

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

Tuesday, July 05, 2011

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 regularly scheduled meeting on the first Tuesday, being the first Monday was a legal holiday.

**COMMISSIONERS PRESENT:**

Giles E. Byrd **Chairman**  
 Amon E. McKenzie, **Vice Chairman**  
 James E. Prevatte  
 P. Edwin Russ  
 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:**

Charles T. McDowell

**Agenda Items #1, #2 and #3:****MEETING CALLED to ORDER, INVOCATION and PLEDGE of ALLEGIANCE:**

At 6:30 P.M., Chairman Giles E. Byrd called the July 05, 2011 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Vice Chairman Amon E. McKenzie. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner James E. Prevatte.

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

Commissioner Norris made a motion to approve the following Board Meeting Minutes, as recorded, second by Commissioner Bullard. The motion unanimously passed.

- A. June 13, 2011 Proposed 2011-2012 Columbus County Operating Budget Workshop #2; **and**
- B. June 20, 2011 Proposed 2011-2012 Columbus County Operating Budget Workshop #3.

Commissioner Bullard made a motion to approve the June 20, 2011 Regular Session Board Meeting Minutes, as recorded, second by Commissioner Russ. The motion unanimously passed.

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

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

1. **Gene Franklyn McNeil, 736 Cemetery Road, Riegelwood, NC 28456:** stated the following:
  - A. After reading the information in The News Reporter about the issues we are having in Water District IV, I got really concerned;
  - B. I feel like Moses at this time, and in these tough economic times, we need a Joseph, because people are hurting and some of us are just making it financially;
  - C. You were very instrumental in getting water in District IV;
  - D. Not everyone that wanted water could get it, and there are some people down there now that are getting bills but do not have a meter;
  - E. Consideration is being given to taxing people when they get their income tax to get what is due to the County, and I don't believe that is the right thing to do, especially if the people don't have access to hook up to the water, they don't even have a meter on their property;
  - F. I do know for a fact there were two (2) entities when the water was being put in, there was the engineer and then there was the County;
  - G. There were many times the County did not know what the engineer was doing, and the engineer did not know what the County was doing because you could not get anything factual from either one of them because I was there and I was asking questions;

- H. You can not go back, you have got to move forward;
- I. We need a Joseph, somebody to take some leadership and to use some wisdom in these times that we are living in;
- J. This is not a time when people have a whole lot of money to spend and many of them are robbing Peter to pay Paul;
- K. I want you to be cognizant of that fact that we need some leadership;
- L. I do know for a fact that we need some leadership;
- M. I am just coming to ask the County Commissioners and County Manager to just take that and help us to do what we need to do; especially when we look at Sandyfield, East Arcadia, right in our area, and they are paying about one-half of what we are paying;
- N. Their water is not costing them as much as what we are paying, and I know sometimes you can't compare because you don't know all of the ramifications;
- O. I think we need to look into that, and not rush into it, take some patience and realize what we are dealing with;
- P. We are not dealing with a whole lot of people that can afford a whole lot of money;
- Q. I am here tonight talking for my people; **and**
- R. I love my people, and I will fight for them.

Chairman Byrd stated the following:

1. If there are people that are getting a bill and does not have the opportunity of the water, and do not have a meter near their residence, then that will have to definitely be corrected;
  2. The problem that we are dealing with is we took a lot of signatures, and based our finances on that number, and the water lines are in the ground, and we have to pay for them;
  3. It is not right for people who do not have the opportunity and will never have the opportunity of the water, and we certainly don't need to impose a tax on them like is over in Water Districts II and III;
  4. We do have payment that must be met, and it was based on the figures of the number of houses that would connect;
  5. Of these 80 houses, if the water line is in front of their house, and they signed the application asking for the water, and we counted them, to make sure the indebtedness the County was going into, there would be revenues to pay it, that is what it is all about;
  6. We do have a low interest loan, but we can't do anything with that because the water bills would be so high for the number of customers we could serve;
  7. We want to do everything we can to help the people;
  8. We do not want to levy a tax per say;
  9. What we are going to do about the collection is yet to be decided, and someone has suggested for use to do away with the penalties and they would pay the flat rate;
  10. I am suggesting that we send out letters and forgive any penalties and give those people the opportunity to bring their bills up-to-date, and not be delinquent; **and**
  11. We do not want to take any forceful measures, but we do have to pay that financial obligation.
2. **Sidney Hazel, 582 Mill Quarters Road, Hallsboro, NC 28442:** stated the following:
    - A. I am here to reiterate and agree with everything that Mr. McNeil said about the water issue;
    - B. We are in Hallsboro, and we are in need of the water very badly with the droughts that are going on and the high incidents of diabetes and high blood pressure in our community, and the mortality rate;
    - C. This county is ranked number 100 in the State for bad health;
    - D. I am here in the spirit of cooperation with you and doing everything that I can to help us get a fair system in place where you can charge the people based upon their income;
    - E. The elderly and the low-income people don't have the means to pay the rate that is presently being charged;
    - F. We need to come up with the money from somewhere, some grants or some assistance from the federal government, state government, or somewhere to assist because we need water especially for health reasons;
    - G. There are reports of salt water encroachment, and in Hallsboro, we are at sea level, so we need water very badly;
    - H. I applaud what you have done in the past, but we need to look forward now;
    - I. The story in the paper was very alarming, and raised large concerns among the public;
    - J. There are people in Hallsboro that paid their deposit for the water ten (10) years ago

- and have never received any water, and they are concerned about that;
- K. We need to look at this objectively and for the County's sake too, we want to attract industry, we want to attract jobs to this area;
  - L. We need good clean drinking water at an affordable price;
  - M. The citizens of Bogue Precinct have a meeting scheduled for July 14, 2011, at 6:00 P.M., at the Hallsboro Fire Department, and all of the County Commissioners, and the Public Utilities Personnel, are invited to attend;
  - N. We would like for you to come in and explain some things to people, and they want to address these issues that they are very concerned about the way the water situation has gone in Columbus County;
  - O. Some of the concerns that need to be addressed are as follows:
    - Will they ever get water in their lifetime?
    - Will they be able to afford the water when they get it?
    - They do not want to get the water and then things change at that time, and they can't afford it; **and**
  - P. We need to come up with a plan to make the water affordable to the people.

**Agenda Item #6: LIBRARY - DEPARTMENTAL UPDATE:**

Morris Pridgen, Library Director, delivered the following Departmental Update to the Board.

1. 130,189 Patrons entered the County libraries;\*
2. 226,136 total materials were circulated;\*
3. 67,351 Patrons used the computers;\*
4. 1,102 Outreach sites (daycares, schools and homebound patrons) were visited by outreach staff;
5. The library collaborated with the Employment Security Commission to host a resume building class;
6. The library collaborated with the AARP to host a tax filing center for citizens;
7. Summer Reading started today (July 5) through August 11. Lunch will be provided through the Whiteville City Schools Grant; **and**
8. Will provide E-Books for patrons starting this fiscal year.

\*(January through December 2010 annual statistics)

**Agenda Item #7: LEGAL and PROFESSIONAL - APPROVAL and AWARD RE-DISTRICTING BID:**

Mike Stephens, County Attorney, requested Board approval to award the bid to a law firm for the re-districting of the Commissioners' districts. Mr. Stephens stated the following:

1. We are subject to re-distrecting after receiving the results of the 2010 Census;
2. I have contacted two (2) law firms that do this type of work, Mel Black and Associates in Raleigh and Tharrington Smith Law Firm in Raleigh;
3. Both law firms have solid reputations in Administrative Law and Election Law;
4. I have personally talked with the attorneys that will be doing this work should one of these law firms be chosen;
5. After looking at each proposal and personally talking to them, I will be recommending that Tharrington Smith receive the award;
6. \$10,000 Will be the fee to do this work and Mel Black and Associates was \$9,500;
7. The scope of the work did not vary that much;
8. After talking with both firms, I feel very comfortable with Tharrington Smith;
9. Tharrington Smith will do the following:
  - present three (3) proposed maps to the Board for their approval;
  - take this from start to finish;
  - will do the resolutions, and the whole nine yards;
  - supply the maps for GIS and the Board of Elections;
  - will come down here and meet with the Board to discuss the particulars for whatever questions you might have;
10. This will have to be taken to Federal Court at some point in time down the road; **and**
11. These proposals, by the attorneys, do not get into litigation, this is just to get it to hopefully pass the award Plaintiffs in our law suit that was filed back in the early '90s.

Vice Chairman McKenzie made a motion to approve the award to Tharrington Smith Law

Firm, at the cost of ten thousand and 00/100 (\$10,000.00) dollars for the re-districting process, on the County Attorney's recommendation, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #8: APPOINTMENTS/RE-APPOINTMENTS/REPLACEMENTS to COMMITTEES/BOARDS/COUNCILS :**

June B. Hall, Clerk to the Board, requested the appointment/re-appointment and/or replacement of the following members

| COMMITTEE   | DISTRICT/<br>EB | PERSON(S)                            | EXPIR.<br>DATE           | BOARD<br>ACTION                                |
|---|-----------------|--------------------------------------|--------------------------|--|
| Department of Aging<br>Advisory Council   | I               | Laddie McKenzie<br>Marguerite Lennon | 06-30-2011<br>06-30-2011 | <b>HOLD</b><br><b>HOLD</b>                     |
|   | II              | Jessie Vaught                        | 06-30-2011               | <b>Mary Berry</b>                              |
| Housing Advisory<br>Committee   | VII             | Lewis L. Cokley<br>(Dec.)            | 06-30-2011               | <b>Hold</b>                                    |
| Vineland Station Board<br>of Directors<br><b>Motion: Bullard</b><br><b>Second: Norris</b> | EB              | Ex-Officio Member                    | TBA                      | <b>Giles E. Byrd</b><br><b>(Sitting Chair)</b> |
| Animal Control<br>Advisory Council<br><b>(Review of Members)</b>                          | I               | Erin Wooten                          | 12/05/2011               | <b>HOLD</b>                                    |
|   | II              | Leonard Walker                       | 12/05/2011               | <b>HOLD</b>                                    |
|   | III             | Paula Lewis                          | 12/05/2011               | <b>HOLD</b>                                    |
|   | IV              | Dr. John A. Stih                     | 12/05/2011               | <b>HOLD</b>                                    |
|   | V               | Susan Shipman                        | 12/05/2011               | <b>HOLD</b>                                    |
|   | VI              | Dr. Jeff Burroughs                   | 12/05/2011               | <b>Pat Christley</b>                           |
|   | VII             | W. Ronald Hayes                      | 12/05/2011               | <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 7:03 P.M., Vice Chairman 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, second by Commissioner Russ. The motion unanimously passed.

**Agenda Item #9: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 20, 2011 **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 #10: COLUMBUS COUNTY WATER and SEWER DISTRICT II - WATER EXTENSION for RESIDENTS on DUCK POND ROAD:**

Kip McClary, Public Utilities Department, requested Board consideration of a water extension for the residents on Duck Pond Road, west of Evergreen.

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

**Agenda Item #11: COLUMBUS COUNTY WATER and SEWER DISTRICT IV - CONSIDERATION of ACTIONS for NON-PAYMENT:**

Kip McClary, Public Utilities Director, requested Board consideration of actions to be taken for collection of unpaid water bills.

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

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

At 7:25 P.M., Vice Chairman 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 #12: Consent Agenda Items: Tax Refund and Tax Releases**

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

**TAX REFUND (as submitted to the Governing Body Office from the Tax Office):  
July 05, 2011**

|         |   |         |          |
|---------|---|---------|----------|
| Refunds | Name: Cribb, Jeremy Lee c/o Eleanor Norris Cottom | Amount: | \$0.00   |
| Value:  | \$0.00 Year 009 Account # 9-02053 Bill # 22234    | Total   | \$210.00 |

Refund user fee. No can at dwelling in 2009. 1528 Feed Mill Road.  
P.O. Box 541, Tabor City, NC 28463

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):  
July 05, 2011**

|                            |  |         |          |
|----------------------------|--|---------|----------|
| Release the Property Value | in the name of Mizzell, Tony & Tammy W.                | Amount: | \$144.39 |
| Value:                     | \$9,370.00 Year: 05-06 Account # 12-04934 Bill # 99999 | Total   | \$565.35 |

Release entire value of mobile home. Repoed in 2004. Release Klondyke Fire(13.53), release Columbus Rescue(3.86), release Water II(17.39)

|                      |   |         |          |
|----------------------|---|---------|----------|
| Release the User Fee | in the name of Cottom Eleanor Norris            | Amount: | \$0.00   |
| Value:               | \$0.00 Year: 2010 Account # 9-03210 Bill # 3475 | Total   | \$215.00 |

Release user fee. Dwelling is vacant.

|                      |  |         |          |
|----------------------|--|---------|----------|
| Release the User Fee | in the name of Currie Steve Currie & Nero (Jr)   | Amount: | \$0.00   |
| Value:               | \$0.00 Year: 2010 Account # 13-09640 Bill # 4207 | Total   | \$128.00 |

Release user fee . Home demolished 2009.

|                      |  |         |          |
|----------------------|--|---------|----------|
| Release the User Fee | in the name of Edmund, Pamela                    | Amount: | \$0.00   |
| Value:               | \$0.00 Year: 2010 Account # 12-05916 Bill # 6114 | Total   | \$215.00 |

Release user fee. Dwelling is vacant.

|                      |   |         |          |
|----------------------|---|---------|----------|
| Release the User Fee | in the name of Memory, Robert & Hilda           | Amount: | \$0.00   |
| Value:               | \$0.00 Year: 2010 Account # 2-60981 Bill # 2997 | Total   | \$215.00 |

Release user fee. Without a can and no building on this property.

|                      |  |         |          |
|----------------------|--|---------|----------|
| Release the User Fee | in the name of Memory, Robert T. & Hilda J(ETAL) | Amount: | \$0.00   |
| Value:               | \$0.00 Year: 2010 Account # 1-04231 Bill # 2999  | Total   | \$256.00 |

Release user fee. 2 Dwellings are vacant.

|                      |   |         |          |
|----------------------|---|---------|----------|
| Release the User Fee | in the name of Memory, Robert Thurston          | Amount: | \$215.00 |
| Value:               | \$0.00 Year: 2010 Account # 7-12030 Bill # 3017 | Total   | \$430.00 |

Release user fee. Dwelling is vacant.

|                      |  |         |          |
|----------------------|--|---------|----------|
| Release the User Fee | in the name of Robinson, Hazel J.                  | Amount: | \$0.00   |
| Value:               | \$0.00 Year: 09-10 Account # 01-76883 Bill # 99999 | Total   | \$425.00 |

Release user fee. Can picked up 02-27-07.

**Agenda Item #13: COMMENTS:**

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

**A. Department Head:**

1. **Jeremy Jernigan, Emergency Services Director:** stated the following:
  - a. I am here to deliver an update on the Cerro Gordo Rescue Squad and their inability to reach the intermediate level of care as stipulated in their contract with the County;
  - b. In 2009, when this was proposed and all the departments come forth and signed the contract and they agreed to intermediate level of care by July 1, 2011, there were three (3) departments, namely Buckhead, Nakina and Cerro Gordo that needed this;
  - c. Buckhead and Nakina worked hard and they acquired the intermediate level of care;
  - d. Cerro Gordo is the department that we had concerns about, and I have met with Chief Terry Floyd and he has informed me that they needed four (4) additional months to acquire this; **and**
  - e. At this point in time, they have not met the requirements of the contract, but I would be inclined to advise the Board to consider giving them the additional four (4) months since this is the best option on the table.

**Commissioner Prevatte:** stated the following:

- This started in 2000;
- Every department had the same amount of time to acquire the intermediate level of care;
- They have had two (2) opportunities, and this will be the third time;
- If we do extend this time, I think the money that we give them and the tax money paid by the citizens should be pro-rated on a monthly basis,
- What happens at the end of the four (4) months if this department is unable to obtain the intermediate certification?; **and**
- We are suppose to provide the same level of service to all the citizens of Columbus County.

**MOTION:**

Commissioner Bullard made a motion to extend the time frame four (4) months, for the Cerro Gordo Fire and Rescue Department to acquire their intermediate level of care, and to pro-rate the funds the County allocates to them, and the tax money paid by the citizens, on a monthly basis until the certification is acquired, second by Vice Chairman McKenzie.

**Commissioner Bullard:** stated the following:

- I think we need to do whatever we can to help this department;
- These services are very important;
- It is not the department that I am so concerned about;
- It is the people that live in these communities, and they need these services;
- I do know that Columbus County Hospital requires a protocol for each rescue member that has to do their 48 hours of training, and they are having difficulty lining the guys up with the fire department with the hospital because they have to have someone over them to get these hours in; **and**
- This is not being coordinated as good as it should be.

**Jeremy Jernigan:** stated the following:

- a. We sat back and looked at what would happen if Cerro Gordo Fire and Rescue Department went away;
- b. The options that were available are as follows:
  1. Split the district between Chadbourn and Fair Bluff;
  2. Give Fair Bluff everything;
  3. Give Chadbourn everything;
  4. Bid the service out; **and**
  5. The County look at getting into the EMS business, and I don't think the County can afford this; **and**
- c. I am also proposing that we put a committee together to look at what would happen

if Cerro Gordo went away.

**Commissioner Bullard** requested that Jeremy Jernigan work closely with the Cerro Gordo Fire and Rescue Department and to emphasize the importance of them acquiring the Intermediate level of care.

**MOTION:**

Commissioner Bullard stated he will change his motion to extend the time frame six (6) months, for the Cerro Gordo Fire and Rescue Department to acquire their intermediate level of care, and to pro-rate the funds the County allocates to them, and the tax money paid by the citizens, on a monthly basis until the certification is acquired, second by Vice Chairman McKenzie.

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

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

The motion passes on a four (4) to two (2) vote.

2. **Mike Stephens, County Attorney:** stated the following:
  - A. We started working on identifying the property of where the new Courthouse would be, and discovery was made there is a small parcel approximately the size of a trash dumpster, located next to Craig Wright's Office, that belongs to the City of Whiteville;
  - B. It is my recommendation that we request the City of Whiteville to deed this property to Columbus County; **and**
  - C. We cited some other small areas that might be corrected by an actual survey being done.

**MOTION:**

Commissioner Prevatte made a motion for Columbus County to request the City of Whiteville to deed a small parcel of property located next to Craig Wright's Office to Columbus County, second by Commissioner Norris. The motion unanimously passed.

**B. Board of Commissioners:**

1. **Commissioner Bullard:** stated the following:
  - A. I would like to start receiving monthly reports from the Animal Shelter that includes the following information:
    - the number of dogs being taken in;
    - the number of dogs being adopted out; **and**
    - the number of dogs being given to the Friends of the Shelter and where are these dogs going to; **and**
  - B. I have been informed that dogs are leaving the Animal Shelter without the adoption fee being paid.
2. **Commissioner Russ:** Mr. McNeil, I will contact you and get a list from Kip of the 80 people in Water District IV that have not connected to the County water, and perhaps we can go see these people and talk to them.
3. **Commissioner Prevatte:** We use to receive a monthly report of all employees who had left and who had joined our staff, and we have not had one in a while. I would like to start getting this report again.
4. **Vice Chairman McKenzie:** stated the following:
  - A. I would like to thank Jeremy Jernigan and his staff for the fine job they are doing; **and**
  - B. We have a Columbus County citizen that turned 100 years old today.

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

At 7:49 P.M., Commissioner Norris made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 143-318.11 (3) Attorney-Client Privilege, after a five (5) minute recess, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #14: CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (3) ATTORNEY-CLIENT PRIVILEGE:**

No official action was taken.

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

At 8:05 P.M., Commissioner Prevatte made a motion to adjourn Closed Session and resume Regular Session, second by Commissioner Russ. The motion unanimously passed.

**READING and APPROVAL of CLOSED SESSION GENERAL ACCOUNT:**

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

“The County Attorney discussed tax foreclosure and lawsuit involving CHAF property and requesting permission to bid on John Berry Mason property”; **and**

“The County Attorney discussed the potential law suit involving CHAF property belonging to the Lavern Brown Estate”.

**MOTION:**

Commissioner Bullard made a motion to approve the General Account, second by Commissioner Russ. The motion unanimously passed.

**MOTION:**

Vice Chairman McKenzie made a motion to approve the County Attorney’s recommendation on the Lavern Brown Property, second by Commissioner Norris. The motion unanimously passed.

**MOTION:**

Commissioner Russ made a motion to allow the County Attorney to proceed with the bid on the John Berry Mason property, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #15: ADJOURNMENT:**

At 8:07 P.M., Commissioner Prevatte made a motion to adjourn, second by Vice Chairman McKenzie. The motion unanimously passed.

**APPROVED:**

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

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**GILES E. BYRD, Chairman**

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

**Tuesday, July 05, 2011**

**7:03 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:**

Giles E. Byrd, **Chairman**  
Amon E. McKenzie, **Vice Chairman**  
James Prevatte  
P. Edwin Russ  
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:**

Charles T. McDowell

**MEETING CALLED TO ORDER:**

At 7:03 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #9: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 20, 2011 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Commissioner Norris made a motion to approve the Columbus County Water and Sewer District I Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

At 7:25 P.M., Vice Chairman McKenzie made a motion to adjourn, second by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

**GILES E. BYRD, Chairman**

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

**Tuesday, July 05, 2011**

**7:03 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:**

Giles E. Byrd, **Chairman**  
Amon E. McKenzie, **Vice Chairman**  
James Prevatte  
P. Edwin Russ  
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:**

Charles T. McDowell

**MEETING CALLED TO ORDER:**

At 7:03 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #9: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 20, 2011 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Commissioner Norris made a motion to approve the Columbus County Water and Sewer District II Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

**Agenda Item #10: COLUMBUS COUNTY WATER and SEWER DISTRICT II - WATER EXTENSION for RESIDENTS on DUCK POND ROAD:**

Kip McClary, Public Utilities Department, requested Board consideration of a water extension for the residents on Duck Pond Road, west of Evergreen.

Mr. McClary stated the following:

1. Tommy Rogers of Duck Pond Road is requesting that a water main be extended from the 6 inch main on Old 74 to serve his home. Mr. Rogers has indicated that his son who lives next door will also connect to county water if the main is extended to serve his property.;
2. This extension will require the following:

- Approximately 680 LF of 2" water line;
  - A bore under Old 74;
  - Tapping the 6" Main; **and**
  - Associated valves, a blow off assembly and 2 meter services.;
3. Since there will be two (2) properties utilizing the extension, the NCDENR requires that engineered drawings be submitted along with an application for the extension and that a professional engineer sign off on the construction when completed. Green Engineering has quoted \$500.00 for the drawings and certification.;
  4. The estimated cost of materials, engineering and the permit will be approximately \$3,684.72. This work will be done by the utility crew so there will be no cost added for installation as the labor and equipment will already be covered in the budget.;
  5. The NCDOT said there will be no cost for the required encroachment agreement but confirmed that this is a NCDOT maintained dirt road.;
  6. The cost of the project could be taken from the fund balance in Water District 2 but will require a budget amendment.; **and**
  7. It is my recommendation that if this be approved, the customers be made aware that they must pay a minimum bill for six (6) years to recover the cost of the project.

#### **DISCUSSION:**

**Chairman Byrd:** Is it normal procedure that we extend the water only 680', and is this creating a dead-end line?

**Kip McClary:** Yes, it is creating a dead-end line, and a blowoff would be involved here. Our standard policy is that we make a tap at the main road closest to the property and then the property owner extend to us, and that has been the policy that has been in effect up to the present time.

**Commissioner Prevatte:** The one thing that I am concerned about is the fact that you stated you would take the money needed out of the fund balance. Water District II barely has a fund balance because it is one of the districts that has a special tax. Using that amount of money for only two people to be repaid in 5 years can't be done at the base rate of \$25.00, due to maintenance and operations. That will not help reduce the debt in Water District II.

**Kip McClary:** District II has a fund balance if you consider that we are not funding depreciation. There are funds set aside for emergencies.

**Chairman Byrd:** The problem that I have with this is we are creating another dead end which will take more manpower. We are going to bleed off thousands of gallons of water. If we can't get but two houses, I don't see how this is feasible. How often do you have to bleed those lines off.?

**Kip McClary:** Typically every thirty days.

**Commissioner Prevatte:** I would go along with you if I did not live on a road where the water line is a dead end line. At the end of the line, sometimes it doesn't just run an hour, it runs 1-2 days.

**Commissioner Bullard:** I am under the impression also that this amount that we are spending per house is less than what you normally spend for a lot of the houses.

**Kip McClary:** Yes sir it is. In Water District IV, the construction cost was about \$6,500.00 per house.

**Commissioner Bullard:** The pay back is quicker than on normal water lines?

**Kip McClary:** In this case it is.

**Commissioner Bullard:** Would it be a good investment?

**Kip McClary:** Yes sir.

**Commissioner Norris:** What size water line?

**Kip McClary:** 2".

**Chairman Byrd:** Are there any future expansion on this line at where it is going to stop? What is on down the road?

**Kip McClary:** There appears to be no future development there. They are surrounded by farm land. These are two (2) houses that are isolated.

**Commissioner Prevatte:** Silverspoon Road has forty or fifty people who has requested water.

**Kip McClary:** Silverspoon Road has a request, right now, forty-five (45) people are requesting a water extension.

**Chairman Byrd:** Wouldn't this money be better spent reaching the forty-five (45) people instead of just the two (2)?

**Kip McClary:** Yes.

**Vice Chairman McKenzie:** My concern is if we do this one, and we will need to check the record to make sure that no one else has requested this before and been denied. We could easily open up a can of worms, and we need to be careful

**Kip McClary:** This would open the door for that, and I do have record here of a large number of requests in Water District II and Water District III.

**Commissioner Russ:** Can we table this until a later meeting?

**Vice Chairman McKenzie:** We need to have a workshop. Based on this information here, and in Water District IV, we need to have a workshop to make some decisions. We need to make one set of rules for all water districts.

**MOTION:**

Vice Chairman McKenzie made a motion to conduct a workshop to discuss Columbus County Water and Sewer District II and all other water districts, second by Commissioner Russ. The motion unanimously passed.

**ADJOURNMENT:**

At 7:25 P.M., Vice Chairman 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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**GILES E. BYRD, Chairman**

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

**Tuesday, July 05, 2011**

**7:03 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:**

Giles E. Byrd, **Chairman**  
Amon E. McKenzie, **Vice Chairman**  
James Prevatte  
P. Edwin Russ  
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:**

Charles T. McDowell

**MEETING CALLED TO ORDER:**

At 7:03 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #9: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 20, 2011 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Commissioner Norris made a motion to approve the Columbus County Water and Sewer District III Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

At 7:25 P.M., Vice Chairman McKenzie made a motion to adjourn, second by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

**GILES E. BYRD, Chairman**

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

**Tuesday, July 05, 2011**

**7:03 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:**

Giles E. Byrd, **Chairman**  
Amon E. McKenzie, **Vice Chairman**  
James Prevatte  
P. Edwin Russ  
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:**

Charles T. McDowell

**MEETING CALLED TO ORDER:**

At 7:03 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #9: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 20, 2011 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Commissioner Norris made a motion to approve the Columbus County Water and Sewer District IV Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

**Agenda Item #11: COLUMBUS COUNTY WATER and SEWER DISTRICT IV - CONSIDERATION of ACTIONS for NON-PAYMENT:**

Kip McClary, Public Utilities Director, requested Board consideration of actions to be taken for collection of unpaid water bills.

Mr. McClary stated the following:

1. Mr. McNeil brought up an interesting point;
2. With some of the customers in Water District IV, he is correct;
3. There are some customers who do not have a meter and a box in front of their house, or in

front of their property; **and**

4. This exists in the case where they have never paid the deposit, they paid for a tap only and the deposit would indicate an active account.

**Commissioner Prevatte:** So, they are not being billed.

**Kip McClary:** They are being billed because they were a part of the originals ones who signed up to get water and paid a tap fee. When we were doing our collection of taps versus deposits, taps were at \$100.00, plus a \$50.00 deposit to activate the account. These could exist where we had people who paid for a property or more, in one case I am aware of four parcels in which the customer paid for four taps for four lots, but he had no plans at the time to develop the properties or actually use the water, so he has not paid the \$50.00 deposits to activate the accounts, but he is still being billed because he did pay for the taps.

**Chairman Byrd:** This is the first time I have really understood that you pay the \$100.00 and then you had to pay another \$50.00.

**Kip McClary:** When we were taking deposits for these, we made the customers aware that you are paying \$150.00, \$100.00 is the tap fee, and the \$50.00 is an account deposit that is held in trust as long as the account is active with the County.

**Commissioner Prevatte:** So, they have paid the \$100.00, but not the \$50.00.

**Kip McClary:** This is correct. That is part of the 82 that I reported to you at the last meeting. Since that time, two customers have come and caught up their accounts, and we are down to 80.

**Commissioner Bullard:** At the last meeting, Mr. Stephens, you were going to check and see if these contracts these water customers signed were enforceable.

**Mike Stephens:** In my opinion, they are enforceable, and I have received other opinions on this matter.

**Commissioner Bullard:** What would you have to do to enforce these contracts?

**Mike Stephens:** By using the Debt Setoff Program. I would not recommend filing any lawsuits unless the account balance was at a significant amount.

**Chairman Byrd:** I would like to recommend that we forgive the penalties and late fees and see if we can work out a compromise with them, and get these 80 customers to sign onto the water system.

**Chairman Prevatte:** If we forgive the penalties and late fees, we need to set a certain time frame for the account to be paid up.

### **MOTION:**

Commissioner Prevatte made a motion to send a letter to the eighty (80) customers who have delinquent water accounts, and advise them we will forgive the penalties and late fees, if they will bring their account up-to-date within an established time frame.

**Commissioner Bullard:** How is this going to affect the penalties that are in Water District II and Water District III? What is the policy on penalties? Are we suppose to address double standards on penalties and now we are going to have a workshop and I think we need to remember those.

**Chairman Byrd:** In this contract, they may have agreed to sign on, if I understand correctly, and

they agreed in the contract to pay a flat bill. Over in Water Districts II and III, that was not the case,. Was it?

**Vice Chairman McKenzie:** It was the same scenario.

**Chairman Byrd:** You mean we did not put any better teeth in it than what was in Districts II and III?

**Vice Chairman McKenzie:** That is why we need to have a workshop We need one set of rules.

**Chairman Byrd:** We got to have one set of rules.

**Commissioner Bullard:** We need Mr. Clark and our Attorney to get together and give us some advice on this matter.

**Mike Stephens, County Attorney:** I think the recommendation to have a workshop is good. You should follow policy throughout, and if the Board decides to amend the policy, they do it and do it by resolution also.

**Commissioner Prevatte:** I withdraw my motion. We already have a policy in place.

**Commissioner Bullard:** What is that policy?

**Commissioner Prevatte:** The policy is they pay a late fee and they pay a penalty.

**Commissioner Bullard:** Is that the way everybody has been doing?

**Kip McClary:** Yes sir.

**Commissioner Bullard:** What is different between this water district and the other water districts?

**William S. Clark, County Manager:** The situation that we are in is that we went in debt, laid the water lines, based on the payment schedules with these customers, and they are refusing to tap onto the water. We do not have enough customers to make the payments. This is what is different about it. We are bringing on a new system and in order to make the system pay for itself, we got to get the customers. The workshop idea is a great idea. We need these 80 customers or we are going to be in trouble. That is just the way it is.

After discussion, it was the general consensus of the Board to establish a tentative workshop date of July 25, 2011, at 6:00 P.M., for a Workshop to discuss water issues for all water districts.

**ADJOURNMENT:**

At 7:25 P.M., Vice Chairman 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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**GILES E. BYRD, Chairman**

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

**Tuesday, July 05, 2011**

**7:03 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:**

Giles E. Byrd, **Chairman**  
Amon E. McKenzie, **Vice Chairman**  
James Prevatte  
P. Edwin Russ  
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:**

Charles T. McDowell

**MEETING CALLED TO ORDER:**

At 7:03 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #9: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 20, 2011 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Commissioner Norris made a motion to approve the Columbus County Water and Sewer District V Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

At 7:25 P.M., Vice Chairman McKenzie made a motion to adjourn, second by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

**GILES E. BYRD, Chairman**