

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

**Monday, August 15, 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 two (2) public hearings and their regularly scheduled meeting on the third Monday.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**6:30 P.M.****PUBLIC HEARING -**

**Proposed Rural Operating Assistance Program (ROAP):** the purpose of the Public Hearing is to inform the public of the opportunity to attend.

**PUBLIC HEARING CALLED to ORDER:**

At 6:30 P.M., Chairman Giles E. Byrd called the Public Hearing to order, and stated the purpose of the hearing is to inform the public of the Proposed Rural Operating Assistance Program (ROAP). Chairman Byrd requested that Mike Stephens, County Attorney orally read the Policy on Comments at Public Hearings. Mr. Stephens orally read the policy in its entirety.

**COMMENTS:**

Chairman Byrd opened the floor for comments. No comments were received either orally or written.

**PUBLIC HEARING CLOSED:**

At 6:32 P.M., Commissioner Prevatte made a motion to close the Public Hearing, second by Commissioner Norris. The motion unanimously passed.

**6:32 P.M.****REGULAR SESSION****Agenda Items #1, #2 and #3:****MEETING CALLED to ORDER, INVOCATION and PLEDGE of ALLEGIANCE:**

At 6:33 P.M., Chairman Giles E. Byrd called the August 15, 2011 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Commissioner Charles T. McDowell. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Vice Chairman Amon E. McKenzie.

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

Commissioner Bullard made a motion to approve the July 25, 2011 Water Districts Workshop Minutes and the August 01, 2011 Regular Session Board Meeting Minutes, as recorded, second by Commissioner Norris. The motion unanimously passed.

**ADJUSTMENT of AGENDA:****MOTION:**

Commissioner Prevatte made a motion to adjust the August 15, 2011 Agenda as follows:  
A. At this time, move to Agenda Items #6 and #7;

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- B. Move Agenda Item #5 to be after Agenda Item #7 and to be so titled as Agenda Item #7A; and
- C. Add Agenda Item #7B to be so titled as **Loss of Funds at Department of Aging and Plans to Rectify the Situation.**

## **MOTION:**

Commissioner Prevatte made a motion to add a Closed Session at the end of the Agenda for Personnel, second by Commissioner Norris. The motion unanimously passed.

## **Agenda Item #6: GOVERNING BODY - COMMISSIONER RE-DISTRICTING:**

Adam Mitchell, Tharrington-Smith Law Firm, presented the following information on the Commissioner re-districting process.

1. This is an extremely important issue that does deserve your full attention, and we don't have a wealth of time in which to complete this process;
2. The need to re-district comes from a constitutional requirement that is housed in an equal protection clause of the United States Constitution known as the one-person one-vote principle;
3. In essence, what that means is that each electoral district must be substantially equal in population so that each person's vote counts the same;
4. Every ten (10) years, after the Federal Census which was just completed, local governments that use elected districts like Columbus County are required to look at their existing districts to determine whether or not the district lines need to be re-drawn in order to comply with one-person one-vote;
5. In the local government context, which is the context that we are operating in, one-person one-vote does not mean that each district needs to be absolutely the same;
6. There is a distinction between local government re-districting and legislative and congressional re-districting;
7. With the State legislative and congressional districts, there is a zero deviation rule, which literally means that you need to get as close to equal as possible;
8. That level of precision is not required in the local government context;
9. That rule that applies to local governments, like your board, is known as the ten (10%) percent rule of thumb, and that means that if your current districts have an overall deviation of less than ten (10%) percent, re-districting is not required, and if on the other hand, your current districts have a deviation greater than ten (10%) percent, you will need to re-draw your districts in order to comply with one person one vote;
10. The way I like to comply with the ten (10%) percent rule of thumb, when we get to the point where we are drawing new districts is to have no district that is greater than five (5%) percent above the ideal size, and no district that is less than five (5%) percent below the ideal size;
11. There is some flexibility there, you could have a plan with six and four, and seven and three;
12. It is the ten (10%) percent rule of thumb that really guides our work;
13. Let's talk now about your current districts;
14. I don't think that you re-districted in 2000, but you did in 2008;
15. You made some minor changes to your districts in 2008 in order to comply with one person one vote;
16. That plan was adopted in 2008 and I will refer to that throughout the re-districting process as your current plan;
17. At that time, in 2008, the decision made was to exclude Columbus County's relatively large prison population from the data set that is used for re-districting;
18. As I understand that decision, the reason that it was done is because it would require that far less significant changes would need to be made in 2008, which obviously is in the middle of a census cycle;
19. In 2008, the Federal Court that oversees some old litigation that sort of dragged on regarding whether they approved not including Columbus County's prison population in your re-districting data set;
20. If that was not the case, I would probably say that the safest, most consistent reading of the statutes in the case dealing with this issue suggests that you probably should include, rather than exclude, prisoners;
21. In your case, since this issue went before a Federal judge and was approved, I am entirely comfortable with you continuing that exclusion of prisoners;
22. The maps and the data that I have prepared for you this evening show both scenarios, both

- excluding and including prison population;
23. I am perfectly comfortable proceeding like you proceeded in 2008, and I would just say that to the extent, that that is an issue that you want to re-visit now or very soon is probably the time to do it as opposed to a couple of months from now when we are really in the heart of looking at and approving new districts;
24. I just want to flag that issue for you and you certainly could, I believe, make the decision and you will probably need to run this by the plaintiffs in the court, and I don't think that would be all that complicated to re-include all of the census population in Columbus County, or continue along the lines that you went in 2008 and exclude prisoners;
25. On the maps that I have provided to you, in District 5, there is a prison population of 1,477, and in District 7, there is a prison population of 691;
26. On the last page of the data, the top chart excludes the prison population, and the bottom chart includes the prison population;
27. The total 2010 Census population for Columbus County, excluding prisoners is 55,930, including prisoners is 58,098;
28. To come up with your ideal district size, in this round of re-districting, you take whatever population number you are going to use, and you just simply divide that by the number of your districts, which is seven (7), and so for this round of re-districting, if we continue excluding prisoners, your ideal district size is 7,990, and if we re-include prisoners, your ideal district size is 8,300;
29. On the data, you will see the 2010 Census population of each of your current districts, and you will see that District 1, under both scenarios, is by far your smallest district, and it is 17% or 20% below ideal;
30. Under the first scenario, excluding prison population, District 2 is your largest district, at about 9.3% above the ideal, and if you go down to the bottom chart, your biggest district is District 5, about 18% above the ideal;
31. In either case, to determine and apply the 10% rule of thumb, you add the deviation from your biggest district to your smallest district under your excluding prisoner scenario, your overall deviation is somewhere along the lines of 27%, including prisoners, your overall deviation is 37-38%;
32. In either case, you are well above the 10% rule of thumb which triggers the need to re-district;

**Chairman Byrd:** Will this be all districts or just certain districts within the seven (7)?

**Adam Mitchell:** That is a great question. The reality is once you start changing other districts, it tends to create a domino effect, and it is probably the exception rather than the rule where you draw a new re-districting plan and don't touch a district at all. I am not saying it is impossible, but it just does not happen all that often. We need to move over about 1,000 people into District 1, and things just start to happen when you make those moves. It is unlikely, in my opinion, that any of your districts will look exactly as it looks today, but then again, I am not saying that that is an impossibility.

**Chairman Byrd:** What would be the advantage of including the prison population because they are not eligible to vote?

**Adam Mitchell:** In your case, there probably isn't any advantage. The Statutes that deal with re-districting talk about overall census populations. There is a Federal court case that came out of the western part of the State where somebody tried to re-district using voting age population, just those people 18 and above, that was the data set that they used, and the Court said no, there may be some logic to that, but you actually need to use total census population. Again, I don't think there is much of a risk in your case because you have certainly been through the issue, you have hashed this out with the plaintiffs, and that were again involved in this long-running voting rights lawsuit, and you have approval from a Federal judge, but it is technically possible that someone could file a challenge and say that it is a violation of one person one vote to exclude prisoners.

**Chairman Byrd:** Is the simplest way for the Board to use the same manner we chose in 2008, to exclude the prisons and try to make it as even as we can?

**Adam Mitchell:** I would say that given again that you have an agreement on that, and you have Federal Court approval, that is probably the most straight forward approach is just to proceed along those lines. For my purposes, it doesn't really make a difference so long as I get some direction from you all earlier rather than later. If you say tonight that we want to keep doing it the way we did it in 2008, I am off to the races on that. I am ready to move on that.

33. There are some other issues that I will certainly need your feedback on as well, so we can come back to that;

34. On process, there is not a whole lot in the statutes as far as process, and for anybody's reference that wants to look it up, the controlling statute is North Carolina General Statute § 153A-22;
35. The General Statute says that if you use districts, which you do, you may find as a fact whether there is a substantial inequality of population among the districts, if you make that finding, you may, by resolution, redefine the electoral districts;
36. This states a couple of things - when we are ready to adopt the plan, I will draft a resolution and it will have maps and other data attached to it, you will approve that, and included in that resolution will be a finding of fact that there was a substantial inequality in your current districts;
37. The statute says that for counties, the districts need to be contiguous;
38. If, for some reason, your final re-districting plan resulted in an amount that drew one of you out of your current district, that would not mean that person who was drawn out of his district would lose his seat right then;
39. The law says that re-districting can affect the unexpired term of the sitting Board member, so that would mean that the person that was drawn out of his district would finish his term, there would effectively be two (2) Commissioners currently living in one (1) district, and another district would have no Commissioner living in it, and then when that seat came up next, the Commissioner that was drawn out of his district would obviously not be eligible to run in the district that he previously resided in;
40. One of the considerations that I recommend is to try not to draw current Board members out of their district just for that reason, and create a situation where arguably a district is left without representation for a period of some years;
41. You are not subject to Section 5 of the Road Voting Rights Act so we do not need to get your plan pre-cleared by the Justice Department which takes some time, and we don't need to go through that process;
42. The Statute says that in order to use a newly adopted re-districting plan for a subsequent election, it must be adopted at least 160 days before the primary, the primary is this May, that means we need to be adopting our resolution by very early December, 2011;
43. A public hearing is not required by law, but we highly recommend that you have one, so when you get to the point where you have a plan that is the preferred plan of the majority of the Board, I would recommend that you schedule a public hearing, hear public comments and then following that, you would be in a good position to adopt your plan;
44. We are not covered by Section 5 of the Voting Rights Act which is retrogression and that means is if the new re-districting plan, making it harder for minorities to elect candidates of their choice, that is the retrogression standard;
45. I would suggest however, that given your history, and this long-standing lawsuit, you probably have two (2) majority-minority districts;
46. District 1 is majority African-American;
47. District 3 is a proratable African-American, and if you add in the American Indian population, you get will over fifty (50%) percent there, so it is a majority non-white district;
48. I would certainly encourage you to consider the plan that would be non-retrogressive as far as those two (2) districts;
49. I don't know that there is a legal requirement that you do so, but given so that it is likely that you will be need to get Federal Court approval for your final plan under this old lawsuit, that just seems like a logical approach to me to adopt a plan that would preserve District 1 and District 3 and as majority-minority districts again;
50. It is not that the plan won't be pre-cleared otherwise because we don't have the pre-clearance requirement;
51. That is a matter of convenience moving forward in getting the approval that we need to get, it probably makes sense;
52. There are some considerations that I typically recommend when I actually sit down to draw a new plan, and I would certainly be open to your feedback on that;
53. Obviously, the new plan must comply with one person one vote, so we will have to get that overall deviation down from in the 20-30%, down under ten (10%) percent;
54. Beyond that, the typical considerations that I recommend are:
- A. Not to change your current district lines any more than is necessary;
  - B. To the extent that we can, use what we can, and make changes where we need to;
  - C. To the extent that we can, we like to try to follow voting precinct lines or other logical boundaries such as major roads, and again there are times when that is just not possible particularly when you are trying to preserve majority-minority districts;
  - D. Not to draw incumbents out of their present districts; **and**
  - E. The program that I use to do this mapping and re-districting work uses census blocks as its smallest building block;

- 55. I would say that to the extent that if you have thoughts or feedback either on the prison population feedback issue or on those considerations I have stated;
- 56. If your consensus is that your considerations sound good and we want to keep doing it the way we have been doing it by excluding the prison population, I am fine with that; **and**
- 57. If this is the case, the next step would be I will take those considerations, take your current plan, and come back to you at a subsequent meeting with a proposed alternative plan that complies with one person one vote that does as many of the other things as possible, and then we go from there.

**GENERAL CONCENSUS:**

At the end of the presentation, it was the general consensus of the Board to exclude the prison population in the re-districting process.

Commissioner Prevatte requested that in the process of re-drawing District I, to not draw where he resides out of his existing district.

**RECESS REGULAR SESSION and ENTER into PUBLIC HEARING:**

**7:04 P.M.**

**PUBLIC HEARING -**

**Contracting to Make Economic Development Grants to Filtec Precise, Top Tobacco and West Fraser Timber Company:** the purpose of the Public Hearing is to receive views from interested persons.

**PUBLIC HEARING CALLED to ORDER:**

At 7:04 P.M., Chairman Giles E. Byrd called the Public Hearing to order, and stated the purpose of the hearing is to receive views from interested persons. Chairman Byrd requested that Mike Stephens, County Attorney orally read the Policy on Comments at Public Hearings. Mr. Stephens orally read the policy in its entirety.

**COMMENTS:**

**Gary Lanier, Economic Development Director:** stated the following:

- 1. This will be good for Columbus County;
- 2. We have been working with these three (3) companies for a while, and they are good solid companies that have supported the county for quite some time;
- 3. They are expanding and creating jobs; **and**
- 4. I hope the Board will find it worthwhile to move forward with these grants when the time comes to vote.

No other comments were received either orally or written.

**PUBLIC HEARING CLOSED:**

At 7:07 P.M., Commissioner Russ made a motion to close the Public Hearing, second by Vice Chairman McKenzie. The motion unanimously passed.

**Agenda Item #7: NORTH CAROLINA DEPARTMENT OF TRANSPORTATION - UPDATE ON ONGOING PROJECTS:**

Drew Cox, District Engineer, North Carolina Department of Transportation, presented the following update on projects that are underway.

- 1. **Acme-Delco Elementary School:**
  - A. In particular, we talked about the questions and concerns about the traffic in front of the school;
  - B. The department has completed an investigation, and we wanted to make sure the Board understood what our recommendations were;
  - C. It does require an action from the Board of Commissioners for us to move forward on that;
  - D. We have had previous complaints on this going back more than a year, and we met with Principal Hedrick and Tommy Nance with the schools;

- E. Vice Chairman McKenzie sent a letter to Secretary Conti with a request that the speed limit be lowered to 25 MPH for the entirety of the school day;
- F. We performed an investigation, and we met not only with local DOT, but our division traffic engineer, and also had discussions with the people that review those issues with the schools in Raleigh;
- G. Two (2) issues that we looked at are as follows:  
Speed Limit - you want a speed limit that is reasonable and that drivers will respect, and in looking at the current speed in front of the school on a reasonable day, it is about 55 MPH, and this does not warrant lowering the speed limit any lower than that. The school zone is posted at 25 MPH, which is enforceable, for 30 minutes prior to and after the taking in and dropping off of students in the afternoons. If you lower the speed limit any lower than what it should be, it tends to breed driver disrespect. Our recommendation on that was for it to stay as it is. What we did come up with was, in talking to the principal, that area is so congested and so tight with cars, that there are safety concerns there. There are a lot of trucks that use that route to get back into the mill. One thing we looked at there is to go back to Highway 11 and then back up to Federal Road, and make that section of road a no-through truck route. It would totally eliminate that issue. This would be a permanent solution on that. That would remove a lot of traffic on that road, and they would have adequate facilities to do that. There are additional justification to do that. Any time we do a no-through truck route, we will need a concurring resolution from the Commissioners. If this is not agreeable, we will need to look at other solutions. The long-term solution is for the school to try and acquire some additional property.

**MOTION:**

Commissioner Prevatte made a motion to place a No Through Trucks Route Resolution for the highway in front of Acme-Delco Elementary School on the September 06, 2011 Agenda, second by Commissioner Russ. The motion unanimously passed.

2. **Bumps on Highway 74 and Highway 76:**

- A. The bumps that you are experiencing on Highways 74 and 76 are a direct result from the old concrete highway that is underneath;
- B. Re-surfacing those routes does not really do a whole lot to eliminate the issues;
- C. Typically we go in with our maintenance forces and mill those out about every two (2) years;
- D. We are about at the time frame where we will do that again;
- E. We actually have a milling contractor coming in, and the very worst of the bumps that are there, we are going to go ahead and mill out, but we are not going to get all of them like we normally do;
- F. What we have been able to secure, if you have seen the project on 74 West going into Robeson County, we have some deep seeded cracks that have gone all the way down into the pavement, we had some re-hab work that we needed to do, and that caught the attention of folks that had a TIP project that slipped, and we picked up that funding, the majority of it, and we picked up about \$28 million for the County to re-surface and re-hab the entire length of 74. That will take place over the next three (3) summers. The first projects that we have already forwarded up to Raleigh is here on the Whiteville by-pass. We have three (3) areas where we are having hydro-plane issues. We are going to go ahead and do wedging to eliminate the flat areas, and that will be to re-surface from 76 down to 74 Business in both directions. That will be done next summer. Also, on the east end of the County, and what we are really excited about, is going in and doing a major re-hab project on 74 East. What we are looking at right now, is probably doing a milling of the entire width of that east-bound lane about 3-4 inches deep. You will see us out there at the beginning of next month, which we will be doing the milling of the bumps too. We will be doing some investigation, but this will probably give you a long-term solution to eliminate those bumps. We are looking at also to widen that road to 32 feet.
- G. On Highway 76, you have got concrete under that roadway, you have got rutting there. We are going to do something a little different, and it is called profile milling. We are going to go in and mill the entire width of that roadway, and re-establish the typical section and resurface that. That should provide a long-term solution to that problem. That project will go from Fair Bluff all the way to Chadbourn.

3. **Lakeland Village:**

- A. We have done an investigation there, and I feel like that is a good potential project for road addition;
- B. It looks like that will qualify as an old subdivision, and that would allow us to go in and do some repairs there at times, and I think we will be able to do those within the amount of money they allow me to use on road additions; **and**
- C. Other things we have to check is to verify rights-of-way are secured, make sure we don't have any utility issues, and there are some other things that we have to do, but I think that we have jumped over the major hurdles.

Chairman Byrd stated he would help in any way that he could to resolve any issues that arose.

**Vice Chairman McKenzie:** On most of the secondary roads, you are putting a lot of tar and rock. Is that in lieu of re-paving, or is that something that is temporary?

**Drew Cox:** We are managing the funds that are available to us. What we did about four (4) years ago is when you are looking at your re-surfacing program, I can tell about three (3) years in advance what we are going to be doing. Plant-mix asphalt is what everybody wants. That pavement life, properly maintained will give you 12-15 years. In Columbus County, we have approximately 1,300 miles of road. We have identified our priority secondary roads, and that tends to be like Rough-N-Ready, Old Lumberton and Peacock. We have done a lot of work on Peacock Road recently. We have got Old Lumberton scheduled to re-surface next summer. You tend to put that plant mix on the high-volume roads, with higher vehicular traffic and truck traffic. With the rest of our roads, we treat with what you have seen with tar and rock and we call it patoon surface treatment, and there are several different ways to apply that. It is not really adding structure to the road, but the intent of that is to seal that pavement structure so you can maintain that structure. The supervisor we have over that program now is doing a lot of things we previously did not do. The previous guidelines for this type of road was 1,000 vehicles per day, and today that number is 10,000 to 12,000 vehicles per day. You will likely see us use that as an intern treatment. We do not have the financial means to do any other treatment. That is a viable treatment. It is done statewide.

**Vice Chairman McKenzie:** What is the status on Keith Davis Drive?

**Drew Cox:** I don't have that information with me.

**Vice Chairman McKenzie:** What procedure is happening when you see the areas of some roads that have been re-surfaced and other areas have not been?

**Drew Cox:** That is part of our Plant Maintenance Operations. One of the cheapest fixes you can do on a road, if you can catch a road when it starts to have structural issues, before it fails, then the dollars you spend are much less. This is called pavement overlays. Then we come back and re-surface the entire road.

**Commissioner Norris:** Have you looked at the section of road off of Highway 701 Business to the South Carolina Line?

**Drew Cox:** We have got a contractor coming in that will mill that section out and repair that. We have had that scheduled for several months.

7A. (5.) **PUBLIC INPUT:**

Chairman Byrd requested that Mike Stephens, County Attorney, read orally the policy on Public Address to the Board. Mr. Stephens read orally the policy in its entirety. The following Public Input was received.

1. **Leo Mercer, 115 Miller Street, Chadbourn, NC:** stated the following:

- A. I am here representing the Chadbourn Senior Center, and the concerns they have about the proposed cuts at this center and the other senior centers;
- B. The County had no input in what happened;
- C. We would like to ask you to continue to operate on the same schedule you have been operating on;
- D. The senior citizens come to the Senior Center to eat, for their physical fitness and to exercise;
- E. These activities cannot be done in four (4) hours;
- F. After lunch is served, we have activities, the participants stay for fellowship, and for some, this is the only chance they have for fellowship;
- G. At some point in time, everybody has to travel down this road when you get to be a

- senior citizen;
- H. We have one (1) full-time employee and one (1) part-time employee;
  - I. We have twenty-four (24) volunteers to help out when they are needed;
  - J. We have games and numerous activities;
  - K. The senior citizens are in their twilight years, their golden years, and we deserve special consideration;
  - L. We would appreciate you taking into consideration the fellowship and the activities at the senior centers in the county, and we feel like we should be treated on the same basis as the senior center in Whiteville;
  - M. We would appreciate you taking into consideration to continue to operate the centers as they are presently being operated; **and**
  - N. We appreciate what The News Reporter has done in keeping the citizens informed of this situation.
2. **Emory Worley, 605 Wildwood Road:** stated the following:
- A. I am here in defense of the senior citizens and Ed Worley;
  - B. Ed Worley is my brother and I have a lot of respect for Ed Worley;
  - C. Everything that I have ever seen Ed do was he was going the extra mile to do it;
  - D. He did everything he could to help anybody he could;
  - E. I am upset about what has been said about him, I think it is very personal;
  - F. It is apparent that something is out of control;
  - G. It is a mistake, it is not an intentional act;
  - H. The senior citizens of this County need a place to go;
  - I. In accordance with the paper, he has made plans to control this, to get it back into control;
  - J. It appears that somebody is going to be a sacrificial lamb in this, and I hope it is not Ed Worley;
  - K. I remember several years ago, the budget was out of hand, had a shortfall, and you had to get someone out the county to come in and do whatever was needed to be done, and no one ever admitted that they were responsible;
  - L. Some people want this service to go to the private sector, and it is my opinion that if you do that, the seniors will have to pay for the profits, and I don't think that is right;
  - M. It is apparent that you don't know all the facts, and I don't think you have had enough time to know all the facts;
  - N. I think you should review the matter, research it, and come to a decision, and then after your decision, don't act on your personal opinions of Ed Worley, please;
  - O. Ed is a devoted servant, and he tries to do what God wants him to do;
  - P. I ask you for your consideration on that; **and**
  - Q. I thank you for this opportunity, and I thank you for serving the citizens of Columbus County.
3. **Harvey D. Williams, P.O. Box 31, Chadbourn, NC:** stated the following:
- A. I am here in support of Ed Worley here which I have known all my life;
  - B. I don't know what is going on, but sometimes we can get in an uproar over a statement that is made out of the clear blue sky, and just get everybody going in the wrong direction;
  - C. Before anything happens, and charges being made, let's keep this down to a medium, just to talk, and make no decisions at this time; **and**
  - D. Look out for Ed Worley, and don't try to fix something that is not broken.
4. **Lester Drew, 178 Conway Road, Fair Bluff, NC:** stated the following:
- A. I appreciate this opportunity;
  - B. I am a Commissioner on the Fair Bluff Town Board, and appreciate you appointing me back as one of the Aging Council;
  - C. I would like to reiterate on what Emory Worley stated;
  - D. Ed Worley does a lot of work and goes to bat for the County in a lot of ways that you don't know about;
  - E. He is always there in meetings trying to get everything he can for Columbus County;
  - F. Him and his volunteers can take a little bit of nothing and make a lot out of it;
  - G. I appreciate the fact that we have had this gentleman as the Director of the Aging Department for so many years, and I would like to make sure that we keep somebody that is interested in the senior citizens of Columbus County;
  - H. I am requesting that you consider a contingency fund of some type that we could

- I. keep all the centers open the hours that we should;
- J. Four (4) hours is not long enough to do the things the seniors need, and sometimes this is the only place the seniors have an opportunity to go to;
- J. There are a lot of senior citizens here in Columbus County, and let's try to be as good to them as we can; **and**
- K. I appreciate anything that you can do.
5. **Annie V. Cole, P.O. Box 4, Fair Bluff, NC 28439:** stated the following:
- A. I am representing the Fair Bluff Senior Center, and I think it should stay open;
- B. One day last week, I counted fifteen (15) senior citizens in this center doing various activities;
- C. I am of the opinion that where the shortfall was, that is what should be cut; **and**
- D. Peace Baptist Church is having a Marvelous Monday Meeting tonight, and when you Commissioners leave here tonight, I hope you can say that you have had a marvelous Monday.
6. **Richard Wilson, 14833 Sam Potts Highway:** stated the following:
- A. I am in between a rock and a hard place;
- B. I am the chairman of the Home and Community Care Block Grant Board with the Department of Aging and the County Commissioners;
- C. This is a serious thing, and something we need to take under consideration;
- D. These people in attendance are not here for their health, they are here for some help;
- E. We can not throw a rock and hide our face;
- F. I have been working with Mr. Worley for over 15 years;
- G. After returning from up north, I got involved in Meals on Wheels for 6 years, Commodity Food, still take out food to the senior citizens, still do whatever I can in bringing senior citizens back and forth to the center, I hold devotion every day at Bolton Senior Center;
- H. I pray that we don't blame Mr. Worley, and let's come together and see what we can do to work this thing out; **and**
- I. We can do it.
7. **Robin W. Schmitt, 135 Old Lumberton Road, Whiteville, NC:** stated the following:
- A. I am the daughter of Ed Worley, and I know a lot of the Commissioners here;
- B. I don't have to tell you what type of man my father is, you already know;
- C. He is a respectable and greatly admired by the senior citizens;
- D. There may be a few that has a personal vendetta against him;
- E. There is nothing that can't be worked out;
- F. When there was a shortfall in the budget a few years ago, no one called any names, but it always looks back to the Commissioners;
- G. I feel like he has not done anything wrong;
- H. In lieu of his health, he has had some health issues, but he is on the road to recovery;
- I. He stays on top of things; **and**
- J. It would be a shame for any of these senior centers' hours to be decreased or any of the workers to be let go, and the seniors not having a place to congregate.
8. **Debra F. Hollingsworth, 220 Chappin Street:** stated the following:
- A. I am a CNA at the Department of Aging, and I have been there 14-15 years;
- B. Upon me going to work on Thursday, August 04, 2011, I was called by one of the co-ordinators to come into the office of the Department of Aging, and upon me entering the Department of Aging, I received a letter stating that:
- "To all Nursing Assistants, From Ed Worley, Executive Director, RE: Cuts in Benefits, The Columbus County Department of Aging and Adult Services must make some adjustments, effective Wednesday, August 31, 2011, the Columbus County Department of Aging and Adult Services will cut all holiday pay, vacation pay and mileage reimbursement. We apologize for the procedure. The reason for the change is the sharp drop in Medicaid funds and number of clients are down. ;"*
- C. Upon me receiving this letter, I asked the co-ordinator that give me this letter, why did we receive this letter with no notice from anybody. I asked at that time, who signed it. She said Mr. Worley, I asked at that time, who gave him permission. No one could tell me in this office who gave him permission to give the CNA's this letter. So I called the Commissioner Mr. Clark, and I talked to him, and he told me

- he had no idea that Mr. Worley had given us these letters and he had no right to give us these letters because it had not been discussed in the meeting, and it would be discussed on today. So, why did we receive these letters. Okay.;
- D. Upon that, he said that he would refund on these letters, and he did as he said. He called me and told me there would be no more letters sent out past Friday. On Monday, some of the girls still received the letter. Okay.;
- E. Then, upon that, I asked about my vacation pay that we just received two (2) weeks vacation pay in July. After that, one of the co-ordinators told me that if I didn't go ahead and take it, I would not get paid for it, and if I took it, and they could not cover my client, I would not get paid. And upon that, she called me last week, and told me she could cover my client for three (3) days of the week, but there were two (2) days that she would not be covered. So, why would I have to take two (2) weeks vacation, and you cannot cover my client, and you are going to lose money anyway.;
- F. So, I feel that us CNA's are not given the credit that we deserve, we are the ones that are out there every day working.;
- G. Why would we have to travel these great distances and not be reimbursed for my travel?;
- H. We were told that no one would get vacation pay, Why not? We have a whole year to take our vacation, and why should they tell us when we can take our vacation? August 31, 2011 is approaching. Why should I have to go and take - - I have a sick husband at home, too. He has Stage 4 cancer. I arrange for someone else to help me with my husband, so I can continue working for the Department of Aging.; **and**
- I. We are the reason these centers are being funded because we get out there and work for the money so he can fund these centers. But nobody pays attention to us CNA's. Everything is suppose to be taken away from us, and why?
9. **Willie Burns, 107 Diamond Branch School Road, Whiteville, NC:** stated the following:
- A. My purpose here tonight is to represent the Department of Aging;
  - B. I know what the Department of Aging means to the whole county;
  - C. Over the years, I have had the opportunity to serve as a Senior Tarheel Legislator, and during that period of time, I had the opportunity to meet people from other counties, and Columbus County always came up as the best;
  - D. I have served on the Aging Committee; **and**
  - E. The senior centers play a major role in the lives of the senior citizens of Columbus County.
10. **Jimmy Stanley, 302 West Oak Street, Lake Waccamaw, NC:** stated the following:
- A. I serve on the Aging Advisory Board for the Department of Aging;
  - B. This department does a lot of good for the senior citizens of Columbus County; **and**
  - C. Whatever the problem is, I hope we can all work together and get it resolved.
11. **Jack Miller, 194 Andrews Lake Drive, Tabor City, NC:** stated the following:
- A. I am from the Guideway community;
  - B. I am presently serving as the chairman of the Aging Advisory Council for the Department of Aging;
  - C. We are very conscious about our senior citizens;
  - D. I would like to compliment the ones that operate the senior centers, they do a great job;
  - E. I would hope the money will be there to continue to operate these centers;
  - F. This is very important to Columbus County;
  - G. When there is a lack of funds, the senior citizens are the quietest people and say nothing; **and**
  - H. We need to consider ourselves to be seniors and I encourage you to work with the Department of Aging and get this resolved.
12. **Billy Hammond, Fair Bluff, NC:** stated the following:
- A. Ed Worley use to sit in the same place as you are sitting now, and he stepped down as a County Commissioner to oversee the Department of Aging;
  - B. He has done a wonderful job for Columbus County and the senior citizens;
  - C. I don't think the senior citizens should have to suffer for the mistakes that have been made;
  - D. We need to continue to help the senior citizens of Columbus County, because we are all going to be there one day;
  - E. Ed Worley has taken the Department of Aging from the very bottom and took it to

- the top;
- F. The CNA's do a good job; **and**
- G. I will echo what others have said, leave the senior citizens' situation alone, fix the situation, and carry on.
13. **Ralph Nobles, 228 Mercer Road, Chadbourn, NC:** stated the following:
- A. I attend the Senior Center in Chadbourn and I appreciate this chance to speak;
  - B. I have served on the Aging Advisory Board for three (3) years;
  - C. It has been a wonderful experience at the Senior Center, we have a good meal, we do lots of things there;
  - D. Ms. Ruby does a great job there;
  - E. We have a great fellowship, do lots of things together, go on trips, exercise, and it is a great place to go during the day;
  - F. I have known Mr. Ed almost all my life, and our Aging Department is number one in the State, and that's all because of Ed Worley; **and**
  - G. I hope you will consider that and do what is right for the Department of Aging.
14. **Robert Adams, 233 Mt. Calvary Road, Clarkton, NC:** stated the following:
- A. I would like to speak to you tonight as a senior Tarheel and as a member of the Aging Advisory Council;
  - B. A few years ago the State lightened the County's load on their share of Medicaid, and the County had a lot of money on a debt they did not have to pay anymore, millions of dollars;
  - C. It would not take but about 5-6% of this amount to supplement Homehealth, not only for the Aging Department, but for the Health Department also;
  - D. Before Ed Worley's tenure as the Director of the Aging Department, I know of a Columbus County citizen who laid in his own house after expiring, and at the time of discovery, the flesh had separated from the bones;
  - E. With the Medicaid relief windfall, has there been any consideration of utilizing 5-6% of this amount to supplement this program?;
  - F. The Homehealth agency in these two (2) departments provide revenue for other things that they do;
  - G. I would encourage and urge you to consider utilizing this small percentage to help our senior citizens; **and**
  - H. There is a way and a means to accomplish this, and I am requesting that you do this.
15. **Vic Floyd:** stated the following:
- A. It looks like the community here has given us a lot, and told us a lot of things that we should be thinking about;
  - B. I, too, would like to support them and what we are doing here;
  - C. This is a very important thing;
  - D. We want you to look hard at it, and see what can be done, and we can continue to go on; **and**
  - E. I am requesting that you support them just as much as you can, and it will make a difference in what we are doing.
16. **David Lee McPherson, 1186 Old Cribbtown Road, Chadbourn, NC:** stated the following:
- A. In 1976, when Ed Worley and myself sat on the Board of Commissioners, we did not even have a Department of Aging;
  - B. The money through the Cape Fear Council of Governments, which I was on, would go to other counties and to other states (federal money and state money);
  - C. There have been untold millions, and millions, and millions of dollars, beginning with Meals on Wheels that we adopted back then, that has come to Columbus County and helped poor senior citizens.
  - D. There have been all kinds of programs that Mr. Worley has developed;
  - E. Untold millions of dollars through grants, senior citizens' centers throughout the County have been adopted through his leadership;
  - F. The CNA's have done an outstanding job, and you have brought in millions and millions of dollars, through Part B of the Social Security Program;
  - G. By having CNA's, many of the senior citizens have been able to stay in their own house, otherwise they would be forced to go to a nursing home, which again the dollars would be greater for their upkeep;
  - H. This conversation could continue, but I do not want to be redundant;

- I. I know in my heart that everyone of you seven (7) members, including the two (2) gentlemen over there, and including her, and every person in this room here, we love our Senior Citizens Department Program;
  - J. We all need to just say let's work together, and make sure we do not digress;
  - K. Look at the employees we have gained by this, and we need every job that we can get; **and**
  - L. Let's be kind to one another, let's fix this problem together, I know we can do it, and I challenge you to do it
17. **Gene McNeil:** stated the following:
- A. In the last two (2) weeks, Raymond Shaw, Chairman of the Concerned Citizens of Eastern Columbus County (CCECC), and myself done some petitions concerning cutting the hours of the Ransom Senior Center, and cutting the hours for the employees;
  - B. We did not know why it was happening due to having no warning;
  - C. When we saw what was going on the newspaper, our next concern is let us get together;
  - D. The Senior Center there does a great job for the people in the community, and also those that are sick;
  - E. We want to support them, and we want to support the Commissioners to see that they do something to help Mr. Worley out in his dilemma, we don't want to leave nobody out;
  - F. We are family, even though we live in different places, we are all family, and when one person hurts, the whole family hurts, we are a community;
  - G. Columbus County, let's get together and let's do what is right, let's don't fold now even though we know how the economy is, and we really don't know;
  - H. You really have to have some faith and work toward those goals;
  - I. We need to exercise our faith, and we can do it; **and**
  - J. I am urging you Commissioners and County Manger to do some research and see what you can do, let's straighten this mess out.
18. **Raymond Shaw:** stated the following:
- A. Everybody has spoken in favor of keeping these centers open;
  - B. Most of you are senior citizens, and I am almost there myself;
  - C. These centers are so helpful to all of our seniors in Columbus County;
  - D. I would urge you to please work it out, this can be worked out;
  - E. Everybody will have to give a little bit, but at the end, this can be worked out;
  - F. I am asking that you keep these centers open to serve our citizens; **and**
  - G. We have a lot of senior citizens all over this county.
- Chairman Byrd stated that numerous petitions have been submitted relative to the Department of Aging and Senior Citizens' Centers.
19. **Rodney D. Lacewell, P.O. Box 281, Riegelwood, NC:** stated the following:
- A. I paid for water taps, and they have put the water meters down, and then they started charging us;
  - B. I do understand that the County has to get the money from somewhere to pay for the debt that has been incurred; **and**
  - C. I am here tonight in support of the elimination of the fines and fees for Water District IV.
20. **Robert Eugene Adams, 233 Mt. Calvary Road, Clarkton, NC:** stated the following:
- A. I want to speak on Agenda Item #8:
  - B. On three (3) different occasions, you gave me the opportunity to vote on a tax increase on sales tax on a referendum;
  - C. On three (3) different occasions, I voted for it because I am a property owner, and that is the most fair tax that I have ever seen; **and**
  - D. I would like the same opportunity to vote on county-wide voting.

**Agenda Item #7B: AGING DEPARTMENT - LOSS of FUNDS and our PLANS to RECTIFY SITUATION:**

Commissioner Prevatte stated that before we begin any discussions, I would like to make the following motion.

**MOTION:**

Commissioner Prevatte made a motion that the satellite centers stay open as they are, and we will work to solve the problem, second by Commissioner Norris. The motion unanimously passed.

Chairman Byrd stated he would like to address “Cuz” (Ed Worley) as follows:

1. I don't know of anyone in this room that has gone through anymore than Mr. Worley has this year - the loss of a brother suddenly in an accident, his own health issues;
2. There was a week there that we never thought Mr. Ed could come back;
3. In dealing with problems like this, you cannot be yourself, you cannot stay on top of every little thing;
4. Yes, it became a big thing;
5. His assistant has health issues within the home also;
6. These things were slow about coming, and we have always been behind 2-3 months getting the money back from the State and the Federal government, and we all thought it was coming;
7. Times change, they change the way they bill, they change the rate they pay for different services;
8. This is something that slipped up on all of us, everyone here, and I am sure if Mr. Worley had known in time and could cut it off, it would not have happened;
9. He has expressed ways this Board is going to have to deal with on some cuts that he had recommended, and we have already overridden one of those in this previous vote;
10. We will take other issues that he has alleged, one on one, and this Board will work through them;
11. The main thing, the whole goal has been, I have said, speaking to the members, one on one, we are all in favor of keeping the centers open;
12. We have all agreed we are going to keep the senior centers as they are, we are going to watch the budget tighter, we are going to expect you and the County Finance Officer to do the same;
13. We are going to move forward, we are going to over this, we can't let this cripple us; **and**
14. I, too, personally want to thank you for the job you do, you have done an outstanding job and I commend you for it.

**RECESS:**

At 8:30 P.M., Chairman Byrd stated there would be a brief recess before Agenda Item #7B would be addressed.

**REGULAR SESSION RE-CONVENED:**

At 8:40 P.M., Chairman Byrd announced that Regular Session is now re-convened, and the Board will re-visit Agenda Item #7B on some matters that were not answered, and for some questions.

**Agenda Item #7B (continued):**

**Vice Chairman McKenzie:** stated the following:

1. We have heard what everyone had to say about this situation;
2. I, too, have great admiration and respect for Ed. Worley because he does a marvelous job;
3. I also have a lot of admiration and respect for all of the employees of the County because I believe you do from the heart; **and**
4. I believe that enough has been heard, and I would like to make the following motion.

**MOTION:**

Vice Chairman McKenzie made a motion that we forgive and forget what has transpired at the Department of Aging, to keep things just like it was and move forward, second by Commissioner Norris.

**Commissioner Prevatte:** stated the following:

1. I would like to address this to Robert Adams, we did not have a windfall with Medicaid, you were wrong;
2. When he was speaking about a windfall, he was speaking about when we did not have to pay

- part of the Medicaid to the State;
3. Since that happened, we have not raised property taxes in the last six (6) years;
  4. We needed to hold it steady because look what has happened to the economy;
  5. What we have been doing is covering those holes that were in the budget along and continue to try and give people raises and to take into account other needs;
  6. We have just got back to the shape where the LGC says we need to be as far as borrowing power;
  7. Mr. Ed, I think the world of you, and I hope you don't think that I have said anything personal toward you;
  8. We need to find out what went wrong and try to fix it for this year;
  9. If you need some help with it, we need to help you to prevent this from happening again;
  10. I understand there was a cut in Medicaid in 2009, and they started cutting the services and only cover personal services;
  11. I have learned you were covering the costs for these satellite centers with money you got from Homehealth Care;
  12. The general citizen population does not know where that money comes from and were under the impression that it came from the County Commissioners;
  13. You were responsible for making this possible for our senior citizens;
  14. You have made a good effort in some of the things that you are proposing;
  15. In everyday English, why did we lose \$496,000.00 last year?

**Ed Worley:** replied stating the following:

- A. They started with the Medicaid cuts in 2009;
- B. We thought with the department heads, the number of clients that we were hoping to take that we would just break even with it, and save our staff and cover the expenses; **and**
- C. All of a sudden, two (2) weeks ago, Bobbie Faircloth and Gail gave me the report and we begin to look at it, that is when I really saw what was happening.
16. Essentially what happened, when a CNA worked with someone maybe six (6) hours a day, with the cuts in the services, I understand that they might not be working as long with a client now;
17. Because they can only do personal services now, they can't do things like they used to could like take them to the grocery store or doctor, or whatever;
18. They can only give them a bath, medication, and a few things like that;
19. Is it legal, or are you not sure, to contract with a CNA?

**Ed Worley:** replied stating the following:

- A. I have had no one else to tell me any different;
- B. They were contracting with them before I came here, and we have contracted with them for the last seventeen (17) years;
- C. I have talked to Virginia Taylor about this, and she . . . . .
- D. If you did not contract with them, and bring them in as a County employee, we found out that that was not the best thing to do because there is a shuffle out there with CNA's; **and**
- E. They understand that they are contract workers from the day they are hired.
20. I understand where you are coming from as far as cutting out the benefits because I have never heard of a contracted position that provided vacation and sick leave;

**Ed Worley:** replied stating the following:

- A. We got a lot of competition, and at this time, we have thirty-four (34) agencies that are doing the same thing that we are doing, the competition is high;
  - B. Many years ago, our competitors were offering vacation and sick time and eventually they were offering travel reimbursement, and this will pull you into the game;
  - C. In order to have the best, they will go where the best package is at;
  - D. This happened on May 18, 1997, I got it on a calendar in my pocket, I approached Dempsey Herring, and at that time, Ida Smith, we were meeting trying to find some insurance for the CNA's, and we had Lacy West out of Elizabethtown to come; **and**
  - E. I told Dempsey that we needed this package to offer the CNA's some paid holidays, some paid vacation time for our CNA's, and give us something we can offer that the competitors are offering, and he approved it himself.
  21. Today, we do have the other agencies in the County and they don't pay benefits like that and they don't pay any mileage at all; **and**
- Ed Worley stated that the industry had changed and now there is nobody paying that, nobody

paying travel and there are lot of the agencies in the County that are reducing their rates from what they were paying and moving their employees down to minimum wage, etc. The average CNA gets about \$9.00 an hour.

22. If you take these benefits away and do away with travel, could this make up for the shortfall and save jobs for the employees?

Chairman Byrd requested that Vice Chairman McKenzie withdraw his motion and for a discussion to be conducted relative to the necessary changes that need to be made at a later date, either at the next meeting or at a workshop.

Vice Chairman McKenzie withdrew his motion, and Commissioner Norris withdrew his second.

After discussion was conducted, Chairman Byrd requested the Clerk to the Board to poll the Board members and establish a workshop date.

**Commissioner Bullard:** stated the following:

1. I have only known of this problem for two (2) weeks;
2. I am concerned that we do have to come up with a fix for this situation;
3. It is a one-half million dollar loss, and I think this is very serious;
4. We can not afford to lose another one-half million dollars this coming year;
5. There is another shortfall coming up October 1, 2011, on a Medicaid cut;
6. Are we going to need the building that is being bid out, will we need it, will we continue with the Health Program, the CNA's?;
7. Is it time to sell that program?;
8. If we can't manage it, then we need to sell it;
9. When Mr. Clark told me that he and Mr. Worley were going to recommend cutting the hours back on the Senior Citizens Centers, I asked for other proposals, other choices that we could look at. Have you come up with any?; **and**

William S. Clark, County Manager, replied stating that we have not come up with any.

10. I still want to see several other proposals.

Chairman Byrd requested that if any Board member had a question to be addressed at the workshop to forward these questions to Mr. Clark and allow him to get the answers for the workshop.

**Agenda Item #8: PRESENTATION - CONCERNED CITIZENS FOR BETTER GOVERNMENT:**

Anita J. Adams, President of the Columbus County Concerned Citizens for Better Government, delivered the following presentation and request for County-wide voting for Commissioners.

1. I am here asking the Board to adopt a resolution changing the way the Commissioners are elected;
2. This will give the citizens of Columbus County an opportunity to decide whether they are for or against what is commonly known as county-wide voting;
3. CCCBG requested the same thing in 2005;
4. Despite promises made by certain Board members to place this matter on the Agenda, we are disappointed that no one has seen fit to carry out this promise;
5. We provided you, at that time, with petitions with 5,700 signatures that were signed by the citizens of Columbus County;
7. The North Carolina General Statutes provide four (4) different ways in which the Board may be elected;
8. We have provided you with copies of those pertinent parts of the statutes;
9. We are requesting that the Board members be elected in accordance with N.C.G.S. § 153A-58 (3) d;
10. On the last section, the County would still be divided in seven (7) electoral districts, in accordance with the 2010 census;
11. This is what we have proposed:
  - A. Each district will have one (1) Board member;

- B. A person running for nomination or election would be required to reside in his or her district;
  - C. The only thing that would change is that all the qualified voters in the entire county would vote for all seven (7) members of the Board;
  - D. We are not asking that the way the Chairman of the Board is elected be changed;
  - E. We are not asking that the term of the office of the Board member be changed from the four (4) year term, as we know it now;
  - F. Keep in mind we are not asking the Board to make this alteration on its own;
  - G. We are merely asking that the Board adopt a resolution as described in N.C.G.S. § 153A-60 and then place the alteration on a separate ballot as described in N.C.G.S. § 153-61;
  - H. Voters would then be able to vote yes or no as to whether they were in favor of this change; **and**
  - I. We are just asking you to let the voters decide on this issue;
12. When we first proposed this resolution back in 2005, like I said, we presented these petitions that were signed by 5,700 of our Columbus County citizens, no group has come forward opposing this resolution that we are asking for;
13. Of the present membership of the Board, there are many of you who have supported county-wide voting while campaigning or at other times;
14. We ask that you respond to our request at this time;
15. We are making this request early to go on the ballot to be voted on in the November, 2012 General Election; **and**
16. All that we ask of you, as a Board, is to allow the voters of Columbus County to decide on how the Board of Commissioners is elected.

**Commissioner Prevatte:** Mr. Stephens, if we do decide to place this on the referendum, we are under a court order right now to maintain two (2) minority districts , will that violate this in any way?

**Mike Stephens:** To change what is in place right now, will have to go before a federal judge that issued that court order back in the early 90's. Voting at large is what got the County in the situation it is now. As Mr. Mitchell eluded to earlier, one vote for one person. Until we can convince a federal court that a minority would have an opportunity to be elected at an at-large voting, I don't think we are at that threshold yet especially with this census that is coming up. We didn't do what we were suppose to in 2000, as far as re-districting. It popped up in 2008, and we had to make some adjustments to make sure we were in the federal guidelines. This has got to go back through the plaintiffs once this Board decides on the re-districting issue that is at hand now, it has got to go back before the plaintiffs and then we got to get them in agreement and go back before a federal judge to get everything in place with this. We are under a federal court order. We can't just jump up and change what the Federal Court has dictated that you will do.

**Commissioner Prevatte:** So, it would do no good to put this on a referendum. Even if it was approved, it would not accomplish anything.

**Mike Stephens:** You could not. You have to convince a Federal judge.

**Anita Adams:** I have a question for the attorney. The court order that we are under, I can understand it is establishing two (2) minority districts. We are not changing the districts, so how are you affecting the court order?

**Chairman Byrd:** Because the vote would be county wide, rather than within those two (2) districts, and that is what the problem was what they sought to solve to start with. So you would be voting county wide.

**Anita Adams:** You would still have a minority that is going to run from those districts. Is that not correct?

**Chairman Byrd:** A minority might not run just from those two (2) districts. They may run from any of the seven (7) districts.

**Anita Adams:** Right.

**Chairman Byrd:** The voting power throughout the County in a vote county wide would eliminate that possibility in most cases. I am not going to say it would not happen, but right now with us under a court order nothing could be done until we are relieved from that court order which would take another Federal lawsuit and another trial to go through to set it aside. That is where are at with it.

**Commissioner Bullard:** Mr. Stephens, if it was to go on the ballot, and then those numbers were sent to the judge or the court, would that show that there is support to change it.

**Mike Stephens:** What those districts are suppose to mean, it does not guarantee that a minority will get elected, it just gives a minority an opportunity to be elected. I am not saying one way or the other, I am just voicing an opinion from a legal opinion as to where we stand right now. Once we get through this period of time, and this re-districting, and if it is this Board's opinion, we can go

to a Federal Court and say we have been good boys now and the situation has changed in Columbus County, and we think a minority would have an opportunity at an at-large voting, and if we can convince a court, we don't have to have a referendum to do that. You have the power to do that once the judge says okay you guys do the way that you think is best for the County.

**Chairman Byrd:** But right now, we are under the Court order.

**Mike Stephens:** Yes.

**Commissioner Prevatte:** But you are saying to wait until we re-district and then . . .

**Mike Stephens:** Then you might could look at this.

**Vice Chairman McKenzie:** The main thing is we don't have any evidence to take it back to the Court to show any proof that a minority Commissioner can be elected through a County-wide voting process or we have not had it done.

**Anita Adams:** That goes back to what Ricky said. How are you going to know what you got if you don't try it?

**Vice Chairman McKenzie:** Someone has to run in the other five (5) districts.

**Anita Adams:** That is true.

**Vice Chairman McKenzie:** If a minority runs in those other five (5) districts that are not minority protected and they win, then that is something you can present solidly to a court. But right now we have no evidence.

**Commissioner Prevatte:** But that is no guarantee just because a minority were to win in one (1) of those five (5) that are not minority districts.

**Commissioner Bullard:** So, Mr. Stephens, are you saying we would be wasting our time to vote and support this? Have you heard anything?

**Mike Stephens:** You got to say okay we have got the majority of the voters in Columbus County that want to do this, and the Federal judge says no, I appreciate their interest but you are still under this Federal Court Order. When you come back and show the Federal Court certain hurdles that you have jumped to assure this, or can show. You have got to have some evidence.

**Commissioner Bullard:** Would proof as to the two (2) members on the Columbus County School Board getting elected as a minority, would that be evidence to run county wide?

**Anita Adams:** Mr. Byrd, do you not represent a minority district?

**Chairman Byrd:** Yes I do.

**Alexis Prease:** I think that shows in of itself that what the Court, the Federal Judge intended to have happen, didn't happen in the first place. It didn't happen, over the years, it did not continue to happen. You have replaced some minority Commissioner in a district that was combined basically it was majority black and Indian. You ran and you beat Mr. Jacobs who was American Indian. When you go to the Judge, if I understand the attorney who was here tonight, you will be going to that Judge to approve how the lines are delineated once again. There is no reason that this same issue of county-wide voting cannot be a part of that approach to that Judge. In years and years, that was in 1989, and what happened in that case was the Judge did not make a decision himself. He said I decided that we need to do something that will result in minorities being represented on the Board. You all, and that was Mr. Crowell, who at that time represented Columbus County, and Richard Wright represented the other side, which was a group of minorities who were against what they wanted to have done. The Judge then said, he heard evidence, he went out and he said what I want you all to do is sit down and come up with a way to assure that we can have minorities represented on the Board of Commissioners. He did not say one (1) or he did not say two (2), he did not say seven (7). As it is right now, especially since the way the minorities are able to organize and also to get their constituents, minority constituents to go out and vote, there is a good chance that we can have six (6) or seven (7) different people. None of us care as to whether it is seven (7) blacks, seven (7) Indians or seven (7) whites. None of us care. I think that from a practical matter, we all live somewhere where there is someone representing different views, and that includes a woman's view which is very often overlooked.

**Vice Chairman McKenzie:** With all due respect, the attorney, if you think about this situation, the reason the suit was initiated to begin with because none of those things had happened. Many minorities had ran but none of them could win with a county-wide system. So, when the Courts came, they saw what the complaint was, so they agreed with the request, with the individuals that were complaining. They authorized, they recommended that two (2) more, or ordered that two (2) more districts be open, and that they could go out and re-structure them, so there would be at least an opportunity for a minority to get elected. With that, if two (2) whites had gotten elected, that is fine, but at least a minority had an opportunity to get elected. As long as you have an opportunity, I don't want you to give me anything, and I am speaking this from a black person's prospective, from a minority prospective, if you have not noticed, I am a minority, I don't want you to give me anything, but I want you to give me an opportunity, and I want you to judge me by the contents of my character, and not by the color of my skin. See, that is the way everybody feels virtually, and basically that looks like me. All I am saying to you is that that is why the initial court order was

done, and at this time and point, I would say with valid evidence such as we have proven that now a minority Commissioner can be voted on.

**Alexis Prease:** That is not going to happen until we have an opportunity to have county-wide voting.

**Vice Chairman McKenzie:** All we have to do is to have one run. Based on statistics, there are minorities in all of the other districts.

**Anita Adams:** We had several minorities who signed these petitions also.

**Vice Chairman McKenzie:** All of them don't understand the criteria, and they feel like I feel. I feel like this. I feel that it should be county-wide voting. I feel like I should be able to run for any seat in this County, and because I am the most qualified one, I should be elected. A person should not get in there and look at my picture and realize that because I am black, I am not going to vote for you, I am going to vote for the other guy. A person must feel comfortable with that. That is why the other four (4) or five (5) districts don't have any black representation. When it comes to running for those positions, they know already that they cannot win based on historical situations.

**Alexis Prease:** That is not reason not to run. I ran when I knew there was no way that I could win. I ran to make a point that we needed a change. There is no excuse to say that I can't because I can't win.

**Chairman Byrd:** I would like to make this clear. I had minorities, black and Indian, to come to me and ask me to run. The reason that I ran is the minorities, black and Indian, along with the white population, asked me to do so because they wanted a change.

**Alexis Prease:** The same thing can happen in all of the seven (7) districts.

**Chairman Byrd:** At this time, I am going to ask . . .

**Mike Stephens:** I would like to read from the Court Order, itself, as follows: "Beginning with the 1992 election, that is when this order came about, the Columbus County Board of Commissioners shall, not may, not maybe, if they want to, shall be expanded to seven (7) members receiving staggered four (4) year terms. Each Commissioner shall be elected from one (1) of the seven (7) as delineated in the Columbus Commissioners' Plan B, 7A, which is described in Attachment A. Only voters residing in a district shall be eligible to vote for the seat from the district and only persons residing in a district shall be eligible for candidacy for the seat for that district." That is what the Federal Judge ordered to take place at that time.

**Chairman Byrd:** And we are still under that?

**Mike Stephens:** We are still under that ruling.

**Alexis Prease:** You are under what is essentially a Consent Order. Maybe none of you have been in Federal Court, or practiced in Federal Court, I have. Consent Decrees are not there to last from here to eternity. They want to be able to get out from under that. They don't want to have to continue to monitor the minutiae of every county in every state in this Union.

**Chairman Byrd:** Thank you for coming.

**Agenda Item #9: BOLTON VOLUNTEER FIRE DEPARTMENT - ESTABLISHMENT of PUBLIC HEARING DATE and TIME:**

Bryant Smith, Fire Chief, requested the Board to establish October 03, 2011, at 6:00 P.M., as the date and time for a public Hearing for the Bolton Volunteer Fire Department.

Vice Chairman McKenzie made a motion to establish October 03, 2011, at 6:30 P.M., as the date and time for a public hearing to be held for the Bolton Volunteer Fire Department, second by Commissioner Russ. The motion unanimously passed.

**Agenda Item #10: PUBLIC TRANSPORTATION - ROAP GRANT:**

Charles Patton, Director, requested Board approval and authorization for Chairman to sign the Certified Statement and approval of the sub-allocation of funds.(**The required public hearing was conducted on this date prior to the meeting.**)

Vice Chairman McKenzie made a motion to approve and authorize the Chairman to sign the Certified Statement, and approve the sub-allocation of funds for the ROAP Grant, second by Commissioner Norris. The motion unanimously passed. A copy 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 #11: M.I.S. - DEPARTMENTAL UPDATE:**

Alan James, Director, delivered the following Departmental Update.

1. We take care of the computers and technology for Columbus County;
2. We have three (3) different areas of the M.I.S. Department as follows:
  - A. I.T. - which actually repairs and installs the computers, fights the viruses and takes care of the servers, and the day-to-day business of the County;
  - B. G.I.S. - takes care of the digital mapping on several different levels; **and**
  - C. General duties of assisting other departments in purchasing technology items, getting quotes, maintain the County website, maintain the website for two (2) municipalities, Whiteville and Lake Waccamaw;
3. Quite a task of security issues; **and**
4. Repair and re-use of our existing technology items.

**Agenda Item #12: ECONOMIC DEVELOPMENT - APPROVAL of INCENTIVE GRANT:**

Gary Lanier, Economic Development Director, requested Board approval of the following Economic Development Incentive Grant for Filtec Precise. (**The required Public Hearing was conducted on this date prior to the meeting.**)

**Columbus County Incentive Calculations  
(Based on historical calculations)**

**Project:** Filtec Precise  
**Investment:** \$1,000,000                  14 jobs  
**County Tax Rate:** 0.815

Tax Year	County Property Taxes Paid on Investment**	Percentage	Grant Amount
Tax Year 1	\$8,150	85%	\$6,927.50
Tax Year 2	\$8,150	80%	\$6,520.00
Tax Year 3	\$8,150	75%	\$6,112.50
Tax Year 4	\$8,150	70%	\$5,705.00
Tax Year 5	\$8,150	70%	\$5,705.00
<b>Total Over 5-Year Period</b>	<b>\$40,750</b>	<b>76%</b>	<b>\$30,970.00</b>

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

Vice Chairman McKenzie made a motion to approve the Economic Development Grant for Filtec Precise in the amount of thirty thousand, nine hundred seventy, and 00/100 (\$30,970.00) dollars, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #13: ECONOMIC DEVELOPMENT - APPROVAL of INCENTIVE GRANT:**

Gary Lanier, Economic Development Director, requested Board approval of the following Economic Development Incentive Grant for Top Tobacco. (**The required Public Hearing was conducted on this date prior to the meeting.**)

**Columbus County Incentive Calculations  
(Based on historical calculations)**

**Project:** Top Tobacco  
**Investment:** \$7,500,000                  5 jobs  
**County Tax Rate:** 0.815

Tax Year	County Property Taxes Paid on Investment**	Percentage	Grant Amount
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Tax Year 1	\$61,125	85%	\$51,956.25
Tax Year 2	\$61,125	80%	\$48,900.00
Tax Year 3	\$61,125	75%	\$45,843.75
Tax Year 4	\$61,125	70%	\$42,787.50
Tax Year 5	\$61,125	70%	\$42,787.50
<b>Total Over 5-Year Period</b>	<b>\$305,625</b>	<b>76%</b>	<b>\$232,275.00</b>

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

Vice Chairman McKenzie made a motion to approve the Economic Development Incentive Grant for Top Tobacco in the amount of two hundred thirty-two thousand, two hundred seventy-five, and 00/100 (\$232,275.00) dollars, second by Commissioner Russ. The motion unanimously passed.

**Agenda Item #14: ECONOMIC DEVELOPMENT - APPROVAL of INCENTIVE GRANT:**

Gary Lanier, Economic Development Director, requested Board approval of the following Economic Development Incentive Grant for West Fraser Timber Company. (**The required Public Hearing was conducted on this date prior to the meeting.**)

**Columbus County Incentive Calculations  
(Based on historical calculations)**

**Project:** West Fraser Timber Company  
**Investment:** \$17,500,000      0 jobs  
**County Tax Rate:** 0.815

Tax Year	County Property Taxes Paid on Investment**	Percentage	Grant Amount
Tax Year 1	\$142,625	85%	\$121,231.25
Tax Year 2	\$142,625	80%	\$114,100.00
Tax Year 3	\$142,625	75%	\$106,968.75
Tax Year 4	\$142,625	70%	\$99,837.50
Tax Year 5	\$142,625	70%	\$99,837.50
<b>Total Over 5-Year Period</b>	<b>\$713,125</b>	<b>76%</b>	<b>\$541,975.00</b>

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

Mr. Lanier stated this will modernize that mill and keep it in the County at the estimated life of thirty (30) years, and it will also increase the output by fifty (50%) percent, and is expected to create possibly one hundred (100) ancillary jobs, but not additional jobs at the mill.

Commissioner Prevatte stated this would eliminate jobs at the mill, the timber industry was down, and there would be no guarantee that the jobs in the timber industry would occur.

Commissioner Bullard requested that this grant be monitored and an update to be delivered to the Board in one (1) year.

Commissioner Norris made a motion to approve the Economic Development Incentive Grant for West Fraser Timber Company, in the amount of five hundred forty-one thousand, nine hundred seventy-five and 00/100 (\$541,975.00) dollars, second by Vice Chairman McKenzie.

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

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

The motion passes on a six (6) to one (1) vote.

**Agenda Item #15: CDBG SCATTERED SITE GRANT #08-C-1819 CLOSEOUT - ESTABLISHMENT of PUBLIC HEARING DATE AND TIME:** Floyd Adams, The Adams Company, is requesting September 06, 2011 be established as the date for a public hearing to be conducted. (**A time needs to be established.**)

Commissioner Prevatte made a motion to establish September 06, 2011, at 6:30 P.M., as the date and time for a public hearing on the CDBG Scattered Site Grant # 08-C-1819 Closeout, second by Commissioner Bullard. The motion unanimously passed.

**Agenda Item #16: RESOLUTION - RESOLUTION ENCOURAGING the CITIZENS of COLUMBUS COUNTY to OBSERVE FIREFIGHTERS WEEK in COLUMBUS COUNTY:**

Chairman Byrd requested Board approval and adoption of the following Resolution Encouraging the Citizens of Columbus County to Observe Firefighters Week in Columbus County.

**RESOLUTION ENCOURAGING the CITIZENS of COLUMBUS COUNTY to OBSERVE FIREFIGHTERS WEEK in COLUMBUS COUNTY**

**WHEREAS**, fighting fires is one of the most hazardous professions, requiring physical strength, stamina, extensive training, courage, and selfless concern for the welfare of others; **and**

**WHEREAS**, firefighters provide valuable service to the citizens of Columbus County, their communities, and the County; **and**

**WHEREAS**, firefighters make sacrifices to protect the lives and financial interests of the citizens of Columbus County; **and**

**WHEREAS**, firefighters respond to emergencies without hesitation when the call of duty arises; **and**

**WHEREAS**, firefighters work with public safety officials and law enforcement officers to protect the integrity of crime scenes, which is necessary to resolve arson cases; **and**

**WHEREAS**, firefighters reside in the community in which they serve and have a great appreciation for protecting their communities; **and**

**WHEREAS**, it is appropriate to recognize the duties and services that firefighters perform by observing **FIREFIGHTERS WEEK** in Columbus County.

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

1. We believe that all firefighters deserve to be honored for the invaluable service they provide to the County, its citizens and communities;
2. We encourage the citizens of this County to observe September 11 - 17, 2011, and the week in September of each year containing September 11 as **FIREFIGHTERS WEEK** in Columbus County; **and**
3. This resolution is effective upon adoption.

**APPROVED and ADOPTED** this the 15<sup>th</sup> day of August, 2011.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**  
 /s/ **GILES E. BYRD, Chairman**  
**ATTESTED BY:**  
 /s/ **JUNE B. HALL, Clerk to Board**

Commissioner Russ made a motion to approve the Resolution Encouraging the Citizens of Columbus County to Observe Firefighters Week in Columbus County, second by Vice Chairman McKenzie. The motion unanimously passed.

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## **Agenda Item #17: APPOINTMENT - HOUSING ADVISORY COMMITTEE:**

June B. Hall, Clerk to the Board, requested the following appointment to the Housing Advisory Committee.

VII      Housing Advisory Council    Lewis L. Cokley (**Deceased**)                06-30-2011

Commissioner McDowell appointed James Register, 664 Wardtown Road, Whiteville, North Carolina 28472, Telephone: 642-4290 (Home), 207-2076 (Cell), to the Columbus County Housing Advisory Committee, for a two (2) year term, with term expiring June 30, 2013.

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

At 9:29 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 Norris. The motion unanimously passed.

## **Agenda Item #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

August 01, 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 #19: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to JULY, 2011 MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the adjustments to the monthly water bills for July, 2011 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 #20: COLUMBUS COUNTY WATER and SEWER DISTRICT IV - DELINQUENT ACCOUNTS:**

Kip McClary, Public Utilities Director, requested direction on legal action on the delinquent accounts in Columbus County Water and Sewer District IV.

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

## **Agenda Item #21: COLUMBUS COUNTY WATER and SEWER DISTRICT V - APPROVAL of CONVEYANCE of EASEMENTS to GSWSA for DOTHLAN ROAD SEWER PROJECT:**

Kip McClary, Public Utilities Director, requested Board approval of the following Conveyance of Easements and Rights-of-Way to Grand Strand Water and Sewer Authority for the Dothan Road Sewer Project.

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 9:41 P.M., Commissioner Russ made a motion to adjourn the combination meeting of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting and resume Regular Session, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #22: CONSENT AGENDA ITEMS:**

Vice Chairman McKenzie made a motion to approve the budget amendments inclusive in the August 15, 2011 Board Packet, excepting the Budget Amendment for the Columbus County Department of Aging, as follows, and the following Tax Refunds and Releases.

**A. Budget Amendments:**

TYPE	ACCOUNT	DETAILS	AMOUNT
<b>Expenditure</b>	10-5301-549988	TANF Domestic Violence	2,232
<b>Revenue</b>	10-3530-430065	Work First Block Grant	2,232
<b>Expenditure</b>	10-5112-519090	Contract Services School Nurse	40,000
<b>Revenue</b>	10-3510-430046	School Nurse	40,000
<b>Expenditure</b>	14-4311-550000	Capital Outlay - Special Alcohol	20,820
<b>Revenue</b>	14-3431-499101	Drug Fund Balance Appropriated	20,820

**B. Tax Refunds and Releases:****TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):  
August 15, 2011**

Refunds Name: Webb, John W. & Laura E Amount: \$0.00  
Value: \$0.00 Year 011 Account # 11-29640 Bill # 68225 Total \$223.00  
Refund user fee. House vacant without a can.  
276 Webb Road Lake Waccamaw NC 28450

Refunds Name: Dibartolo Joe & Barbara Amount: \$339.04  
Value: \$10,400.00 Year 7-10 Account # 01-02676 Bill # 99999 Total \$395.20  
Refund portion of billed amount. Billed with incorrect access. Refund Whiteville Rescue(8.32), refund Water III(47.84)  
191 St Andrews Drive Whiteville NC 28472

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):  
August 15, 2011**

Release the Property Value in the name of Bass, Peggy & Horace M. Amount: \$26.90  
Value: \$3,300.00 Year: 2011 Account # 12-01083 Bill # 4769 Total \$257.87  
Release entire portion of dwelling. Should be tax exempted. Release Evergreen Fire(5.00), release Columbus Rescue (.66), release Water District II (2.31)

Release the Property Value in the name of Buchanan, Larry Amount: \$906.28  
Value: \$111,200.00 Year: 2011 Account # 15-02555 Bill # 8023 Total \$1,284.96  
Release entire value of dwelling and land value. To be rebilled in same account after correction. Release Acme Delco(133.44), release Columbus Rescue (22.24)

Release the Property Value in the name of Buchanan, Ruth Lane Amount: \$12.23  
Value: \$1,500.00 Year: 2011 Account # 15-02863 Bill # 8027 Total \$14.33  
Release entire portion of land value. Listed act#15-02555. Larry Buchanan, Release Acme Delco(1.80), release Columbus Rescue(.30)

Release the Property Value in the name of Glaesner, Betty Jo Stephens (ETALS) Amount: \$431.95  
Value: \$53,000.00 Year: 2011 Account # 9-03532 Bill # 8189 Total \$474.35  
Release portion of land value. Should be on Land Use program. See act#09-29340 Release Roseland (31.80), release Columbus Rescue(10.60)

Release the Property Value in the name of Huggins, Deborah M. Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 7-02255 Bill # 3737 Total \$32.03  
Release late list fee. Clerical error.

Release the Property Value in the name of Johnson, Eddie Amount: \$678.24

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Value: \$16,800.00 Year: 02-07 Account # 1-03661 Bill # 99999 Total \$695.76  
Release value of building. Incorrect occupancy code. Release Whiteville Rescue(17.52)

Release the Property Value in the name of Mills Clara Amount: \$7.34  
Value: \$900.00 Year: 2011 Account # 6-26084 Bill # 1645 Total \$231.42  
Release value of dwelling. Should be exempt. Release Yam City(.90), release Columbus Rescue (.18)

Release the Property Value in the name of Nobles, Kimberly J. Amount: \$29.82  
Value: \$1,094.00 Year: 09-11 Account # 3-03655 Bill # 3278 Total \$36.83  
Release value of boat. Sold. Release Old Dock Fire (2.93), release Columbus Rescue(.73)

Release the Property Value in the name of Sarvis, Dorothy Amount: \$88.84  
Value: \$10,900.00 Year: 2011 Account # 9-01548 Bill # 8611 Total \$97.56  
Release portion of value on dwelling. Portion should have been tax exempted. Release Roseland Fire(6.54), release Columbus Rescue(2.18)

Release the Property Value in the name of Sellers, Elizabeth Kay Amount: \$581.91  
Value: \$71,400.00 Year: 2011 Account # 9-05522 Bill # 9138 Total \$862.03  
Release portion of dwelling value. House only 50% complete. Release Williams Fire(42.84), release Columbus Rescue(14.28)

Release the Property Value in the name of Simmons, Robert Amount: \$13.64  
Value: \$1,674.00 Year: 2011 Account # 3-02357 Bill # 0176 Total \$16.65  
Release property value of 1993 boat. Sold act#04-01212. Release Brunswick Fire(1.17), release Columbus Rescue(.33)

Release the Property Value in the name of Strawn, Kay Amount: \$124.70  
Value: \$15,300.00 Year: 2011 Account # 11-01316 Bill # 3472 Total \$359.94  
Release entire value of dwelling. Should be tax exempted. Release Hallsboro Fire(9.18), release Whiteville Rescue (3.06)

Release the Property Value in the name of Strickland, Veronica T. Amount: \$45.04  
Value: \$5,526.00 Year: 2011 Account # 1-01222 Bill # 3848 Total \$50.02  
Release value of boat. Double listed Act#01-06494 Berry Strickland. Release Brunswick Fire(3.87), release Columbus Rescue (1.11)

Release the Refunds in the name of Dibartolo Joe & Barbara Amount: \$339.04  
Value: \$10,400.00 Year: 07-10 Account # 01-02676 Bill # 9999 Total \$395.20  
Refund portion of billed amount. Billed with incorrect access. Refund Whiteville Rescue(8.32), refund Water III(47.84)

Release the Refunds in the name of Webb, John W. & Laura E Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 11-29640 Bill # 8225 Total \$223.00  
Refund user fee. House vacant without a can.

Release the User Fee in the name of Allen, Jessica Hudson (ETAL) Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 8-04032 Bill # 3269 Total \$223.00  
Release user fee. Dwelling is vacant.

Release the User Fee in the name of Best, Kevin & Teresa Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 9-01322 Bill # 5761 Total \$223.00  
Release user fee. Mobile home is vacant.

Release the User Fee in the name of Blanks, Pauline G. Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 7-01429 Bill # 6294 Total \$223.00  
Release user fee. Dwelling is vacant. Can picked up 9/14/2010

Release the User Fee in the name of Brown, Brandie Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 4-51202 Bill # 7341 Total \$87.00  
Release portion of user fee. Billed in county in error.

Release the User Fee in the name of Christian Willie C. Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 7-50022 Bill # 0544 Total \$223.00  
Release user fee. Dwelling is vacant can picked up 9-5-2007

Release the User Fee in the name of Duncan, Anthony K. Value: \$0.00 Year: 2011 Account # 13-10680 Bill # 3804 Release user fee. Mobile home vacant. Can picked up 9-20-2010	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Edmunds, Donald P. Value: \$0.00 Year: 2011 Account # 8-04417 Bill # 4317 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$136.00
Release the User Fee in the name of Elderdice James T. Value: \$0.00 Year: 2011 Account # 7-03780 Bill # 4545 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Ellis, Robert (Heirs) Value: \$0.00 Year: 2011 Account # 13-12120 Bill # 4738 Release user fee. Dwelling is vacant. Can picked up 2-5-2009	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Erwin, Ricky James Value: \$0.00 Year: 2011 Account # 3-02107 Bill # 4979 Release user fee. Dwelling incomplete and vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Etheridge, Teresa Long & Jeff Value: \$0.00 Year: 2011 Account # 3-06363 Bill # 5084 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Flynn, Floyd W. Value: \$0.00 Year: 2011 Account # 15-14000 Bill # 6197 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Frotton, Shirley Value: \$0.00 Year: 2011 Account # 3-00860 Bill # 7268 Release user fee. Mobile home is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Gold, Yvonne T. Value: \$0.00 Year: 2011 Account # 1-03555 Bill # 8511 Release user fee. Dwelling is vacant. Can picked up 5-26-2010	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Greene, Eugene & Margaret Value: \$0.00 Year: 2011 Account # 16-06100 Bill # 0110 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Grooms Hughson M. Value: \$0.00 Year: 2011 Account # 11-00008 Bill # 0348 Release user fee. Dwelling is vacant	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Hayes, Myrtle S. (Heirs) Value: \$0.00 Year: 2011 Account # 7-08220 Bill # 1669 Release user fee. Dwelling is vacant. Can picked up 8-20-2010	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Herring, Diane Page Value: \$0.00 Year: 2011 Account # 16-04431 Bill # 2141 Release user fee. Dwelling is vacant	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Hilburn, Jerry Keith Value: \$0.00 Year: 2011 Account # 9-13483 Bill # 2507 Release user fee. Dwelling is vacant. Can picked up 3-26-2007	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Jacobs Ronald Value: \$0.00 Year: 2011 Account # 15-04733 Bill # 4698 Release user fee. Mobile home is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Jewell Jeffrey T. & Christi Value: \$0.00 Year: 2011 Account # 3-04113 Bill # 5131 Release user fee. Shop used for storage and does not have a can.	Amount: \$0.00 Total \$223.00

Release the User Fee in the name of Jones, Eunice G. (Etal)	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 14-05581 Bill # 5613	Total \$223.00
Release user fee. Dwelling is vacant.	
Release the User Fee in the name of Jones, Phil S. & Sue R.	Amount: \$115.08
Value: \$14,120.00 Year: 2011 Account # 11-05030 Bill # 5763	Total \$139.01
Release value of boat. Registered in Meckleburg County. Release Hallsboro Fire(8.47), release Columbus Rescue(2.82)	
Release the User Fee in the name of Kelly, Larry	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 15-22190 Bill # 6206	Total \$223.00
Release user fee. Mobile home is vacant. Can picked up 2004	
Release the User Fee in the name of Little, Rodney G. Jr. & Wendy	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 15-05102 Bill # 7924	Total \$223.00
Release user fee. Dwelling is vacant.	
Release the User Fee in the name of Long, Leona P. (Heirs)	Amount: \$0.00
Value: \$0.00 Year: 09-11 Account # 7-10840 Bill # 8158	Total \$572.17
Release user fees. Dwelling is vacant. Can picked up in 2005.	
Release the User Fee in the name of McDaniels, Letha S.	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 9-04811 Bill # 9830	Total \$223.00
Release user fee. Dwelling is vacant.	
Release the User Fee in the name of Melvin, Audrey Lynn	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 4-00222 Bill # 1257	Total \$223.00
Release user fee. Dwelling is vacant.	
Release the User Fee in the name of Murray, Arlene Flowers (Heirs)	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 15-28300 Bill # 2638	Total \$223.00
Release user fee. Dwelling is vacant.	
Release the User Fee in the name of Musselwhite, George Clayton	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 9-03647 Bill # 2676	Total \$223.00
Release user fee. Shop is vacant.	
Release the User Fee in the name of Page, Mark	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 5-01614 Bill # 4246	Total \$223.00
Release user fee. Dwelling is vacant. Can picked up 8/18/2009	
Release the User Fee in the name of Peterson D J & Joyce	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 15-05122 Bill # 4885	Total \$223.00
Release user fee. Dwelling is vacant	
Release the User Fee in the name of Pinero Kathy Leverne	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 13-32655 Bill # 5258	Total \$223.00
Release user fee. Dwelling is vacant. Can picked up 8/16/2010	
Release the User Fee in the name of Robinson, Eddie Eugene	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 14-00945 Bill # 7818	Total \$223.00
Release user fee. Dwelling is vacant. Can picked up 2-5-2009	
Release the User Fee in the name of Smith, Toni Squires	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 15--35073 Bill # 1435	Total \$223.00
Release user fee. 1974 mobile home sold in 2002.	
Release the User Fee in the name of Thompson, James Charles (Jr)	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 12-27482 Bill # 4851	Total \$223.00
Release user fee. Dwelling unliveable.	
Release the User Fee in the name of Watkins, Norman L. & Joann	Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 13-02653 Bill # 7793	Total \$223.00
Release user fee. Dwelling is vacant. Can picked up 8/6/2009	

Release the User Fee in the name of White, Samuel Lee Value: \$0.00 Year: 2011 Account # 4-02429 Bill # 8679 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$136.00
Release the User Fee in the name of Williamson, Blanche Value: \$0.00 Year: 2011 Account # 13-04842 Bill # 9414 Release portion of user fee. Can picked up 7/28/2011. Mobile home vacant.	Amount: \$0.00 Total \$92.00
Release the User Fee in the name of Williamson, Reba L. Value: \$0.00 Year: 2011 Account # 2-00428 Bill # 9722 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$136.00
Release the User Fee in the name of Wright, Patricia Vance & Benjamin Value: \$0.00 Year: 2011 Account # 1-05992 Bill # 0565 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Wright, Patricia Vance & Benjamin Value: \$0.00 Year: 2011 Account # 3-00022 Bill # 0566 Release user fee on two locations. Dwellings are vacant. Cans picked up 8/27/2009	Amount: \$0.00 Total \$446.00
Release the User Fee in the name of Yost, Steven V. & Deborah Value: \$0.00 Year: 2011 Account # 1-35851 Bill # 0761 Release user fee. New house and no can delivered.	Amount: \$0.00 Total \$223.00
<b>Agenda Item #23: <u>COMMENTS:</u></b>	
Chairman Byrd opened the floor for comments. The following spoke.	
A. <b>Department Head:</b>	
Ed Worley: Thank you, thank you, thank you.	
B. <b>Board of Commissioners:</b>	
1. <b>Commissioner McDowell:</b> stated the following:	
a. I appreciate the gratitude that everyone has shown;	
b. Mr. Worley, I am requesting that you stay on top of matters at the Aging Department;	
c. I appreciate the attendance we have at this meeting; <b>and</b>	
d. The bed mattress beside the highway that I reported at the last meeting is still there.	
2. <b>Commissioner Russ:</b> There is a volume of trash being thrown out on Robinson Road in the Bolton area.	
3. <b>Commissioner Norris:</b> stated the following:	
a. Thanks to everyone for what you do for Columbus County and Board of Commissioners, it makes our job easier; <b>and</b>	
b. Thanks to Mr. Ed for what you do.	
4. <b>Commissioner Prevatte:</b> stated the following:	
a. I would like to reiterate what the other Commissioners have said to the department heads;	
b. Ed, we will work this out; <b>and</b>	
c. I will withdraw my request for a Closed Session.	
5. <b>Vice Chairman McKenzie:</b> stated the following:	
a. I would like to commend all our citizens here that conducted themselves very professionally; <b>and</b>	
b. I would like to thank Ed for the job he does.	
6. <b>Chairman Byrd:</b> stated the following:	
a. This is the largest crowd that I have seen here this year;	

- b. I have received multiple telephone calls in the last two (2) weeks; **and**
- c. I assured the citizens that called me that the Board was united and none of us were in favor of closing the Senior Centers, and we had to work out some fine tuning.

**Agenda Item #24: ADJOURNMENT:**

At 9:45 P.M., Commissioner Russ 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****Monday, August 15, 2011****9:29 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  
 Charles T. McDowell

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 9:29 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 #18:    COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

August 01, 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 August 01, 2011 Columbus County Water and Sewer District I Board Meeting Minutes, as recorded, second by Commissioner Prevatte. The motion unanimous passed.

**Agenda Item #19:    COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to JULY, 2011 MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly water bills for July, 2011 for Columbus County Water and Sewer District I.

**DISTRICT I ADJUSTMENTS FOR THE MONTH OF JULY, 2011**

DATE	ACCOUNT #	NAME ON ACCOUNT	ADJ AMT	REASON FOR ADJUSTMENT
7/6/2011	600690.00 98	Wanda Thomas	-30.00	Posting Error

<b>DATE</b>	<b>ACCOUNT #</b>	<b>NAME ON ACCOUNT</b>	<b>ADJ AMT</b>	<b>REASON FOR ADJUSTMENT</b>
7/6/2011	101320.00 95	Joseph Floyd	-55.00	Posting Error
7/6/2011	101120.00 91	Joseph Floyd	-83.00	Posting Error
7/7/2011	601175.00 98	Cynthia Stanley	-176.00	Billing Error
7/7/2011	301430.00 98	Cora Nealey	100.00	Tap Fee
7/8/2011	101120.00 91	Joseph Floyd	-16.00	Customer Leak
7/10/2011	101120.00 91	Joseph Floyd	-36.00	Billing Error
7/11/2011	302175.00 98	Evin Chenier	25.00	Disconnect Fee
7/12/2011	405037.00 96	Donald Solomon	25.00	Disconnect Fee
7/12/2011	102300.00 95	Teresa Wood	25.00	Disconnect Fee
7/14/2011	208615.00 98	Brenda Brown	25.00	Disconnect Fee
7/18/2011	403660.00 98	Mikeal Spivey	90.00	Returned Bank Draft
7/18/2011	206547.00 98	Ruby Wright	25.00	Customer Refund
7/22/2011	603320.00 95	George Hickman	-75.00	Billing Error
7/29/2011	303016.00 97	Michael Leigh	-64.00	Billing Error
7/29/2011	603700.00 98	Pamela Bennett	63.00	Returned Bank Draft
7/1/2911	601410.00 98	Evelyn Carson	55.00	Returned Check & Fee
7/29/2011	601350.00 94	Daisy Brooks	55.00	Returned Check & Fee
7/29/2011	601400.00 98	Alexander Brooks	55.00	Returned Check & Fee

Commissioner Bullard made a motion to approve the adjustments to the July, 2011 monthly water bills for Columbus County Water and Sewer District I, second by Vice Chairman McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

At 9:41 P.M., Commissioner Russ 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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**GILES E. BYRD, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V****COMBINATION BOARD MEETING****Monday, August 15, 2011****9:29 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  
Charles T. McDowell

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 9:29 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 #18:    COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

August 01, 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 August 01, 2011 Columbus County Water and Sewer District II Board Meeting Minutes, as recorded, second by Commissioner Prevatte. The motion unanimous passed.

**Agenda Item #19:    COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to JULY, 2011 MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly water bills for July, 2011 for Columbus County Water and Sewer District II.

**DISTRICT II ADJUSTMENTS FOR THE MONTH OF JULY, 2011**

<b>DATE</b>	<b>ACCOUNT NUMBER</b>	<b>NAME ON ACCOUNT</b>	<b>AMOUNT OF ADJUSTMENT</b>	<b>REASON FOR ADJUSTMENT</b>
7/7/2011	144196.00 96	Vance Murray	-85.00	Billing Error
7/11/2011	121880.00 97	Keith Kinsley	-560.00	Billing Error
7/12/2011	143795.00 93	Vanderbilt Mortgage & Finance	-5.00	Billing Error
7/13/2011	130023.00 98	Garrie Dennis	-43.00	Customer Leak
7/13/2011	111630.00 94	Melissa Powell	25.00	Disconnect Fee
7/18/2011	144321.00 98	Bertha Geroge	25.00	Customer Refund
7/18/2011	111658.00 98	Sheila Spaulding	66.00	Returned Bank Draft
7/20/2011	143410.00 95	Preston Smith	102.00	Returned Bank Draft
7/20/2011	142820.00 98	Preston Smith	66.00	Returned Bank Draft
7/22/2011	120345.00 98	Mabel Green	25.00	Posting Error
7/22/2011	120348.00 98	Sheila Jones	-30.00	Posting Error
7/28/2011	143680.00 97	Shelley Nix	-88.00	Customer Leak
7/29/2011	140940.00 97	Donel Daniels	59.00	Returned Check & Fee
7/29/2011	121371.00 98	Sarah Bullock	-295.00	Billing Error
7/29/2011	110930.00 98	Deborah High	-34.00	Customer Leak
7/29/2011	111640.00 88	Sonia Ford	-13.00	Customer Leak
7/29/2011	132728.00 97	Paula Evans	67.00	Returned Check & Fee

Commissioner Bullard made a motion to approve the adjustments to the July, 2011 monthly water bills for Columbus County Water and Sewer District II, second by Vice Chairman McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

At 9:41 P.M., Commissioner Russ 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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**GILES E. BYRD, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V****COMBINATION BOARD MEETING****Monday, August 15, 2011****9:29 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  
Charles T. McDowell

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 9:29 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 #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

August 01, 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 August 01, 2011 Columbus County Water and Sewer District III Board Meeting Minutes, as recorded, second by Commissioner Prevatte. The motion unanimous passed.

**Agenda Item #19: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to JULY, 2011 MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly water bills for July, 2011 for Columbus County Water and Sewer District III.

**DISTRICT III ADJUSTMENTS FOR THE MONTH OF JULY, 2011**

<b>DATE</b>	<b>ACCOUNT NUMBER</b>	<b>NAME ON ACCOUNT</b>	<b>AMOUNT OF ADJUSTMENT</b>	<b>REASON FOR ADJUSTMENT</b>
7/6/2011	331290.00 97	Jerry Hemmingway	-40.00	Billing Error
7/7/2011	330050.00 98	Anita Cavanough	-100.00	Customer Leak
7/8/2011	381300.00 98	John Caprell	-68.00	Meter Read Wrong
7/11/2011	360570.00 98	Craig Sasser	25.00	Disconnect Fee
7/12/2011	330740.00 98	John Barnhill	-298.00	Customer Leak
7/13/2011	330750.00 98	Maurice Wyatt	-53.00	Customer Leak
7/18/11	341820.00 95	Ashley Butler	25.00	Disconnect Fee
7/18/2011	351030.00 94	Marion Carter	25.00	Disconnect Fee
7/18/2011	340590.00 98	Kenneth Horne	-78.00	Customer Leak
7/20/2011	360972.00 98	Gwanacii Page	50.00	Returned Bank Draft

Commissioner Bullard made a motion to approve the adjustments to the July, 2011 monthly water bills for Columbus County Water and Sewer District III, second by Vice Chairman McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

At 9:41 P.M., Commissioner Russ 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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**GILES E. BYRD, Chairman**

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

**Monday, August 15, 2011  
9:29 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  
Charles T. McDowell

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 9:29 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 #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

August 01, 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 August 01, 2011 Columbus County Water and Sewer District IV Board Meeting Minutes, as recorded, second by Commissioner Prevatte. The motion unanimous passed.

**Agenda Item #19: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to JULY, 2011 MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly water bills for July, 2011 for Columbus County Water and Sewer District IV.

**DISTRICT IV ADJUSTMENTS FOR THE MONTH OF JULY, 2011**

<b>DATE</b>	<b>ACCOUNT NUMBER</b>	<b>NAME ON ACCOUNT</b>	<b>AMOUNT OF ADJUSTMENT</b>	<b>REASON FOR ADJUSTMENT</b>
7/6/2011	430525.00 98	Dorothy Everette	-68.00	Customer Leak
7/6/2011	430163.00 98	Lillie Maultsby	-8.00	Billing Error
7/7/2011	410070.00 95	Patricia Martin	50.00	Service Calls
7/7/2011	430367.00 98	James Keith Jr.	-100.00	Customer Leak
7/7/2011	420030.00 98	Nancy Pearsall	150.00	Billing Error
7/11/2011	410280.00 97	New Directions Group Care	25.00	Disconnect Fee

Commissioner Bullard made a motion to approve the adjustments to the July, 2011 monthly water bills for Columbus County Water and Sewer District IV, second by Vice Chairman McKenzie. The motion unanimously passed.

**Agenda Item #20: COLUMBUS COUNTY WATER and SEWER DISTRICT IV - DELINQUENT ACCOUNTS:**

Kip McClary, Public Utilities Director, requested direction on legal action on the delinquent accounts in Columbus County Water and Sewer District IV.

Kip McClary stated the following:

1. In the workshop, it seemed to be the consensus of the Board that we should forgive a one-time penalties, once, for the customers in the Water District IV area; **and**
2. It still requires the customers to pay the minimum bill that was due at the time the bill went out.

**DISCUSSION:**

**Chairman Byrd:** Are you recommending a time span of ninety (90) days?

**Kip McClary:** Ninety (90) days would be the recommendation if we approve to do this, which would set a November 15, 2011 deadline to have the accounts caught up with the excused penalties.

**Commissioner Prevatte:** I don't agree with what you said. If you go back and read the minutes, it was not a consensus of this Board to do that. It was a recommendation from Mr. Clark. It was a consensus of this Board that all districts would be treated equally, and this does not treat Districts II and III equally.

**Chairman Byrd:** James, the time line of collection of any back taxes in Districts II and III has already expired. It cannot be collected anyway.

**Commissioner Prevatte:** We were not told that. He stated there are still some on the archives, and he said he would bring them back to us before we made this decision. Remember that?

**Chairman Byrd:** Also, with the discussion with Kip, I don't think they got you the information pertaining to Districts II and III. Is that what you said?

**Kip McClary:** Yes sir. We have been working with M.I.S., and they have been gracious to help us try to identify potential customers in Districts II and III, as well as the other districts, and they

have just provided that information, and we are working now to confirm that.

**Chairman Byrd:** Those districts are not accumulating fees and penalties like District IV. Is that correct?

**Kip McClary:** Not in relation to the new startup of a new district.

**Commissioner Bullard:** Did we forgive any payments in Districts II and III, or any other water district?

**Chairman Byrd:** We didn't forgive them but the time of collection ran out is the way I understand it.

**Kip McClary:** There was a lot of, due to mandatory hookup in Districts II and III, there was a lot of accounts that were closed.

**Chairman Byrd:** Accounts with balances owing.

**Kip McClary:** Some balances owing on our books. Those balances were taken off in accounting over in Finance.

**Chairman Byrd:** Are there any outstanding late fees and penalties in Districts II and III now?

**Kip McClary:** There are a few that accumulate that fall under that window of a sixty (60) day past due.

**Chairman Byrd:** But there is no back stuff from earlier?

**Commissioner Prevatte:** They were shelved because they instigated the tax. They were put on a shelf.

**Kip McClary:** They were put in an inactive status at that time.

**Chairman Byrd:** Let's hear from the attorney.

**Mike Stephens:** From an administrative procedure, there is no statute of limitations. If we go through the debt set-off procedure, it can go back to when the debt accumulated. Now, to collect under a General Court of Justice in North Carolina, a civil action, there is a statute of limitation on these delinquent bills. So, it would have to go back, if you want to go back ten (10) years, you got to go back through the administrative procedure rather than through the General Court of Justice for collection.

**Commissioner Bullard:** I think we would better off to give them a payment plan, so many months to catch up the payment of the delinquent bills, and let's accept payments on the penalties and fees, and move forward. I think this Board unanimously approved a set of rules back in January, and I think it was a good set of rules, and I support it, I think Mr. McKenzie came up with that suggestion at the last meeting, and I think that was a good idea.

**Kip McClary:** As I pointed out in the RFB, under the current rules, we said that we would take legal action on all bills not paid in full at the end of ninety (90) days. It is in our current rules. The question has been brought to you, and has been an issue from the beginning of this, what legal action do we want to take? We do not have a definition as to what the legal action will be.

**Vice Chairman McKenzie:** Describe the legal action.

**Kip McClary:** That was in Section 26 in the Billing and Collecting that was adopted . . .

**Commissioner Bullard:** I think the attorney suggested giving it enough time to accumulate to make it worth pursuing legal action.

**Chairman Byrd:** We need to fix District IV before we get in the same situation of Districts II and III. It is a new district and we have had some problems with it. Many are willing to join if we forgive the penalties and fees. Let's go ahead and get these eighty (80) customers on there, and get this system paying for itself, rather than losing \$25,000 per month.

**Commissioner Bullard:** One (1) of those taps was to rental property, it wasn't to his own residence and that property he is making money off of, and I don't agree with that.

**Chairman Byrd:** He is going to pay a flat water bill.

**Commissioner Bullard:** I know it, but I think he could pay his delinquent fees.

**Chairman Byrd:** There is nothing on the lot. He put it there for future use. We certainly need to

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fix this. We don't need it to continue on. We need to fix Water District IV, and then come back to Water Districts II and III, anything that needs to be fixed, and fix it, and get these water districts solvent, and get them paying their own way so when you hear the word water, it is not tainted already.

## **MOTION:**

Commissioner Russ made a motion to waive the existing delinquent penalties and fees in Columbus County Water and Sewer District IV, and the customers only be charged the accrued total of the minimum twenty-five and 00/100 (\$25.00) dollars per month for water, and hook up to the county water, within a ninety (90) day period, with the deadline of November 15, 2011, second by Commissioner McDowell.

## **SUBSTITUTE MOTION:**

Commissioner Bullard made a substitute motion to give the customers in Columbus County Water and Sewer District IV six (6) months on a payment plan to pay up all the past due fees, penalties and minimum water bills, and hook up to the county water, second by Commissioner Prevatte.

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

**AYES:** Commissioners Prevatte and Bullard; **and**

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

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

## **ORIGINAL MOTION:**

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

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

**NAYS:** Commissioners Prevatte and Bullard.

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

## **ADJOURNMENT:**

At 9:41 P.M., Commissioner Russ 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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GILES E. BYRD, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V****COMBINATION BOARD MEETING****Monday, August 15, 2011****9:29 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  
 Charles T. McDowell

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 9:29 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 #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

August 01, 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 August 01, 2011 Columbus County Water and Sewer District V Board Meeting Minutes, as recorded, second by Commissioner Prevatte. The motion unanimous passed.

**Agenda Item #19: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to JULY, 2011 MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly water bills for July, 2011 for Columbus County Water and Sewer District V.

**DISTRICT V ADJUSTMENTS FOR THE MONTH OF JULY, 2011**

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTMENT
7/6/2011	800625.00 98	Ronald Dabney	-88.00	Billing Error
7/6/2011	700016.00 98	Jerry Fowler	-12.00	Meter Read Wrong
7/6/2011	700049.00 98	Bridget Goodson	-140.00	Billing Error

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTMENT
7/7/2011	709763.00 98	Manuela Hernandez	-60.00	Billing Error
7/7/2011	700035.00 98	Harry Buck	-25.00	Billing Error
7/7/2011	709906.00 98	James Riggins	-104.00	Billing Error
7/7/2011	700035.00 97	Harry Buck	25.00	Billing Error
7/12/2011	703600.00 97	Terry Rabon	25.00	Disconnect Fee
7/19/2011	700007.00 97	Nelly Pineda	-20.00	Customer Leak

Commissioner Bullard made a motion to approve the adjustments to the July, 2011 monthly water bills for Columbus County Water and Sewer District V, second by Vice Chairman McKenzie. The motion unanimously passed.

**Agenda Item #21: COLUMBUS COUNTY WATER and SEWER DISTRICT V - APPROVAL of CONVEYANCE of EASEMENTS to GSWSA for DO THAN ROAD SEWER PROJECT:**

Kip McClary, Public Utilities Director, requested Board approval of the following Conveyance of Easements and Rights-of-Way to Grand Strand Water and Sewer Authority for the Dothan Road Sewer Project.

**STATE OF NORTH CAROLINA )  
COUNTY OF COLUMBUS )  
CONVEYANCE OF EASEMENTS  
AND RIGHTS-OF-WAY**

**WHEREAS, COLUMBUS COUNTY ("COLUMBUS") previously acquired certain Sewer Pump Tank Perpetual Easements and Rights-of-Way (collectively, the "Easements") for the purpose of constructing, installing, operating and maintaining sewer pump tanks, sewer lines and related facilities for sewer service in, upon, under, on and across the Easements being a portion of the Dothan Road Sewer Project (the "Project"). A schedule of the Easements obtained by COLUMBUS is attached hereto as Exhibit A; and**

**WHEREAS, pursuant to the Columbus County Resolution dated September 7, 2010 (the "Resolution"), attached hereto as Exhibit B, COLUMBUS desires to assign and convey all of its rights, title and interests in the Easements acquired by COLUMBUS from the individual landowners in regard to the Project to GRAND STRAND WATER AND SEWER AUTHORITY.**

**NOW, THEREFORE, COLUMBUS, a political subdivision of the State of North Carolina, for and in consideration of the above set forth premises and the sum of Five and 00/100 (\$5.00) Dollars to it in hand paid at and before the sealing of these presents by the GRAND STRAND WATER AND SEWER AUTHORITY, a body corporate and politic and a consolidated special purpose district of the State of South Carolina (hereinafter "GSWSA"), the receipt and adequacy whereof is hereby acknowledged, does hereby assign, grant, sell, convey and release unto GSWSA, its successors and assigns, all of its right, title and interest in and to the above referenced Easements.**

**THIS CONVEYANCE** is made subject to any covenants, conditions, and restrictions of record in Columbus County and affecting the Easements, including, without limitation, any such

matters that are shown on recorded plats in the Columbus County public records if same are referenced in the Easements.

**TO HAVE AND TO HOLD SAID EASEMENTS** unto GSWSA, its successors and assigns forever.

GSWSA will be responsible for the operation, maintenance, repair and improvements of the utility facilities within these Easements.

**IN WITNESS WHEREOF**, COLUMBUS has caused these presents to be executed in its name by the undersigned as of this 15th day of August, 2011.

**SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:**

**Columbus County, a North Carolina political subdivision**

By: /s/ **GILES E. BYRD**

Giles E. Byrd

Its: Chairman of Board of Commissioners

**Attest:**

By: **JUNE B. HALL**

June B. Hall, Clerk to Board

**STATE OF NORTH CAROLINA )**

**ACKNOWLEDGMENT**

**COUNTY OF COLUMBUS )**

The foregoing instrument was acknowledged before me this 15th day of August 2011, by Giles E. Byrd, Chairman and June B. Hall, Clerk to the **COLUMBUS COUNTY BOARD OF COMMISSIONERS**.

/s/ **DEBRA J. EPPS**

Notary Public for North Carolina

My Commission Expires: 10-04-2014

**Exhibit "A"**  
**DOTHAN ROAD PROJECT**  
**Sewer Pump Tank Easements**

<b>Deed Book</b>	<b>Pages</b>	<b>Owner(s)</b>
1001	593-595	Barbara Ann Daniels
1001	596-598	Loretta Garrell Daniels
1001	599-601	Bridget Landon Goodson and Walter Omar Nixon
1001	602-604	Oneva Faulk
1001	605-607	O. B. Conyers and Audrey Conyers
1001	608-610	Ester Givens Dozier
1001	611-613	Mary Long Faulk

<b>Deed Book</b>	<b>Pages</b>	<b>Owner(s)</b>
1001	614-616	Iva Todd, Melba Todd and Barbara Farmer
1001	617-619	Oneva Faulk
1001	620-622	Bertha Conyers Faulk
1001	623-625	George Faulk and Ethel Faulk
1001	626-628	Zilla S. Farmer
1001	629-631	Jessie Lee Pierce and Sarah Ann Pierce
1001	632-634	Lillian Hickman
1001	635-637	Gregory Farmer and Juette K. Farmer
1001	638-640	Kenneth Lorenzo Pierce
1001	641-643	L.C. Riggins and Barabara Ann Riggins
1001	644-646	Donald Farmer
1001	647-649	Lavenia Daniels Dewitt
1001	653-655	Lola Simmons Skinner and Timothy Romon Williams
1011	224-226	L C Mezell, Angie Mezell and Barbara Riggins
1011	227-229	Marcella Farmer and Elton Keith
1011	230-232	Ethel Lee Farmer
1012	541-543	Betty L. S. Hennegan

Commissioner Prevatte made a motion to approve the Conveyance of Easements to Grand Strand Water and Sewer Authority, second by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 9:41 P.M., Commissioner Russ 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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**GILES E. BYRD, Chairman**