

**COLUMBUS COUNTY BOARD OF COMMISSIONERS****Monday, September 19, 2011****6:30 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, for the purpose of conducting their regularly scheduled meeting on the 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**

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

At 6:30 P.M., Chairman Giles E. Byrd called the September 19, 2011 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Commissioner James E. Prevatte. Everyone in attendances stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner P. Edwin Russ.

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

Commissioner Norris made a motion to approve the August 30, 2011 Department of Aging Workshop Minutes, and the September 06, 2011 Regular Session Board Meeting Minutes, as recorded, second by Commissioner Russ. The motion unanimously passed.

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

Chairman Byrd opened the floor for public input. The following spoke.

1. **Debra F. Hollingsworth, 220 Chappin Street, Chadbourn, NC 28431:** stated the following:
  - A. You are trying to cover up wrong doing that is being held at the Department of Aging;
  - B. I know Mr. Worley is the director of the Department of Aging and he can not do all the things that is being done at the Department of Aging alone, he has to have some assistance;
  - C. We also have to blame some of this on the Chairman and the others for calling us, first the contract workers, and then I asked what was a contract worker, and no one until this day responded to my question, and said they wanted to make us independent contract workers;
  - D. An independent contract worker is not an employee;
  - E. A company who hires an independent contractor, later then an employee, must pay back taxes, overtime pay, if occurred, and penalties for classifying someone as independent contractor when they are really an employee;
  - F. I have gathered information from the Employee Supplemental Tax Guide as follows:
 

**-Mis-classification of an employee - consequences of treating an employee as an independent contractor:** if you classify an employee as an independent contractor, you have no reasonable basis of doing so, so you are liable for unemployment taxes and for that worker. To determine whether an individual is an employee or an independent contractor, under the common law, the relationship of the worker and the business must be examined. In an employee independent contractor determination, all information that provides evidence of the degree of the control and the degree of an independent must be considered. Facts that provide evidence of the degree of control of an independent falls in three (3) categories:

    1. Behavior Control;

2. Financial Control; **and**
  3. Type of relationship of the parties;
- G. **Behavior Control** - facts to show whether the business has the right to direct and control how the worker does the task for which the worker is hired includes the type and degree. Instructions that the business gives to the workers, an employee is generally subject to the business' instructions in when, where and how to work. When and where to do the work.
- Independent Contractors** - people such as doctors, and auctioneers who follow as independent trades, business or professional, in which they offer their services to the public are generally not employees. However, whether such people are employees or independent contractors depends on the facts in each case. The general rule is that an individual is an independent contractor if you the person for whom the service is performed has the right to control or direct only the results of the work, and not the means and methods of accomplishing the results.
- Common Law Employee** - under the Common Law Rule, anyone who performs services for you, is your employee. If you have the right to control what will be done and how it will be done, this is so even when you the employee has freedom of action. What matters is that you have the right to control the details of how the services are performed. If you have an employee, paid employee relationship, it makes no difference of how it is labeled. The substance of the relationship, not the label, govern the work status. It does not matter whether the individual is employed full time or part time. What tools or equipment they use, what workers to hire or essential to work, where to purchase supplies for service, what work must be performed by a specialized individual, are in order in sequence to follow:
- the amount of instructions needed among different jobs, even if no instructions are given, significant behavior control may exists. If the employee has the right to control how the work results are achieved, a business may lack the knowledge to accept some higher specified perfection. In other cases, the type may require little or no instruction. The key consideration is whether the business has retained the right to control the details of a worker's performance or instead has given up that right.
- Training that the business gives to the worker:** an employee may be trained to perform service in a particular manner. Independent contractors ordinarily use their own methods.
- Financial Control** - Facts to show whether the business has the right to control the business aspects of the worker's job include:
- the extent in which the worker makes her or her self available to the market. An independent contractor is generally free to seek out business opportunities. Independent contractors often advertise their visible business location and are available to work in relevant markets.
- How the business pays the worker - an employee is generally guaranteed regular wages, amount per hour weekly or other periods of time. This usually indicates that a worker is an employee. If you engage a worker with the expectations that the relationship will continue indefinitely, consider it evidence that you intend to create an employer-employee relationship.

**Time was called by County Attorney.**

**Hollingsworth (continued):** I have one (1) more thing that I would like to tell you. A company who hires an independent contractor, they dump an employee, in an order conducted by the government, State and Federal, must pay back taxes, overtime pay and current and back penalties for classifying someone as an independent contractor who was really an employee.

2. **Calandra Atoya Smith, 709 Grist Road:** stated the following:
  - A. I worked from the 9<sup>th</sup> to the 12<sup>th</sup> and the 15<sup>th</sup> and 16<sup>th</sup> of last month;
  - B. I am currently still out of work with the Department of Aging;
  - C. I spoke with a couple of coordinators and asked them if they had any clients, they told me they did not have any clients;
  - D. I know for a fact the whole month that I have been sitting home without a check, there have been clients that have not been covered;
  - E. As soon as I went and filed for unemployment, now all of a sudden, it has been reported to ESC that they have clients; **and**
  - F. I would like to know why it is that as soon as I filed for unemployment, they pull clients out of the woodwork when I was told before I filed my claim that they did not have any.

**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. When I was last before you, we spent a good bit of time taking about the re-districting process, the laws and legal principles that apply to re-districting, the re-districting process that will follow, we talked about considerations that we would use to guide our work;
2. We looked at your current districts and had a conversation that ended at the direction from you regarding the issue of whether or not to exclude prisoners, which was a decision that you made back in 2008-2009, which was approved by a Federal judge that is overseeing some of the issues related to elections in Columbus County, and the direction that I got was to continue that practice of excluding prisoners which I have done in Alternative Plan #1 which I brought with me tonight;
3. Where I would like to be at the end of our time this evening is in one of two places, either, you accept this plan and we schedule it for a public hearing, and if you don't accept this plan, provide me with specific details for the necessary adjustments, and bring back the revisions at a subsequent meeting;
4. As far as the litigation that I mentioned, I had a conversation with Anita Earls, who is the Director of the Southern Coalition for Social Justice, who was involved in your 2008-2009 re-districting. It was unclear to me whether she was involved again and whether she actually represented clients in Columbus County. She confirmed that she did, in fact, represent clients. We had a very positive conversation. She asked me to ask you to authorize me to send her an electronic version of Alternative #1 so that her folks could analyze it. I am recommending to you that you do that.

After a brief discussion among the Board members, it was the general consensus to allow Mr. Smith to send Anita Earls an electronic copy of Alternative #1.

5. The following chart will show the current districts' population with the 2010 Census Data excluding prisoners and Alternative Plan #1, population excluding prisoners:

DISTRICT	CURRENT POPULATION	ALTERNATIVE #1 POPULATION	DEVIATION	% DEVIATION
I	6610	8017	27	.34%
II	8735	8105	115	1.44%
III	7648	7933	-57	.71%
IV	8061	8143	153	1.91%
V	8315	7644	-346	-4.33%
VI	8200	8033	43	.54%
VII	8361	8055	65	.81%

**2010 Total Census Population (Excluding Prisoners): 55,930**

**Ideal District Size (Excluding Prisoners): 7990**

6. The rule of thumb for local governments is that the range of deviation between your biggest district and your smallest district needs to be ten (10%) percent or less;
7. On the current districts, your smallest district is District I which was 17.27% below ideal, and your largest district is District II, 9.32% above ideal, and if you add those together, you get 26 and-ish percent deviation;
8. In the grand scheme of things, that is actually a relatively small deviation, and I think it is because you re-districted in 2008-2009, as opposed to 2000;
9. You are over the 10 (10%) percent rule of thumb and you need to re-district;
10. On Alternative Plan #1, there is no district that is greater than five (5%) percent above;
11. Your smallest district is District V, which is -4.33%;
12. Your overall deviation is in the low 6's which is sort of comfortably within the ten (10%) percent rule of thumb;
13. With the one person, one vote perspective, Alternative Plan #1 is absolutely acceptable;
14. I needed to move approximately 1,350 people into District I, and my goal was to move as many African-Americans as I could into District I to keep that voting population as high as

- possible;
15. In District III, which is not a majority black district currently, it is a prorality black district, but if you add in American Indians, there is a strong majority of non-whites, for lack of a better term; **and**
  16. Your current plan had some real bizarre tentacle-shapes over by Fair Bluff, there was some strange mapping, and where I could, I tried to clean that up.

**Discussion:**

**Chairman Byrd:** In a very small corner here that entails three (3) people, where District III and District IV come together, and I see this questioned at the voting precinct. It would be easier if the road divided the districts.

**Adam Mitchell:** Are you talking about Cherry Town Road and Hallsboro Road?

**Chairman Byrd:** Yes.

**Adam Mitchell:** I will make this change at this time, and it does involve only three (3) people. There is a question relative to any Commissioner being moved out of their existing district, and they have not been drawn out. What you will actually be approving when you are ready to approve anything will be three (3) things, as follows:

1. Resolution which is just a bunch of words about the process we followed, what we are adopting;
2. Approving a map; **and**
3. A list of every single census block that is in each district to the extent to say that if there is any discrepancy between anything, the census blocks are really the plan.

**Commissioner Prevatte:** Do you have a comparison of the way District II looked before and what it will look like now?

**Adam Mitchell:** Yes.

**Adam Mitchell:** Are there any other small changes that you would like to make, and if so, I can do them right here? Otherwise, I would say, let's call it Alternative Plan #1-A, let me talk to the Southern Coalition, and tentatively set it for a public hearing. If the Southern Coalition states that we can't live with this, we will probably want to have some conversations with them.

**MOTION:**

Commissioner McDowell made a motion to set a tentative Public Hearing date, second by Commissioner Norris. The motion unanimously passed.

**Commissioner Prevatte:** We are setting a Public Hearing date, then we will receive input, and then if there are any changes, we will make the changes.

**Adam Mitchell:** I would say that in between now and when we set the Public Hearing, I want a conversation with Anita Earls. If they say, forget it, we can't live with this, we might as well, it is your choice, but I would say let's postpone the Public Hearing and try to come up with something we can all live with. But, if they say it looks good, we are good to go, I would say let's go ahead with the Public Hearing, and then you can do one (1) of two (2) things: Whether you want me to come or not, that is up to you. I can prepare a resolution and all the materials for you to prepare at the Public Hearing, in the event there is no sort of thoughtful constructive criticism of the plan. I am perfectly comfortable if there is no thoughtful constructive criticism of the plan, with you adopting the plan on that night. If there is, if fifty (50) people come up and say this does not work. This is your plan, but what I don't want to do is to give the impression that you are not listening to the people that come talk to you. If people come in a thoughtful manner, and say come on, then I say don't approve it that night. Let's talk about the issues and see if we can resolve them, and it may be, at the very next meeting, you come back and approve the exact same plan, but you have given it some thought and consideration.

**Commissioner Prevatte:** Are the maps in the Attorney's Office larger, and will they show me that I am not drawn out?

**Adam Mitchell:** The G.I.S. Department should be able to produce a 36" x 36" map that should be very detailed.

**Chairman Byrd:** When do we want the Public Hearing?

**Adam Mitchell:** I would just ask whether you want me to plan to attend, otherwise, it doesn't matter to me?

**Vice Chairman McKenzie:** Since we are sending this information to Anita Earls, why don't we

wait to set the Public Hearing after we hear back from Ms. Earls.

**Chairman Byrd:** Do you feel comfortable in saying that we will hear back from her in thirty (30) days?

**Adam Mitchell:** I will send this information to hear by 8:30 A.M. tomorrow. Realistically, it will take their mapping staff about two (2) hours to do what they need to do. Thirty (30) days will be sufficient, but we can always postpone a public hearing that has been established. The way we did our billing for the re-districting, you are not paying me by the hour. There was a lump sum flat-fee payment that includes three (3) plans, and also includes two (2) meetings. If I came back the third time, I would be charging by the hour just for that trip. There will be some cost. The flip side is that if there are thoughtful questions, I would be happy to stand up and try to explain this.

**MOTION:**

Vice Chairman McKenzie made a motion to establish a Public Hearing for the Commissioner Re-Districting Plan on November 07, 2011, at 6:30 P.M., second by Commissioner Prevatte. The motion unanimously passed.

**Adam Mitchell:** Here is exactly what will happen:

1. I will go back to Raleigh, rename the map, rename the file;
2. The first thing I will do is to send this information to Southern Coalition, and I will call Anita Earls and ask her exactly how much time she will need;
3. I will then export the files to your G.I.S. folks, so at least they will be ready to go;
4. If we are going to move forward with the Public Hearing, again my assumption is that we will, I don't know for sure, I would ask that you make at least three (3) large maps, like 36" x 36", and put one (1) in your main office building. I would put one (1) at your biggest public library or big civic place where lots of people come;
5. I would also take this size map and put this on your website (11" x 17");
6. Mr. Stephens will draft a Notice of Public Hearing, it is going to be put up with the big maps in all the locations, it is going to be posted on the website, it is going to be sent to the newspaper;
7. You will want to keep one (1) large map to display in this room on the night of the Public Hearing; **and**
8. I will communicate with Mr. Stephens on how much time the Southern Coalition is going to need, and when I get a response from them, I will let you know right away.

**Commissioner Prevatte:** I think you need a present map and then the recommendation so people can see where the change is.

**Adam Mitchell:** I would certainly agree that on the night of the Public Hearing, you will want both of those large maps in here whether you want to locate them in all the other places is up to you, it is not a bad idea.

**Commissioner McDowell:** Would you want him to go ahead and prepare a resolution for that night whether it is approved or not?

**Adam Mitchell:** Sure. I am going to need to prepare a resolution anyway. I will just make sure it is done by then, and I will bring it with me. It will be obvious as to whether to pass the resolution or not.

**Agenda Item #7: PRESENTATION - SOUTHEASTERN REGIONAL MENTAL HEALTH:**

Jeanette Jordan-Huffam, Director of Southeastern Regional Mental Health, and Vicki Evans, Finance Officer, presented the following update on the State's expansion of the Medicaid Waiver and the future direction of Southeastern Regional Mental Health.

1. We are coming before you tonight to let you know of our Mental Health Board's decision to possibly merge with East Point;
2. During the mid 1990's, there were about forty (40) mental health area programs;
3. We had mental health services in each of our four (4) counties;
4. In 2001, thirty-five (35) became LME's, and we began to divest services to the public sector;
5. Once we divested services, about twenty-three (23) of us, there is currently twenty-three (23) of us in existence right now, but in May, 2011, the last and final request application was put out for LME's to become a waiver;

6. We could not apply for the waiver because we don't have the population in our four (4) county catchment area;
7. You had to have at least 300,000 and a Medicaid count of 70,000, and so we did not meet that criteria;
8. We currently have a population of about 287,000, and we have a Medicaid count of about 68,000;
9. One of our counterparts, East Point, was able to apply for it, our Board gave us a letter to partner with them for them to do our Medicaid functions;
10. Legislation passed, House Bill 916 passed saying that in order to continue to be a waiver, you had to have by 2012, 300,000 total population, and a Medicaid population of 70,000, and then by 2012, you had to have a population of about 500,000;
11. There was no way we were going to meet that, so in looking at, which we had no question if we did not merge or have an interlocal agreement with someone, the State would then choose who we would merge with;
12. Our Board is considering a merge with East Point;
13. They have already done a first read of a motion, and on the 17<sup>th</sup> of this month, they will consider a second, and final, read of that motion for us to merge with East Point;
14. East Point, that will mean, if that was to occur, we will become East Point, and we will become a twelve (12) county consolidation Managed Care Entity;
15. We have had our first governor's meeting where we have members from our boards to meet from all three (3) LME's because LME's that are included are Beacon, East Point and Southeastern Regional;
16. Members from the boards have come together to discuss merger possibilities;
17. We will continue to have local presence, it is our understanding that we will continue to have local presence in the Robeson area, we will have local presence in the Beacon area, and as well as in the East Point-Goldsboro area;
18. East Point and Beacon cover a four (4) county area;
19. We are contiguous in terms of East Point;
20. We have been in a relationship with them for the last four (4) or five (5) years because this is not new, we have been working with them;
21. We actually do their access to calls center with Triage and Referral, we do that 24 - 7 after hours;
22. We have an established relationship with these counties; **and**
23. We feel like it will be a good relationship and everyone has been very supportive of it.

**Chairman Prevatte:** A couple of months ago, Jeannette came before us, and ask us to endorse a letter of partnership, and that, as she has said, has led to the possibility of a merger which we don't have a choice. We wanted to make sure we had a local presence, and keep jobs. She will be back in a couple of months to present a letter of resolution relative to the selection of the members for the Mental Health Board.

**Agenda Item #8:      SHERIFF - REQUEST for ADDITIONAL SCHOOL RESOURCE OFFICER POSITION:**

Sheriff Christopher Batten requested Board approval of an additional School Resource officer position. Sheriff Batten stated the following:

1. The new superintendent of the Columbus County School System has asked that we add a School Resource Officer for the Fair Bluff Academy that is partnered with the Southeastern College and the Early College that is in operation now at Southeastern Community College;
2. They want one (1) officer to cover both of those schools;
3. The stipulations are basically the same as they were in 2003 when we picked up the resource officers from the school which were eight (8);
4. They will supply all the uniforms and equipment to start up the officer;
5. They will continue to pay a portion of one (1) vehicle for that officer and will supply all the needed equipment to get it started;
6. They pay the salary 100%, and we use the officer about three (3) months in the summer to serve papers, etc.;
7. They pay everything involving salary and benefits, and the start-up costs for the new position; **and**
8. Our agreement and contract with them is that they pay one-half (½) of the lease purchase price for vehicles, and I don't know how we are going to work that out because we have started purchasing vehicles.

A motion was made by Commissioner Norris to approve the additional School Resource Office Position at the Sheriff's Department, second by Vice Chairman McKenzie. The motion unanimously passed.

**COMMENT:**

Relative to the Southeastern Regional Mental Health, if there is anything you can do as far as making contact to keep us a regional healthcare facility close to us, we need it. The involuntary commitments that are taken out through the Magistrate's Office, when an officer has to transport a person on an involuntary commitment to a facility, when they are through at that facility, it is the obligation of the County to transport them back to the county also. When the mental health facility calls, no matter what the location is, we have to go get them and bring them back to Columbus County.

**Commissioner Prevatte:** At the present time, we are negotiating with Columbus Regional Healthcare System.

**Sheriff Batten:** A new law was passed four (4) years ago that if an involuntary commitment was taken out on someone in the city limits or town limits, then the municipality is responsible for taking them to the first care facility which is the hospital where they initially do an analysis on them and determine if they are safe for transport, and then we are responsible for taking them from that facility to wherever in the State that they go.

**Commissioner Bullard:** Do we have security at Southeastern Community College?

**Sheriff Batten:** It is unarmed security with no powers of arrest. That has been their biggest issue.

**Commissioner Bullard:** So, if we are adding one (1) to the college that has powers of arrest, couldn't the college and the school work something out to reduce the payroll down to one (1).

**Sheriff Batten:** That would be up to the college and the school system.

**Agenda Item #9: PUBLIC TRANSPORTATION - BOARD DIRECTION of ACTION on TRANSIT REVENUE REDUCTION:**

Charles Patton, Public Transportation Director, requested Board direction on what actions to be taken Mr. Patton stated the following:

1. It is important to realize that our department has not caused an indebtedness to the County yet, but will by December if you don't take some action now;
2. The Federal Government provides us with Administration Costs, Capital Costs and the State has been providing us with Operational Funds, and it is the Operational Funds that got cut as follows:
  - 19% Cut in Elderly and Disabled Funding (EDTAP)
  - 34% Cut in Employment Transportation
  - 37% Cut in (RGP) Rural General Public Program (Open to all);
3. The State cut 6%, and when you look at census, the Elderly and Disabled Funding got cut some more because our elderly population is not growing like some of the other counties;
4. The big portion where we lost was in the past, the State is not spending all their capital funds and they are reported back on top of the other;
5. I saw it at the first of the year and I was able to reduce the Elderly by 1 person;
6. The Employment Transportation, I had to cut that down from 15 people down to 5;
7. The Rural General Public, we cut that down from 12 to 5;
8. After the first month, what I did not realize is all the people that was cut from the Employment Transportation to college was still using the Rural General Public and paying the fares;
9. The fares pay about 20% of the real total costs and the other 8% comes out of the Rural General Public Fund, and since so many people are using that now, they double the amount each month that is coming out of it, and at this rate, I will run out by December, 2011;
10. The only options that I see are as follows:
  - A. Raise fares - in the past, this has drastically reduced the use of Public Transportation and solved the problem. The down side of this is that the poorest people in the most rural areas of the county suffer the most.
  - B. Restrict use of RGP to 2-3 days of the week.
  - C. Receive \$60,000 from county to cover expenses.; **and**
11. My real question is I need some direction from the Board, and I would really like permission to raise the fares, and possibly restrict the use of RGP to 2-3 days per week.
12. If I raise the fees to ten and 00/100 (\$10.00) dollars one (1) way, as per the spreadsheet that

- I use, I still lose approximately fifty-three thousand and 00/100 (\$53,000.000) dollars, but if history prevails, there will be a reduction in use;
13. If the reduction in use does not happen, then I want to restrict the RGP to two to three (2-3) days per week; **and**
  14. In order to break even, the fare would have to be approximately twenty-three and 00/100 (\$23.00) dollars one (1) way, and no one can afford that.

Commissioner Prevatte made a motion to accept Charles Patton's recommendation to raise the Public Transportation's rates to ten and 00/100 (\$10.00) dollars for one (1) way, and if needed, restrict the use of RGP to two to three (2-3) days of the week, second by Commissioner Bullard. The motion unanimously passed.

**Agenda Item #10: PURCHASING/SAFETY - DEPARTMENTAL UPDATE:**

Stuart Carroll, Purchasing Director, delivered the following Departmental Update.

**Purchasing:**

- Processed 1,427 PO's between July 1, 2010 and June 30, 2011;
- Provided services to all departments - quotes/purchases, contractual agreements, surplus, fleet, etc.;
- Revised County Purchasing Manual;
- Vendor relationships;
- Property/Liability and Workers Compensation - \$18,660 reduction from last year;
- Fixed Assets;
- Fleet and Vehicle Maintenance - 210 reported issues to 8 garages, average 17.5 monthly;
- Central Warehouse;
- Environmental Preferable Product Guide;
- Surplus sale - end of June 2010, over \$10,000;
- Maintain vehicle titles and required paperwork on all registered vehicles and trailers;
- All land phone issues - 67 reported; **and**
- Monitored Programs:
  - BB&T purchasing and business cards;
  - Cell phones;
  - Fuel cards;
  - Vending - snacks/drinks;
  - Copier Program - reduction of \$46,000 annually.

**Safety:**

- Incidents in 2010 - 51;
- Recordable incidents - 13;
- Annual data and reports to OSHA;
- OSHA inspections;
- Safety Committee; **and**
- Training:
  - Annual Safety - all county employees;
  - Defensive driving - all employees who drive vehicles;
  - Confine space/trenching - Public Utilities/Maintenance; **and**
  - Forklift - Maintenance/Parks and Recreation/Sheriff.

**Agenda Item #11: CDBG 2011 - ESTABLISHMENT OF DATE AND TIME FOR PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS:**

William S. Clark, County Manager, requested the Board to establish a date and time for a public hearing on the Community Development Block Grant funds for 2011. Mr. Clark stated this is just to move forward if we want to continue to access Community Development Block Grant funds.

Vice Chairman McKenzie made a motion to establish October 03, 2011, at 7:00 P.M., for the Community Development Block Grant funds, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #12: LEGAL AND PROFESSIONAL - APPROVAL and ADOPTION of RESOLUTION of COLUMBUS COUNTY BOARD of COMMISSIONERS CONCERNING CONTRACT WORKERS HIRED by COLUMBUS COUNTY to PROVIDE IN-HOME SERVICES for the COLUMBUS COUNTY DEPARTMENT of AGING:**

Mike Stephens, County Attorney, requested Board approval and adoption of the following Resolution of Columbus County Board of Commissioners to Provide In-Home Services for the Columbus County Department of Aging.

**RESOLUTION OF COLUMBUS COUNTY BOARD OF COMMISSIONERS CONCERNING CONTRACT WORKERS HIRED BY COLUMBUS COUNTY TO PROVIDE IN-HOME SERVICES FOR THE COLUMBUS COUNTY DEPARTMENT OF AGING.**

**WHEREAS**, Columbus County through the Columbus County Department of Aging provides in-home services to a large number of its citizens; **and**

**WHEREAS**, the Columbus County Board of Commissioners desires to establish the relationship between the independent contractors (Certified Nurse Assistants and Nurse Aids) and the Columbus County Department of Aging.

**NOW, THEREFORE, BE IT RESOLVED**, by the Columbus County Board of Commissioners, that the Board finds and determines the following:

1. That Certified Nurse Assistants (CNA) and Nurse Aids (NA) providing in-home services for the Columbus County Department of Aging are independent contractors;
2. That CNAs and NAs providing services through the Department of Aging are not regular Columbus County employees;
3. That CNAs and NAs providing services through the Department of Aging are not entitled to any benefits given Columbus County employees;
4. That CNAs and NAs currently providing services to Columbus County may continue as independent contractors by signing a new contract. All new contracts will have an effective date on or after October 19, 2011. All current contracts will expire on October 19, 2011. All new contracts will have a term of 1 year with the option of renewal by agreement of both parties.;
5. That CNAs and NAs currently providing services to Columbus County may use any accumulated vacation/sick leave time until the expiration date of October 19, 2011; **and**
6. That CNAs and NAs hired as independent contractors on or after October 19, 2011 will receive a IRS Form 1099 and will be responsible for all taxes incurred.

**APPROVED and ADOPTED** this the 19<sup>th</sup> day of September, 2011.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**  
/s/ **GILES E. BYRD, Chairman**

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

Mr. Stephens stated the following:

1. This is a resolution that I put together to basically state the intent of the Board of Commissioners and their position on this issue;
2. As you can see, I have left some blanks for your discretion if in fact, you pass this Resolution;
3. What dates you want the new contracts effective, and the expiration dates; **and**
4. This is just an idea, and I have talked to members of the staff and got their input in this.

**Discussion:**

**Vice Chairman McKenzie:** Is this the way the rest of the counties do it?

**Mike Stephens:** Sir, in my legal opinion, that is the way we should proceed as far as passing the Resolution to go a step forward.

**Commissioner Bullard:** Is there a limit on the hours for a contract worker per week that works each week?

**Mike Stephens:** There should be some limitation on the number of hours that they do work and that

is basically for waging hour protection. Those details will need to be worked out through the Department of Aging to make sure we are within the Federal guidelines.

**Commissioner Bullard:** So it will not go in the Resolution that we will go back to the Department of Aging for those figures?

**Mike Stephens:** This is just a Resolution stating your position as far as these listed six (6) items. Previously as Item #6, the independent contractors are given W-2 Forms, basically furnished by the County, withholding taxes. The County was paying the County's part of the FICA, is my understanding which they did not have to do, but at some point, the County, or whoever authorized this to happen. Basically, they extended fringe benefits as far as sick time, vacation time. Contract workers do not get those benefits, but you can give them as the Board of Commissioners. It is my understanding, through talking and the Budget Amendment, those things were going to be cut out, and therefore, I drafted this Resolution with that in mind. It is up to the Board what you want to do.

**Vice Chairman McKenzie:** Due to so much confusion, why don't we hold off on this.

Commissioner Prevatte made a motion to approve and adopt the Resolution of Columbus County Board of Commissioners to Provide In-Home Services for the Columbus County Department of Aging, second by Commissioner McDowell.

**Vice Chairman McKenzie:** The County Attorney stated that it is up to the Board of Commissioners, and nothing is referenced in the document relative to the extended hours, and that was the biggest problem we have heard from the people who have addressed the Board. The Board did not have anything to do with this originally, and now we do have something to do with it to make sure it is done correctly.

**Chairman Byrd:** We do have the responsibility to save the four hundred thousand and 00/100 (\$400,000.00) dollars that we have to replace at some point in time.

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

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

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

**Mike Stephens:** We need dates to fill in these blanks.

Commissioner Prevatte made a motion that the Resolution of Columbus County Board of Commissioners to Provide In-Home Services for the Columbus County Department of Aging become effective in **thirty (30) days**, second by Commissioner Russ.

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

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

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

**Commissioner Bullard:** I would like for Mr. Stephens to review the documents that come from the Department of Aging also, and make sure everything is in order.

**Mike Stephens:** I am drafting a contract now, and in that contract, Commissioner McKenzie has voiced some concerns relative to these individuals that have sick leave, vacation time being able to use that and without being just cut off cold turkey, and I am addressing that in there. During that time frame, these individuals would be able to use their vacation and sick leave which they have been afforded by the County, and not lose that time.

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

At 7:59 P.M., Commissioner Bullard made a motion to recess Regular Session and enter into a **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, second by Commissioner Russ. The motion unanimously passed.

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

September 06, 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 #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the AUGUST, 2011 MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the adjustments to the August, 2011 monthly water bills.

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

**Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICT II - CONSIDERATION of WATER MAIN EXTENSION on BOOKER LENNON ROAD:**

Rodney Hill, private citizen, requested Board consideration of a two thousand, six hundred (2,600 LF) linear feet extension on Booker Lennon Road.

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

**Agenda Item #16: Columbus County Water and Sewer District IV - Board Approval of Application Documents, and Approval for County Manager to Execute Other Necessary Documents for Application:**

Kip McClary, Public Utilities Director, requested Board approval of the application documents, and approval for County Manager to execute other necessary documents for the application for 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.

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

At 8:10 P.M., Vice Chairman McKenzie made a motion to adjourn the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, second by Commissioner Russ. The motion unanimously passed.

**Agenda Item #17: CONSENT AGENDA ITEM:**

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

**TAX REFUND (as submitted to the Governing Body Office from the Tax Office):  
September 19, 2011**

Refunds	Name: Carlisle, David Hamilton	Amount:	\$7.34
Value:	\$0.00 Year 011 Account # 6-05151 Bill # 29554	Total	\$8.42
Refund value of boat. Double listed Act#3-03343 to Kevin Clewis. Refund Yam City(.90), refund Columbus Rescue(.18)			
5011 Parete Rd. S. Jacksonville Florida 32218			

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):  
September 19, 2011**

Release the Property Value	in the name of Butler, Crystal Coleman	Amount:	\$447.44
Value:	\$54,900.00 Year: 2011 Account # 16-03354 Bill # 8704	Total	\$551.75
Release value of double wide mobile home. Burned 6-2-2010. Release Cerro Gordo Fire(54.90), release			

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Columbus Rescue(10.98), release Water District II (38.43)

Release the Property Value in the name of Cassell, James Edward Amount: \$203.75  
Value: \$25,000.00 Year: 2011 Account # 7-03161 Bill # 0209 Total \$228.75  
Release portion of value on dwelling. Should have received senior citizen exemption. Release Nakina Fire(20.00), release Columbus Rescue(5.00)

Release the Property Value in the name of Edwards, Archie Francis Amount: \$11.25  
Value: \$1,380.00 Year: 2011 Account # 5-00114 Bill # 4335 Total \$12.68  
Release value of boat. Listed in Bladen County. Release Whiteville Rescue(.28)

Release the Property Value in the name of International Paper Co. Amount: \$16.87  
Value: \$2,070.00 Year: 2011 Account # 4-03982 Bill # 4158 Total \$19.35  
Release entire value of boat. Sold at auction.

Release the Property Value in the name of McPherson David Lee & Ida Gray Gasque Amount: \$45.64  
Value: \$5,600.00 Year: 2011 Account # 9-04945 Bill # 0715 Total \$50.12  
Release portion of property value. Should be on Land Use.

Release the Property Value in the name of Smith, Jamie Hal Amount: \$20.46  
Value: \$2,510.00 Year: 2011 Account # 5-01444 Bill # 1038 Total \$25.82  
Release entire value on boat. Boat registered in Bladen County. Release Whiteville Rescue(.50), release Water District III(2.76)

Release the Refunds in the name of Carlisle, David Hamilton Amount: \$7.34  
Value: \$0.00 Year: 2011 Account # 6-05151 Bill # 9554 Total \$8.42  
Refund value of boat. Double listed Act#3-03343 to Kevin Clewis. Refund Yam City(.90), refund Columbus Rescue(.18)

Release the User Fee in the name of Andrews, Earl Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 15-03420 Bill # 3534 Total \$223.00  
Release user fee. Mobile home is vacant.

Release the User Fee in the name of Bailey, Barbara D. & John G. Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 3-01028 Bill # 3925 Total \$223.00  
Release user fee. Dwelling is vacant. Never had a can.

Release the User Fee in the name of Baldwin, Larry C. Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 14-03524 Bill # 4110 Total \$223.00  
Release user fee. Dwelling is vacant. Can picked up 8-27-2010

Release the User Fee in the name of Barfield, Anita W. & Donna Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 1-03000 Bill # 4326 Total \$223.00  
Release user fee. Dwelling is vacant.

Release the User Fee in the name of Beck, James I Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 9-00827 Bill # 5157 Total \$223.00  
Release user fee. Mobile home is vacant. Can picked up 1-25-2010

Release the User Fee in the name of Blackman, James Gary & Patricia Ann Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 3-01350 Bill # 5978 Total \$223.00  
Release user fee. Store is closed and vacant.

Release the User Fee in the name of Bowen, Bryan O & Tiare Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 15-01024 Bill # 6642 Total \$223.00  
Release user fee. Dwelling is vacant.

Release the User Fee in the name of Brown, Fearil G ( Heirs) Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 14-02460 Bill # 7491 Total \$223.00  
Release user fee. Dwelling is vacant. Can picked up 2005

Release the User Fee in the name of Buffkin, Kenneth W Jr. Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 9-00942 Bill # 8141 Total \$223.00  
Release user fee. Mobile home is vacant. Can picked up 2003

Release the User Fee	in the name of Bullard, Percy Milton & elizabeth	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 8-01967 Bill # 8303	Total	\$223.00
Release user fee. Building used for storage.			
Release the User Fee	in the name of Bullock, John A.	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 15-07620 Bill # 8395	Total	\$223.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Butler, Crystal Coleman	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 16-03354 Bill # 8704	Total	\$223.00
Release user fee. Home burned 6-2-2010. Single wide mobile home double billed Act#16-00444			
Release the User Fee	in the name of Carroll, Rodney E.	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 15-08920 Bill # 9700	Total	\$223.00
Release user fee. Old store is vacant. Can picked up 2-18-2010			
Release the User Fee	in the name of Clewis, Neil Edison (Heirs)	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 3-03520 Bill # 0802	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 2005			
Release the User Fee	in the name of Coleman, Dayton M. (Jr) & Josephine	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 3-03797 Bill # 1055	Total	\$111.50
Release portion of user fee. Can picked up 6-23-2011			
Release the User Fee	in the name of Cook, Betty Ann Myers	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 15-00304 Bill # 1483	Total	\$223.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Crutchfield, Emmett Robert (Jr. )	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 13-09667 Bill # 2287	Total	\$136.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Dale, Robert V.	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 15-11320 Bill # 2485	Total	\$223.00
Release 1 of 3 user fees. Only has 2 cans.			
Release the User Fee	in the name of Dudley, Elisha P. (Heirs)	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 11-08140 Bill # 3716	Total	\$223.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Duncan, Jack A.	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 14-04600 Bill # 3921	Total	\$223.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Elkins, Luther D. & Dinah Reaves	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 4-00313 Bill # 4590	Total	\$223.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Elliott, Margaret Joan	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 13-11980 Bill # 4647	Total	\$136.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Faircloth, Ernest Edward & Teresa	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 1-06242 Bill # 5310	Total	\$223.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Fowler, William Ray	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 10-03551 Bill # 6781	Total	\$223.00
Release user fee. Uses a commercial hauler for shop.			
Release the User Fee	in the name of Garmon, Johnnie & Nancy	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 6-01535 Bill # 7486	Total	\$223.00
Release user fee. Dwelling is vacant.			

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Release the User Fee in the name of Garmon, Johnnie & Nancy L. Value: \$0.00 Year: 2011 Account # 6-01546 Bill # 7487 Release user fee. Dwelling is vacant. Can picked up 2-11-2009	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Garrell George M. Value: \$0.00 Year: 2011 Account # 9-09440 Bill # 7546 Release user fee. Dwelling is vacant. Can picked up 9-25-2008	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Godwin, JP & Mabel(Heirs) Value: \$0.00 Year: 2011 Account # 11-10940 Bill # 8357 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Gore Trailer MFG (INC) Value: \$0.00 Year: 2011 Account # 3-08800 Bill # 9222 Release user fee. Uses a commercial hauler.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Gore, Daniel J. & Janice Value: \$0.00 Year: 2011 Account # 3-08940 Bill # 8694 Release user fee. Uses a commercial hauler.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Gore, Daniel J. & Janice W. Value: \$0.00 Year: 2011 Account # 3-08760 Bill # 8693 Release user fee. Uses a commercial hauler.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Gore, James Mark Value: \$0.00 Year: 2011 Account # 7-06363 Bill # 8868 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$446.00
Release the User Fee in the name of Gore, Lucille Fowler (Mrs) Value: \$0.00 Year: 2011 Account # 6-14900 Bill # 9020 Release user fee. Dwelling is vacant. Can picked up 10-6-2004	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Graham, William O & Naomi Value: \$0.00 Year: 2011 Account # 15-16580 Bill # 9672 Release user fee. Dwelling is vacant. Can picked up 2008	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Hahn, Joseph L. & Beverly Value: \$0.00 Year: 2011 Account # 16-02038 Bill # 0479 Release portion of user fee. Dwelling is vacant. Can to be picked up.	Amount: \$0.00 Total \$92.90
Release the User Fee in the name of Hardwick, Ronnie Gayle Value: \$0.00 Year: 2011 Account # 9-00926 Bill # 1116 Release user fee. Uses a commercial hauler.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Hardwick, Ronnie P & Bonnie Prince Value: \$0.00 Year: 2011 Account # 9-12802 Bill # 1119 Release 2 user fees. Uses a commercial hauler.	Amount: \$0.00 Total \$446.00
Release the User Fee in the name of Hayes, Jacqueline Gore Value: \$0.00 Year: 2011 Account # 9-03902 Bill # 1619 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Hedgepeth Robert Linwood Value: \$0.00 Year: 2011 Account # 12-11563 Bill # 1905 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Henry O. Milligan Revocable Trust Value: \$0.00 Year: 2011 Account # 6-03450 Bill # 2085 Release user fee. Dwelling is vacant. Can picked up 2-6-2009	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Hewett, Brenda Gail & Danny Woodrow Value: \$0.00 Year: 2011 Account # 1-06163 Bill # 2221 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$136.00

Release the User Fee in the name of Hewett, Danny W. & Brenda G. Value: \$0.00 Year: 2011 Account # 1-39551 Bill # 2229 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of High, Charles D. & Etta T. Value: \$0.00 Year: 2011 Account # 15-18240 Bill # 2358 Release user fee. Dwelling is incomplete.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Hinson, Lee Devon & Imogene Value: \$0.00 Year: 2011 Account # 9-02225 Bill # 2916 Release user fee. To be rebilled.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Hinson, Neal J. & Brenda Value: \$0.00 Year: 2011 Account # 3-05236 Bill # 2957 Release user fee. Dwelling is vacant. Can picked up 2010	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Hodge, Jo Anne Value: \$0.00 Year: 2011 Account # 6-02145 Bill # 3122 Release user fee. Dwelling is vacant. Can picked up 10-2008	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Inman, Gene A. & Frances B. Value: \$0.00 Year: 2011 Account # 1-04045 Bill # 4040 Release 2 user fees. Uses a commercial hauler.	Amount: \$0.00 Total \$446.00
Release the User Fee in the name of Jacobs, Durkie Dwayne Value: \$0.00 Year: 2011 Account # 11-05227 Bill # 4536 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Johnson, Donald B & Hilda G. Value: \$0.00 Year: 2011 Account # 7-05149 Bill # 5230 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Jones, Joyce Faye Value: \$0.00 Year: 2011 Account # 1-06300 Bill # 5697 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Jordan, Jack Value: \$0.00 Year: 2011 Account # 9-16029 Bill # 5875 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Lane, Robert J. & Rebecca W. Value: \$0.00 Year: 2011 Account # 15-03461 Bill # 6838 Release user fee. No can at storage building.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Last Chance RV Park Value: \$0.00 Year: 2011 Account # 11-03654 Bill # 6987 Release user fee. Uses a commercial hauler.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of Lowery Christine Value: \$0.00 Year: 2011 Account # 16-05311 Bill # 8595 Release portion of user fee. Sending can 9-1-2011	Amount: \$0.00 Total \$148.64
Release the User Fee in the name of Malpass, E C ETAL Value: \$0.00 Year: 2011 Account # 15-25557 Bill # 8866 Release portion of user fee. Dwelling is vacant. Can sent 9-1-2011	Amount: \$0.00 Total \$148.64
Release the User Fee in the name of McPherson, J H Value: \$0.00 Year: 2011 Account # 9-02553 Bill # 0801 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00
Release the User Fee in the name of McPherson, James Wallace Value: \$0.00 Year: 2011 Account # 9-04218 Bill # 0818 Release user fee. Dwelling is vacant.	Amount: \$0.00 Total \$223.00

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Release the User Fee	in the name of Meadows, Leslie R.	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 3-00219 Bill # 1075	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 11-12-2009.			
Release the User Fee	in the name of Meares, Irvin Randolph	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 13-27421 Bill # 6541	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 8-2011			
Release the User Fee	in the name of Milligan Melissa Worley	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 9-04135 Bill # 1613	Total	\$223.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Milligan Patrick & Melissa	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 6-26047 Bill # 1623	Total	\$223.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Milligan, John Patrick & Melissa Worley	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 6-00744 Bill # 1610	Total	\$223.00
Release user fee. Double wide is vacant.			
Release the User Fee	in the name of Nance, Robert Shannon	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 13-28953 Bill # 2905	Total	\$223.00
Release user fee. Mobile home not hooked up.			
Release the User Fee	in the name of NC Forest Services	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 18-01013 Bill # 1178	Total	\$223.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Nobles, Joseph d. & Patsy Davis	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 9-03206 Bill # 3468	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 8-27-2009			
Release the User Fee	in the name of Noyola Isidro & Maria	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 11-00313 Bill # 3917	Total	\$446.00
Release user fee. Mobile homes are vacant.			
Release the User Fee	in the name of Odham, Leonard R (Jr)	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 10-05706 Bill # 4041	Total	\$136.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Old Dock UMC Parsonage	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 18-05414 Bill # 1207	Total	\$148.68
Release user fee. Dwelling is vacant. Can picked up 5-2-2011			
Release the User Fee	in the name of Prince, Bonnie Kay & Rinnie Prince Hardwick	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 9-05757 Bill # 6415	Total	\$1,561.00
Release user fees. Mobile home park uses a commercial hauler.			
Release the User Fee	in the name of Prince, James Bobby (ETAL)	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 9-24321 Bill # 6448	Total	\$223.00
Release user fee. Storage building doesn't have a can.			
Release the User Fee	in the name of Reaves, Dinah	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 4-13420 Bill # 7011	Total	\$136.00
Release user fee. Dwelling is vacant.			
Release the User Fee	in the name of Register, Iris k. (Mrs. )	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 3-19140 Bill # 7267	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 6/5/2009			
Release the User Fee	in the name of Richardson, Sheila Williams	Amount:	\$0.00
Value:	\$0.00 Year: 2011 Account # 13-03728 Bill # 7594	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 8-2-2006			

Release the User Fee in the name of Roberts, Charles & Kathleen	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 1-00546 Bill # 7758	Total	\$223.00
Release user fee. Dwelling is vacant.		
Release the User Fee in the name of Salgado, Carlos & Sandra Elida	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 8-02344 Bill # 8472	Total	\$223.00
Release user fee. Dwelling is vacant.		
Release the User Fee in the name of Sellers, Thurston	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 1-81140 Bill # 9299	Total	\$136.00
Release user fee. Dwelling is vacant.		
Release the User Fee in the name of Simmons, K M (Jr. ) & Sonda	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 3-04412 Bill # 0100	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 11-9-2010		
Release the User Fee in the name of Smith, Leo Hwird & Sarah Lee	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 1-85880 Bill # 1149	Total	\$136.00
Release user fee. Dwelling is vacant.		
Release the User Fee in the name of Smith, Wynn M.	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 12-26077 Bill # 1501	Total	\$223.00
Release user fee. Dwelling is vacant.		
Release the User Fee in the name of Soles, Lorena Jordan	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 13-00346 Bill # 1669	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 2004		
Release the User Fee in the name of Southern, George & Valeria	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 13-05935 Bill # 1948	Total	\$223.00
Release user fee. Dwelling is vacant.		
Release the User Fee in the name of Stanley J A (Heirs)	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 9-28940 Bill # 2731	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up in 2001		
Release the User Fee in the name of Stump Dean James & Johnna Dickerson	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 16-15739 Bill # 3911	Total	\$223.00
Release user fee. Dwelling and can burned 2-19-2011 per fire report.		
Release the User Fee in the name of To God Be the Glory Ministries	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 6-04003 Bill # 6414	Total	\$200.00
Release user fee. Double listed act#18-04660		
Release the User Fee in the name of Todd, Bobby S.	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 13-40142 Bill # 5247	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 9-17-2009		
Release the User Fee in the name of Turbeville, Taft & Beulah	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 9-04523 Bill # 5713	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 8-2-2010		
Release the User Fee in the name of Turbeville, Taft & Beulah Jane	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 9-30880 Bill # 5717	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 1-2011		
Release the User Fee in the name of Waddell, Marvin Earl	Amount:	\$0.00
Value: \$0.00 Year: 2011 Account # 15-36980 Bill # 6428	Total	\$223.00
Release user fee. Occupant in rest home.		
Release the User Fee in the name of Ward, James Floyd & Rachel W.	Amount:	\$0.00
Value: \$0.00 Year: 20011 Account # 3-04031 Bill # 7224	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 3-17-2005		

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Release the User Fee in the name of Ward, Joey Travis Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 3-27085 Bill # 7266 Total \$223.00  
Release user fee. Mobile home is double listed Act#3-03024

Release the User Fee in the name of Ward, Walter R. & Myra Mason Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 3-28114 Bill # 7669 Total \$148.64  
Release portion of user fee. Sending can 9-1-2011.

Release the User Fee in the name of Warren, Charles Edward Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 3-28240 Bill # 7715 Total \$223.00  
Release user fee. Mobile home is vacant. Can picked up 9-3-2009

Release the User Fee in the name of White, Gracie Mae Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 3-29150 Bill # 8547 Total \$223.00  
Release user fees. 2 mobile homes are vacant.

Release the User Fee in the name of Williams Daniel Hardie Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 3-00509 Bill # 9011 Total \$223.00  
Release user fee. Shop does not have a can.

Release the User Fee in the name of Williams, Wade Lenwood Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 9-33713 Bill # 9368 Total \$223.00  
Release user fee. Dwelling is vacant.

Release the User Fee in the name of Williamson, Hank Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 12-30645 Bill # 9567 Total \$223.00  
Release user fee. Building has been removed from property.

Release the User Fee in the name of Worrell, Linda P. Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 14-02051 Bill # 0395 Total \$223.00  
Release user fee. Dwelling is vacant. Can picked up 2010

Release the User Fee in the name of Worrell, Linda P. Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 11-30680 Bill # 0391 Total \$223.00  
Release user fee. Dwelling is vacant.

Release the User Fee in the name of Yaatri Shree LLC Amount: \$0.00  
Value: \$0.00 Year: 2011 Account # 1-00295 Bill # 0665 Total \$223.00  
Release user fee. Uses a commercial hauler.

## **Agenda Item #18: COMMENTS:**

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

### **B. Board of Commissioners:**

1. **Vice Chairman McKenzie:** stated the following:
  - a. When we are in meetings such as this, we all have our own opinions;
  - b. Our opinions are warranted, and we are here as Commissioners;
  - c. I sit here and listen to all of you, and I never cut anybody off;
  - d. I don't appreciate being cut off; **and**
  - e. I am requesting my colleagues here to refrain from cutting me off when I am speaking.

Chairman Byrd stated that I will concur that the courtesy of each Commissioner should be extended equally to each Commissioner. I am sorry that that has happened to you tonight, and that you feel that way. Please accept my apology, and I feel the consensus of the Board may be we acted a little quick, but not intentionally to actually offend you. I will say this as the Chairman.

2. **Commissioner Prevatte:** stated the following:
  - a. Kip, on the information that we received about the water application, thirty (30%) percent of these funds are specifically earmarked for principal forgiveness loans. Kip replied stating that is thirty (30%) percent of the \$24 million that is being allocated for this loan.

- B. What I am asking is, can you apply for Water District II and Water District III to get some of their loans forgiven? Kip replied stating that this was for new projects only, which we are doing on the Water District I and Water District II interconnect. We are getting principal forgiveness on that one; **and**
- c. But not on existing loans? Kip replied stating I don't think so, and I think that has been researched several times.
3. **Commissioner Russ:** stated the following:
- a. It would be nice if we could get a drop screen mounted on the wall for the overhead projections;
- b. I attended a ribbon cutting this morning at Sandyfield for the new fire department and Town Hall. This construction started last October, and they moved into the building this month. This is great. This was a \$400,000.00 grant from the USDA Rural Development. Congressman McIntyre was there, Randall Gore, State Director of Rural Development was there also.; **and**
- c. We need to thank our firemen and rescue workers because when they go on a call they put their lives on the line.
4. **Commissioner Bullard:** stated the following:
- a. I called Mr. Clark to see if we had applied to get some of this forgiveness money on the interconnection of Water Districts I and II, and you stated that you had applied;
- b. A couple of meetings ago, I asked you to and the Board supported the request, for us to do an audit on the Department of Aging. Has it been started? Mr. Clark replied stating it is in the process of being done.; **and**
- c. When can we get a report on the audit? Mr. Clark replied stating the middle of November, 2011, or early December.
5. **Commissioner McDowell:** stated the following:
- a. Last Sunday, we had the Memorial Services at Legion Stadium;
- b. It was nice program, and I saw many of you there; **and**
- c. I think we could have had a few more, and maybe we need to advertise a little more.
6. **Chairman Byrd:** stated the following:
- a. Some time back, we discussed the traffic at Hallsboro Artesia Elementary School, and the way they line up when picking up the children;
- b. Former Commissioner Gore stated they had fixed an area there for the cars to exit off and not line up on the highway;
- c. I think we need to meet with Alan Faulk, Superintendent of the Columbus County Schools, and ask him to meet with someone down there, and I will be glad to take that on myself;
- d. There is adequate room for the vehicles to come off the highway and line up on the parking area, but they may have to line up two wide or three wide, or whatever;
- e. The other afternoon, the traffic was stopped for thirty (30) minutes because you got traffic coming from the east and cars coming from the west, all trying to turn into the same driveway, therefore blocking traffic both ways, and you can't get through; **and**
- f. There is no one out there directing them to show them where to go.

**PUBLIC COMMENT:**

**Larry Cribb:** stated the following:

1. I heard you discussing the CNA's and how you want to pay them on contract;
2. I don't know if you are aware of this, but that is illegal;
3. You can't do that according to North Carolina State rules;
4. You fall under the DMA (Department of Medical Assistance) which is the Medicaid Office, and AHHC (Associational Home and Hospice Care), which the Department of Aging is a member of;
5. They will tell you, and I have told at least three (3) of you, that that can not happen;
6. You may want to check on it before you start through it;

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7. It is very important, and you could have a lawsuit on your hands;
8. If you ever want to know anything about home care, call me because you need to know these things;
9. I am the owner of Allied Home Health Care and Mental Health; **and**
10. CNA's are not suppose to be contract employees.

**Agenda Item #19: ADJOURNMENT:**

At 8:19 P.M., Commissioner Bullard made a motion to adjourn, second by Commissioner Russ. 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, September 19, 2011**

**7:59 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 7:59 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 #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

Commissioner Norris made a motion to approve the September 06, 2011 **combination meeting** of Columbus County Water and Sewer District I Board Meeting, as recorded, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the AUGUST, 2011 MONTHLY WATER BILLS:**

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

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

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTMENT
8/4/2011	101020.00 98	Inez Grainger	-11.00	Customer Leak
8/4/2011	600080.00 97	Kevin Gore	-76.00	Billing Error
8/4/2011	603180.00 96	Benetha Green	50.00	Meter Tampering

8/5/2011	603320.00 95	George Hickman	-25.00	Billing Error
8/5/2011	401660.00 98	Clyde James	-29.00	Customer Leak
8/8/2011	302720.00 98	Linda Simmons	-82.20	Billing Error
8/8/2011	101620.00 98	Richard Godwin	-55.00	Customer Leak
8/15/2011	208350.00 98	Tracy Ray	70.00	Returned Bank Draft & Fee
8/16/2011	101614.00 98	Jamie Jordan	-103.00	Customer Leak
8/16/2011	104640.00 98	Harold Bellamy	-88.00	Customer Leak
8/16/2011	200950.00 98	Patricia Givens	97.00	Returned Check & Fee
8/16/2011	207210.00 98	Crystal Stubbs	-100.00	Customer Leak
8/17/2011	207775.00 98	Todd Blanton	-535.00	Customer Leak
8/17/2011	601525.00 98	Susan Wright	-8.00	Billing Error
8/18/2011	405050.00 96	Jessica Burchette	-190.00	County Leak
8/19/2011	403666.00 97	Eugene Reaves Jr.	25.00	Disconnect Fee
8/19/2011	301110.00 95	Jason Boswell	25.00	Disconnect Fee
8/19/2011	301923.00 98	Melissa Milligan	25.00	Disconnect Fee
8/19/2011	200720.00 98	Franklin Powell	25.00	Disconnect Fee
8/19/2011	404950.00 97	Shelley Grainger	25.00	Disconnect Fee
8/22/2011	104210.00 98	John Gott	25.00	Posting Error
8/26/2011	203160.00 96	Clara Dixon	-334.00	Customer Deceased
8/31/2011	603380.00 96	Justina Thompson	-60.00	Customer Leak

Commissioner Prevatte made a motion to approve the adjustments to the August, 2011 monthly water bills for Columbus County Water and Sewer District I, second by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 8:10 P.M., Vice Chairman McKenzie made a motion to adjourn, second by Commissioner Russ. The motion unanimously passed.

**APPROVED:**

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

\_\_\_\_\_  
**GILES E. BYRD, Chairman**

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

**Monday, September 19, 2011**

**7:59 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 7:59 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 #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

Commissioner Norris made a motion to approve the September 06, 2011 **combination meeting** of Columbus County Water and Sewer District II Board Meeting, as recorded, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the AUGUST, 2011 MONTHLY WATER BILLS:**

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

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

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTMENT
8/2/2011	122610.00 98	Harry Green	-30.00	Bank Draft Error
8/2/2011	130134.00 98	WVOE Radio	-13.00	Customer Leak
8/3/2011	122200.00 98	Kristie Spivey	100.00	Meter Tampering Fee

8/4/2011	132728.00 97	Paula Evans	30.00	Delinquent Account Penalty
8/5/2011	140060.00 98	Pamela Cutchin	-44.00	Reading Error
8/11/2011	142370.00 98	Jamie Sanderson	-34.00	Customer Leak
8/11/2011	144390.00 98	Ann Babson	25.00	Disconnect Fee
8/11/2011	143065.00 95	Michael Brown	-349.00	Billing Error
8/12/2011	110075.00 96	Chassika Carter	-18.00	Customer Leak
8/16/2011	120395.00 98	Teresa Williams	-41.00	Customer Leak
8/16/2011	122214.00 98	Robert Lee Nobles Jr.	-127.00	Customer Leak
8/16/2011	121100.00 98	Mitchell Powell	-336.00	Customer Leak
8/19/2011	111728.00 98	Coke Company	25.00	Disconnect Fee
8/19/2011	111080.00 97	Donald Powers	25.00	Disconnect Fee
8/22/2011	122214.00 98	Robert Lee Nobles Jr.	-34.00	Customer Leak
8/22/2011	140210.00 98	Dorothy Long	-30.00	Posting Error
8/22/2011	131600.00 98	Patricia Williamson	-108.00	Customer Leak
8/25/2011	120230.00 94	Isaac McBride	50.00	Deposit Applied
8/25/2011	140273.00 97	Barbara Robinson	50.00	Meter Tampering Fee
8/25/2011	141305.00 98	Lafayette Best	-160.00	Customer Leak
8/26/2011	111831.00 98	Frances Hardee	-234.00	Customer Leak
8/30/2011	131010.00 98	Rasheed Rahman	-5.00	Removed Delinquent Penalty
8/30/2011	111272.00 98	Pamela Hernandez	-156.00	Billing Error

Commissioner Prevatte made a motion to approve the adjustments to the August, 2011 monthly water bills for Columbus County Water and Sewer District II, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICT II - CONSIDERATION of WATER MAIN EXTENSION on BOOKER LENNON ROAD:**

Rodney Hill, private citizen, requested Board consideration of a two thousand, six hundred (2,600 LF) linear feet extension on Booker Lennon Road. Mr. McClary stated the following:

1. Mr. Hill approached us, and he lives approximately 2,600 feet from Haynes Lennon Highway;
2. I think he has well trouble and is needing water;
3. I advised him, at the time, that the Board had denied extension requests like this in the past;

- and**
4. He was not satisfied with my explanation and requested to be heard by the Board and explain his case.

Commissioner Prevatte made a motion to deny the request by Rodney Hill for a 2,600 linear feet extension on Booker Lennon Road, second by Commissioner Bullard.

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

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

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

**ADJOURNMENT:**

At 8:10 P.M., Vice Chairman McKenzie made a motion to adjourn, second by Commissioner Russ. 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, September 19, 2011  
7:59 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 7:59 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 #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

Commissioner Norris made a motion to approve the September 06, 2011 **combination meeting** of Columbus County Water and Sewer District III Board Meeting, as recorded, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the AUGUST, 2011 MONTHLY WATER BILLS:**

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

**DISTRICT III ADJUSTMENTS FOR THE MONTH OF AUGUST**

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTMENT
8/4/2011	340064.00 97	Hobby Green	-25.00	Billing Error
8/4/2011	340062.00 94	Karen Newkirk	25.00	Service Call
8/5/2011	340379.00 98	James Meares	25.00	Disconnect Fee

8/5/2011	370450.00 98	Arthur Campbell	25.00	Customer Refund
8/8/2011	371140.00 95	Tracy Rice	50.00	Customer Refund
8/15/2011	380482.00 98	James Carter	-555.00	Billing Error
8/15/2011	341142.00 98	Russell Worley	74.00	Returned Bank Draft & Fee
8/16/2011	341845.00 98	Doris Barber	-84.00	Customer Leak
8/17/2011	380380.00 95	Erin Loar	50.00	Customer Refund
8/17/2011	360220.00 98	Western Prong Church Sanctuary	-126.00	Customer Leak
8/18/2011	371055.00 97	Brandon Johnson	-532.00	Customer Leak
8/19/2011	350975.00 94	Christopher Ban	-64.00	Customer Leak
8/19/2011	360495.00 98	Sammy Anderson	25.00	Disconnect Fee
8/19/2011	371405.00 96	Rodney Stamper	25.00	Disconnect Fee
8/19/2011	370137.00 95	Jamine Stevens	25.00	Disconnect Fee
8/25/2011	350659.00 92	Shirley Arthur	100.00	Meter Tampering Fee
8/25/2011	341632.00 97	Gretel Chavis	-20.00	Reading Error
8/26/2011	380770.00 98	Sylvia Duncan	-182.20	Billing Error

Commissioner Prevatte made a motion to approve the adjustments to the August, 2011 monthly water bills for Columbus County Water and Sewer District III, second by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 8:10 P.M., Vice Chairman McKenzie made a motion to adjourn, second by Commissioner Russ. The motion unanimously passed.

**APPROVED:**

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

\_\_\_\_\_  
**GILES E. BYRD, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V  
COMBINATION BOARD MEETING  
Monday, September 19, 2011  
7:59 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 7:59 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 #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

Commissioner Norris made a motion to approve the September 06, 2011 **combination meeting** of Columbus County Water and Sewer District IV Board Meeting, as recorded, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the AUGUST, 2011 MONTHLY WATER BILLS:**

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

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

<b>DATE</b>	<b>ACCT #</b>	<b>ACCT NAME</b>	<b>ADJ AMT</b>	<b>REASON FOR ADJUSTMENT</b>
8/4/2011	430104.00 98	Chantella Bryant	-30.00	Official Payment Error
8/4/2011	430636.00 98	Armwood Shaw	-176.00	Billing Error
8/5/2011	430386.00 98	Adriana Belivan	-208.00	Customer Leak

8/9/2011	430801.00 98	William Watts	-28.00	Billing Error
8/16/2011	430455.00 97	Brandon Jackson	-70.00	Billing Error
8/19/2011	430058.00 98	Archie Brown Jr.	25.00	Disconnect Fee
8/25/2011	430441.00 98	Alton Evans Jr.	-23.00	Customer Leak
8/25/2011	410390.00 98	James McCullum	-24.00	Reading Error
8/25/2011	430051.00 98	Deloris Wilson	-20.00	Reading Error
8/25/2011	430471.00 98	Reba Marks	-4.00	Reading Error
8/29/2011	430145.00 98	Rhonda Ward	25.00	Posting Error
8/29/2011	430145.10 98	Pearlie Bridgers	-30.00	Posting Error

Commissioner Prevatte made a motion to approve the adjustments to the August, 2011 monthly water bills for Columbus County Water and Sewer District IV, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #16: Columbus County Water and Sewer District IV - Board Approval of Application Documents, and Approval for County Manager to Execute Other Necessary Documents for Application:**

Kip McClary, Public Utilities Director, requested Board approval of the application documents, and approval for County Manager to execute other necessary documents for the application for Columbus County Water and Sewer District IV.

**RESOLUTION BY GOVERNING BODY OF APPLICANT**

**WHEREAS,** The Federal Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements; **and**

**WHEREAS,** The Columbus County Water and Sewer District IV has need for and intends to construct a drinking water system project described as Water Supply, Elevated Storage and Distribution System Development; **and**

**WHEREAS,** The Columbus County Water and Sewer District IV intends to request state (loan and/or grant) assistance for the project.

**NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY:**

That Columbus County Water and Sewer District IV the Applicant, will arrange financing for all remaining costs of the project, if approved for a State (loan and/or grant) award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper

operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Columbus County Water and Sewer District IV to make scheduled repayment of the loan, to withhold from the Columbus County Water and Sewer District IV any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That William S. Clark, County Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a (loan and/or grant) to aid in the construction of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 19th day of September, 2011 at the Dempsey B. Herring Courthouse Annex, Whiteville, North Carolina.

/s/ Giles E. Byrd, Chairman

#### **CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting Clerk of Columbus County Board of Commissioners of the Columbus County Water and Sewer District IV does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Columbus County Water and Sewer District IV duly held on the 19th day of September, 2011; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. **IN WITNESS WHEREOF**, I have hereunto set my hand this 19th day of September, 2011.

/s/ June B. Hall, Clerk to the Board

Mr. McClary stated the following:

1. In the past, we have worked on a potential project in the Hallsboro area, and even at one time the North Hallsboro area;
2. We have a lot of citizen interest in the Hallsboro area alone;
3. We have an opportunity through the Drinking Water State Revolving Fund to apply for funding with a potential of as much as a 50% debt forgiveness;



people are willing to hook on before we do anything like this. We are talking about borrowing money and making payments and don't even know how many customers we got.

**Chairman Byrd:** We are asking just to apply to see if we can get approved before we do that.

**Commissioner Bullard:** I am saying that I see it doing the other way. You see if you got the potential before you even go do anything with it.

**Chairman Byrd:** I say to give you the authority to move forward to see if we can get the grant. If we can't get the grant, we don't do anything.

**Kip McClary:** If folks know that we have applied for the money, and come on in and start signing up, and then we don't get enough signups to justify the debt service payment . . . .

**Commissioner Bullard:** The signups that we have been getting are not even legal, they are not even binding. What good is a signup? Mr. Attorney, you need to work on our signups.

**Chairman Byrd:** In this contract, we need to tighten up any bolts that are a little bit loose. We need to make sure that they know what they are signing, but I feel that we got a chance to get this grant. This is one of the worst areas in Water District IV as far as needing the water and sewer. I live there, I travel through there, and anytime it rains, it floods through there. They really need some help. This is where the main idea and the first meeting was ever held for Water District IV in Hallsboro.

**Commissioner McDowell:** If I understand it correctly, three (3) things would have to happen before we ever move forward as follows:

- A. We would have to get the CDBG grant;
- B. We would have to get the debt forgiveness; **and**
- C. We would have to have a minimum to signup.

How do we lose if we just proceed to see if we can get the money?

**Kip McClary:** That is what we are asking for.

**Commissioner Bullard:** Because our signups are not binding.

**Commissioner Prevatte:** These are the same words we heard before though, that this is the worst place for water in this end of the county, Livingston Creek. That is what we were told, and now we are paying the price for it.

**Commissioner McDowell:** But that is only if we move forward once we get the information. If we don't get the CDBG grant and the debt forgiveness, then we don't move forward.

### MOTION:

Commissioner Russ made the following motion:

1. Approve the application documents so entitled "North Carolina Water/Wastewater Common Application Form", in the amount of one million, nine hundred twenty-four thousand, seven hundred ninety-five and 00/100 (\$1,924,795.00) dollars;
2. Authorize William S. Clark, County Manager, to execute other necessary documents; **and**
3. Three (3) steps to be taken before moving forward.

The motion was seconded by Vice Chairman McKeznie.

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

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

**NAYS:** Commissioners Prevatte and Bullard.

The motion passes on a five (5) to two (2) vote. A copy of this document 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.

**Commissioner Bullard:** We need a new policy on our signups where it is more contingent, or we don't even need to ask for any signups.

**ADJOURNMENT:**

At 8:10 P.M., Vice Chairman McKenzie made a motion to adjourn, second by Commissioner Russ. 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, September 19, 2011**  
**7:59 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 7:59 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 #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

Commissioner Norris made a motion to approve the September 06, 2011 **combination meeting** of Columbus County Water and Sewer District V Board Meeting, as recorded, second by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to the AUGUST, 2011 MONTHLY WATER BILLS:**

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

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

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTMENT
8/3/2011	709967.00 98	Lola Skinner	-512.50	Billing Error
8/4/2011	800081.00 98	Earl Howard Smith	-28.00	Billing Error
8/5/2011	704540.00 97	Israel Brano	-60.00	Billing Error

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8/8/2011	709983.00 97	Elva Cardanas	-82.00	Customer Leak
8/9/2011	704763.00 98	Mannela Hernandez	-352.00	Billing Error
8/10/2011	800661.00 98	Steven Hrubes	-25.00	Billing Error
8/15/2011	703600.00 97	Terry Rabon	50.00	Deposit Applied
8/19/2011	709700.00 94	Conchetta Stephens	25.00	Disconnect Fee
8/30/2011	709700.00 94	Conchetta Stephens	83.00	Returned Check & Fee

Commissioner Prevatte made a motion to approve the adjustments to the August, 2011 monthly water bills for Columbus County Water and Sewer District V, second by Commissioner Norris. The motion unanimously passed.

## **ADJOURNMENT:**

At 8:10 P.M., Vice Chairman McKenzie made a motion to adjourn, second by Commissioner Russ. The motion unanimously passed.

## **APPROVED:**

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

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**GILES E. BYRD, Chairman**