

## COLUMBUS COUNTY BOARD OF COMMISSIONERS

Monday, November 05, 2012

6:30 P.M.

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

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**6:30 P.M.**

**PUBLIC HEARING - Proposed Schedules, Standards, and Rules for the 2013 Revaluation:** the purpose of the Public hearing is to receive input and comments from all interested parties. **(This is the second scheduled Public Hearing.)**

**PUBLIC HEARING OPENED:**

At 6:30 P.M., Chairman Amon E. McKenzie opened the Public Hearing and stated the purpose of the Public Hearing is to receive input and comments from all interested parties on the Proposed Schedules, Standards, and Rules for the 2013 Revaluation. Chairman McKenzie requested that Mike Stephens, Columbus County Attorney orally read the Policy on Comments at Public Hearings. Mr. Stephens orally read the policy in its entirety.

**COMMENTS:**

Chairman McKenzie opened the floor for comments. The following spoke:

1. **Harry Foley, 2534 Bella Coola Road, Lake Waccamaw, NC 28450:** stated the following:
  - A. I am speaking on behalf of many of the Lake Waccamaw people;
  - B. From what we have read in The News Reporter, there is an overall 2.5% increase in the property values throughout the County;
  - C. We have issues with this since we are one of the poorest counties in the State of North Carolina, and they are two (2) fold as follows:
    - property taxes affect economic development; and
    - we have many citizens on fixed incomes and this would increase their expenditures;
  - D. We don't understand why Lake Waccamaw has been signaled out;
  - E. We do not think this is fair to the people of Lake Waccamaw;
  - F. Nationwide, the property values have decreased in value by 30%;
  - G. We do understand that property appraisals are normally higher than tax values; **and**
  - H. We are opposed to any increase in the property values.
  
2. **Steve Smith, 117 East Wyche Street, Whiteville, NC 28472:** stated the following:
  - A. I would like to echo what Mr. Foley has stated, and I own property on Bella Coola Road;
  - B. I had my property re-appraised this year for financing purposes, and it indeed has dropped;
  - C. There is a serious problem happening at Lake Waccamaw and that is the hydrilla weed which could devastate Lake Waccamaw;
  - D. Lake Waccamaw is the crown jewel of Columbus County with some of the highest property values in the County;
  - E. This is going to be a very expensive process over the next ten (10) years, and you can expect a request for aid in this expense;
  - F. As you go about the task of setting taxes, consider your expenses; **and**
  - G. I urge you to cut expenses before you raise taxes on the citizens.

3. **Commissioner Prevatte:** stated the following:
- A. If the average of the property values is 2.5%, some values have increased and some have decreased in value;
  - B. I understand that this is a comparison of market values;
  - C. Our people cannot stand any more taxes;
  - D. If we went revenue neutral, then the citizens would not have any problem with this; **and**
  - E. I am not in favor of raising any property values.

**Richard Gore:** stated the following

- I just have half of the equation;
- We are talking about 2005;
- Around 2009-2010, property values did increase, and then in 2011, they declined;
- We are getting back to where we were in 2005;
- We are here to discuss the schedule of values which is a uniform standard of houses based on their age and grade;
- This is what this hearing is about; **and**
- Once we get this in place, we will notify the people, and they have the opportunity to come by and discuss this.

4. **Vice Chairman McDowell:** stated the following:
- A. What we are doing is creating a formula that will determine values, and then it is up to us, as a Board, to look at what that will generate and either maintain the current tax value, certainly not raise the tax value, or lower the tax value;
  - B. We are not here tonight to determine the property value of my house or my land; **and**
  - C. We are here to determine a formula that will be uniform throughout the County.

**Richard Gore:** this is a uniform assessment.

5. **Commissioner Bullard:** stated the following:
- A. I need to see the increases that will result with the revaluation, and I have not been able to obtain any figures; **and**
  - B. I don't agree with any property increases.

**Richard Gore:** stated the following:

- We are here tonight about the schedule;
- This is a State law that states we did it uniformly throughout the County;
- This information is entered into our computer and the formula computes the value;
- The main ones being affected are the houses that have been built since 2005; **and**
- Those with the older houses have lowered.

6. **Commissioner Russ:** Does the Board have to approve the 2.5% increase? Richard Gore replied stating the Board has to approve the schedule. When we send the notices out to the people, they have the opportunity to set an appointment and discuss this value.

7. **Mike Stephens, County Attorney:** stated the following:
- A. This has to be in place on January 01, 2013;
  - B. You are approving the final Schedules, Standards and Rules;
  - C. By law, if you do not do it by January 01, 2013, you are in violation of the law and you are subject to receive a letter from the North Carolina Department of Revenue;
  - D. They can issue an order of some semblance;
  - E. The evaluation itself, and it must be re-evaluated every eight (8) years;
  - F. You can't keep the same valuation;
  - G. The law states that it is a presumption that the re-evaluation is correct;
  - H. That is a rebuttable presumption which means the taxpayer can come in and disagree; **and**
  - I. It is a rebuttable assumption that it was done correctly.

8. **Commissioner Byrd:** At what point in time does the matter go to the Review Committee if the property owner does not agree with the new property value?

**Richard Gore:** replied stating the following:

- If the property owner disagrees with the new property value, he/she can call either of the two (2) telephone numbers listed on the notice they will receive and set up an

- appointment for an informal hearing;
- The Tax Office will review all of the pertinent information to see if the property value is correct; **and**
- If the Tax Office is unable to resolve the issue, then the taxpayer can present the matter to the Equalization and Review Board.

**PUBLIC HEARING CLOSED:**

At 7:03 P.M., Commissioner Bullard made a motion to close the Public Hearing, seconded by Commissioner Russ. The motion unanimously passed.

**7:03 P.M.**

**REGULAR SESSION**

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

At 7:03 P.M., Chairman Amon E. McKenzie called the November 05, 2012 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Vice Chairman Charles T. McDowell. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner Giles E. Byrd.

**Agenda Item #4: Presentation of Retirement Plaques:**

Chairman Amon E. McKenzie presented the following retirement plaques to Toni Blackmon for her many years of service at the Columbus County Department of Aging and Joan Stephens for her many years of services at the Columbus County Department of Social Services.

***PRESENTED TO***

***TONI BLACKMON***

***IN GRATEFUL APPRECIATION  
FOR YOUR DEDICATION AND LOYALTY  
TO  
COLUMBUS COUNTY AGING DEPARTMENT***

***10-26-1992    -    10-31-2012***

***\* \* \* \* \****

***COLUMBUS COUNTY BOARD OF COMMISSIONERS***

***PRESENTED TO***

***JOAN STEPHENS***

***IN GRATEFUL APPRECIATION  
FOR YOUR DEDICATION AND LOYALTY  
TO  
COLUMBUS COUNTY SOCIAL SERVICES DEPARTMENT***

***4-01-1983     -     9-28-2012***

***\* \* \* \* \****

***COLUMBUS COUNTY BOARD OF COMMISSIONERS***

**Agenda Item #5:    BOARD MINUTES APPROVAL:**

Commissioner Norris made a motion to approve the October 15, 2012 Regular Session Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #6: PUBLIC INPUT:**

Chairman McKenzie opened the floor for public input. The following spoke:

**Kathryn Faulk, Seven Creeks Highway, Nakina, NC 28455:** I would like to deliver a personal invitation to you, to the Farm City Week Dinner on Tuesday, November 13, 2012, at 6:00 P.M., to be held in the Whiteville High School Cafeteria.

**Agenda Item #7: PRESENTATION - NEGOTIATED CONTRACT COST of NEW COURTHOUSE ANNEX CONSTRUCTION:**

Glen Ware, Ware Bonsall Architects, delivered the following presentation on the negotiated contract cost for the new Courthouse Annex construction.

1. I have with me tonight, Paul Bonsall, Skip Green and Jim Beam;
2. For the last six (6) weeks, we have been working very closely with Group III;
3. In our list of suggestions, we had approximately \$2 million of changes in our discussions with Group III;
4. In our negotiations, we have been able to bring the cost down approximately \$1.5 million;
5. We have reduced the construction cost down to \$8,511,550, with a contingency amount of \$200,000 that you have control of;
6. We feel we have done all that we can do with these reductions without reducing the quality of the building; **and**
7. During construction, we will keep our eyes open to see if there are any more opportunities for some cost savings which we will bring to your attention.

**DISCUSSION/QUESTIONS/COMMENTS:**

1. **Vice Chairman McDowell:** stated the following:
  - A. From the information you have stated, I understand there are no significant structural changes, and the exterior will basically be the same, is this correct?  
**Glen Ware:** That is correct.
  - B. Will you maintain the same square footage and the same number of courtrooms?  
**Glen Ware:** That is correct.
2. **Commissioner Bullard:** I appreciate you going back and reviewing this, and making the changes you made that will save money.
3. **Commissioner Russ:** Is the debris from the two (2) old buildings going to be recycled, or will it be hauled to the County landfill?  
**Skip Green:** If there is local recycler, we will certainly try to do that.  
**Commissioner Russ:** There is a cement company here in the County, and if he gets the job, he will recycle for free. If not, it is \$30.00 ton.
4. **Commissioner Byrd:** stated the following:
  - A. The elimination of the second public elevator is not a good idea;
  - B. If we install this elevator at a later date, it will cost us more, and we will need this elevator; **and**
  - C. I think we should install the second public elevator now.
5. **Vice Chairman McDowell:** stated the following:
  - A. I think we need the second public elevator for future expansion and the rising senior population; **and**
  - B. I concur with Commissioner Byrd in stating the second public elevator needs to be installed now.

**MOTION:**

Commissioner Byrd made a motion to put the second public elevator back in the construction drawings of the new Courthouse Annex, seconded by Vice Chairman McDowell. The motion unanimously passed.

**MOTION:**

Commissioner Norris made a motion to build a New Columbus County Courthouse Annex, seconded by Vice Chairman McDowell. The motion unanimously passed.

**Agenda Item #8: PRESENTATION - NATURALLY BALANCED TECHNOLOGY:**

Cole Cartrette, Boar Branch Seed Company, delivered the following presentation on naturally balanced technology.

1. We have a small seed company in Clarendon named Boar Branch Seed Company;
2. The seed company was formed two (2) years ago, and we handle USGC;
3. We start from growing the seed and go all the way to the end process;
4. I am pleased to announce tonight that Boar Branch Seed Company has agreed to handle the seed production for Cralar NAT which is Natural Advanced Technologies;
5. With me tonight, I have Jodi Martin and he is with Cralar and he will go over what Cralar is all about and what we are doing;
6. We built a plant in Pamlico, South Carolina, and all the neighboring farmers that are within a sixty (60) mile radius of this plant, with good heavy soil, we want to promote flax; **and**
7. It will be good for this area, it is a new crop.

**Jodi Martin, Cralar NAT:** stated the following:

1. I own a company out of the Florence, South Carolina area, called Palmetto Consulting Business;
2. I work on agribusiness economic development projects and I have worked with Steve Yost and others around this area and throughout the Carolinas;
3. My main focus is working with companies that are working on valued-added opportunities and processes that will benefit the crops that we can grow in our particular region, therefore adding to agribusiness and all other pieces of that;
4. Tonight, I am representing Steve Sandroni which is the VP of agribusiness for Cralar;
5. This company has invested \$10 million into a processing facility and will purchase 45,000 acres of a crop called flax, one of the oldest crops, even older than cotton; **and**
6. This is a FYI for you.

**Agenda Item #9: AGING - APPROVAL to HIRE PARKER and POE, RALEIGH ATTORNEYS, for NOVEMBER 08, 2012 APPEALS HEARING to STATE DIVISION of MEDICAL ASSISTANCE AUDIT:**

Ed Worley, Aging Director, requested Board approval to hire Parker and Poe, Raleigh Attorneys, to represent Columbus County for a November 08, 2012 Appeals Hearing to the State Division of Medical Assistance Audit.

Commissioner Norris made a motion to approve to hire Parker and Poe, Raleigh Attorneys, to represent Columbus County for a November 08, 2012 Appeals Hearing to the State Division of Medical Assistance Audit, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #10: COLUMBUS REGIONAL HEALTHCARE SYSTEM - APPROVAL of SECOND AMENDMENT to LEASE AGREEMENT:**

Carl Biber, CFO, requested Board approval of the following Second Amendment to the existing Lease Agreement for Columbus County Healthcare System.

**SECOND AMENDMENT TO LEASE**

**THIS SECOND AMENDMENT TO LEASE** (this "Second Amendment") is effective as of the \_\_\_ day of \_\_\_\_\_, 2012, by and between COLUMBUS REGIONAL HEALTHCARE SYSTEM ("CRHS"), formerly known as Columbus County Hospital, Inc., a North Carolina nonprofit corporation, and COLUMBUS COUNTY, a political subdivision of the State of North Carolina (the "County").

**RECITALS**

A. The County and CRHS have entered into a Lease dated August 19, 1996, as amended by a First Amendment thereto effective as of June 5, 2012 (as amended, the "Lease"), pursuant to

which CRHS leases from the County the premises described therein, including the 154-bed acute care facility operated by CRHS (the "Hospital"), for a term ending November 30, 2043.

B. The County has previously incurred debt for the benefit of CRHS which has been refinanced over the years and is now outstanding under a Financing Agreement and Deed of Trust, dated as of October 1, 2009 (the "Installment Financing Agreement"), from the County to the trustee named therein for the benefit of Branch Banking and Trust Company, the current outstanding principal balance of which is approximately \$3,400,000.

C. Pursuant to the Lease, CRHS is obligated to pay to the County all of the amounts due under the Installment Financing Agreement.

D. CRHS has determined that it is in the best interests of the community for it to obtain financing through the issuance of revenue bonds by the North Carolina Medical Care Commission so as to finance the cost of certain renovations and expansions to the Hospital in order to better serve the residents of the County and repay the Installment Financing Agreement.

E. CRHS and the County have been advised by the North Carolina Local Government Commission and potential creditors of changes that should be made to the Lease in order to provide greater protections to the parties and the citizens of the County and to allow CRHS to procure needed capital through borrowing under the most favorable economic terms and conditions, and CRHS and the County desire to amend the Lease to make such changes.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto, intending to be legally bound, agree to make the following amendments to the Lease:

1. **Amendments to Section 7 of the Lease.** Section 7 of the Lease is hereby deleted in its entirety and the following is substituted therefor:

7. **FINANCIAL COVENANTS OF THE LESSEE.** CRHS covenants with the County as follows:

(a) CRHS shall pay to the County any amounts due for any debt incurred by the County for the benefit of CRHS, including, but not limited to, amounts owed under the Financing Agreement and Deed of Trust, dated as of October 1, 2009 (the "Installment Financing Agreement"), from the County to the trustee named therein for the benefit of Branch Banking and Trust Company. Any such payment due under the Installment Financing Agreement shall be transferred to the Columbus County General Fund within five (5) days prior to the due date of such installment payment.

(b) If any adverse conditions or events should occur concerning the financial status of CRHS, the President and Chief Executive Officer of CRHS shall promptly advise the County Administrator in writing of such conditions or events that would or might materially adversely affect the financial condition of CRHS or the collateral for any outstanding indebtedness of the County for which CRHS is responsible for paying, including the Installment Financing Agreement.

© CRHS shall furnish to the County a copy of the quarterly internal financial statements, including a balance sheet and statement of revenues and expenses, within 45 days after the close of such fiscal quarter.

(d) CRHS shall not incur indebtedness relating to bond issues without the prior written approval of the County. The parties acknowledge that CRHS intends to incur up to \$27,500,000 of indebtedness in the form of revenue bonds issued by the North Carolina Medical Care Commission in order to finance various capital improvements and repay the outstanding balance of the Installment Financing Agreement. By executing the Second Amendment, the County does hereby expressly approve the incurrence of such indebtedness by CRHS.

2. **Addition of New Sections 9, 10 and 11 to the Lease.** The following new sections 9, 10 and 11 are hereby added to the Lease and the existing Sections 9, 10 and 11 are renumbered accordingly as Sections 12, 13 and 14:

9. **DEFAULTS AND REMEDIES.**

(a) Defaults. The following shall constitute events of default under the Lease (“Events of Default”):

(I) Failure of CRHS to pay any amounts owed to the County pursuant to Section 2 or Section 7(a) of this Lease within ten (10) days after the due date of such payment.

(ii) Other than as set forth in (I) above, failure of CRHS to observe, keep or perform any of the covenants, agreements, conditions or provisions of this Lease to be observed, kept or performed by it within thirty (30) days after receipt of written notice from the County specifying such failure.

(b) Remedies. Upon the occurrence of an Event of Default, the County may terminate this Lease and, without prejudice to any other remedy, re-enter the premises and take possession of all assets of CRHS subject to the Lease, including but not limited to, the Hospital.

10. **TRANSFER OF HOSPITAL ASSETS AND CONTRACTS.**

CRHS agrees, in conformity with the provisions of its charter, that in the event of dissolution of CRHS as may now or hereafter be provided by law, or upon termination of this Lease for any reason or upon the expiration of the Lease term, CRHS shall, without consideration, transfer, convey, and deliver any and all monies, properties, including all improvements thereon, and all other assets of CRHS (hereinafter the “CRHS Assets”) to the County, to be used by the County exclusively for the accomplishment of the purposes for which CRHS was formed. In addition, CRHS shall, without consideration and at the option of the County, transfer, convey, and deliver all rights of CRHS in each written and oral agreement, arrangement, contract, license, and permit (to the extent transferable), commitment, lease, and option (collectively, the “contractual and license arrangements”) to which CRHS is a party and to which the County, in its sole discretion, determines it will assume. Such transfers, assignments, and conveyances shall be effected by one or more instruments, satisfactory in form and substance to the County, and sufficient to vest in the County all of CRHS’s right, title, and interest in and to the CRHS Assets and contractual and license arrangements.

In the event of a transfer of the CRHS Assets from CRHS to the County, the County shall make provision for the satisfaction, retirement or restructuring of any outstanding indebtedness of CRHS and the Installment Financing Agreement, if applicable, through any of the following methods, as elected solely at the option of the County:

(a) The County may pay or defease all such indebtedness; or

(b) The County may cause the CRHS Assets and/or the Hospital to be leased by another 501(c)(3) nonprofit corporation reasonably acceptable to the holders of a majority in aggregate principal amount of the outstanding indebtedness of CRHS, which corporation shall assume, pay, or cause to be paid, the outstanding indebtedness of CRHS and the Installment Financing Agreement, if applicable; or

(c) The County may sell the Hospital or any of the CRHS Assets (1) pursuant to N.C.G.S § 131E-13 (or any successor statute) and, to the extent of those proceeds, use the proceeds to retire, or cause to be retired, the indebtedness of CRHS and the Installment Financing Agreement, if applicable, or (2) pursuant to N.C.G.S. § 131E-8 (or any successor statute) if the purchaser assumes, pays or causes to be paid, the outstanding indebtedness of CRHS; or

(d) The County may operate the CRHS Assets directly (or through a manager, under a management agreement that complies with Rev. Proc. 97-13, reasonably acceptable to the holders of a majority in aggregate principal amount of the outstanding indebtedness of CRHS), in which case the County shall (1) pledge the net

revenues from the operation of the CRHS Assets to pay, or cause to be paid, the indebtedness of CRHS and the Installment Financing Agreement, if applicable, as and when the same shall become due and payable and (2) use any cash and investments received from CRHS to pay the operating expenses of the Hospital or for the purposes described in clause (1) of this paragraph (d).

The County shall take no action in connection with the foregoing that jeopardizes the tax-exempt status of any bonds issued for the benefit of CRHS. The holders of, trustees for holders of, and credit enhancers of bonds relating to such indebtedness shall be third-party beneficiaries of the provisions of this paragraph.

**11. LEASE MODIFICATIONS.** The County hereby agrees to cooperate in good faith and make such reasonable minor modifications to the Lease as may be necessary to enable CRHS to obtain debt financing; provided, however, that CRHS shall pay to the County such reasonable expenses and costs as the County may incur or be required to pay in evaluating such request or requests.

3. **Full Force and Effect.** Except as set forth in this Second Amendment, the terms and conditions of the Lease are hereby ratified and declared to be and remain in full force and effect.

4. **Applicable Law.** This Second Amendment shall be governed by and construed in accordance with the internal laws and judicial decisions of the State of North Carolina.

5. **Counterparts.** This Second Amendment may be executed in two or more counterparts, each of which shall constitute an original, but all of which when taken together shall constitute but one instrument.

6. **Recordation.** CRHS covenants that it will cause this Second Amendment or a memorandum thereof as provided in N.C.G.S. §47-117 et seq. to be recorded and filed in the office or offices where leases or memoranda of such type are customarily recorded and filed.

**IN TESTIMONY WHEREOF**, the County, pursuant to a duly approved resolution of its Board of Commissioners, has caused this instrument to be signed in its name by the Chairman of its Board of Commissioners and its corporate seal to be hereto affixed and attested by the Clerk of the Columbus County Board of Commissioners, and CRHS has caused this instrument to be signed in its corporate name by its President and Chief Executive Officer and its corporate seal to be affixed hereto and attested by its Secretary, all by authority duly and regularly given, this the day and year first above written.

**COLUMBUS COUNTY, NORTH CAROLINA**

By: /s/ **AMON E. McKENZIE**

**Chairman, Board of Commissioners**

**Attested by:**

**Clerk, Columbus County Board  
of Commissioners**

/s/ **JUNE B. HALL**

**COLUMBUS REGIONAL HEALTHCARE SYSTEM**

By: /s/ **HENRY HAWTHORNE**

**President and Chief Executive Officer**

**Attested by:**

/s/

Secretary

**STATE OF NORTH CAROLINA**

**COUNTY OF COLUMBUS**

This is to certify that before me, a Notary Public of said County, personally appeared this day \_\_\_\_\_, with whom I am personally acquainted, who being by me duly sworn, says that he/she is Clerk of the Columbus County Board of Commissioners and that \_\_\_\_\_ is the Chairman of the Columbus County Board of Commissioners; that the/she knows the common seal of Columbus County, and the name of the County was subscribed

hereto and said common seal was affixed, all by order of the Board of Commissioners for Columbus County, and that the said instrument is the act and deed of Columbus County.

WITNESS my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**STATE OF NORTH CAROLINA  
COUNTY OF COLUMBUS**

Before me, a Notary Public, personally appeared this day \_\_\_\_\_, who, being duly sworn, says that he/she is Secretary and that \_\_\_\_\_ is the President and Chief Executive Officer of Columbus Regional Healthcare System, the corporation described in and which executed the foregoing instrument; that he knows the common seal of said corporation, that the foregoing instrument was executed in its corporate name by the said President and Chief Executive Officer and attested to by the said Secretary who affixed the common seal thereto, all by order of the Board of Trustees of said corporation, and that the said instrument is the act and deed of the said corporation.

WITNESS my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

Commissioner Norris made a motion to approve the Second Amendment to Lease for the Columbus Regional Healthcare System, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #11: AIRPORT - APPROVAL of GRANT AGREEMENT - VISION 100, PROJECT #: 36237.53.7.1:**

Phil Edwards, Airport Manager, requested Board approval of a Block Grant Agreement, Vision 100, Project Number: 36237.53.7.1, at the amount of \$10,571, by the adoption of the following Resolution.

**RESOLUTION**

**WHEREAS**, a Grant in the amount of \$10,571 has been approved by the Department based on total estimated cost of \$11,745; **and**

**WHEREAS**, an amount equal to or greater than **ten percent (10%)** of the total estimated project cost has been appropriated by the Sponsor for this Project.

**NOW, THEREFORE, BE AND IT IS RESOLVED THAT THE** Chairman of the Sponsor be and he hereby is authorized and empowered to enter into a Grant Agreement with the Department, thereby binding the sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

Commissioner Byrd made a motion to approve the Block Grant Agreement, Vision 100, Project Number: 36237.53.7.1, at the amount of \$10,571, by Resolution, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #12: EMERGENCY SERVICES - TERMINATE FRANCHISE AGREEMENT with AMERA TECH of NC, INCORPORATED, and ENTER into FRANCHISE AGREEMENT with ELITE CARE of NC, LLC:**

Ervin Jacobs, President of Amera Tech of NC, Incorporated, requested Board approval to terminate the exiting Franchise Agreement with Amera Tech, and enter into the following Franchise

Agreement for Non-Emergency Ambulance Service in Columbus County with Elite Care of North Carolina, LLC.

**FRANCHISE AGREEMENT**  
**for**  
**NON-EMERGENCY AMBULANCE SERVICE**  
**in**  
**COLUMBUS COUNTY**

**SECTION I: GRANT**

Subject to the terms and conditions of the Columbus County Non-Emergency Service Ordinance, **ELITE CARE of NORTH CAROLINA, LLC**, its successors and assigns (hereinafter referred to as “Grantee”), is hereby granted, from and after the effective date hereof, the right, privilege and franchise to provide scheduled non-emergency ambulance service within the jurisdictional boundaries of Columbus County, North Carolina, for the purpose of providing adequate non-emergency ambulance service to the citizens of Columbus County.

**SECTION II: TERM**

The term of this Franchise Agreement shall be for five (5) years from the effective date, subject to termination by either party upon sixty (60) days prior written notice to the other party. Thereafter, the term of this Agreement will automatically renew for an additional one (1) year term on each anniversary of the effective date, unless one of the parties has notified the other, in writing, to terminate this Agreement at least sixty (60) days before the anniversary of the effective date each year.

**SECTION III: TERRITORY**

This Franchise Agreement shall apply to scheduled non-emergency ambulance service to citizens within the jurisdictional boundaries of Columbus County.

**SECTION IV: NON-EXCLUSIVE**

Columbus County reserves the right to grant similar franchises for the same or similar services during the duration of this Franchise Agreement. Likewise, Grantee is not exclusively bound to County and is free to provide services to other persons or entities during the duration of this Franchise Agreement.

**SECTION V: STANDARDS**

Grantee shall ensure that the standards for this franchise, including service of the drivers and attendants, vehicles and equipment, and communication facilities, during the initial term and any and all automatic renewal terms of this Franchise Agreement, comply with all of the laws and requirements of the State of North Carolina and the Columbus County Non-Emergency Ambulance Service Ordinance. A copy of said Ordinance is attached hereto and incorporated herein by reference as if fully set forth.

**SECTION VI: INSURANCE**

Grantee shall at all times during the initial term and any and all automatic renewal terms of this Franchise Agreement, maintain in full force and effect insurance coverage, issued by an insurance company licensed to do business in the State of North Carolina, sufficient to provide all the insurance necessary to meet the requirements of the Columbus County Non-Emergency Ambulance Service Ordinance.

**SECTION VII: RECORDS**

Grantee will submit all required records for County’s inspection. Upon receipt of notice by County, Grantee will permit County to inspect Grantee’s records, premises and equipment to ensure compliance with the Columbus County Non-Emergency Ambulance Service Ordinance.

**SECTION VIII: REPRESENTATIONS and COVENANTS**

The acceptance of this Franchise Agreement by the Grantee shall constitute representations and covenants by Grantee that:

- A. Grantee accepts and agrees to all the provisions of this Franchise Agreement and those instruments and documents incorporated herein by reference.
- B. Grantee has examined all of the provisions of this Franchise Agreement and the Columbus County Non-Emergency Ambulance Service Ordinance and waives any claim that any provisions are unreasonable, arbitrary or void.
- C. Grantee recognizes the right of County to make amendments to this Franchise Agreement and/or Ordinance during the any term of this Franchise Agreement. Such amendments to this Franchise Agreement will be in writing and signed by the parties. No such changes will compromise the ability of Grantee to satisfactorily perform its obligations under this Franchise Agreement.

#### **SECTION IX: EFFECTIVE DATE**

Franchise granted to ELITE CARE of NORTH CAROLINA, LLC, at the regular scheduled meeting of the Columbus County Board of Commissioners on the 5<sup>th</sup> day of November, 2012 by Board approval of the application submitted.

#### **COLUMBUS COUNTY BOARD OF COMMISSIONERS**

/s/ **AMON E. McKENZIE, Chairman**

**Attested by:**

/s/ **JUNE B. HALL**

**Clerk to the Board**

#### **ELITE CARE of NORTH CAROLINA, LLC**

\_\_\_\_\_  
President

Attested by:

\_\_\_\_\_,  
Secretary

Commissioner Byrd made a motion to terminate the existing agreement with Amera Tech, and enter the Franchise Agreement for Non-Emergency Ambulance Service in Columbus County with Elite Care of North Carolina, LLC, seconded by Commissioner Russ. The motion unanimously passed.

#### **Agenda Item #13: PUBLIC TRANSPORTATION - ESTABLISHMENT of DATE and TIME for PUBLIC HEARING:**

Charles Patton, Transportation Director, requested the Board to establish November 19, 2012, as the date for a public hearing to be held regarding North Carolina Department of Transportation's Public Transportation funding.

Commissioner Byrd made a motion to establish November 19, 2012, at 6:30 P.M., as the date and time for a public hearing to be held regarding North Carolina Department of Transportation's Public Transportation funding, seconded by Commissioner Prevatte. The motion unanimously passed.

#### **Agenda Item #14: SHERIFF - AMENDED NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM LOCAL GOVERNMENTAL RESOLUTION:**

Sheriff Batten requested Board approval and adoption of the following **amended** Local Governmental Resolution for the North Carolina Governor's Highway Safety Program. **(The original resolution was adopted at the September 03, 2012 Board Meeting.)**

#### **North Carolina Governor's Highway Safety Program Local Governmental Resolution**

**WHEREAS**, the Columbus County Sheriff's Office (herein called the "Agency") has completed an application contract for traffic safety funding, and that County of Columbus (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract.

**THEREFORE, NOW BE IT RESOLVED** by the Columbus County Board of Commissioners, in open meeting assembled in the City of Whiteville, North Carolina, this 04 day of September, 2012, as follows:

1. That the project referenced above is in the best interest of the Governing Body and the general public; **and**
2. That Sheriff Chris Batten is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$175,979.00 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; **and**
3. That the Governing Body has formally appropriated the cash contribution of \$31,055.00 as required by the project contract; **and**
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; **and**
5. That certified copies of this resolution be included as part of the contract referenced above; **and**
6. That this resolution shall take effect immediately upon its adoption.

**DONE AND ORDERED** in open meeting by /s/ **AMON E. McKENZIE**.

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

**(SEAL)**

**DATE:** October 19, 2012

Commissioner Russ made a motion to approve the **amended** Local Governmental Resolution for the North Carolina Governor's Highway Safety Program, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #15: TAX -APPROVAL and ADOPTION of PROPOSED SCHEDULES, STANDARDS, and RULES for the 2013 REVALUATION:**

Richard Gore, Tax Administrator, requested Board approval and adoption of the Proposed Schedules, Standards, and Rules for the 2013 Revaluation. **(The required Public Hearing was held on October 15, 2012. A second Public Hearing was held at 6:30 P.M., on this date prior to the meeting.)**

Vice Chairman McDowell made a motion to issue an order to adopt the Proposed Schedules, Standards, and Rules for the 2013 Revaluation, seconded by Commissioner Russ. A copy of the Schedules, Standards, and Rules for the 2013 Revaluation will be kept on file in the Clerk to the Board's Office and in the Columbus County Tax Office for review.

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

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

**NAYS:** Commissioners Prevatte and Bullard.

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

**Agenda Item #16: EMERGENCY SERVICES - UPDATE on RADIO SYSTEM:**

Kay Worley, Emergency Services Director, delivered the following update on the new radio system.

1. We are upgrading the County's emergency communications and we have went to a Kenwood Nexedge digital trunking system in the County
2. We do have five (5) sites that are up and running in the County;

3. We are working on having a sixth site which will help the Tabor City area;
4. The following departments are on the new emergency communications system:
  - A. Seventeen (17) Fire and EMS Departments;
  - B. Sheriff's Department;
  - C. Five (5) local police departments; **and**
  - D. Southeastern Community College's Campus Police;
5. Over the next month, we hope to bring on all the County agencies such as Maintenance, Public Utilities, Parks and Recreation, etc.;
6. Throughout the County currently, we do have very good coverage on our mobile radios;
7. The mobile radios are the radios that are installed in the vehicles, not the portables;
8. We are working with the hospital to purchase a radio in the Emergency Room to allow the EMS personnel out in the field to communicate with the Emergency Room when they are bringing in patients and get specific orders from doctors;
9. We are working on getting the Tabor City site up and running, and once this is done, this should help with the weak areas in the Cerro Gordo and Evergreen areas;
10. Fleet Connect is going to re-position the antennae at the Chadbourn site and this should provide more coverage on the west end of the County;
11. There are some weak areas in the Nakina area on portables, especially on River Road and some other areas; **and**
12. To correct some of these problems, once the Tabor City site is up and running, we have two (2) antennas on the Nakina tower currently, what we will look at doing is taking one (1) of the antennas that is pointing directly to Tabor City, to actually focus this antennae on the weak areas in Nakina.

#### DISCUSSION/QUESTIONS/COMMENTS:

**Chairman McKenzie:** We were guaranteed that this was the state-of-the art system, and this was what we needed, Why the weak areas?

**Commissioner Byrd:** At the last association meeting which was held in Sandyfield, there were a lot of departments that were totally dissatisfied with this system, and I asked Kay to contact the County Attorney, and I called him myself the next day, have those issues been worked out?

**Kay Worley:** One (1) of the issues they were talking about was paging, how the tones go off for the fire and EMS departments. Fleet Connect has been working on that, and he hopes to have a solution to that by this week.

**Fleet Connect Representative:** stated the following:

1. We had found the problems with Tabor City, and we added an antennae at the Nakina site to fill in to provide mobile coverage from there at the cost of losing some mobile coverage in the southern most tip of the County;
2. When the Tabor site comes up, we intend to direct that back to the River Road area;
3. The issues in the Evergreen and Cerro Gordo areas are related to, we feel we can put more signal into there once the Tabor site comes up, the southern part of that coverage area, we can direct some of that energy there and focus it onto that;
4. I don't think we will get 100% portable coverage, I don't know that anybody does, the mobile coverage is good; **and**
5. Typically, the responders are driving a fire truck, an ambulance or what have you, to respond to those, and that equipment is working very well.

**Chairman McKenzie:** How was it at first? Someone stated that this system was perfect. Why is it different now?

**Fleet Connect Representative:** We now have 1,300 to 1,400 users versus the initial tests were done with one (1) to two (2) radios. The places of use are much more wide ranged.

**Commissioner Byrd:** I was under the impression that this system would solve all problems throughout the County, with the mobile and the portable radios. It was stated that this was the state-of-the-art system. I really stressed the point that we did not want to purchase a system and run into the same problems that we had before with the old system.

**Kay Worley:** They were talking about the different units not being able to communicate with each other in the field. They have worked on that problem, and that has improved in the communication between the units.

**Vice Chairman McDowell:** I have received many telephone calls where people are stating they wished we had not discarded the old system. They have temporarily lost confidence in you.

**Fleet Connect Representative:** I hate to hear that, and we will continue to work on it. It is my understanding the Law Enforcement has been on the new system 100% for the last ninety (90) days and they seem to be satisfied.

**Chief Lewis Hatcher:** I have not had any problems as far as my guys. Of course, we are not into paging and that kind of thing. We are simply transmitting and receiving. As far as the Sheriff's Office, we were experiencing some problems in the Tabor City area. Since the mobiles were put in the cars, that improved. I am not aware of any problems that we are experiencing.

**Vice Chairman McDowell:** Am I hearing this correctly? Is there some people that wishes we still had the old system in place?

**Kay Worley:** There have been a lot of complaints. We still have the old system in place. We did not bring the old system down. Currently the two (2) systems are patched together, and that could be where some of the problems are coming from. Both systems are still up and running.

**Vice Chairman McDowell:** We will have a system that works as close to 100% functional as humanly possible before you leave.

**Fleet Connect Representative:** We will do our best. I have been instructed to go to each individual department and make any adjustments and address their concerns.

**Commissioner Bullard:** Will we get this system working 100%, and how long will it take?

**Fleet Connect Representative:** Yes, we will. One of the biggest things is to get the Tabor site up.

**Commissioner McKenzie:** Kay, please keep us informed of the progress that is being made with the radio system.

**Tony Miller:** stated the following:

1. I was on the board to determine what system was to be used;
2. Out of the choices we had, this system was the top choice;
3. It will take time for the problems to be worked out; **and**
4. This system will work given adequate time.

**Agenda Item #17: PLANNING - UPDATE on STATUS of ABANDONED STRUCTURES:**

Robert Lewis, County Planner, delivered the following update on the status of the abandoned structures at the intersection of Highway 130 and Highway 905.

1. The property owners were sent notice of these abandoned structures in March, 2011;
2. I have been working with Ronald McKeithan about getting the situation remedied;
3. I spoke with him today and he stated he had underwent surgery and had not been able to complete the work;
4. Some work has been done but the demolition is not complete; **and**
5. He stated to me today that he is working with John Thompson, and if given more time, he would have this completed before the new year.

Discussion was conducted regarding the following:

1. A letter was sent to Ronald McKeithan on April 02, 2012, and fines have been accruing since April 03, 2012, and are now at \$10,500.00;
2. County funds could be used to do the work;
3. The property being heir property;
4. The proper process to be used in this matter; **and**
5. The attorney to check into what needs to be done in this situation and any future situations.

**Agenda Item #18: FINANCE - APPROVAL of RESOLUTION APPROVING an INSTALLMENT FINANCING CONTRACT and a DEED of TRUST and APPROVING and AUTHORIZING CERTAIN ACTIONS in CONNECTION with the FINANCING of a PORTION of the COST of a NEW COURTHOUSE ANNEX:**

Bobbie Faircloth, Finance Director, requested Board approval of the following Resolution Approving an Installment Financing Contract and a Deed of Trust and Approving and Authorizing Certain Actions in Connection with the Financing of a Portion of the Cost of a New Courthouse Annex.

**RESOLUTION APPROVING AN INSTALLMENT FINANCING CONTRACT AND A DEED OF TRUST AND APPROVING AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE FINANCING OF A PORTION OF THE COST OF A NEW COURTHOUSE ANNEX.**

**WHEREAS**, the County of Columbus, North Carolina (the “County”), is a validly existing political subdivision of the State of North Carolina (the “State”), under and by virtue of the Constitution and laws of the State; **and**

**WHEREAS**, the County has the power, pursuant to Section 160A 20 of the General Statutes of North Carolina, as amended, to (a) finance the purchase of real and personal property by installment agreements that create in the property purchased a security interest to secure payment of the purchase price to the entity advancing moneys for such transaction and (b) finance the construction of fixtures or improvements on real property by agreements that create in such fixtures or improvements and in the real property on which such fixtures or improvements are located a security interest to secure repayment of moneys advanced or made available for such construction; **and**

**WHEREAS**, the County has determined to finance a portion of the cost of a project consisting of the construction of a new annex to the Columbus County Courthouse, including the construction of a three-level building of approximately 41,000 square feet on a site at Courthouse Square in Whiteville, North Carolina to provide space for the Clerk of Court, prisoner holding, a jury assembly or hearing room, three courtrooms and related judges’ chambers and meeting rooms, the demolition of two masonry buildings and related site work (the “Project”), which financing is not expected to exceed \$9,000,000; **and**

**WHEREAS**, the Board of Commissioners for the County (the “Board”) has determined to proceed with the financing pursuant to said Section 160A-20 of a portion of the cost of the Project, and it is necessary to approve an installment financing contract and a deed of trust and approve and authorize certain actions in connection therewith; **and**

**WHEREAS**, there have been presented for consideration by the Board copies of the following documents relating to such matter:

- (a) a draft of an Installment Financing Contract, between the County and SunTrust Bank (the “Installment Financing Contract”), under which SunTrust Bank (the “Bank”) would advance funds to finance a portion of the cost of the Project and the County would be obligated to make Installment Payments (as defined therein) to repay the funds advanced to it and to make certain other payments, among other requirements, such obligations being subject to termination by the County under certain circumstances as provided therein; and
- (b) a draft of a Deed of Trust and Security Agreement (the “Deed of Trust”) which the County would execute and deliver to a trustee for the benefit of the Bank and which would encumber a portion of the Project, including the site thereof, the improvements on such site and certain related property, subject to certain exceptions, as security for the County’s obligation to repay the funds advanced to it pursuant to the Installment Financing Contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Board as follows:

**Section 1.** The Board hereby confirms that the Project and its use are essential for providing improved court-related facilities to serve the residents of the County and the Project will permit the County to carry out public functions that it is authorized by law to perform.

- Section 2.** The Board hereby finds and determines that it is in the best interest of the County to enter into the Installment Financing Contract and the Deed of Trust in order to effectuate the financing of a portion of the cost of the Project as described above.
- Section 3.** The form and content of the Installment Financing Contract and the Deed of Trust, each of which will be a valid, legal and binding obligation of the County in accordance with its terms, are hereby approved in all respects and the Chairman of the Board, the County Manager of the County, the Finance Director of the County and the Clerk to the Board (collectively, the “County Officers”) are hereby authorized and directed to execute and deliver the Installment Financing Contract and the Deed of Trust, as may be applicable, in substantially the forms presented to the Board, together with such additions, changes, modifications and deletions as they, with the advice of counsel, may deem necessary and appropriate, and such execution and delivery shall be conclusive evidence of the approval and authorization thereof by the Board and the County; provided, however, that the due date of the final Installment Payment is not later than December 31, 2027 and that the aggregate amount of the principal components of the Installment Payments does not exceed \$9,000,000.
- Section 4.** The Board hereby approves, ratifies and confirms the actions of the County Manager, the Finance Director and the County Attorney of the County in connection with this matter.
- Section 5.** The County Officers, and their designees, are authorized and directed (without limitation except as may be expressly set forth herein) to take such other actions and to execute and deliver such other documents, certificates, undertakings, agreements or other instruments as they, with the advice of counsel, may deem necessary or appropriate to effectuate the transactions contemplated by the Installment Financing Contract and the Deed of Trust.
- Section 6.** The County covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the “Code”), as applicable to the Installment Financing Contract except to the extent that the County obtains an opinion of nationally-recognized bond counsel to the effect that noncompliance would not result in the interest components of the Installment Payments being includable in the gross income of the recipient thereof under Section 103 of the Code, as more specifically provided in the Installment Financing Contract.
- Section 7.** The County hereby finds, declares and represents that (a) it reasonably expects that it, all entities subordinate to the County and all entities that issue obligations on behalf of the County (all within the meaning of Section 265(b)(3)(E) of the Code) will not issue in the aggregate more than \$10,000,000 of tax-exempt obligations (not counting private-activity bonds and certain refunding bonds as provided in Section 265(b)(3)(C)(ii) of the Code) during the current calendar year and (b) no entity has been or will be formed or availed of to avoid the limits described above. In addition, the County hereby designates its obligations to make Installment Payments under the Installment Financing Contract as a “qualified tax-exempt obligation” for the purposes of Section 265(b)(3) of the Code.
- Section 8.** If any section, phrase or provision of this resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this resolution.
- Section 9.** All motions, orders, resolutions, ordinances and parts thereof in conflict herewith are hereby repealed.
- Section 10.** This resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Chairman McKenzie, Vice Chairman McDowell, Commissioners Prevatte, Byrd, Russ, Norris and Bullard.

Noes: None

\* \* \* \* \*

I, June B. Hall, Clerk to the Board of Commissioners for the County of Columbus, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on November 5, 2012 as relates in any way to the matters described therein and that said proceedings are recorded in Minute Book No. 33 of the minutes of

said Board, beginning on page 69 and ending on page \_\_\_\_.

**I HEREBY FURTHER CERTIFY** that notice of said meeting was duly given in accordance with G.S. §143-318.12.

**WITNESS** my hand and the corporate seal of said County, this 6th day of November 2012.

/s/ **JUNE B. HALL**

**Clerk to the Board of Commissioners**

Commissioner Byrd made a motion to approve the following documents for the financing of the new Courthouse Annex:

1. Resolution Approving an Installment Financing Contract and a Deed of Trust and Approving and Authorizing Certain Actions in Connection with the Financing of a Portion of the Cost of a New Courthouse Annex;
2. Installment Financing Contract Between Suntrust Bank and County of Columbus, North Carolina, Dated November 20, 2012;
3. Deed of Trust and Security Agreement; **and**
4. Deposit Account Resolution and Authorization for Business Entities.

The motion was seconded by Commissioner Norris and unanimously passed. Copies of these documents will be kept on file in the Finance Director's Office and in the Clerk to the Board's Office for review.

**Agenda Item #19: APPOINTMENTS//RE-APPOINTMENTS/REPLACEMENTS TO BOARDS:**

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

COMMITTEE	DISTRICT/ EB	PERSON(S)	EXPIR DATE	BOARD ACTION
City of Whiteville Planning and Zoning Board <b>Motion: Commissioner Bullard</b> <b>Second: Commissioner Prevatte</b>	EB	Rick Robinson <b>(ETJ) -Resigned</b>	05-16-2016	<b>Emory Worley</b>
Planning Board	III	Virgil Nichols	09-30-2012	<b>HOLD</b>
Department of Aging Advisory Council	VI	Jessie Spivey	06-30-2015	<b>HOLD</b>
Nursing/Adult Care Home Joint Community Advisory Comm <b>Motion: Commissioner Prevatte</b> <b>Second: Commissioner Bullard</b>	EB EB	Lenora Callihan Jollye Shaw	09-07-2013 11-05-2013	<b>Naomi Ward</b> <b>Donna Prince</b>

**Agenda Item #20: MAINTENANCE - DEPARTMENTAL UPDATE:**

Tony Soles, Maintenance Director, delivered the following departmental update to the Board.

1. Completed over 2,600 computer generated and called-in work requests;
2. Continually perform monthly maintenance on 165 HVAC systems, 140 exit lights and 177 emergency lights; **and**
3. The custodial staff cleans just over 198K square feet in county facilities daily.

**Notable Achievements:**

1. Roof replacement at the District Attorney's Office (\$27,000.00);
2. New parking lot behind the District Attorney's Office (\$90,000.00);
3. Moved both probation offices;
4. Roof replacement at the Health Department (\$40,000.00); **and**
5. Construction of the new building for the Department of Aging (contract: \$484,000.00, actual construction cost \$482,930.00).

**Energy Efficiency:**

1. Contract under EECBG:
  - Replaced 130 fixtures at the Library;
  - Retrofits on 430 fixtures at DSS;
  - Retrofits on 400 fixtures at Health Department;

**(Contract cost: \$82,897.00, Grant: \$77,6654.00, Rebates: \$32,4325.00);**
2. In-house retrofits:
  - All fixtures in the Dempsey B. Herring Building;
  - All fixtures in County Administration Building;

**-Total Project Cost - \$7,450.00, Rebates - \$5,732.00; and**
3. Propane to natural gas conversions:
  - BOE/HUD - conversion cost: \$931,000
  - County Detention Facility - conversion cost: \$13,314.00.

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

At 8:19 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, seconded by Commissioner Byrd. The motion unanimously passed.

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

October 15, 2012 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.

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

At 8:35 P.M., Commissioner Byrd made a motion to adjourn the combination meeting of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Prevatte. The motion unanimously passed.

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

Commissioner Norris made a motion to approve the following Consent Agenda Items, seconded by Commissioner Russ. The motion unanimously passed.

**A. Budget Amendments:**

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditures	14-4311-550001	Other Capital Outlay	1,700
Revenues	14-3431-499101	Fund Balance Appropriated	1,700
Expenditures	10-4310-535300	M&R Vehicles	3,360
Revenues	10-3431-489000	Miscellaneous Revenue - Sheriff	3,360

**B. Tax Refunds and Releases:**

**TAX REFUNDS and RELEASES (as submitted to the Governing Body Office from the Tax Office) November 05, 2012**

<i>Property Value</i>	Amount:	\$5,615.21
Eudy's Cabinets of Chadbourn Inc.	<b>PROPERTY:</b> 00000	Total: \$5,753.01
Value: \$0.00      Year: 2011	Account: 13-00046	Bill#: 35098
Release value of business equipment. Business not in operation in 2011. Verified by Economic Dev. Director. Release Columbus Rescue(137.80) release interest (546.54)		
<i>Property Value</i>	Amount:	\$8.15

Inman, Karen H. & Stephen L.	<b>PROPERTY:</b> 00000	Total:	\$228.05
Value: \$1,000.00 Year: 2012	Account: 16-09000	Bill#:	18662
Release value of mobile home and release user fee. . D/W DBL Act#16-05643 Karen Inman. Release Cerro Gordo Fire(1.00), release Columbus Rescue(.20) release Water II(.70)			
<i>Property Value</i>		Amount:	\$15.22
McPherson, Harold Wayne & Kenneth	<b>PROPERTY:</b> 16450	Total:	\$0.00
Value: \$0.00 Year: 2012	Account: 09-00224	Bill#:	25449
Release 2% discount paid in error.			
<i>Property Value</i>		Amount:	\$8.15
McPherson, Terry Dwayne	<b>PROPERTY:</b> 60455	Total:	\$226.95
Value: \$10,200.00 Year: 2012	Account: 09-19868	Bill#:	25644
Release value of 1973 mobile home. Torn down and replaced 7-26-11. Listed Act#9-00023. Release Roseland Fire(.60), release Columbus Rescue(.20)			
<i>Property Value</i>		Amount:	\$77.27
Simpson, Ivory S.	<b>PROPERTY:</b> 00000	Total:	\$101.01
Value: \$4,491.00 Year: 11-12	Account: 13-02732	Bill#:	99999
Release value of boat. Listed in New York. Release Klondyke Fire(6.63), release Columbus Rescue(1.90), release Water II(6.63), release Late List(8.58)			
<i>Property Value</i>		Amount:	\$167.08
Williamson, Sharon K & Ronald R.	<b>PROPERTY:</b> 13995	Total:	\$171.18
Value: \$20,500.00 Year: 2012	Account: 08-03327	Bill#:	44542
Release portion of value on dwelling. Due to incorrect square footage. Release Columbus Rescue(4.10)			
<i>Refunds</i>		Amount:	\$570.50
King, Billy & Janice G.	<b>PROPERTY:</b> 30381	Total:	\$703.50
Value: \$14,000.00 Year: 08-12	Account: 16-09760	Bill#:	99999
Refund portion of value on dwelling. Due to clerical error in calculating square footage. Refund Cole Service(70.00) refund Columbus Rescue(14.00) refund Water District II (49.00)			
<i>User Fee</i>		Amount:	\$0.00
Beard, Golda	<b>PROPERTY:</b> 28288	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 15-01662	Bill#:	99561
Release user fee. Dwelling vacant.			
<i>User Fee</i>		Amount:	\$0.00
Buffkin, Kenneth W. Jr.	<b>PROPERTY:</b> 00000	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 09-00942	Bill#:	2645
Release user fee. Vacant.			
<i>User Fee</i>		Amount:	\$0.00
Clarida, Thomas Oliver (Jr)	<b>PROPERTY:</b> 12783	Total:	\$163.52
Value: \$0.00 Year: 2012	Account: 07-00228	Bill#:	5092
Release portion of user fee. Can picked up 3/19/12 Dwelling vacant.			
<i>User Fee</i>		Amount:	\$0.00
George, Alberta	<b>PROPERTY:</b> 20001	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 11-01701	Bill#:	12315
Release user fee. Can picked up 4-29-11 Vacant.			
<i>User Fee</i>		Amount:	\$0.00
Goodall, Mark A. & Lisa D.	<b>PROPERTY:</b> 10693	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 6-02250	Bill#:	13088
Release user fee. Dwelling vacant.			
<i>User Fee</i>		Amount:	\$0.00
Hall, Malacki	<b>PROPERTY:</b> 91003	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 16-03734	Bill#:	15125
Release user fee. Dwelling vacant.			
<i>User Fee</i>		Amount:	\$0.00
Heavener, Vickie	<b>PROPERTY:</b> 88311	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 15-01948	Bill#:	16456
Release user fee. Dwelling vacant.			
<i>User Fee</i>		Amount:	\$0.00
Hedgepeth, Robert Linwood	<b>PROPERTY:</b> 85623	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 12-11563	Bill#:	16474

Release user fee. Can picked up 11-6-2008 Dwelling vacant.

<i>User Fee</i>	Amount:	\$0.00
Hill, Luther Thomas & Annie Jane	Total:	\$441.00
Value: \$0.00 Year: 11-12	Bill#:	99999
PROPERTY: 9749		
Account: 05-02960		

Release user fee for yrs 2011 and 2012. Vacant. Can picked up 10-29-2012

<i>User Fee</i>	Amount:	\$0.00
James, Richard	Total:	\$218.00
Value: \$0.00 Year: 2012	Bill#:	19415
PROPERTY: 84509		
Account: 01-06333		

Release user fee. Dwelling vacant.

<i>User Fee</i>	Amount:	\$0.00
Lynn Nicole LLC	Total:	\$163.50
Value: \$0.00 Year: 2012	Bill#:	23355
PROPERTY: 24163		
Account: 13-03615		

Release portion of user fee. Can picked up April 1. Dwelling vacant.

<i>User Fee</i>	Amount:	\$0.00
McDuffie, Billy Joe & Darlene Booth	Total:	\$3,270.00
Value: \$0.00 Year: 2012	Bill#:	24584
PROPERTY: 16421		
Account: 09-01327		

Release user fees. All but 1 can picked up 5-23-11.

<i>User Fee</i>	Amount:	\$0.00
Newman, Elmer Thomas (Jr.)	Total:	\$218.00
Value: \$0.00 Year: 2012	Bill#:	27889
PROPERTY: 21951		
Account: 12-00547		

Release user fee. Mobile home DBL Act#12-02012

<i>User Fee</i>	Amount:	\$0.00
Page, Mark	Total:	\$218.00
Value: \$0.00 Year: 2012	Bill#:	28939
PROPERTY: 9853		
Account: 05-01614		

Release user fee. Dwelling vacant. Can picked up 8/18/09

<i>User Fee</i>	Amount:	\$0.00
Perritte, Angela Tyler (Life)	Total:	\$218.00
Value: \$0.00 Year: 2012	Bill#:	29567
PROPERTY: 76768		
Account: 09-03702		

Release user fee. Dwelling vacant. Can picked up 3/1/06

<i>User Fee</i>	Amount:	\$0.00
Riegelwood Methodist Church	Total:	\$656.00
Value: \$0.00 Year: 10-12	Bill#:	99999
PROPERTY: 00000		
Account: 18-02718		

Release user fees. Yrs. 2010-2012 DBL Act#18-00150 Wesley United Methodist Church

<i>User Fee</i>	Amount:	\$0.00
Royal Joe	Total:	\$218.00
Value: \$0.00 Year: 2012	Bill#:	32987
PROPERTY: 4449		
Account: 01-78160		

Release user fee. Dwelling vacant.

<i>User Fee</i>	Amount:	\$0.00
Spain, Kevin & Sherry Brown	Total:	\$218.00
Value: \$0.00 Year: 2012	Bill#:	36714
PROPERTY: 94593		
Account: 09-05262		

Release user fee. Dwelling vacant.

**Agenda Item #23: COMMENTS:**

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

**C. Board of Commissioners:**

1. **Commissioner Russ:** stated the following:
  - a. I have a small recycling business;
  - b. I think I can save the County some money by collecting all the office paper from the various locations to be recycled;
  - c. This is at no charge to the County;
  - d. I need the Board of County Commissioners' blessing in order to be able to do this;
  - e. I can pick up any items (i.e.: paper, plastic, cardboard, metal cans and aluminum cans); **and**
  - f. I would like to give this a try to see if will work.

**MOTION:**

Commissioner Bullard made a motion to issue the blessing to Commissioner P. Edwin Russ to collect all of the office paper, plastic, cardboard, metal cans and aluminum cans from the various office locations for the purpose of being recycled, seconded by Commissioner Norris. The motion unanimously passed.

2. **Commissioner Norris:** I apologize for not being at the last meeting. This was due to sickness in the family.
3. **Commissioner Byrd:** stated the following:
  - a. I have been contacted by several citizens about how we could help in getting Internet access in the eastern end of the county;
  - b. Is there any way we could help them coming through the Riegelwood area where it would not be so expensive?;
  - c. I have had contact from the Buckhead, Lake Waccamaw and Bolton Fire and Rescue that on the four-lane highway between the Lake Waccamaw exit at East Columbus School and the Highway 211 exit, and they are asking that we pursue the idea of getting an emergency turn around where Lake Waccamaw and Bolton Fire Districts meet which is in the middle of the swamp between the two (2) bridges;
  - d. If Bolton emergency vehicles are traveling in the east bound lane, they have to come to Lake Waccamaw to turn around, and likewise for Lake Waccamaw;
  - e. This is resulting in the emergency vehicle being several minutes late if they are responding to a call on the opposite side of the highway; **and**
  - f. These emergency turn around areas are located on Interstate 95 and Interstate 40.

**MOTION:**

Commissioner Byrd made a motion to send a letter to the North Carolina Department of Transportation requesting that an emergency turn around area be constructed at the location where Lake Waccamaw and Bolton Fire Districts meet, seconded by Commissioner Russ. The motion unanimously passed.

4. **Vice Chairman McDowell:** stated the following:
  - a. I am requesting the Animal control Office be equipped with an answering machine;
  - b. At the first Board of Health Meeting that I attended, they will be requesting some funding in the very near future for water sampling at certain areas of Waccamaw River; **and**
  - c. Please vote tomorrow.

**MOTION:**

Vice Chairman McDowell made a motion for William S. Clark, County Manager, to arrange for an answering machine to be installed at the Animal Control Office, seconded by Commissioner Prevatte. The motion unanimously passed.

5. **Commissioner Bullard:** stated the following:
  - a. I have received requests from the citizens in the Evergreen and Boardman areas regarding the Meals on Wheels;
  - b. They are not requesting a Senior Center for this area, they are requesting that meals be delivered to a drop off site for the eligible in this area; **and**
  - c. I would like for Mr. Clark to check into this.
6. **Chairman McKenzie:** stated the following:
  - a. We would like for our attorney to check into the process of the dissolution of the Columbus County Department of Social Services Board, and bring this information back to the Board;
  - b. I am thankful for our County-wide water system;
  - c. The Veterans Day Parade will be held on Sunday, November 11, 2012;

**and**

- d. The Wellness Center Committee held their first meeting, and we made it explicitly clear that we want a Wellness Center, and we need to make some definite decisions about this center.

E. **County Attorney (Mike Stephens):** stated the following:

1. Richard Gore, Tax Administrator, and Doug Ward, Deputy Tax Collector, have requested that I send letters to delinquent taxpayers under the authority given by the Board of Commissioners;
2. These letters will give the taxpayer thirty (30) days to pay their delinquent taxes or make the necessary arrangements before legal action is taken; **and**
3. I need the authority from the Board to do these letters.

**MOTION:**

Commissioner Prevatte made a motion to authorize Michael H. Stephens, Columbus County Attorney, to send letters to the delinquent taxpayers, seconded by Vice Chairman McDowell. The motion unanimously passed.

**RECESS REGULAR SESSION and ENTER into CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (5) CONTRACT:**

At 8:57 P.M., Commissioner Byrd made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 143-318.11 (5) Contract, seconded by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #24: CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (5) CONTRACT:**

No official action was taken.

**ADJOURN CLOSED SESSION and RESUME REGULAR SESSION:**

At 9:19 P.M., Commissioner Prevatte made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Norris. The motion unanimously passed.

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

Chairman McKenzie requested that Michael H. Stephens, Columbus County Attorney, orally read the Closed Session General Account. Mr. Stephens orally read the following: *“The Board of Commissioners authorized the County Manager and the Public Utilities Director to enter into negotiations with Riegelwood Sanitary District concerning a water contract”*.

Vice Chairman McDowell made a motion to accept and approve the Closed Session General Account, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #25 ADJOURNMENT:**

At 9:20 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Russ, The motion unanimously passed.

**APPROVED:**

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

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**AMON E. MCKENZIE, Chairman**

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

**Monday, November 05, 2012**

**8:19 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:**

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

**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 8:19 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

October 15, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Norris made a motion to approve the October 15, 2012 Columbus County Water and Sewer District I Board Meeting Minutes, as recorded, seconded by Commissioner Bullard. The motion unanimously passed.

**OTHER:**

**CONSOLIDATION of FIVE (5) COLUMBUS COUNTY WATER DISTRICTS:**

Chairman McKenzie stated the effort to consolidate all five (5) Water Districts in Columbus County has been an ongoing project for some time. We have requested certain staff members to check into this matter, and we now have some positive details to report.

Bobbie Faircloth, Finance Director, stated the following:

1. Columbus County Water and Sewer Districts I, II, III and V have a higher interest rate
2. Columbus County Water and Sewer District IV has a 3.75% interest rate;
3. In looking at the banks and the proposals that I have received, most of the banks are offering a limited obligation bond, which is basically pledging the assets of each Water District to

refinance that Water District;

4. I have had anywhere from a true interest cost anywhere from 3.77% to 4.016%;
5. Several different banks have approached me offering to do the work for us;
6. There are areas we need to look at and issues we need to discuss, and one would be the fact of District IV still stands out there by itself; **and**
7. We have options with District IV, as follows:
  - leave District IV standing by itself; **and**
  - we can pay District IV off with the General Fund money and set up a debt payment where Water District IV pays the General Fund back and combine all the districts into a Columbus County Water System.

Chairman McKenzie stated the Columbus County Water System would be paying the General Fund back. Bobbie Faircloth stated you would have two (2) debt payments, one (1) to the new lender and one (1) to the General Fund.

#### **DISCUSSION/QUESTIONS/COMMENTS:**

**Commissioner Bullard:** how much will it take to pay Water and Sewer District IV off?

**Bobbie Faircloth:** Water and Sewer District IV is at a \$4.13 million payoff.

**Commissioner Prevatte:** if you combine these water districts, the tax in Water and Sewer Districts II and III will go away, so I propose that we proceed.

**Commissioner Byrd:** I am not for leaving District IV out. We need to combine all five (5) districts.

**Bobbie Faircloth:** I would recommend to the Board to have a Feasibility/Rate Study done at the same time of this financing. They will basically tell us what we can cut as far as operating costs, where we can adjust, they will tell us what a reasonable water fee would be for the water districts to cover all the expenses incurred. This can cost anywhere from \$30,000.00 to \$50,000.00. It will give you suggestions to streamline your operations and what a valid water rate is to afford the system and for it to pay for itself.

#### **MOTION:**

Commissioner Prevatte made a motion to combine Columbus County Water and Sewer Districts I, II, III, IV and V.

**Vice Chairman McDowell:** Have you run the numbers to see what we would save?

**Bobbie Faircloth:** There is a \$1.1 million present value savings up to a \$2.5 million present value savings. The \$2.5 million is a financing that a lot of people have not seen. I have questions that I have asked the Local Government Commission and I have not received a complete response back. It is not a limited obligation bond, it is a combination of different kinds of financing into one.

**William S. Clark, County Manager:** What is the total debt payoff for all the water districts?

**Bobbie Faircloth:** You have \$21 million overall. You have \$16.7 million in just the four (4) water districts that the banks are willing to look at and say that you have savings.

**Commissioner Bullard:** I would like to know what the Feasibility Study is going to cost before you just go ahead. Another concern of mine is I want the taxes in Water and Sewer Districts II and III to be eliminated, and I don't want the water rates to increase just to pay off another district's debt. We have been paying a special tax for the last 8-10 years.

**Commissioner Byrd:** Do we need to proceed with this motion tonight or wait until we hear from the study.

Discussion was conducted regarding the following:

1. The length of time it would take to do a Feasibility Study;
2. Water rates staying the same for all water districts;
3. The savings being realized from the shortening of the life of the loan, and the savings being at the end of the loan;
4. The revenue generated from the special tax in Water and Sewer Districts II and III not being there anymore; **and**
5. The interest rate may increase if you wait until a Feasibility Study is done.

**Bobbie Faircloth:** I need some clarification as to what your intentions are. If I understand correctly, I will do the re-financing part, Mike Stephens, County Attorney, will do the legal part, and Kip McClary, Public Utilities Director, will contact the companies that do feasibility studies. We will bring the results back to the Board for their review and approval.

**Chairman McKenzie:** That is correct.

The motion was seconded by Commissioner Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 8:35 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Prevatte. The motion unanimously passed.

**APPROVED:**

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

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**AMON E. MCKENZIE Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V  
COMBINATION BOARD MEETING  
Monday, November 05, 2012  
8:19 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:**

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

**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 8:19 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

October 15, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Norris made a motion to approve the October 15, 2012 Columbus County Water and Sewer District II Board Meeting Minutes, as recorded, seconded by Commissioner Bullard. The motion unanimously passed.

**OTHER:****CONSOLIDATION of FIVE (5) COLUMBUS COUNTY WATER DISTRICTS:**

Chairman McKenzie stated the effort to consolidate all five (5) Water Districts in Columbus County has been an ongoing project for some time. We have requested certain staff members to check into this matter, and we now have some positive details to report.

Bobbie Faircloth, Finance Director, stated the following:

1. Columbus County Water and Sewer Districts I, II, III and V have a higher interest rate
2. Columbus County Water and Sewer District IV has a 3.75% interest rate;
3. In looking at the banks and the proposals that I have received, most of the banks are offering a limited obligation bond, which is basically pledging the assets of each Water District to

- refinance that Water District;
4. I have had anywhere from a true interest cost anywhere from 3.77% to 4.016%;
  5. Several different banks have approached me offering to do the work for us;
  6. There are areas we need to look at and issues we need to discuss, and one would be the fact of District IV still stands out there by itself; **and**
  7. We have options with District IV, as follows:
    - leave District IV standing by itself; **and**
    - we can pay District IV off with the General Fund money and set up a debt payment where Water District IV pays the General Fund back and combine all the districts into a Columbus County Water System.

Chairman McKenzie stated the Columbus County Water System would be paying the General Fund back. Bobbie Faircloth stated you would have two (2) debt payments, one (1) to the new lender and one (1) to the General Fund.

#### **DISCUSSION/QUESTIONS/COMMENTS:**

**Commissioner Bullard:** how much will it take to pay Water and Sewer District IV off?

**Bobbie Faircloth:** Water and Sewer District IV is at a \$4.13 million payoff.

**Commissioner Prevatte:** if you combine these water districts, the tax in Water and Sewer Districts II and III will go away, so I propose that we proceed.

**Commissioner Byrd:** I am not for leaving District IV out. We need to combine all five (5) districts.

**Bobbie Faircloth:** I would recommend to the Board to have a Feasibility/Rate Study done at the same time of this financing. They will basically tell us what we can cut as far as operating costs, where we can adjust, they will tell us what a reasonable water fee would be for the water districts to cover all the expenses incurred. This can costs anywhere from \$30,000.00 to \$50,000.00. It will give you suggestions to streamline your operations and what a valid water rate is to afford the system and for it to pay for itself.

#### **MOTION:**

Commissioner Prevatte made a motion to combine Columbus County Water and Sewer Districts I, II, III, IV and V.

**Vice Chairman McDowell:** Have you run the numbers to see what we would save?

**Bobbie Faircloth:** There is a \$1.1 million present value savings up to a \$2.5 million present value savings. The \$2.5 million is a financing that a lot of people have not seen. I have questions that I have asked the Local Government Commission and I have not received a complete response back. It is not a limited obligation bond, it is a combination of different kinds of financing into one.

**William S. Clark, County Manager:** What is the total debt payoff for all the water districts?

**Bobbie Faircloth:** You have \$21 million overall. You have \$16.7 million in just the four (4) water districts that the banks are willing to look at and say that you have savings.

**Commissioner Bullard:** I would like to know what the Feasibility Study is going to cost before you just go ahead. Another concern of mine is I want the taxes in Water and Sewer Districts II and III to be eliminated, and I don't want the water rates to increase just to pay off another district's debt. We have been paying a special tax for the last 8-10 years.

**Commissioner Byrd:** Do we need to proceed with this motion tonight or wait until we hear from the study.

Discussion was conducted regarding the following:

1. The length of time it would take to do a Feasibility Study;
2. Water rates staying the same for all water districts;
3. The savings being realized from the shortening of the life of the loan, and the savings being at the end of the loan;
4. The revenue generated from the special tax in Water and Sewer Districts II and III not being there anymore; **and**
5. The interest rate may increase if you wait until a Feasibility Study is done.

**Bobbie Faircloth:** I need some clarification as to what your intentions are. If I understand correctly, I will do the re-financing part, Mike Stephens, County Attorney, will do the legal part, and Kip McClary, Public Utilities Director, will contact the companies that do feasibility studies. We will bring the results back to the Board for their review and approval.

**Chairman McKenzie:** That is correct.

The motion was seconded by Commissioner Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 8:35 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Prevatte. The motion unanimously passed.

**APPROVED:**

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

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**AMON E. MCKENZIE Chairman**

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

**Monday, November 05, 2012**

**8:19 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:**

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

**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 8:19 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

October 15, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Norris made a motion to approve the October 15, 2012 Columbus County Water and Sewer District III Board Meeting Minutes, as recorded, seconded by Commissioner Bullard. The motion unanimously passed.

**OTHER:**

**CONSOLIDATION of FIVE (5) COLUMBUS COUNTY WATER DISTRICTS:**

Chairman McKenzie stated the effort to consolidate all five (5) Water Districts in Columbus County has been an ongoing project for some time. We have requested certain staff members to check into this matter, and we now have some positive details to report.

Bobbie Faircloth, Finance Director, stated the following:

1. Columbus County Water and Sewer Districts I, II, III and V have a higher interest rate
2. Columbus County Water and Sewer District IV has a 3.75% interest rate;
3. In looking at the banks and the proposals that I have received, most of the banks are offering

a limited obligation bond, which is basically pledging the assets of each Water District to refinance that Water District;

4. I have had anywhere from a true interest cost anywhere from 3.77% to 4.016%;
5. Several different banks have approached me offering to do the work for us;
6. There are areas we need to look at and issues we need to discuss, and one would be the fact of District IV still stands out there by itself; **and**
7. We have options with District IV, as follows:
  - leave District IV standing by itself; **and**
  - we can pay District IV off with the General Fund money and set up a debt payment where Water District IV pays the General Fund back and combine all the districts into a Columbus County Water System.

Chairman McKenzie stated the Columbus County Water System would be paying the General Fund back. Bobbie Faircloth stated you would have two (2) debt payments, one (1) to the new lender and one (1) to the General Fund.

#### **DISCUSSION/QUESTIONS/COMMENTS:**

**Commissioner Bullard:** how much will it take to pay Water and Sewer District IV off?

**Bobbie Faircloth:** Water and Sewer District IV is at a \$4.13 million payoff.

**Commissioner Prevatte:** if you combine these water districts, the tax in Water Districts II and III will go away, so I propose that we proceed.

**Commissioner Byrd:** I am not for leaving District IV out. We need to combine all five (5) districts.

**Bobbie Faircloth:** I would recommend to the Board to have a Feasibility/Rate Study done at the same time of this financing. They will basically tell us what we can cut as far as operating costs, where we can adjust, they will tell us what a reasonable water fee would be for the water districts to cover all the expenses incurred. This can cost anywhere from \$30,000.00 to \$50,000.00. It will give you suggestions to streamline your operations and what a valid water rate is to afford the system and for it to pay for itself.

#### **MOTION:**

Commissioner Prevatte made a motion to combine Columbus County Water and Sewer Districts I, II, III, IV and V.

**Vice Chairman McDowell:** Have you run the numbers to see what we would save?

**Bobbie Faircloth:** There is a \$1.1 million present value savings up to a \$2.5 million present value savings. The \$2.5 million is a financing that a lot of people have not seen. I have questions that I have asked the Local Government Commission and I have not received a complete response back. It is not a limited obligation bond, it is a combination of different kinds of financing into one.

**William S. Clark, County Manager:** What is the total debt payoff for all the water districts?

**Bobbie Faircloth:** You have \$21 million overall. You have \$16.7 million in just the four (4) water districts that the banks are willing to look at and say that you have savings.

**Commissioner Bullard:** I would like to know what the Feasibility Study is going to cost before you just go ahead. Another concern of mine is I want the taxes in Water and Sewer Districts II and III to be eliminated, and I don't want the water rates to increase just to pay off another district's debt. We have been paying a special tax for the last 8-10 years.

**Commissioner Byrd:** Do we need to proceed with this motion tonight or wait until we hear from the study.

Discussion was conducted regarding the following:

1. The length of time it would take to do a Feasibility Study;
2. Water rates staying the same for all water districts;
3. The savings being realized from the shortening of the life of the loan, and the savings being at the end of the loan;
4. The revenue generated from the special tax in Water and Sewer Districts II and III not being there anymore; **and**
5. The interest rate may increase if you wait until a Feasibility Study is done.

**Bobbie Faircloth:** I need some clarification as to what your intentions are. If I understand correctly, I will do the re-financing part, Mike Stephens, County Attorney, will do the legal part, and Kip McClary, Public Utilities Director, will contact the companies that do feasibility studies. We will bring the results back to the Board for their review and approval.

**Chairman McKenzie:** That is correct.

The motion was seconded by Commissioner Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 8:35 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Prevatte. The motion unanimously passed.

**APPROVED:**

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

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**AMON E. McKENZIE Chairman**

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

**Monday, November 05, 2012**

**8:19 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:**

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

**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 8:19 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

October 15, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Norris made a motion to approve the October 15, 2012 Columbus County Water and Sewer District IV Board Meeting Minutes, as recorded, seconded by Commissioner Bullard. The motion unanimously passed.

**OTHER:**

**CONSOLIDATION of FIVE (5) COLUMBUS COUNTY WATER DISTRICTS:**

Chairman McKenzie stated the effort to consolidate all five (5) Water Districts in Columbus County has been an ongoing project for some time. We have requested certain staff members to check into this matter, and we now have some positive details to report.

Bobbie Faircloth, Finance Director, stated the following:

1. Columbus County Water and Sewer Districts I, II, III and V have a higher interest rate
2. Columbus County Water and Sewer District IV has a 3.75% interest rate;
3. In looking at the banks and the proposals that I have received, most of the banks are offering

a limited obligation bond, which is basically pledging the assets of each Water District to refinance that Water District;

4. I have had anywhere from a true interest cost anywhere from 3.77% to 4.016%;
5. Several different banks have approached me offering to do the work for us;
6. There are areas we need to look at and issues we need to discuss, and one would be the fact of District IV still stands out there by itself; **and**
7. We have options with District IV, as follows:
  - leave District IV standing by itself; **and**
  - we can pay District IV off with the General Fund money and set up a debt payment where Water District IV pays the General Fund back and combine all the districts into a Columbus County Water System.

Chairman McKenzie stated the Columbus County Water System would be paying the General Fund back. Bobbie Faircloth stated you would have two (2) debt payments, one (1) to the new lender and one (1) to the General Fund.

#### **DISCUSSION/QUESTIONS/COMMENTS:**

**Commissioner Bullard:** how much will it take to pay Water and Sewer District IV off?

**Bobbie Faircloth:** Water and Sewer District IV is at a \$4.13 million payoff.

**Commissioner Prevatte:** if you combine these water districts, the tax in Water and Sewer Districts II and III will go away, so I propose that we proceed.

**Commissioner Byrd:** I am not for leaving District IV out. We need to combine all five (5) districts.

**Bobbie Faircloth:** I would recommend to the Board to have a Feasibility/Rate Study done at the same time of this financing. They will basically tell us what we can cut as far as operating costs, where we can adjust, they will tell us what a reasonable water fee would be for the water districts to cover all the expenses incurred. This can cost anywhere from \$30,000.00 to \$50,000.00. It will give you suggestions to streamline your operations and what a valid water rate is to afford the system and for it to pay for itself.

#### **MOTION:**

Commissioner Prevatte made a motion to combine Columbus County Water and Sewer Districts I, II, III, IV and V.

**Vice Chairman McDowell:** Have you run the numbers to see what we would save?

**Bobbie Faircloth:** There is a \$1.1 million present value savings up to a \$2.5 million present value savings. The \$2.5 million is a financing that a lot of people have not seen. I have questions that I have asked the Local Government Commission and I have not received a complete response back. It is not a limited obligation bond, it is a combination of different kinds of financing into one.

**William S. Clark, County Manager:** What is the total debt payoff for all the water districts?

**Bobbie Faircloth:** You have \$21 million overall. You have \$16.7 million in just the four (4) water districts that the banks are willing to look at and say that you have savings.

**Commissioner Bullard:** I would like to know what the Feasibility Study is going to cost before you just go ahead. Another concern of mine is I want the taxes in Water and Sewer Districts II and III to be eliminated, and I don't want the water rates to increase just to pay off another district's debt. We have been paying a special tax for the last 8-10 years.

**Commissioner Byrd:** Do we need to proceed with this motion tonight or wait until we hear from the study.

Discussion was conducted regarding the following:

1. The length of time it would take to do a Feasibility Study;
2. Water rates staying the same for all water districts;
3. The savings being realized from the shortening of the life of the loan, and the savings being at the end of the loan;
4. The revenue generated from the special tax in Water and Sewer Districts II and III not being there anymore; **and**
5. The interest rate may increase if you wait until a Feasibility Study is done.

**Bobbie Faircloth:** I need some clarification as to what your intentions are. If I understand correctly, I will do the re-financing part, Mike Stephens, County Attorney, will do the legal part, and Kip McClary, Public Utilities Director, will contact the companies that do feasibility studies. We will bring the results back to the Board for their review and approval.

**Chairman McKenzie:** That is correct.

The motion was seconded by Commissioner Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 8:35 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Prevatte. The motion unanimously passed.

**APPROVED:**

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

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**AMON E. McKENZIE Chairman**

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

**Monday, November 05, 2012**

**8:19 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:**

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

**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 8:19 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

October 15, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Norris made a motion to approve the October 15, 2012 Columbus County Water and Sewer District V Board Meeting Minutes, as recorded, seconded by Commissioner Bullard. The motion unanimously passed.

**OTHER:**

**CONSOLIDATION of FIVE (5) COLUMBUS COUNTY WATER DISTRICTS:**

Chairman McKenzie stated the effort to consolidate all five (5) Water Districts in Columbus County has been an ongoing project for some time. We have requested certain staff members to check into this matter, and we now have some positive details to report.

Bobbie Faircloth, Finance Director, stated the following:

1. Columbus County Water and Sewer Districts I, II, III and V have a higher interest rate
2. Columbus County Water and Sewer District IV has a 3.75% interest rate;
3. In looking at the banks and the proposals that I have received, most of the banks are offering a limited obligation bond, which is basically pledging the assets of each Water District to

- refinance that Water District;
4. I have had anywhere from a true interest cost anywhere from 3.77% to 4.016%;
  5. Several different banks have approached me offering to do the work for us;
  6. There are areas we need to look at and issues we need to discuss, and one would be the fact of District IV still stands out there by itself; **and**
  7. We have options with District IV, as follows:
    - leave District IV standing by itself; **and**
    - we can pay District IV off with the General Fund money and set up a debt payment where Water District IV pays the General Fund back and combine all the districts into a Columbus County Water System.

Chairman McKenzie stated the Columbus County Water System would be paying the General Fund back. Bobbie Faircloth stated you would have two (2) debt payments, one (1) to the new lender and one (1) to the General Fund.

## **DISCUSSION/QUESTIONS/COMMENTS:**

**Commissioner Bullard:** how much will it take to pay Water and Sewer District IV off?

**Bobbie Faircloth:** Water and Sewer District IV is at a \$4.13 million payoff.

**Commissioner Prevatte:** if you combine these water districts, the tax in Water and Sewer Districts II and III will go away, so I propose that we proceed.

**Commissioner Byrd:** I am not for leaving District IV out. We need to combine all five (5) districts.

**Bobbie Faircloth:** I would recommend to the Board to have a Feasibility/Rate Study done at the same time of this financing. They will basically tell us what we can cut as far as operating costs, where we can adjust, they will tell us what a reasonable water fee would be for the water districts to cover all the expenses incurred. This can cost anywhere from \$30,000.00 to \$50,000.00. It will give you suggestions to streamline your operations and what a valid water rate is to afford the system and for it to pay for itself.

## **MOTION:**

Commissioner Prevatte made a motion to combine Columbus County Water and Sewer Districts I, II, III, IV and V.

**Vice Chairman McDowell:** Have you run the numbers to see what we would save?

**Bobbie Faircloth:** There is a \$1.1 million present value savings up to a \$2.5 million present value savings. The \$2.5 million is a financing that a lot of people have not seen. I have questions that I have asked the Local Government Commission and I have not received a complete response back. It is not a limited obligation bond, it is a combination of different kinds of financing into one.

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**Chairman McKenzie:** That is correct.

The motion was seconded by Commissioner Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 8:35 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Prevatte. The motion unanimously passed.

**APPROVED:**

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

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**AMON E. MCKENZIE Chairman**