Agreement must be accepted within 60 days of receipt. Failure to accept this Agreement within the 60-day time period will result in this Agreement becoming null and void.

IN WITNESS WHEREOF, the parties hereto have caused the execution of this Agreement, by authority duly given and in multiple originals, to be effective as of the last date of signature.

COLUMBUS COUNTY  
By: /s/ **P. EDWIN RUSS, Chairman**  
**Columbus County Board of Commissioners**  
Date signed: 11-01-2010

ATTESTED BY:  
/s/ **JUNE B. HALL**  
**Clerk to the Board**

**ATLANTIC CORPORATION OF WILMINGTON, INC.**  
By:/s/ **ROGER D. TEAGUE**  
Its Vice President  
Date signed: 10/08/10

Approved as to form:  
/s/ **MIKE STEPHENS**  
Columbus County Attorney

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Contract Act.  
/s/ **BOBBIE FAIRCLOTH**  
Columbus County Finance Officer

STATE OF NORTH CAROLINA  
COUNTY OF COLUMBUS

This 2nd day of November, 2010, personally came before me, Virginia D. Taylor, a Notary Public for Columbus County, North Carolina, June B. Hall, who being by me duly sworn, says that she is the Clerk of the Board of Commissioners of Columbus County; recognizes the official seal of the Board; is acquainted with Sammie Jacobs, who is Chairman of the Board; that she witnessed the signature of the Chairman and the affixation of the official seal of the Board to the foregoing instrument in the presence of the Chairman of the Board, in accordance with the order of the Board.

Witness my hand and official seal or stamp, this the 2nd day of November, 2010.

/s/ **VIRGINIA D. TAYLOR**  
Notary Public  
My Commission Expires: April 27, 2013

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

I, Sandra P. Childers, a Notary Public for Brunswick County, North Carolina, do certify that



on this the 8<sup>th</sup> day of October, 2010, personally appeared before me Roger Teague, of Atlantic Corporation of Wilmington, Inc., proved to me by satisfactory evidence to be the person whose name is signed on the foregoing instrument, and acknowledged that he signed it voluntarily on behalf of the limited partnership and in the capacity stated, for the purposes therein stated.

Witness my hand and official seal or stamp, this the 8<sup>th</sup> day of October, 2010.

/s/ **SARAH P. CHILDERS**

Notary Public

My Commission Expires: February 21, 2014

### **Exhibit A**

## **Columbus County Industrial Development Incentive Grant Program**

### **ARTICLE 1** **PREAMBLE**

The Columbus County (“the County”) Board of County Commissioners (“the Board”), has determined that the general welfare of the residents of the County is directly benefitted by fiduciarily sound economic development policies which promote the growth and diversity of the tax base and result in the creation of more high quality, well paying jobs. Pursuant to its ruling in *Maready v. The City of Winston Salem, et. al*, the North Carolina Supreme Court had made clear that the expenditure of public funds to promote economic development is deemed to be for these legitimate public purposes.

The current competitive environment among states which regularly compete with North Carolina and counties which regularly compete with the County in industrial development projects, dictates that the County must adopt an Industrial Development Incentive Grant Program (“IDI”), which is conservative and fiduciarily sound, in order to remain competitive in recruiting new industry and retaining expansions of existing industries currently located in the County. For these reasons, the Board hereby establishes IDI guidelines to encourage new industries to locate and existing industries to expand within the County. These guidelines are guidelines only. Each new or expansion industrial project will be considered on a case by case basis. The Board takes this action in adopting these guidelines pursuant to authority granted by N. C. General Statute 158-7.1, as interpreted by the North Carolina Supreme Court in *Maready*.

### **ARTICLE II** **POLICY PRINCIPLES**

These IDI guidelines are based upon, and any IDI arrangement with a new or existing company must be in compliance with, fiduciarily sound public policy principles, which at a minimum include:

- A. Any IDI grants must provide the County a high return on investment, taking into account tax revenues of the industrial project over a ten year period from the date of the start-up of the project. N. C. General Statutes, 158-7 (d2).
- B. Any IDI grant must be preceded by an agreement with the company involved, binding it to minimum levels of capital investment and/or quality job creation, and providing for penalties and/or reductions in amounts of forward funded grants, in the event that it fails to meet these minimum required levels. N. C. General Statutes 158-7.1 (d2) (2).
- C. Investments of County funds by way of IDI grants shall be items which leave value in the County in the event of a curtailment or closure of the operations within the industrial facility, such as site acquisition, site preparation, internal infrastructure, job training, etc.
- D. The bedrock of the County’s economy is the businesses and industries already located in the County. Consequently, the terms and application of the IDI policy are to result in existing industries receiving consideration for grants that is on terms equal to or better than those available to a company considering locating its first facility in the County.
- E. Provision of any grant for a new industry must be a competitive necessity in order to successfully locate a new business/industrial facility.

### **ARTICLE III** **PROGRAM PARAMETERS**

Each project will be considered on a project-by-project basis, using these guidelines established by the Board. These guidelines shall be subject to periodic review and may be modified, amended or terminated, due to changed economic conditions or competitive consideration. In the event of any modification, amendment or termination, IDI grants to which the County previously committed will not be affected.

In determining whether to make an IDI grant to a project, and if so, the amount of such grant, the Board will consider, among other relevant factors, the following matters:

- A. The total capital investment in the project including site acquisition, site improvement, building cost and equipment.
- B. The number, type and quality of jobs created.
- C. Wage levels for jobs created by the project.
- D. The potential for future expansions and increased employment.
- E. Site-specific issues impacting public infrastructure expansions that will stimulate development in areas of the County, thus benefitting overall community development.

#### **ARTICLE IV** **MINIMUM PROJECT QUALIFICATION**

In order to qualify for consideration for an IDI grant from the County, the project must meet certain minimum threshold requirements. Meeting these threshold requirements does not indicate that the project will necessarily receive an IDI grant, and if so, the amount of such grant, in as much as the "Board" reserves sole discretion in this regard on a project-by-project basis.

The minimum project qualifications are as follows:

- A. The project must involve a facility to be used for manufacturing, customer service center, data processing center, central administrative offices, value added agricultural processing facilities, agricultural processing facilities, distribution, corporate or divisional headquarters, research and development, wholesale distribution warehousing.
- B. The minimum level of capital investment is \$500,000 for a project.
- C. The wage levels of the jobs created must represent a competitive improvement for citizens of the County, in relation to the current prevailing wage levels in the County at the time.

For a project to be considered by the Board for an IDI incentive grant, it must meet all of the above minimum project qualifications. Additional qualifications may be required by the "Board" in its discretion on a project-by-project basis.

#### **ARTICLE V** **EXCLUSIONARY FACTORS**

Even though a project might meet all of the above minimum project qualifications, it will not be considered by the Board for an IDI incentive grant if any of the following factors apply:

- A. The expansion project would, for any reason, result in a net reduction of the ad valorem tax valuation of all facilities in the County owned by the company, or its parent, subsidiary or affiliated companies.
- B. An IDI incentive grant will not be made if that company, or a parent, subsidiary or affiliated company, is not current in all ad valorem tax payments to the County.
- C. No prior commitment to an IDI incentive grant shall be binding if the company originally receiving the grant assigns to it another company, unless the Board has consented to such assignment in writing.
- D. The financial condition of the company receiving the grant must not be such that the ability of the company to meet its obligations is in doubt.
- E. There is no Articles of Incorporation or Certificate of Authority to do Business in North Carolina filed with the North Carolina Secretary, Corporations Division.

#### **ARTICLE VI** **USE OF GRANT FUNDS**

IDI incentive grants under these guidelines may be made at the time of announcement that the project is locating in the County, or in installments to be paid in the future. Such grants may be used for one or more of the following purposes, depending upon the terms approved by the Board:

- A. Site acquisition.

- B. Site preparation.
- C. Internal site infrastructure.
- D. Other improvements to the site.
- E. Job training costs not otherwise reimbursed by grants from the Community College system or tax credits pursuant to the state statute.
- F. Other purposes which leave value in the community as determined by the Board on a project-by-project basis.

**ARTICLE VII  
PROCEDURE FOR GRANT CONSIDERATION**

The following procedure will be utilized in considering a project for an IDI incentive grant:

- A. The company will negotiate the terms of such grant agreement with the Director of the Columbus County Economic Development Commission. Such discussions are negotiations only, in as much as the Board has the sole discretion and authority to finally agree to such grants. No term of such negotiations will become binding on County unless such terms are approved in accordance with North Carolina law by the "Board".
- B. At a time agreeable to the company, given its confidentiality concerns, a public notice and public hearing regarding the proposed grant will be given/held in accordance with the requirements of N.C. General Statute 158-7.1.
- C. The Board will make a decision as to whether to approve the terms of the grant agreement.
- D. An IDI grant agreement will be executed which contractually binds the County to make the grants, and the company to meet the capital investment, job creation and wage level requirements, to which they mutually agreed.
- E. The company will provide periodic verification of its compliance with the requirements to which it has agreed.

**ARTICLE VIII  
CONCLUSION**

All IDI incentive grants will be considered on a project-by-project basis and by adopting these guidelines, the Board is not obligated to make any grants. In considering whether to provide IDI incentive grants for a project and if so how much, the Board will take into account grants made by other local, regional or economic development entities. These guidelines are not retroactive to any project which has been announced prior to the adoption of these guidelines. **These guidelines are effective as of June 1, 2009.**

**EXHIBIT B**

**Project:** Atlantic Corporation of Wilmington, Inc.  
**Investment:** \$6,500,000                      40 Jobs  
**County Tax Rate:** 0.815

Tax Year	County Property Taxes Paid on Investment**	Percentage	Grant Amount
Tax Year 1	\$52,975	85%	\$45,028.75
Tax Year 2	\$52,975	80%	\$42,380.00
Tax Year 3	\$52,975	75%	\$39,731.25
Tax Year 4	\$52,975	70%	\$37,082.50
Tax Year 5	\$52,975	70%	\$37,082.50
Total over 5 year period	\$264,875	76%	<b>\$201,305.00</b>

\*\* Hypothetical does not include depreciation of equipment, which will affect property taxes paid and incentives grant awarded.

**Standard Language Change in Grant Agreement:**

**OLD:**

**Section 2: FAILURE TO MEET GOALS**

- 2.1 In the event the Company fails to meet the goals established under Sections 3 and 4 below, the terms of this Agreement shall become null and void.

**NEW:**

**Section 2: FAILURE TO MEET GOALS**

- 2.1 In the event the Company fails to meet the goals established under Sections 3 and 4 below, the grant amount will be prorated based on the actual capital investment and/or the number of jobs created.

Commissioner McKenzie made a motion to approve the Agreement with Atlantic Corporation of Wilmington, Inc., and the change of language in the standard grant agreement, second by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #12: SOUTHEASTERN COMMUNITY COLLEGE - APPROVAL to CLOSE out ECONOMIC DEVELOPMENT INITIATIVE-SPECIAL PROJECT GRANT B-06-SP-NC-0578:**

William S. Clark, County Manager, requested Board approval to close out the Economic Development Initiative, Special Project Grant B-06-SP-NC-0578, by the approval of the following two (2) documents:

1. Certificate of Project Completion; **and**
2. Grant Closeout Agreement.

Commissioner Bullard made a motion to approve the closeout of the Economic Development Initiative, Special Project Grant B-06-SP-NC-0578, second by Commissioner McKenzie. The motion unanimously passed. This information will be marked as Exhibit "A", and kept on file in Minute Book Attachments, Book Number 4, in the Clerk to the Board's Office, for review.

**Agenda Item #13: LEGAL and PROFESSIONAL - APPROVAL and ADOPTION of RESOLUTION AUTHORIZING UPSET BID PROCESS:**

Mike Stephens, Columbus County Attorney, requested Board approval and adoption of the following Resolution Authorizing Upset Bid Process.

**RESOLUTION AUTHORIZING UPSET BID PROCESS**

**WHEREAS**, the County of Columbus owns certain property located at 14603 Sam Potts Highway, Bolton, North Carolina, that is surplus to its needs; **and**

**WHEREAS**, North Carolina General Statute § 160A-269 permits the County to sell property by upset bid, after receipt of an offer for the property; **and**

**WHEREAS**, Columbus County has received an offer to purchase the property described above, in the amount of \$10,000.00, submitted by Kerri Everett of Winnabow, North Carolina; **and**

**THEREFORE, THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY RESOLVES THAT:**

1. The Board of County Commissioners authorizes sale of the property described above through the bid procedure of North Carolina General Statute § 160A-269.
2. The Clerk to the Board shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the Clerk to the Board's office within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the Clerk to the Board shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
5. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be in cash, cashier's check, or certified check. The County will return the deposit subject to upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing.
6. The terms of the final sale are that:
  - a. The Board of Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
  - b. The buyer must pay with cash, cashier's check, or certified check.
7. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
8. The appropriate County officials are authorized to execute the instruments necessary to convey the property.

**ADOPTED** November 01, 2010.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

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

**ATTESTED BY:**

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

Mr. Stephens stated the following:

1. This is the CHAF property down in Bolton city limits;
2. It is under tax foreclosure;
3. At the request and guidance of the State, and we offered for public auction earlier this year, and we got an eight thousand and 00/100 (\$8,000.00) dollars bid, and the Commissioners voted to reject the bid;
4. Last week, a lady came in and she has offered ten thousand and 00/100 (\$10,000.00) dollars on an upset bid process;
5. If the Board agrees to consider that offer, we will run this in the News Reporter on Thursday, and it will close out on the 15<sup>th</sup>; **and**
6. The process will begin at that time if this bid has not been upset.

Commissioner Bullard made a motion to approve the Resolution Authorizing Upset Bid Process, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #14: COLUMBUS REGIONAL HEALTHCARE SYSTEM BOARD of TRUSTEES - APPROVAL of RECOMMENDATION to REPLACE SHERRY TYLER:**

Commissioner Norris presented a recommendation of Freda Gore to replace Sherry Tyler on the Columbus Regional Healthcare System Board of Trustees.

Commissioner Prevatte made a motion to approve the recommendation of Freda Gore to replace Sherry Tyler on the Columbus Regional Healthcare System Board of Trustees, second by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #15: APPOINTMENTS / RE-APPOINTMENTS / REPLACEMENTS TO BOARDS, COMMITTEES, COUNCILS:**

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

COMMITTEE	ZONE/ EB	PERSON(S)	EXPIRE DATE	BOARD ACTON
Department of Aging Advisory Council	III	<b>Vacancy (Mary Graham-Dec.)</b>	06-30-12	<b>HOLD</b>
Nursing/Adult Care Home Joint Community Advisory Committee <b>Motion: McKenzie Second: Norris</b>	EB EB EB	Betty Ann Page- <b>Resigned</b> Debbie Bullard- <b>Resigned</b> Judy Fleming- <b>Resigned</b>	11-03-10 02-06-11 05-03-13	<b>Connie Todd Ina Brown Willie Burns</b>

Planning Board <b>Motion: McKenzie</b> <b>Second: Byrd</b>	EB	James Sarvis	08-23-10	<b>Re-Appoint</b>
Industrial Facilities Pollution Control Financing Authority	EB	Robert Howard	06-30-10	<b>HOLD</b>
Whiteville Planning and Zoning Board	BE	<b>VACANT - ETJ</b>		<b>HOLD</b>

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

At 6:57 P.M., Commissioner Bullard 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, second by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #16: COLUMBUS COUNTY WATER AND SEWER DISTRICTS I, II, III, IV AND V - APPROVAL OF BOARD MEETING MINUTES:**

October 18, 2010 **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 #17: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV AND V - APPROVAL of AWARD to LOW BIDDER for PLUMBING CONNECTIONS:**

Kip McClary, Public Utilities Director, requested Board approval of the award to the low bidder for the plumbing connections for the Community Development Block Grant # 09-C-2024, from the following bidders list.

**Unofficial Bid Tabulation**  
**Project Name: House Hook-Up Grant**  
**Project Location; Columbus County**  
**Project County: Columbus**  
**Bid Opening: 10-21-10 @ 2:00 P.M.**

CL Electrical	\$7,755.00
BrownF Plumbing	\$3,271.00

Received by: \_\_\_\_\_  
 Date: \_\_\_\_\_

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

**Agenda Item #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - ESTABLISHMENT of DECEMBER 06, 2010, at 5:30 P.M. as WORKSHOP DATE:**

Kip McClary, Public Utilities Director, requested the Board to establish the date and time of December 06, 2010, at 5:30 P.M., for a workshop for the Uniform Rules, for Columbus County Water and Sewer Districts I, II, III, IV and V.

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

**Agenda Item #19: COLUMBUS COUNTY WATER and SEWER DISTRICT III, SILVERSPoon ROAD WELL PROJECT, APPROVAL of CHANGE ORDER NO. 1:**

Kip McClary, Public Utilities Director, requested Board approval of Change Order Number 1 for the Silverspoon Road Deep Well Installation and Pump House Modifications for a decrease of six hundred and 00/100 (\$600.00) dollars.

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

**Agenda Item #21: COLUMBUS COUNTY WATER and SEWER DISTRICT V - DISCUSSION and APPROVAL of ATLANTIC TELEPHONE MEMBERSHIP CORPORATION AGREEMENT HOLD HARMLESS:**

Steve Long, Vice President - Plant and Engineering, Atlantic Telephone Membership Corporation, requested Board approval of the following Joint Trench Construction and Agreement to Hold Harmless.

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 7:01 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, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #21: CONSENT AGENDA ITEMS:**

**A. Budget Amendments:**

Commissioner Norris made a motion to approve the following Budget Amendments, second by Commissioner McKenzie.

TYPE	ACCOUNT	DETAILS	AMOUNT
<b>Expenditures</b>	10-4265-550000	Capital Outlay	16,065
	10-4310-550000	Capital Outlay	80,584
	10-4380-550000	Capital Outlay	16,065
	29-5900-550025	Lottery Disbursement	150,000
<b>Revenues</b>	10-3910-910000	Lease Purchase Proceeds	112,714
	29-3210-432315	Lottery Funds	150,000
<b>Expenditures</b>	14-4311-526001	Dept Supplies	19,300
	14-4311-529904	Electronic Surveillance	4,400
	14-4311-531100	Travel	1,000
	14-4311-532900	Other Communications	950
	14-4311-550001	Capital Outlay	27,000
	14-4311-569995	Donations	5,000
<b>Revenue</b>	14-3431-499101	Fund Balance Appropriated	57,650

A roll-call vote was taken with the following results:

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

# 908

**NAYS:** Commissioner Prevatte; **and**  
**ABSENT:** Commissioner Gore.

The motion passes on a five (5) to one (1) vote.

## B. Tax Refunds and Releases:

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

### TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office): November 01, 2010

Refunds Name: Page, Paul F & Doris B. Amount: \$0.00  
Value: \$0.00 Year 010 Account # 13-31727 Bill # 55973 Total \$161.24  
Refund portion of user fee. Can delivered 10-2010.  
1768 Bird Cage Rd. Chadbourn NC 28431

Refunds Name: Page Home Sales Amount: \$0.00  
Value: \$0.00 Year 010 Account # 13-04117 Bill # 55952 Total \$161.24  
Refund portion of user fee. Can delivered 10-2010.  
1768 Bird Cage Rd. Chadbourn NC 28431

Refunds Name: Freeman, Danny Ray Amount: \$0.00  
Value: \$0.00 Year 009 Account # 04-02006 Bill # 03557 Total \$71.68  
Refund portion of user fee. Can delivered 10-2010  
8142 Old Lake Rd. Bolton NC 28423

Refunds Name: Bellamy, Levonnie & Ervee Amount: \$122.16  
Value: \$2,000.00 Year 6-08 Account # 12-00983 Bill # 99999 Total \$169.48  
Refund value of land. Double listed Act#12-06020 and #12-01048. Refund Whiteville Rescue(41.32) refund interest (10.51)  
3137 Mt. Olive Rd Whiteville NC 28472

### TAX RELEASES (as submitted to the Governing Body Office from the Tax Office): November 01, 2010

Release the Property Value in the name of Bullock, Ed & Delia (Heirs) Amount: \$43.20  
Value: \$33,100.00 Year: 2010 Account # 10-01920 Bill # 0205 Total \$44.26  
Release value of land. Cannot locate title in this name. Release Columbus Rescue (1.06)

Release the Property Value in the name of Lawrence, Junior Roosevelt Amount: \$61.94  
Value: \$3,800.00 Year: 09/10 Account # 13-23051 Bill # 9999 Total \$499.10  
Release value of mobile home. Senior Citizen Exemption applied. Release Klondyke Fire(5.32), release Columbus Rescue(1.52), release Water District II (5.32)

Release the Property Value in the name of Wright, Samuel Amount: \$222.50  
Value: \$57,000.00 Year: 2010 Account # 10-02038 Bill # 2145 Total \$355.96  
Release value of dwelling and land. Rebilled to Vivian Maynard. Act#10-18140, #10-04604, release Columbus Rescue(5.46)

Release the User Fee in the name of Andrews, Herman Philip & Crystal Amount: \$0.00  
Value: \$0.00 Year: 2010 Account # 15-00610 Bill # 5395 Total \$215.00  
Release user fee. Dwelling is incomplete and vacant.

Release the User Fee in the name of Ball, Janice Amount: \$0.00  
Value: \$0.00 Year: 09-10 Account # 5-05954 Bill # 9999 Total \$425.00  
Release user fee yrs 2009 and 2010 on mobile home. Used for storage.

Release the User Fee in the name of Best, Larry Amount: \$0.00  
Value: \$0.00 Year: 2010 Account # 1-03443 Bill # 7611 Total \$501.76  
Release user fee. Mobile home closed. Can picked up Sept. 2010

Release the User Fee in the name of Brown, Betty Ballard Amount: \$0.00



Value:	\$0.00	Year: 09-10	Account # 15-04720	Bill # 9999	Total	\$425.00
Release user fee for yrs 2009 and 2010. Dwelling is vacant.						
Release the User Fee	in the name of Coleman, Jan Davis				Amount:	\$0.00
Value:	\$0.00	Year: 07-10	Account # 13-04317	Bill # 9999	Total	\$818.00
Release user fee. Years 2007-2010. Dwelling is vacant.						
Release the User Fee	in the name of Faircloth, Ernest Edward				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 1-06242	Bill # 7100	Total	\$215.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Fly Away LLC				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 10-02003	Bill # 7988	Total	\$53.76
Release user fee. Dwelling is vacant. Can picked up 10-18-2010						
Release the User Fee	in the name of Gloria's Country Time Grill				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 7-00950	Bill # 0012	Total	\$215.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Grange, Joyce S. (Trust)				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 15-04657	Bill # 1608	Total	\$215.00
Release user fee. Dwelling is vacant. Can picked up 1-8-2009						
Release the User Fee	in the name of Hooks, Claude & Juanita				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 1-42900	Bill # 5116	Total	\$215.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Hutsell, Uleah P				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 3-11737	Bill # 5696	Total	\$215.00
Release user fee. Dwelling is vacant. Can picked up 4-5-2007						
Release the User Fee	in the name of Jernigan, Paul				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 12-04558	Bill # 6829	Total	\$215.00
Release user fee. Dwelling is vacant. Can picked up 8-24-2007						
Release the User Fee	in the name of Parker, Arbie (Heirs)				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 3-17297	Bill # 6086	Total	\$215.00
Release user fee. Dwelling vacant. Can picked up.						
Release the User Fee	in the name of Salgado Carlos & Sandra				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 8-02344	Bill # 0250	Total	\$53.00
Release user fee. Mobile home is vacant. Can picked up 10-2010						
Release the User Fee	in the name of Spaulding, Willie				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 8-17868	Bill # 3906	Total	\$215.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Waddell, Marvin Earl				Amount:	\$0.00
Value:	\$0.00	Year: 2010	Account # 15-36980	Bill # 8020	Total	\$215.00
Release user fee. Dwelling is vacant.						

**Agenda Item #22: COMMENTS:**

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

**B. Board of Commissioners:**

1. **Chairman Russ:** stated the following:
  - a. We, as a board, approved and sent a Letter of Support for a grant application for a pavilion in Robeson County, which involves no county funds;
  - b. I have received some phone calls, and one (1) letter, relative to the impact this would have on the Boys and Girls Home at Lake Waccamaw;
  - c. Let it be known, I would not do anything that will have a negative impact on the Boys and Girls Home;

- d. I was highly impressed with Tabor City Police Department at the Yam Festival, with nine (9) full-time officers and fourteen (14) auxiliary officers, bearing well-dressed uniforms;
  - e. I would encourage everyone to go out and vote tomorrow; **and**
  - f. I would like to invite all the County employees, and their spouses to a Christmas dinner.
2. **Commissioner Bullard:** stated the following:
- a. I have received letters relative to the arena in Lumberton;
  - b. I would never do anything to hurt the Boys and Girls home;
  - c. We only displayed our support for this arena, and it is my belief that this will materialize with or without our support;
  - d. With the point system being used in horse shows, this will not hurt Columbus County;
  - e. I went on the trip to Rutherfordton County and was very impressed;
  - f. We need to send letter of thanks to Farm Bureau for their donation and a letter of thanks to Brunswick Electric Membership Corporation; **and**
  - g. Mr. Clark, on time clocks, what is the status?;  
Bobbie Faircloth, Finance Director, replied stating it would be the first of January, 2011.
3. **Commissioner McKenzie:** stated the following:
- a. Relative to the letter that each Board member received about the Letter of Support for the pavilion at Lumberton, I would like for the record to reflect that I would never do anything to hurt Columbus County;
  - b. I would like to request each one of you to go out tomorrow and pass the information out to the voters on the 1/4 ¢ Cent Sales Tax in the education process;
  - c. I would like to thank all the members of the 1/4 ¢ Cent Sales Tax Education Committee for the superb job they have done; **and**
  - d. There is still need for mosquito spraying in parts of Columbus County.
4. **Commissioner Prevatte:** stated the following:
- a. Relative to the letter that each Board member received about the Letter of Support for the pavilion at Lumberton, it was my understanding that the Boys and Girls Home did not have any problem with it;
  - b. I would encourage everyone to vote tomorrow; **and**
  - c. The difference in the proceeds from the 1/4 ¢ Sales Tax from the time it was introduced and now is the drop in sales that we have experienced due to the downturn of the economy.
5. **Commissioner Norris:** stated the following:
- a. Relative to the letter that each Board member received about the Letter of Support for the pavilion at Lumberton, let it be known that I would never do anything to hurt the Boys and Girls Home at Lake Waccamaw, much less Columbus County; **and**
  - b. I would encourage everyone to go out and vote tomorrow.
6. **Vice Chairman Byrd:** stated the following:
- a. Relative to the letter that each Board member received about the Letter of Support for the pavilion at Lumberton, the Chairman and I have spoken to Bill Thompson at the Boys and Girls Home, and he stated he did not see anything wrong with what the Board did, except we should have included the Tourism Board and let them promote it;
  - b. Due to the time frame we had, we needed to act;
  - c. Chairman Russ and I are sponsoring the Christmas Dinner for the employees, and there will be no cost to the County, and we hope everyone will participate;
  - d. I am still receiving multiple phone calls about water issues in the Hallsboro area especially in Bogue Township; **and**
  - e. Is there any way we can get water to the people that live west of Highway 1001?  
Kip McClary, Public Utilities Director, replied stating that staff had been

checking into this, but had not been able to find any grants, but would check out some other options.

7. **Commissioner Bullard:** stated the following:
- a. I would like to thank Commissioner McKenzie and all the members of the 1/4 ¢ Sales Tax Education Committee for the fine job they have done;
  - b. I have received complaints about excessive spot lighting around the South Carolina line; **and**
  - c. I would like for Mike Stephens, County Attorney, to check into this and see if we can help in any way.

- C. **County Manager (William S. Clark):** stated the following:
1. We have received a \$544,000 grant from the North Carolina Department of Energy for our Landfill Gas Project; **and**
  2. I would like to publicly recognize Marilyn Meares with the Cape Fear RC&D who wrote that grant for us, and we were very fortunate to get it.

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

At 7:37 P.M., Commissioner Prevatte made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 318.11 (3) Attorney-Client Privilege, after a five (5) minute recess, second by Vice Chairman Byrd. The motion passed unanimously.

**ADJUSTMENT to AGENDA:**

**CLOSED SESSION in ACCORDANCE with N.C.G.S. § 318.11 (3) ATTORNEY-CLIENT PRIVILEGE:**

No official action was taken.

**ADJOURN CLOSED SESSION and resume REGULAR SESSION:**

At 7:56 P.M., Commissioner Prevatte made a motion to adjourn Closed Session and resume Regular Session, second by Commissioner Norris. The motion unanimously passed.

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

*“The County Attorney discussed pending litigation involving the Town of Chadbourn and Chadbourn Rural Water Association”.*

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

**Agenda Item #23: ADJOURNMENT:**

At 8:01 P.M., Commissioner McKenzie made a motion to adjourn, second by Commissioner Prevatte. 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 BOARD OF COMMISSIONERS  
ABANDONED STRUCTURE ORDINANCE WORKSHOP #2**

**Monday, November 01, 2010**

**5:30 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, for the purpose of conducting a workshop for the Abandoned Structure Ordinance.

**COMMISSIONERS PRESENT:**

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

**COMMISSIONER ABSENT:**

Ronald Gore

**APPOINTEES PRESENT:**

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

**OTHERS in ATTENDANCE:**

Jim Dossett, Planning Director  
Planning Board Members

**WORKSHOP CALLED to ORDER:**

At 5:33 P.M., Chairman Russ called the November 01, 2010 Abandoned Structure Ordinance Workshop to order.

**READING of WORKSHOP PROCEDURES:**

Chairman P. Edwin Russ stated the following:

1. First, the workshop meeting is to inform the Board and permit discussion - no final action is taken;
2. Second, the procedures are less formal that at a regular meeting, but such meetings are part of the decision-making process, deliberations are going on, and therefore, they constitute "official meetings"; **and**
3. Jim Dossett, Columbus County Planner, will present a ten to twelve (10-12) minutes slide presentation, then an approximate nineteen (19) minutes oral presentation, and the rest of the workshop will be for questions and answers.

**PRESENTATION by JIM DOSSETT:**

Jim Dossett, Columbus County Planning Director, stated the following:

1. At the first workshop, I presented to you a complete document which was the result of a lot of research and input from citizens and the Planning Board members;
2. I did not have any input from the Columbus County Board of Commissioners;
3. Exactly one (1) year ago, today, we submitted an application to the Golden Leaf Foundation asking for \$150,000 to clean up the county;
4. The grant was denied, and the one thing that I heard from the Golden Leaf Foundation was that Columbus County was not ready to clean itself up;
5. I will not provide to you a completed document tonight; **and**
6. I will provide for you the following slide presentation for the Abandoned Structure Ordinance of Columbus County, North Carolina.

**ABANDONED STRUCTURE ORDINANCE "ASO"**

1. **Why?:**  
-Dangerous  
-Impact Property Values  
-Negative Impression of County
2. **Dangerous:**  
-Injuries - owners, neighbors, fire/rescue/law

- Fire Hazard - attracts children, vagrants
  - Pests - snakes, rats and other rodents
  - Entrapment - children, animals (buildings/appliances/wells/septic tanks)
3. **Property Values:**
- Lowers the “worth” of the neighborhood
  - Lowers value of adjacent properties
  - Deters potential buyers
  - Deters potential investors (business and residential development)
  - Discourages shoppers at nearby businesses
4. **Negative Impression:**
- Travelers “pass on through”
  - Raises questions of community standards
  - Raises questions of leadership
    - Values
    - Vision
    - Mission
  - “Peter Principle”- If they can’t take care of property, how about schools, health care, infrastructure, etc.?
5. **What an ASO is NOT:**
- Property management regulations
    - Rental properties - screens in windows, pest control, insulation, HVAC, etc.
  - Minimum housing standards
    - All housing - roof/wall/flooring system, HVAC, mechanical, plumbing, etc.
  - Junk/Nuisance Ordinance
    - All properties - all properties - trash, cars, tires, furniture, appliances, etc.
  - Zoning
    - Land use planning - device that promotes greater economic efficiency by protecting the property values in areas
6. **Where?:**
- Entire County (unincorporated)
    - Options:
      - 10 incorporated towns
      - extra “Points” corridors
  - Entrance Corridors
7. **Who?: (Enforcement)**
- Option A
    - Staff > Planning Board > County Manager  
(Appeals to Planning Board)
    - 1) Report received / investigated
    - 2) Staff reports to Planning Board (PB)
    - 3) Quarterly PB ranks violations
    - 4) PB list to County Manager with recommendations
    - 5) County Manager directs staff to proceed
    - 6) Staff request Board of County Commissioner for legal action (optional)
  - Option B
    - Staff > Planning Board > Board of County Commissioners  
(Appeals to Planning Board > Board of County Commissioners)
    - 1) Report received / investigated
    - 2) Staff reports to Planning Board (PB)
    - 3) Quarterly PB ranks violations
    - 4) Planning Board presents list to Board of County Commissioners
    - 5) Board of County Commissioners directs County Manager to proceed (available \$’s)
    - 6) Staff request Board of County Commissioners for legal action (optional)

8. **How?: (Process)**

-Option 1:

- a) Report received investigated
- b) Letter sent to owner advising of:
  - Conditions / required corrections
  - Appeal process (file within 30 days)
  - Notification of fines (not fixed 180 days)
- c) If no appeal, Notice of Violation sent (day 181)
  - Violations / required corrections
  - Fines (starting day 181 / \$25 per day)
  - Right of County to enter property and abate
  - Financial responsibilities
  - Potential of Lien
- d) Violations abated by County after 360 days
- e) Legal action option available

-Option 2:

- a) Report received investigated
- b) Letter sent to owner advising of:
  - Conditions / required corrections
  - Appeal process (file within 30 days)
  - Notification of fines (not fixed 180 days)
- c) If no appeal, Notice of Violation sent (day 180)
  - Violation / corrections
  - Time-line (based on situation)
  - Fines (starting day after time-line)
  - Right of County to enter property and abate
  - Financial responsibilities
  - Potential of lien
- d) Violations abated by County after 360 days
- e) Legal action option available

9. **What?: (Violations)**

-Structures - all buildings except:

- Mobile home (separate reqs)
- Agricultural uses

-Mobile Homes

-Building Structures

- Vacant, and;
- Structurally unsound; and;
- Nuisance (one or more of following):
  - Breeding/ harboring pests
  - Heavy / noxious vegetation
  - Ponds / pools water
  - Concentration of gasoline, flammable materials
  - Entrapment
  - Injury
  - Garbage
  - Sewage / animal waste
  - Hazardous materials
  - Dead animals

**COMMENTS / DISCUSSION:**

1. The Proposed Abandoned Structure Ordinance is more tailored to the situations that exist in the unincorporated areas of Columbus County;
2. This being a softer approach to correcting the existing situations that we have;
3. Providing enough time for owners to correct situations that will be in default, once the document is officially adopted;
4. Informing violators of the avenues they have to remedy the situations that need to be remedied; **and**
5. The need for lead way being in the document to act more quickly in unquestionable

situations.

**STATEMENT of DIRECTION:**

Jim Dossett stated he would take the input from this workshop and re-draft the Proposed Abandoned Structure Ordinance, present it to the Board for a date for a public hearing to be established, and after the public hearing has been conducted, I will request consideration of approval and adoption on the first reading, if there is an unanimous vote.

**WORKSHOP CLOSED:**

At 6:25 P.M., Chairman Russ declared the Workshop closed.

**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**  
**Monday, November 01, 2010**  
**6:57 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District I Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**COMMISSIONER ABSENT:**

Ronald Gore

**MEETING CALLED TO ORDER:**

At 6:57 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #16: COLUMBUS COUNTY WATER AND SEWER DISTRICTS I, II, III, IV AND V - APPROVAL OF BOARD MEETING MINUTES:**

October 18, 2010 **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 18, 2010 Columbus County Water and Sewer District I Board Meeting Minutes, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #17: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AWARD to LOW BIDDER for PLUMBING CONNECTIONS:**

Kip McClary, Public Utilities Director, requested Board approval of the award to the low bidder for the plumbing connections for the Community Development Block Grant # 09-C-2024, from the following bidders list.

**Unofficial Bid Tabulation**  
**Project Name: House Hook-Up Grant**



**Project Location; Columbus County**  
**Project County: Columbus**  
**Bid Opening: 10-21-10 @ 2:00 P.M.**

CL Electrical	\$7,755.00
BrownF Plumbing	\$3,271.00

Received by: \_\_\_\_\_  
Date: \_\_\_\_\_

Commissioner McKenzie made a motion to approve the award of the low bid for plumbing connections in Columbus County Water and Sewer Districts I, II, III, IV and V, to BrownF Plumbing, at the cost of three thousand, two hundred seventy-one and 00/100 (\$3,271.00) dollars, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - ESTABLISHMENT of DECEMBER 06, 2010, at 5:30 P.M. as WORKSHOP DATE:**

Kip McClary, Public Utilities Director, requested the Board to establish the date and time of December 06, 2010, at 5:30 P.M., for a workshop for the Uniform Rules, for Columbus County Water and Sewer Districts I, II, III, IV and V.

Commissioner Prevatte made a motion to establish December 06, 2010, at 5:30 P.M., as the date and time for a workshop to discuss the Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, second by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:01 P.M., Commissioner McKenzie made a motion to adjourn, second by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

\_\_\_\_\_  
**P. EDWIN RUSS, Chairman**

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

**Monday, November 01, 2010**

**6:57 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District II Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**COMMISSIONER ABSENT:**

Ronald Gore

**MEETING CALLED TO ORDER:**

At 6:57 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #16: COLUMBUS COUNTY WATER AND SEWER DISTRICTS I, II, III, IV AND V - APPROVAL OF BOARD MEETING MINUTES:**

October 18, 2010 **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 18, 2010 Columbus County Water and Sewer District II Board Meeting Minutes, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #17: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AWARD to LOW BIDDER for PLUMBING CONNECTIONS:**

Kip McClary, Public Utilities Director, requested Board approval of the award to the low bidder for the plumbing connections for the Community Development Block Grant # 09-C-2024, from the following bidders list.

**Unofficial Bid Tabulation  
Project Name: House Hook-Up Grant**

**Project Location; Columbus County  
Project County: Columbus  
Bid Opening: 10-21-10 @ 2:00 P.M.**

CL Electrical	\$7,755.00
BrownF Plumbing	\$3,271.00

Received by: \_\_\_\_\_  
Date: \_\_\_\_\_

Commissioner McKenzie made a motion to approve the award of the low bid for plumbing connections in Columbus County Water and Sewer Districts I, II, III, IV and V, to BrownF Plumbing, at the cost of three thousand, two hundred seventy-one and 00/100 (\$3,271.00) dollars, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - ESTABLISHMENT of DECEMBER 06, 2010, at 5:30 P.M. as WORKSHOP DATE:**

Kip McClary, Public Utilities Director, requested the Board to establish the date and time of December 06, 2010, at 5:30 P.M., for a workshop for the Uniform Rules, for Columbus County Water and Sewer Districts I, II, III, IV and V.

Commissioner Prevatte made a motion to establish December 06, 2010, at 5:30 P.M., as the date and time for a workshop to discuss the Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, second by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:01 P.M., Commissioner McKenzie made a motion to adjourn, second by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

\_\_\_\_\_  
**P. EDWIN RUSS, Chairman**

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

**Monday, November 01, 2010**

**6:57 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District III Board.

**COMMISSIONERS PRESENT:**

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

**COMMISSIONER ABSENT:**

Ronald Gore

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 6:57 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #16: COLUMBUS COUNTY WATER AND SEWER DISTRICTS I, II, III, IV AND V - APPROVAL OF BOARD MEETING MINUTES:**

October 18, 2010 **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 18, 2010 Columbus County Water and Sewer District III Board Meeting Minutes, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #17: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AWARD to LOW BIDDER for PLUMBING CONNECTIONS:**

Kip McClary, Public Utilities Director, requested Board approval of the award to the low bidder for the plumbing connections for the Community Development Block Grant # 09-C-2024, from the following bidders list.

**Unofficial Bid Tabulation  
Project Name: House Hook-Up Grant  
Project Location; Columbus County**

**Project County: Columbus  
Bid Opening: 10-21-10 @ 2:00 P.M.**

CL Electrical	\$7,755.00
BrownF Plumbing	\$3,271.00

Received by: \_\_\_\_\_  
Date: \_\_\_\_\_

Commissioner McKenzie made a motion to approve the award of the low bid for plumbing connections in Columbus County Water and Sewer Districts I, II, III, IV and V, to BrownF Plumbing, at the cost of three thousand, two hundred seventy-one and 00/100 (\$3,271.00) dollars, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - ESTABLISHMENT of DECEMBER 06, 2010, at 5:30 P.M. as WORKSHOP DATE:**

Kip McClary, Public Utilities Director, requested the Board to establish the date and time of December 06, 2010, at 5:30 P.M., for a workshop for the Uniform Rules, for Columbus County Water and Sewer Districts I, II, III, IV and V.

Commissioner Prevatte made a motion to establish December 06, 2010, at 5:30 P.M., as the date and time for a workshop to discuss the Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #19: COLUMBUS COUNTY WATER and SEWER DISTRICT III, SILVERSPoon ROAD WELL PROJECT, APPROVAL of CHANGE ORDER NO. 1:**

Kip McClary, Public Utilities Director, requested Board approval of Change Order Number 1 for the Silverspoon Road Deep Well Installation and Pump House Modifications for a decrease of six hundred and 00/100 (\$600.00) dollars.

Commissioner McKenzie made a motion to approve Change Order Number 1, for a decrease of six hundred and 00/100 (\$600.00) dollars, second by Vice Chairman Byrd. The motion unanimously passed. A copy of this Change Order will be marked as Exhibit "B", and kept on file in Minute Book Attachments, Book Number 4, in the Clerk to the Board's Office, for review.

**ADJOURNMENT:**

At 7:01 P.M., Commissioner McKenzie made a motion to adjourn, second by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

\_\_\_\_\_  
**P. EDWIN RUSS, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V  
COMBINATION BOARD MEETING  
Monday, November 01, 2010  
6:57 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District IV Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**COMMISSIONER ABSENT:**

Ronald Gore

**MEETING CALLED TO ORDER:**

At 6:57 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #16: COLUMBUS COUNTY WATER AND SEWER DISTRICTS I, II, III, IV AND V - APPROVAL OF BOARD MEETING MINUTES:**

October 18, 2010 **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 18, 2010 Columbus County Water and Sewer District IV Board Meeting Minutes, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #17: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AWARD to LOW BIDDER for PLUMBING CONNECTIONS:**

Kip McClary, Public Utilities Director, requested Board approval of the award to the low bidder for the plumbing connections for the Community Development Block Grant # 09-C-2024, from the following bidders list.

**Unofficial Bid Tabulation  
Project Name: House Hook-Up Grant**

**Project Location; Columbus County**  
**Project County: Columbus**  
**Bid Opening: 10-21-10 @ 2:00 P.M.**

CL Electrical	\$7,755.00
BrownF Plumbing	\$3,271.00

Received by: \_\_\_\_\_  
Date: \_\_\_\_\_

Commissioner McKenzie made a motion to approve the award of the low bid for plumbing connections in Columbus County Water and Sewer Districts I, II, III, IV and V, to BrownF Plumbing, at the cost of three thousand, two hundred seventy-one and 00/100 (\$3,271.00) dollars, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - ESTABLISHMENT of DECEMBER 06, 2010, at 5:30 P.M. as WORKSHOP DATE:**

Kip McClary, Public Utilities Director, requested the Board to establish the date and time of December 06, 2010, at 5:30 P.M., for a workshop for the Uniform Rules, for Columbus County Water and Sewer Districts I, II, III, IV and V.

Commissioner Prevatte made a motion to establish December 06, 2010, at 5:30 P.M., as the date and time for a workshop to discuss the Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, second by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:01 P.M., Commissioner McKenzie made a motion to adjourn, second by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

\_\_\_\_\_  
**P. EDWIN RUSS, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V**  
**COMBINATION BOARD MEETING**  
**Monday, November 01, 2010**  
**6:57 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District V Board.

**COMMISSIONERS PRESENT:**

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

**COMMISSIONER ABSENT:**

Ronald Gore

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 6:57 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #16: COLUMBUS COUNTY WATER AND SEWER DISTRICTS I, II, III, IV AND V - APPROVAL OF BOARD MEETING MINUTES:**

October 18, 2010 **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 18, 2010 Columbus County Water and Sewer District V Board Meeting Minutes, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #17: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AWARD to LOW BIDDER for PLUMBING CONNECTIONS:**

Kip McClary, Public Utilities Director, requested Board approval of the award to the low bidder for the plumbing connections for the Community Development Block Grant # 09-C-2024, from the following bidders list.

**Unofficial Bid Tabulation**  
**Project Name: House Hook-Up Grant**  
**Project Location; Columbus County**



**Project County: Columbus  
Bid Opening: 10-21-10 @ 2:00 P.M.**

CL Electrical \$7,755.00  
BrownF Plumbing \$3,271.00

Received by: \_\_\_\_\_  
Date: \_\_\_\_\_

Commissioner McKenzie made a motion to approve the award of the low bid for plumbing connections in Columbus County Water and Sewer Districts I, II, III, IV and V, to BrownF Plumbing, at the cost of three thousand, two hundred seventy-one and 00/100 (\$3,271.00) dollars, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - ESTABLISHMENT of DECEMBER 06, 2010, at 5:30 P.M. as WORKSHOP DATE:**

Kip McClary, Public Utilities Director, requested the Board to establish the date and time of December 06, 2010, at 5:30 P.M., for a workshop for the Uniform Rules, for Columbus County Water and Sewer Districts I, II, III, IV and V.

Commissioner Prevatte made a motion to establish December 06, 2010, at 5:30 P.M., as the date and time for a workshop to discuss the Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #21: COLUMBUS COUNTY WATER and SEWER DISTRICT V - DISCUSSION and APPROVAL of ATLANTIC TELEPHONE MEMBERSHIP CORPORATION AGREEMENT HOLD HARMLESS:**

Steve Long, Vice President - Plant and Engineering, Atlantic Telephone Membership Corporation, requested Board approval of the following Joint Trench Construction and Agreement to Hold Harmless.

October 30, 2010

Columbus County Public Utilities  
612 N. Madison Street  
Whiteville, NC 28472

RE: Joint Trench Construction and Agreement to Hold Harmless

To Whom It May Concern:

Atlantic Telephone Membership Corporation (“ATMC”) desires to install a single conduit in the joint trench associated with the water main line constructed on River Road in Columbus County, North Carolina for the purposes of providing fiber optic communications transmissions pursuant to the BIP Grant Program as part of the USDA Rural Utility Service.

ATMC hereby agrees it shall indemnify and hold Columbus County harmless from any and all claims, demands, causes of actions, or other liability, including attorney's fees, resulting from or on account of personal injuries or death, or as a result of property damages arising out of or relating to the work to be performed by County's employees, resulting from the negligence of County's employees.

Sincerely,

/s/ STEVE LONG

**Vice President - Plant and Engineering**

/s/ P. EDWIN RUSS, Chairman

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

**DATE SIGNED: November 01, 2010**

Commissioner McKenzie made a motion to approve the Joint Trench Construction and Agreement to Hold Harmless, second by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:01 P.M., Commissioner McKenzie made a motion to adjourn, second by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**