

**COLUMBUS COUNTY BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING
Monday, January 11, 2021
6:00 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 Special Called Meeting, it being the second Monday.

COMMISSIONERS PRESENT:

Ricky Bullard, **Chairman / Interim County Manager**
Jerome McMillian, **Vice Chairman**
Chris Smith
Giles E. Byrd
Lavern Coleman
Brent Watts
Charles T. McDowell

APPOINTEES PRESENT:

Amanda B. Prince, **County Attorney**
June B. Hall, **Clerk to Board**

MEETING CALL to ORDER:

At 6:00 P.M., Chairman Ricky Bullard called the Special Called Meeting to order, and this meeting is to discuss a Memorandum of Understanding, and a Closed Session in accordance to N.C.G.S § 143-318.11(a) (6) Personnel.

MEMORANDUM of UNDERSTANDING between the COUNTY of COLUMBUS, NORTH CAROLINA and NORTH CAROLINA STATE HIGHWAY PATROL:

Amanda B. Prince, County Attorney, requested Board approval of the following Memorandum of Understanding.

**MEMORANDUM OF AGREEMENT
Between the
COUNTY OF COLUMBUS, NORTH CAROLINA
AND
NORTH CAROLINA STATE HIGHWAY PATROL**

This Memorandum of Agreement is made this _____ day of _____, 2020, by Columbus County, North Carolina, (hereinafter "County"), and North Carolina State Highway Patrol, (hereinafter "NCSHP").

WITNESSETH:

WHEREAS, County is transitioning to the VIPER radio system and purchased equipment from Motorola that is compatible with the radio system used by NCSHP; **and**

WHEREAS, County desires to transfer ownership to NCSHP certain equipment, designated more fully in Exhibit A attached hereto and incorporated herein by reference; **and**

WHEREAS, NCSHP agrees to accept the equipment referenced hereinabove in accordance with the terms indicated below.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. County purchased the equipment designated more fully in the document attached hereto and incorporated by reference as Exhibit A. The aforesaid equipment is necessary for operation of the VIPER radio system for County and will improve the same for NCSHP.
2. County is transferring ownership of the equipment described Exhibit A to NCSHP for its use in implementing improved operation of the VIPER radio system.
3. NCSHP shall hold County harmless against all claims regardless of nature arising out of NCSHP's use of the equipment transferred under this Memorandum of Agreement.

- 4. NCSHP agrees to maintain a complete and accurate inventory of the equipment and associated supplies and to maintain a documented list of location(s) of the equipment that can be produced upon request by an internal or external agency for the purpose of inspection, inventory, financial, or fiscal audits. NCSHP further warrants that said equipment will be maintained for NCSHP's and County's use for the purpose of the VIPER radio system.
- 5. It is understood that NCSHP will retain ownership of the property listed in Exhibit A and will assume complete responsibility for the equipment including security, maintenance (preventative or otherwise), insurance, and any associated expenses for supplies (disposable or reusable), not already included in the original purchase, and NCSHP agrees to maintain the listed property in proper working condition per manufacture recommendations and requirements for a minimum of ten years.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Agreement in duplicate originals, the day and year indicated above.

NCSHP:

COUNTY OF COLUMBUS:

_____ **Columbus County Director of Emergency Services**

Approved as to Form:

Approved as to Form:

_____ **Amanda Prince
Columbus County Attorney**

Commissioner Coleman made a motion to approve the Memorandum of Agreement between the County of Columbus, North Carolina and North Carolina State Highway Patrol, seconded by Commissioner Watts. The motion unanimously passed.

RECESS REGULAR SESSION and enter into CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11(a) (6) PERSONNEL:

At 6:05 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(a) (6) Personnel, seconded by Commissioner Smith. The motion unanimously passed.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 8:04 P.M., Commissioner McDowell made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Smith. The motion unanimously passed.

MEETING RECESSED:

At 8:05 P.M., Commissioner Byrd made a motion to recess this meeting until January 12, 2021, at 6:00 P.M., seconded by Vice Chairman McMillian. The motion unanimously passed.
