

COLUMBUS COUNTY BOARD OF COMMISSIONERS
Monday, October 18, 2021
6:30 P.M.

The Honorable Columbus County Commissioners met on the above stated date and time at the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, for the purpose of conducting the Regular Session.

COMMISSIONERS PRESENT:
Ricky Bullard, **Chairman**
Jerome McMillian, **Vice Chairman**
Chris Smith
Giles E. Byrd
Lavern Coleman
Brent Watts
Charles T. McDowell

APPOINTEES PRESENT:
Eddie Madden, Jr., **County Manager**
Amanda B. Prince, **Staff Attorney/Clerk to Board**
Jay Leatherman, **Interim Finance Officer**

6:30 P.M. – PUBLIC HEARING – Voluntary Agricultural Districts Ordinance: the purpose of this Public Hearing is to receive oral and written comments from the public regarding proposed revisions to the Voluntary Agricultural Districts Ordinance.

PUBLIC HEARING OPENED:

At 6:30 P.M., Chairman Bullard called the Public Hearing to order and opened the floor for comments.

No comments were made.

PUBLIC HEARING CLOSED:

At 6:31 P.M., Commissioner McDowell made a motion to close the Public Hearing, seconded by Commissioner Coleman. The motion unanimously passed.

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

At 6:32 P.M. Chairman Ricky Bullard called the Monday, October 18, 2021 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Commissioner Chris Smith. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner Charles McDowell.

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

A. October 04, 2021 Regular Session

MOTION:

Commissioner Coleman made a motion to approve the Board Minutes, seconded by Vice Chairman McMillian. The motion unanimously passed.

Agenda Item #5: **APPROVAL OF OCTOBER 18, 2021 AGENDA and TAX REFUNDS and RELEASES:**

MOTION:

Commissioner McDowell made a motion to add Item 5a: Proclamation – Celebration of the 50th Anniversary of the North Carolina Yam Festival, seconded by Vice Chairman McMillian. The motion unanimously passed.

Tax Refunds and Releases	
Property Value	Amount: \$13.44

Allen, Robert Earl	PROPERTY: 00000	Total:	\$15.76
Value: \$2,500.00 Year: 2021 Account: 15-05148		Bill#:	51507
Release IRP sold. Release Acme Delco(2.00) release Columbus Rescue(.32)			
Property Value		Amount:	\$598.12
Blaisdell Katherine G	PROPERTY: 6968	Total:	\$672.42
Value: \$39,000.00 Year: 19-20 Account: 03-08541		Bill#:	99999
Release portion of value. House condemned. Release Old Dock(59.44) release Columbus Rescue(14.86)			
Property Value		Amount:	\$72.45
Buffkin Trucking Inc	PROPERTY: 00000	Total:	\$120.15
Value: \$9,000.00 Year: 2021 Account: 01-01121		Bill#:	99999
Release IRP listed in another county. Release Whiteville(45.90) release Columbus Rescue(1.80)			
Property Value		Amount:	\$359.03
Comber, Clarence Jr (Betty)	PROPERTY: 26385	Total:	\$603.63
Value: \$53,600.00 Year: 2021 Account: 14-03640		Bill#:	60419
Release value of home. Torn down 2019. Release Welches Creek(35.68) release Whiteville Rescue(8.92)			
Property Value		Amount:	\$32.20
Freeman, Lonnie A	PROPERTY: 00000	Total:	\$38.07
Value: \$1,000.00 Year: 18-21 Account: 08-05816		Bill#:	99999
Release value of boat. Junked years ago. Release St James(2.40) release Columbus Rescue(.80) release 3.56)			
Property Value		Amount:	\$363.86
Glory Tabernacle of Col Co	PROPERTY: 3532	Total:	\$404.54
Value: \$22,400.00 Year: 20-21 Account: 01-32204		Bill#:	99999
Release value of church. Tax exempt Release Brunswick Fire(31.64) release Whiteville Rescue(9.14)			
Property Value		Amount:	\$115.93
Gore, Lennon R	PROPERTY: 10879	Total:	\$533.21
Value: \$7,100.00 Year: 20-21 Account: 06-03276		Bill#:	99999
Release transfer error. Release Yam City(14.40) release Columbus Rescue(2.88)			
Property Value		Amount:	\$0.00
International Paper Company	PROPERTY: 00000	Total:	\$86,556.46
Value: \$0.00 Year: 2021 Account: 15-13522		Bill#:	99999
Release 2% error for 2021.			
Property Value		Amount:	\$1,012.25
Prince, James Bobby ETAL	PROPERTY: 15809	Total:	\$1,092.97
Value: \$261,000.00 Year: 2021 Account: 09-24321		Bill#:	88535
Release portion of value. Home billed to someone else. Release Williams Fire(60.54) release Columbus Rescue(20.18)			
Property Value		Amount:	\$589.02
TMG Transport, LLC	PROPERTY: 00000	Total:	\$676.82
Value: \$0.00 Year: 19-21 Account: 06-01460		Bill#:	99999
Release IRP. Tags expired Sold 10/2018 Release Yam City(73.17) release Columbus Rescue(14.63)			
Property Value		Amount:	\$0.00
Trinity Baptist church of WH	PROPERTY: 6087	Total:	\$216.00
Value: \$0.00 Year: 2021 Account: 02-04658		Bill#:	99999
Release storm water fees per City of Whiteville.			
Refunds		Amount:	\$0.00
Norris, Wilson Charles & Karen Sue	PROPERTY: 19752	Total:	\$200.00
Value: \$0.00 Year: 2021 Account: 11-18665		Bill#:	85690
Refund overbilled.			
Refunds		Amount:	\$0.00
Pridgen, Audry Rudolph & Sheila	PROPERTY: 88639	Total:	\$400.00
Value: \$0.00 Year: 19-20 Account: 03-01624		Bill#:	99999
Refund over billed user fees.			
User Fee		Amount:	\$0.00
Boone, Delbert O'Neil & Linda	PROPERTY: 18653	Total:	\$200.00
Value: \$0.00 Year: 2021 Account: 11-03180		Bill#:	55001

Release user fee. SWMH vacant				Amount:	\$0.00
<i>User Fee</i>				Total:	\$200.00
Edwards, Emma Lee		PROPERTY: 24083		Bill#:	63862
Value: \$0.00	Year: 2021	Account: 13-02841			
Release user fee. Unoccupied				Amount:	\$0.00
<i>User Fee</i>				Total:	\$400.00
Faircloth, Patrick N.		PROPERTY: 2834		Bill#:	64907
Value: \$0.00	Year: 2021	Account: 01-03130			
Release user fee. Uses a commercial hauler.				Amount:	\$0.00
<i>User Fee</i>				Total:	\$339.00
Frink, Rena		PROPERTY: 00000		Bill#:	99999
Value: \$0.00	Year: 19-21	Account: 13-14300			
Release user fee. Vacant land.				Amount:	\$0.00
<i>User Fee</i>				Total:	\$854.00
Hayes, Anthony B		PROPERTY: 85875		Bill#:	99999
Value: \$0.00	Year: 12-12-	Account: 09-05838			
Release user fees. House vacant and without power.				Amount:	\$0.00
<i>User Fee</i>				Total:	\$562.77
Jacobs, R C & Retha		PROPERTY: 8998		Bill#:	99999
Value: \$0.00	Year: 19-21	Account: 04-08600			
Release user fee. Unoccupied				Amount:	\$0.00
<i>User Fee</i>				Total:	\$200.00
Jacobs, Willie Junior Jr		PROPERTY: 8270		Bill#:	75305
Value: \$0.00	Year: 2021	Account: 03-05263			
Release user fee. No power to house.				Amount:	\$0.00
<i>User Fee</i>				Total:	\$200.00
Jacobs, Willie Junior Jr & Karen Ward		PROPERTY: 8270		Bill#:	75305
Value: \$0.00	Year: 2021	Account: 03-05263			
Release user fee. No can				Amount:	\$0.00
<i>User Fee</i>				Total:	\$226.00
Kinlaw, David E (ETALS)		PROPERTY: 96785		Bill#:	77337
Value: \$0.00	Year: 2021	Account: 06-04317			
Release user fee. No cans unliveable				Amount:	\$47.17
<i>User Fee</i>				Total:	\$60.06
Lewis, Kara Elaine		PROPERTY: 00000		Bill#:	99999
Value: \$0.00	Year: 2021	Account: 08-05620			
Release value of boat. Sold 3 years ago Release Lake Waccamaw(11.72) release columbus rescue(1.17)				Amount:	\$0.00
<i>User Fee</i>				Total:	\$800.00
Moore, Richard		PROPERTY: 19799		Bill#:	99999
Value: \$0.00	Year: 18-21	Account: 11-03536			
Release user fees. SWMH is unliveable.				Amount:	\$0.00
<i>User Fee</i>				Total:	\$600.00
Porter, Timothy Alan		PROPERTY: 5202		Bill#:	99999
Value: \$0.00	Year: 19-21	Account: 01-05588			
Release user fees. SWMH unliveable.				Amount:	\$0.00
<i>User Fee</i>				Total:	\$200.00
Smith, Rodney		PROPERTY: 00000		Bill#:	93986
Value: \$0.00	Year: 2021	Account: 06-04854			
Release user fee. No power to home				Amount:	\$0.00
<i>User Fee</i>				Total:	\$113.00
Spurling, Andrea		PROPERTY: 11585		Bill#:	95246
Value: \$0.00	Year: 2021	Account: 06-02214			
Release user fee. Unliveable				Amount:	\$0.00
<i>User Fee</i>				Total:	\$200.00
Thompson, Helen		PROPERTY: 2623		Bill#:	97786
Value: \$0.00	Year: 2021	Account: 01-02839			
Release user fee. Home burned.				Amount:	\$0.00
<i>User Fee</i>					

Walters, William Anthony Sr	PROPERTY: 80991	Total:	\$200.00
Value: \$0.00 Year: 2021	Account: 09-02646	Bill#: 99926	
Release user fee. DWMH burned in 2018.			
<i>User Fee</i>		Amount:	\$0.00
Williamson, Harry Chayson	PROPERTY: 23293	Total:	\$200.00
Value: \$0.00 Year: 2021	Account: 12-03455	Bill#: 2896	
Release user fee. Vacant			

MOTION:

Commissioner Byrd made a motion to approve the agenda, tax refunds and releases, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #5a: PROCLAMATION – CELEBRATING the 50TH ANNIVERSARY of the NORTH CAROLINA YAM FESTIVAL:

WHEREAS, festivals are a period of celebration in which friends, family and community come together to share their culture, heritage, and history through music, dance, and food; **and**

WHEREAS, Tabor City, being recognized as the “Yam Capitol of the World” since the mid-1930s, initiated an annual festival in 1948 to pay homage to the sweet potato and the agricultural history of Tabor City and its residents; **and**

WHEREAS, this festival, known as the North Carolina Yam Festival, was held consecutively from 1948 to 1961, and then resurrected in 1985 with the help of grant allocations provided by the state, takes place annually on the fourth Saturday in October; **and**

WHEREAS, the North Carolina Yam Festival is one of the largest festivals in the state, generating an enormous amount of community pride for residents, and welcoming visitors from all over with true southern hospitality; **and**

WHEREAS, the Town of Tabor City hosts multiple events throughout the week leading up to the Festival, including fan favorites like the Sweet Potato Cook-Off, the Sweet Potato Pageant, the Sweet Potato Auction, the Yam Gathering, and the Taste of Tabor; **and**

WHEREAS, in 2021, the North Carolina Yam Festival is celebrating 50 cumulative festival years in the Town of Tabor City.

NOW, THEREFORE, BE IT RESOLVED, We, the Columbus County Board of Commissioners, wish to celebrate the North Carolina Yam Festival for its resiliency, dedication and service to Columbus County and its residents.

Adopted this the 18th day of October, 2021.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ RICKY BULLARD, Chairman	/s/ JEROME MCMILLIAN, Vice Chairman
/s/ CHRIS SMITH	/s/ GILES E. BYRD
/s/ LAVERN COLEMAN	/s/ BRENT WATTS
/s/ CHARLES T. MCDOWELL	/s/ EDWIN H. MADDEN, Jr., Manager
/s/ BOYD WORLEY, Board Attorney	/s/ LATOYA WILLIAMS, Deputy Clerk

MOTION:

Commissioner Byrd made a motion to approve the proclamation, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #6: PUBLIC INPUT:

Chairman Bullard opened the floor for Public Input. The following spoke:

Ellis Nanton, 905 Jockey Rd, Hallsboro, NC 28442, stated the following:

-I spoke with the Director in Raleigh with DOT and he said that any ditch that's on the blue line is up to the county to clean.

-I walked about 2 miles of the ditch and anyone can see the problem and that's why it's flooding in a lot of places.

-The ditches need to be cleaned and that's what's tying up a lot of the town.

Chairman Bullard: The only thing we can do Mr. Nanton is call DOT, they are responsible for cleaning ditches in the county. Columbus County does not clean any ditches, but we will contact Mr. Drew Cox again and have him to make contact with you.

Ellis Nanton: I've spoken to them; the only roads they call state roads are roads along the highway or any named streets. They're not responsible for this ditch.

Commissioner Byrd: Mr. Chairman, may I address this? I'm very familiar with it. The ditch he's talking about ties in to what they call Jockey Branch that crosses SR 1001 at the first bridge when you're headed south from Hallsboro. The State will only clean the side road ditches, in some cases, and a few feet to and from the highway, but them going off two or three hundred feet, they are not going to do that.

Ellis Nanton: But it has to be cleaned and they told me it was up to the county to clean it.

Commissioner Byrd: It doesn't belong to the county. It belongs to the individual landowners through there.

Commissioner Smith: Who owns that property there, sir?

Ellis Nanton: I cleaned my area because water was coming up in my neighbor's yard.

Commissioner Byrd: It has many different owners.

Chairman Bullard: Mr. Nanton, the only thing you can do, if it's private property, is to go to those landowners and ask them will they help clean those ditches out. That's the only solution you'll have and I'm sorry to tell you that, but those are just the facts. The State maintains ditches on the roadways, the landowners have to maintain ditches off the road.

Ellis Nanton: So the city shouldn't make a complaint if it's destroying the road, at the end of Jockey Road and Red Bug Road? Because eventually the road is going to swell, and if it swells, it's going to cost more to fix that.

Chairman Bullard: We'll have Mr. Drew Cox to contact you again, that's all we can do.

Agenda Item #7: PROCLAMATION – PROCLAMATION HONORING ATMC:

The Commissioners presented Business Development Director Kris Ward and CEO Keith Holden with a Proclamation Honoring the hard work and dedication ATMC has shown in expanding fiber optic high-speed internet service to Columbus County.

PROCLAMATION OF APPRECIATION TO ATMC

WHEREAS, the lack of broadband in rural areas is one of the most striking inequalities in US society, leaving tens of millions of rural Americans without access to some of the most essential services; **and**

WHEREAS, the COVID-19 pandemic exacerbated this inequality, highlighting the critical need for access to affordable, reliable high-speed internet to accomplish everyday tasks like working from home, completing homework assignments, and obtaining healthcare; **and**

WHEREAS, since 2011, Atlantic Telephone Membership Corporation (ATMC) has worked with Columbus County, the State of North Carolina, and the Federal government to invest over \$44,000,000, including \$3.8 million just this year, to construct a state-of-the-art fiber optic communications network throughout some of the most rural sections of Columbus County; **and**

WHEREAS, ATMC, understanding the importance of reliable, high-speed internet access, is the only fiber optic communications provider offering symmetrical Gigabit internet service in Columbus County, currently servicing 3,900 homes and businesses; **and**

WHEREAS, ATMC, in partnership with Columbus County, placed fiber optic switches in Hallsboro and Acme Delco, providing vital internet service and promoting growth in the eastern end of the county; **and**

WHEREAS, ATMC, upon completion of current construction projects, has plans to offer service to over 10,000 homes and businesses in Columbus County.

NOW, THEREFORE, BE IT RESOLVED, We, the Columbus County Board of Commissioners, wish to thank ATMC for their hard work, cooperation, and commitment to providing affordable, reliable, high-speed internet access to Columbus County.

Adopted this the 18th day of October, 2021.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

- /s/ RICKY BULLARD, Chairman

/s/ CHRIS SMITH

/s/ LAVERN COLEMAN

/s/ CHARLES T. MCDOWELL

/s/ BOYD WORLEY, Board Attorney
- /s/ JEROME MCMILLIAN, Vice Chairman

/s/ GILES E. BYRD

/s/ BRENT WATTS

/s/ EDWIN H. MADDEN, Jr., Manager

/s/ LATOYA WILLIAMS, Deputy Clerk

MOTION:

Commissioner Smith made a motion to approve, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #8: PROCLAMATION – PROCLAMATION HONORING JOHN YOUNG, CEO of COLUMUBS REGIONAL HEALTHCARE SYSTEM:

The Commissioners presented John Young with a Proclamation Honoring his hard work and dedication to Columbus Regional Healthcare System and Columbus County.

PROCLAMATION HONORING JOHN YOUNG

WHEREAS, in September of 2018, John Young was named President and CEO of Columbus Regional Healthcare System; and

WHEREAS, since his appointment, Columbus Regional has experienced significant growth, including implementing a new electronic health record system, opening primary care, urology, and orthopedic clinics in Leland and establishing Columbus Regional as a premier Robotic Surgery Center; and

WHEREAS, John, when faced with a global pandemic, took clear and decisive action to ensure the safety of medical staff and the continued care of patients by halting visitation, expanding critical care capacities, establishing an emergency response fund for medical equipment and telehealth services, and providing thousands of COVID-19 tests and vaccines to the public, all without furloughing a single hospital employee; and

WHEREAS, John, not only a proven leader, but an educator as well, took time to teach and mentor the next generation of healthcare professionals, ensuring the organization would continue to move in a positive direction; and

WHEREAS, John, an advocate for diversity, equity, and inclusion in the workplace, championed these principles at Columbus Regional creating a welcoming and respectful environment for employees and patients and ensuring staff would be a reflection of the community they served; and

WHEREAS, after 40 years of dedicated service to the health care industry, Columbus Regional Healthcare System President and CEO John Young has decided to retire on December 1, 2021.

NOW, THEREFORE, BE IT RESOLVED, We the Columbus County Board of Commissioners, wish to congratulate him on his retirement and commend him for his effective leadership, strategic thinking, adaptability, and deep devotion to his staff and the citizens of Columbus County.

Adopted this the 18th day of October, 2021.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

- /s/ RICKY BULLARD, Chairman

/s/ CHRIS SMITH

/s/ LAVERN COLEMAN

/s/ CHARLES T. MCDOWELL

/s/ BOYD WORLEY, Board Attorney
- /s/ JEROME MCMILLIAN, Vice Chairman

/s/ GILES E. BYRD

/s/ BRENT WATTS

/s/ EDWIN H. MADDEN, JR., Manager

/s/ LATOYA WILLIAMS, Deputy Clerk

MOTION:

Commissioner Coleman made a motion to approve, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #9: DSS – MONTHLY ADMINISTRATIVE UPDATE:

Algernon McKenzie, Director, submitted a written report.

**Monthly Administrative Update
For September 2021
October 18, 2021 Meeting**

Columbus County DSS participates on the weekly Covid-19 Planning Team call. During this call information is shared about Covid-19, Vaccine locations, and resources. This month we received information from our county manager about the \$100.00 bonus for vaccinated county employees. This is an effort to encourage employees to be vaccinated, thus decreasing the spread of the virus.

On September 9, 2021, I participated in a zoom meeting with the NC Directors Association. During the meeting we received information about the CARES Act Funds that counties will receive to assist in Child Welfare with protecting staff and families during mandated visits. There seems to be a surplus of funds that the state is sending to counties in various areas, such as Food & Nutrition, Energy, and the Links Program (Foster Children ages 18-21). We were informed that there have been some senate bills signed into law this year that will affect the local DSS agencies. DHHS will keep us informed of these changes. The state is working on the instructions for the Low Income Water Assistance Program, which may start earlier than originally planned.

During the month of September, we received \$62,260.00 from the John H. Chafee Foster Care Program for Successful Transition to Adulthood. These funds were to be used to provide supplemental payments to eligible young adults age 18-26 years old. These funds had to be expended by September 30, 2021, which was a short time to locate eligible young adults. The Foster Care Links worker was able to serve 16 of our young adults with these funds. The payments were \$2,500.00 or \$5,000.00 which was predetermined by the state by the age of the young adult.

On September 21, 2021, we had a call with our Regional Child Welfare Consultant. During this call she reviewed our data and reviewed our Continuous Quality Improvement Plan. Staff have made very good improvements with their documentation and are continuing to work on completing required trainings. Our consultant will continue to review cases and provide feedback to staff monthly. I am proud of the work staff are doing to improve the lives of children and families.

During the month of September, I participated on six webinars and zoom meetings with local and state agencies.

Our agency continues to be open to the public with some restrictions and safety protocols in place to keep staff and the public safe. We continue to offer in person, online, and drop off options for applying for services.

Lastly, our building is sanitized daily and cleaned throughout the day.

September 2021
Human Services

Adult Services (APS)

APS Reports Accepted: 9
County Wards: 28
Number of Payee Cases: 21
Adults Served APS: 3
Number of Medicaid Transportation Trips: 965
Amount Requested for Reimbursement: \$16,043.58

Children’s Protective Services (CPS)

Reports Accepted: 29
Reports Screened out: 26
Families Receiving In-Home Services: 55

Children Served: 95
Contacts with Families Monthly: 1062
Assessments: 25

Foster Care

Foster Children in Foster Homes: 95
Children Placed Outside County: 32
Agency Adoptions: 0
Pending Adoptions: 6
Total Foster Homes Licensed: 3
Total Children in Foster Care: 99

Work First Employment (TANF)

Applications Taken: 15
Applications Approved: 5
Individuals Receiving Benefits: 223
Entered Employments: 4
Number in Non-Paid Work Experience: 0

Program Integrity

Collections for Fraud: \$2,710.00
New Referrals: 13
Cases Established: 8

Day Care

Children Receiving Day Care Assistance: 415
Children on the Waiting List: 234
Amount Spent on Day Care Services: \$174,803.04

September 2021
Economic Services

Food & Nutrition

Applications Taken: 147
Applications Approved: 165
Active Cases: 6,696
Benefits Issued: \$2,981,362.00
Participants Served: 13,216

Adult Medicaid

Applications Taken: 111
Cases Terminated: 44
Redeterminations: 423
Applications Processed: 155

Family & Children’s Medicaid

Applications Taken: 120
Applications Processed: 222
Redeterminations: 1,044
Total Medicaid Cases: 14,508
Total Individuals Receiving: 21,968

Child Support

Absent Parents Located: 44
Orders Enforced: 912
Active Cases: 3,778
Collections: \$394,039.00

Respectfully submitted,
Algernon McKenzie

MOTION:
Vice Chairman McMillian made a motion to approve, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #10: SOIL and WATER – SECOND READING of the REVISED VOLUNTARY AGRICULTURAL DISTRICTS ORDINANCE:

Morgan Hayes, Director/District Conservation Technician, requested a Second Reading of the revised Ordinance and Board Adoption.

Columbus County Voluntary Agricultural Districts Ordinance- Revised

Article I: Title

An ordinance of the Board of Commissioners of Columbus County, North Carolina, entitled the “**Columbus County Voluntary Agricultural Districts Ordinance.**”

Article II: Authority

The articles and sections of this Ordinance are adopted pursuant to the authority conferred by the North Carolina General Statutes sections 106-735 through 106-743 and Chapter 153A.

Article III: Purpose

The purpose of this Ordinance is to promote agricultural values and the general welfare of the county and more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of agriculture, horticulture and forestry; and increase protection from non-farm development and other negative impacts on properly managed farms.

Article IV: Definitions

The following are defined for purposes of this Ordinance:

1. “County” Columbus County, North Carolina.
2. “Advisory Board” Columbus County Voluntary Agricultural Advisory Board responsible for administering this Ordinance pursuant to N.C.G.S. § 106-739.
3. “Chairperson” Chairperson of the Columbus County Voluntary Agricultural Advisory Board.
4. “District” Columbus County Voluntary Agricultural District as established by this Ordinance.
5. “Board of Commissioners” Columbus County Board of Commissioners.
6. “Administrative Designees” 5-member committee. One (1) member each appointed by the Columbus Soil and Water Conservation District, the Columbus County Cooperative Extension Service, the Columbus County Planning Board, the Columbus County Farm Bureau Board, and the Columbus County USDA Farm Service Agency Committee.

Article V: Agricultural Advisory Board

A. Creation.

The Board of Commissioners shall establish a Voluntary Agricultural Advisory Board to implement the provisions to this Ordinance.

B. Membership Requirements

1. The Advisory Board shall consist of no less than seven (7) members which will represent the Voluntary Agricultural Districts approved under this Ordinance. Each Advisory Board member will be selected by the Columbus County Commissioner representing that respective District at the time of selection of the Voluntary Agricultural Advisory Board. The selection of areas will cover all unincorporated land within Columbus County.
2. Each Advisory Board member, except those serving in an ex officio capacity, shall be a Columbus County resident. Each member shall be actively engaged in farming or own qualifying farmland in the county.

3. The members actively engaged in agriculture as defined in N.C.G.S. § 106-581.1, as well as other members, shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Soil and Water Conservation District Board of Supervisors, the County Office of North Carolina Cooperative Extension, the U.S. Farm Service Agency County Committee, nonprofit agricultural organizations, conservation organizations, agribusiness, horticultural businesses, forestry businesses, and the public at large.
4. Additional members may be appointed to the Board in an ex officio capacity from the Soil and Water Conservation District Board of Supervisors, the County Office of North Carolina Cooperative Extension, the U.S. Farm Service Agency, or other agencies, as deemed necessary by the Board of Commissioners. Members serving in an ex officio capacity shall neither vote nor count toward quorum requirements.

C. Tenure

The initial seven (7) members of the Advisory Board consisted of two (2) appointees for the terms of one year; two (2) appointees for terms of two years; and three (3) appointees for terms of three years. Thereafter, all appointees to the Advisory Board shall be appointed for a period of three years, with reappointment permitted.

D. Vacancies

Any vacancy on the Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term following the same procedure as for the initial appointment.

E. Removal

Any member of the Advisory Board may be removed by their respective district Board of Commissioner. No cause for removal shall be required.

F. Funding

Funds may be appropriated by the Board of Commissioners to the Advisory Board to perform its duties. As needed, a budget request will be presented to the County Finance Office annually following procedures as determined by the Board of Commissioners.

G. Advisory Board Procedure

1. Chairperson

The Advisory Board shall elect a chairperson and vice-chairperson each year at its first meeting of the fiscal year. The chairman and vice-chairman shall be subject to re-election. The chairperson shall preside over all regular or special meetings of the Advisory Board. In the absence or disability of the chairperson, the vice-chairperson shall preside and shall exercise all the powers of the chairperson. Additional officers may be elected as needed.

2. Determination of Procedure

Other than as specifically differentiated or described by this, or subsequent, Ordinance, the Advisory Board shall abide procedurally by Suggested Rules of Procedure for the Board of Commissioners, Third Edition by Joseph S. Ferrell, North Carolina Institute of Government.

3. Advisory Board Year

The Advisory Board shall use the County fiscal year (July 1 through June 30) as its meeting year.

4. Meetings

Meetings of the Advisory Board shall be held at the call of the chairperson and at such other times as the Advisory Board may specify in its rules of procedure. A meeting shall be held at least semi-annually and a notice of any meeting to the members shall be published to them in writing, unless otherwise agreed to by all Advisory Board members. The meeting dates shall be posted as far in advance as possible on the door of the meeting or by other means of public dissemination of the meeting dates as may be agreed upon by at least a majority of the Advisory Board Membership. All meetings shall be open to the public.

5. Majority Vote and Quorum Requirements

The concurring vote of majority members of the Advisory Board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official or agency to decide in favor of an applicant or to pass upon any other matter on which it is required to at under this article. A quorum is defined as a majority of the members in attendance. No business may be conducted by the Advisory Board without a quorum present.

6. Records

The Advisory Board shall keep minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. The Advisory Board shall keep records of its

examinations and other official actions, all of which shall be immediately filed in the office of the Advisory Board, or its designee, and shall be a public record.

7. Administrative

The **Columbus Soil and Water Conservation District** shall serve the **Advisory Board** for recordkeeping, correspondence, and application procedures under this Ordinance and any other services of the Advisory Board needs to complete its duties.

H. Duties of the Advisory Board

The Advisory Board shall:

1. Review and approve applications for enrollment of qualified farmland, horticultural land, or forestland into the District for compliance with this Ordinance;
2. Advise the Board of Commissioners on projects, programs, or issues affecting the agricultural economy or activities within the County and that will affect agricultural districts;
3. Perform other related task or duties assigned by the Board of Commissioners;
4. Review and make recommendations to the Columbus County Board of Commissioners concerning proposed amendments to this ordinance;
5. Develop a county-wide farmland protection plan as defined in N.C.G.S. 106-744(e) (1);
6. Study additional methods of farmland preservation and make recommendations to the Board of Commissioners.

Article VI: Creation of Voluntary Agricultural Districts

A. Voluntary Agricultural Districts

In order to implement the purposes stated in Article III, this program provides for the creation of Voluntary Agricultural Districts within the unincorporated area of the County, which shall be defined as follows:

The calculated acreage of a Voluntary Agricultural District shall be defined as the enrolled parcel acreage of a qualifying farm or a contiguous collection thereof, to include the following areas as applicable:

1. **All Qualifying Farmland:** In addition to the acreage of a qualifying parcel, a surrounding buffer of one-half mile (2640 feet) measured outward from the perimeter of said parcel or collection of contiguous parcels.

The standard for determining whether a proximate collection of qualifying farm parcels comprise a single Voluntary Agricultural District shall be whether their buffers as defined above connect or otherwise overlap at any given point. Should two existing Voluntary Agricultural Districts, as defined above, become contiguous due to enrollment of additional acreage as a qualifying farm, said districts shall merge into a single district.

B. Addition to District

Qualifying farmland in a region with an existing District shall be added to the District as herein provided.

C. Certification of Districts.

The Soil and Water Conservation District Staff shall present to the Voluntary Agricultural District Advisory Board each new qualifying farm for approval. Any farm that is denied approval shall appeal to the Board of Commissioners.

Article VII: Certification of Qualifying Farmland

A. Requirements

In order to secure county certification as qualifying farmland in a Voluntary Agricultural District, a farm must;

- (1) The farmland shall be a real property engaged in agriculture as that word is defined in N.C.G.S 106-581.1 or otherwise determined by the County to meet all the qualifications of this Ordinance;
- (2) Be certified by USDA Farm Service Agency and reviewed by the USDA Natural Resource Conservation Service, the Columbus County Cooperative Extension Service, and the Columbus Soil and Water Conservation District as being a farm on which at least (2/3) two-thirds of the land is composed of soils that:
 - a. Have good farming qualities
 - b. Are favorable for crops, livestock, ornamentals, Christmas trees, or timber common to Columbus County.
- (3) Be managed, if highly erodible land exists on the farm, in accordance with the USDA Natural Resource Conservation Service defined erosion control practices that are addressed to said highly-erodible land;
- (4) Be the subject of a Conservation Agreement, as defined in N.C.G.S. § 121-35, between the county and the owner of such land that prohibits non-farm use or development of such land for a period of at least ten (10) years, except for the creation of not more than three lots that meet applicable county zoning, watershed, and subdivision regulations;

- (5) Be located in the unincorporated area of Columbus County, unless there is an agreement with a municipality through which the county is authorized to exercise the authority of the municipality on its behalf.

Article VIII: Application, Review, and Appeal

A. Application Procedure

1. A landowner, or landowners, may apply to participate in the Voluntary Agricultural District program by making an application for certification of qualifying farmland to be included in a District to the chairperson of the Advisory Board or to a designated staff person of the Columbus Soil and Water Conservation District, 45 B Government Complex Rd, Whiteville NC 28472. The application shall be on forms provided and approved by the Advisory Board.
2. A Conservation Agreement, required by N.C.G.S. § 106-737 and defined in N.C.G.S. § 121-35, to sustain, encourage, and promote agriculture must be executed by the landowner(s) with the Advisory Board, which shall record a certified copy of such with the Columbus Soil and Water Conservation District.

B. Review Process

The **Advisory Board or its administrative designees** prior to, or at, the next regularly scheduled board meeting shall review an application for certification of qualifying farmland to determine if the application is compliant with all requirements of this Ordinance. The chairperson of the Board shall notify the applicant by first class mail of application compliance or non-compliance, and the reason(s) therefore, **within 15 days of the determination.**

C. Appeal

If an application is determined to be noncompliant with this Ordinance by the Advisory Board, the landowner has thirty (30) calendar days to record an appeal of the decision to the Clerk to the Board of the Columbus County Board of Commissioners. Such appeal shall be presented in writing signed by the applicant or his/her agent and presented to the Clerk of the Board of Commissioners. The decision of the Board of Commissioners is final. If an application is disapproved by the Advisory Board and the Columbus County Board of Commissioners, the membership/application fee will be returned to the said applicant.

Article IX: Revocation, Transfer, Renewal, an Enforcement of Conservation Agreements

A. Revocation

By providing 30 days' advance written notice to the Advisory Board, a landowner of qualifying farmland within a District may revoke the Conservation Agreement or the Advisory Board may revoke the same Conservation Agreement based on noncompliance by the landowner with the provisions of Article VII, subject to the same provisions as contained in Article VIII(C) for appeal of denials. Such revocation shall result in loss of qualifying farm status and loss of eligibility to participate in a District. Absent noncompliance by the landowner, neither the Advisory Board nor the Board of Commissioners shall revoke any Conservation Agreement prior to its expiration. If the Advisory Board shall revoke this Conservation Agreement for cause, the landowner shall have the appeal rights set forth in Article VIII(C). **A notice of revocation shall be recorded in the Register of Deeds Office, pursuant to N.C.G.S. § 121-41(b), sufficient to provide notice that the qualifying farmland land has been withdrawn from the Voluntary Agricultural District program and the qualifying farmland shall be removed from the Voluntary Agricultural District Program database and map in the county Geographic Information System.**

If a Voluntary Agricultural District is removed or demised, all signage shall be returned to the Advisory Board. If a portion of a district is removed for any reason after being established by this Ordinance, the remaining qualified farms may remain in the program, and provided they meet all other requirements except the minimum area requirements set within this Ordinance.

B. Transfer

Transfers of land in a District due to death of the landowner, sale, or gift shall not revoke the Conservation Agreement, if all new landowner(s) affirm the Conservation Agreement and affirm, on a supplemental application, updated information demonstrating that the enrolled land still qualifies for enrollment under Article VII of this Ordinance.

In the event that there are water or sewer assessments held in abeyance by this Ordinance, and where the new owner(s) fail(s) to agree in writing to accept liability for those assessments when land is withdrawn either voluntarily or involuntarily from the District, the Conservation Agreement shall be revoked. Revocation shall be undertaken pursuant to the provisions of Section A of this Article

C. Renewal

A Conservation Agreement for land within a Voluntary Agricultural District, that continues to qualify under all provisions of Article VII, shall be automatically renewed for a period of 10 years unless the landowner provides 30-day written notice to the Advisory Board of intent not to renew. Absent noncompliance by the landowner, neither

the Advisory Board nor the Board of Commissioners shall fail to renew any Conservation Agreement unless this Ordinance or its authorizing legislation has been repealed.

D. Enforcement

Enforcement of the terms of a Conservation Agreement for land enrolled in a District shall be limited to revocation of the Conservation Agreement and the benefits derived therefrom. Revocation shall be undertaken pursuant to the provisions of Section A of this Article.

Article X: Waiver of Water and Sewer Assessments

A. No Connection Required

A landowner belonging to a District shall not be required to connect to Columbus County water and/or sewer systems.

B. Abeyance

Water and sewer assessments shall be held in abeyance, without interest, for farms in a District, until improvements on such property are connected to the water or sewer system for which the assessment was made.

C. Termination of Abeyance

When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.

D. Suspension of Statute of Limitations

Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest. The landowner shall be required to sign an acknowledgement, which shall be incorporated into the Conservation Agreement, of the abeyance of the statute of limitations upon collecting water and sewer assessments, or other utility assessments.

E. Other Statutory Abeyance Procedures

Nothing in this Article is intended to diminish the authority of the County to hold assessments in abeyance under N.C.G.S. § 153A-201, or other applicable law.

F. Conflict with Water and/or Sewer System Construction and Improvements Grants

To the extent that this Article conflicts with the terms of federal, state, or other grants under which county utility systems are constructed this section shall not apply. This Article shall not apply to utilities that are not owned by the County unless the County has entered into an agreement with the entity (ies) owning the utilities and that agreement provides that this Ordinance shall apply.

Article XI: Public Hearings

A. Purpose

N.C.G.S. § 106-740 provides that no state or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a District until such agency or unit has requested that the Advisory Board hold a public hearing on the proposed condemnation. This provision ensures that the condemning agency or unit considers the impact of its actions upon agricultural, forest, or horticultural land prior to taking action that is not reversible. This provision is not intended to, and does not; prohibit the condemning agency or unit from taking action authorized by law.

B. Procedure

1. Upon receiving a request, the Advisory Board shall publish notice describing the proposed action in the appropriate newspapers of Columbus County within five (5) business days of the request, and will in the same notice notify the public of a public hearing on the proposed condemnation, to be held within ten (10) days of receipt of the request.
2. The Advisory Board shall meet to review:
 - a. Whether the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of any fiscal impact analysis conducted by the agency involved; and
 - b. Whether there are alternatives to the proposed action that have less impact and are less disruptive to the agricultural activities of the District within which the proposed action is to take place.
3. The Advisory Board shall consult with the Columbus County Cooperative Extension Service Office, the Columbus Soil and Water Conservation District Office, the Natural Resources Conservation Service, and any

other individuals, agencies, or organizations deemed by the Advisory Board to be necessary for its review of the proposed action.

- 4. Within five (5) days after the hearing, the Advisory Board shall make a report containing its findings and recommendations regarding the proposed action. The report shall be made available to the public prior to it being conveyed to the decision-making body of the agency proposing the acquisition.
- 5. There will be a period of ten (10) days allowed for public comment on the report of the Advisory Board.
- 6. After the ten (10) day period for public comment has expired, the Advisory Board shall submit a final report containing all of its findings and recommendations regarding the proposed action to the decision making body of the agency proposing the acquisition.
- 7. The total time period, from the day that a request for a hearing has been received to the day that a final report is issued to the decision making body of the agency proposing the acquisition, shall not exceed thirty (30) days. If the agency agrees to an extension, the agency and the Advisory Board shall mutually agree upon a schedule to be set forth in writing and made available to the public.
- 8. Pursuant to N.C.G.S. § 106-740, the condemning agency may not formally initiate a condemnation action while the proposed condemnation is properly before the Advisory Board within these time limitations.

Article XII Notification

A. Record Notice of Proximity to a Voluntary Agricultural District

1. Procedure

Pursuant to N.C.G.S. § 106-741, upon certification of qualifying farmland and its designation of real property as a Voluntary Agricultural District, which is contained in the Columbus County computerized land records system, shall be changed to include a notice reasonably calculated to alert a person researching the title of a particular tract that such tract is located within one-half mile of a Voluntary Agricultural District as defined in Article VI (A) of this Ordinance.

2. Limit of Liability

In no event shall the County or any of its officers, employees, members of the Advisory Board, or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this Article.

3. No Cause of Action

In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm or District as defined in this Ordinance.

B. Digital Land Records

For the purpose of complying with N.C.G.S §106-741, the digital land records system designated to provide required proximity notice shall be the County geographic information system (GIS).

C. Maps

Maps identifying approved Districts shall be provided by the Advisory Board to the following agencies or offices:

- County Planning Department;
- County Tax Office;
- County Register of Deeds Office;
- Natural Resources Conservation Service;
- Farm Service Agency;
- County Cooperative Extension Office;
- Soil and Water Conservation District Office; and
- Any other such agency or office the Advisory Board deems appropriate.

D. Posting of Notice

The following notice, of a size and form suitable for posting, shall be posted in the Register of Deeds Office, and any other office or agency the Advisory Board deems necessary:

Columbus County has established Districts to protect and preserve agricultural lands and activities. These Districts have been developed and mapped by the county to inform all purchasers of real property that agricultural, horticultural, and forestry activities, including but not limited to pesticide spraying, manure

spreading, machinery and truck operation, livestock operations, sawing, burning, and other common agricultural, horticultural, and forestry activities may occur in these Districts any time during the day or night. Maps and information on the location and establishment of these Districts can be obtained from the Columbus County Geographic Information System, the North Carolina Cooperative Extension Service Office, the Soil and Water Conservation District Office, the Register of Deeds Office, the Columbus County Planning Office, or the Natural Resources Conservation Service Office.

E. Signage

Members of the Voluntary Agricultural Districts are encouraged to place signs on their individual farms denoting their agricultural district membership in a way calculated to reasonably notify the public and adjoining landowners of the presence of the farm property.

Signs identifying parcels enrolled in an agricultural district may be placed on enrolled parcels at the discretion of the owners. Signs shall not be placed along the right-of-way of any state or county maintained road.

Article XIII: Subdivision Ordinance and Zoning Ordinance Review

Developers of major subdivisions or planned unit developments shall designate on preliminary development plans, the existence of Voluntary Agricultural Districts within one-half mile (1/2) aerial mile of the proposed development.

Article XIV: County Land Use Planning

A. Duty of the Advisory Board

It shall be the duty of the Advisory Board to advise the Board of Commissioners, or the agency or office to which the Board of Commissioners delegate authority to oversee county land use planning, on the status, progress, and activities of the county's Voluntary Agricultural District program and to also coordinate the formation and maintenance of Districts with the county's land use planning activities and the county's land use plan.

B. Growth Corridors

Voluntary Agricultural Districts shall not be permitted in designated growth corridors, as delineated on the official County planning map without approval of the Board of Commissioners. Upon request, districts located in growth corridors designated after the effective date of this program may be allowed to remain. Upon request, districts located in growth corridors designated after the effective date of this program may be allowed to expand to include adjoining property purchased by a landowner presently participating in the Columbus County Voluntary Agricultural District Ordinance. Any requests made under this section, should be made through the Columbus County Planning Board, 306 Jefferson St, Whiteville, NC 28472. The approval of the Board of Commissioners will be on a case by case basis.

Article XV: Consultation Authority

The Advisory Board may consult with North Carolina Cooperative Extension Office, the Soil and Water Conservation District Office, the Natural Resources Conservation Service, the Farm Service Agency Office, the North Carolina Department of Agriculture and Consumer Services, and with any other individual, agency, or organization the Advisory Board deems necessary to properly conduct its business.

Article XVI: North Carolina Agency Notification

Annual Report to the North Carolina Department of Agriculture and Consumer Services

A copy of this Ordinance shall be sent to the Office of the North Carolina Commissioner of Agriculture and Consumer Services, **the Columbus County Board of Commissioners, the North Carolina Cooperative Extension Office, and the Soil and Water Conservation District Office after adoption.** At least annually (July 01), the county shall submit a written report to the Commissioner of Agriculture and Consumer Services on the county's Voluntary Agricultural District program, including the following information:

- 1. Number of landowners enrolled;
- 2. Number of acres enrolled;
- 3. Number of acres certified during the reporting period;
- 4. Number of acres not certified during the reporting period;
- 5. Number of acres for which applications are pending;
- 6. Date applications were certified;
- 7. Any other information the Advisory Board deems useful.

Article XVII: Legal Provisions

A. Severability

If any article, section, subsection, clause, phrase, or portion of this Ordinance is for any reason found invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

B. Conflict with Other Ordinances and Statutes

Pursuant to relevant North Carolina Law, whenever the provisions of this ordinance conflict with other ordinances of Columbus County, the Board of Commissioners shall determine which Ordinance shall govern. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this Ordinance, the provisions of such statute shall govern.

C. Amendments

This Ordinance may be amended from time to time after a public hearing, notice of which shall be sent to program by first class mail thirty (30) calendar days prior to the hearing, and in consultation with the Voluntary Agricultural District Board to the Board of Commissioners.

Article XVIII: Enactment

The Columbus County Board of Commissioners hereby adopts and enacts the preceding articles and sections of this Ordinance

Adopted this the 18th day of October, 2021.

/s/ RICKY BULLARD, Chairman
/s/ AMANDA PRINCE, Clerk to Board

MOTION:

Commissioner Byrd made a motion to approve the revisions to the ordinance, seconded by Commissioner Watts. The motion unanimously passed.

Agenda Item #11: PLANNING – ORDINANCE to DEMOLISH and REMOVE the ABANDONED and DILAPIDATED STRUCTURE at 7595 OLD 74, EVERGREEN, NC 28438:

Gary Lanier, Planning Director

MEMORANDUM

TO: Columbus County Board of Commissioners
FROM: John E. Ganus, Code Administrator
DATE: October 11, 2021
RE: Request the Columbus County Board of Commissioners approve and adopt an Ordinance to Demolish and Remove the Abandoned and Dilapidated Structure located at 7595 Old 74, Evergreen, North Carolina 28438. Parcel ID # 21061, Abandoned Structures Case # AS-21-03.

BACKGROUND:

The property located at 7595 Old 74, Evergreen, North Carolina 28438. Parcel ID # 21061 is in a condition that violates the Columbus County Abandoned Structures Ordinance. On April 14, 2021, observations of the property revealed an abandoned, severely dilapidated commercial building. The structure was determined to be severely damaged due to abandonment, lack of maintenance, roof collapse, the elements and continued deterioration. On April 14, 2021, a Notice of Violation was issued, by Certified and First Class mail, with receipt acknowledged by the owners. The Notice required the owners to demolish and clear or otherwise remedy the violations on the above described property by a date not later than June 20, 2021. A copy of the Notice was posted on the structure. On July 21, 2021, the second Notice of Violation was issued, by Certified and First Class mail with receipt acknowledged by the owners. The Notice required the owners to demolish and clear or otherwise remedy the violations on the above described property by a date not later than September, 20, 2021. A copy of the Notice was posted on the structure. To date the owners have not complied with the order of the Code Administrator.

PROBLEM:

The vacant, abandoned and severely dilapidated structure poses hazards to the health and safety of the community due to defects increasing the potential for accidents and fire.

FINDINGS AND CONCLUSIONS:

The dilapidated structure is vacant and continues to deteriorate. The structure has been vacant and abandoned of habitable use for several years. It is estimated the repairs cannot be made at a reasonable cost percentage of the present value (\$500.00) of the structure. It appears the owners have abandoned the intent to demolish the structure and do not intend to comply with the Order, therefore, it is recommended the following Ordinance, directing the Code Administrator to demolish and remove the dilapidated structure, be adopted by the Columbus County Board of Commissioners.

POLICY IMPLICATIONS:

None.

FINANCIAL IMPACT:

It is unknown what the cost of demolition and clearance will be, however, a competitive bid process will be used to obtain a lowest responsible bid. Funds for such demolition and clearance are provided in the County budget. All related costs will constitute a lien against the real property.

CHECKLIST OF WHO HAS REVIEWED:

John E. Ganus, Code Administrator
Gary Lanier, Interim Planning Director

OWNERS OF RECORD

Miguel Angel Landeta Soto
6279 US Highway 701
Clarkton, North Carolina 28433

COUNTY OF COLUMBUS

111 Washington Street
Whiteville. North Carolina 28472

File No. AS-21-03

VERSUS

Miguel Angel Landeta Soto
6279 US Highway 701
Clarkton, North Carolina 28433

Ordinance Number:_____

AN ORDINANCE DIRECTING THE CODE ADMINISTRATOR TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS ABANDONED AND UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED

WHEREAS, the Board of Commissioners of the County of Columbus find that the structures described herein are Abandoned and unfit for human habitation under the County Abandoned Structures Code and that all the procedures of the Abandoned Structures Code have been complied with; and

WHEREAS, the structures should be removed or demolished as directed by the Code Administrator and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owner of the structure has been given a reasonable opportunity to bring the structures into compliance with the Abandoned Structures Code, in accordance with NCGS 160D Article 12, and pursuant to an order issued by the Code Administrator on April 14, 2021, and July 21, 2021. The owner has failed to comply with such Orders;

NOW, THEREFORE, BE IT ORDAINED by the County Board of Commissioners of the County of Columbus, that:
Section 1. The owner of such building(s), dwelling(s) and premises is hereby ordered to vacate any occupants and/or personal property therein on or before a date not later than 30 days from the adoption of this Ordinance.
Section 2. The Code Administrator is hereby authorized and directed to place placards containing the legend:

"This building is unfit for human habitation. The use or occupation of this building for human habitation is prohibited and unlawful." on the buildings located at the following addresses:

**7595 Old 74 (PID# 21061)
Evergreen, North Carolina 28438**

Section 3. The Code Administrator is hereby authorized and directed to proceed to remove or demolish all the structures in accordance with his orders to the owner thereof dated the April 14, 2021, and July 21, 2021, and in accordance with the Columbus County Abandoned Structures Code and NCGS 160D Article 12;

Section 4. (a) The costs of removal or demolition shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the County the Tax Collector, and shall have the same priority and be collected in the same manner as the lien for special assessments in Article 9 of NCGS Chapter 153A;
(b) Upon completion of the required removal or demolition, the Code Administrator shall sell the materials of the dwelling or structures and credit the proceeds against the cost of removal or demolition. The Code Administrator shall certify the remaining balance to the Tax Collector. If a surplus remains after the sale of the materials and satisfaction of the cost of removal or demolition, the Code Administrator shall deposit the surplus in the Superior Court where it shall be secured and disbursed in the manner provided by NCGS 160D Article 12

Section 5. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 6. This Ordinance shall become effective upon its adoption.

ADOPTED this 18th day of October, 2021.

/s/ RICKY BULLARD, Chairman
/s/ AMANDA PRINCE, Clerk to Board

MOTION:

Vice Chairman McMillian made a motion to approve, seconded by Commissioner McDowell. The motion unanimously passed.

John Ganus: This property is located across the road from the fire department. Down the road a couple of blocks, there is a property in front of the new Dollar General that we’re working on. We’ve already contacted the owner and notice has been sent out. The property owners have started to do some cleanup on the property and it looks like they’ve removed part of the building. My understanding, from their conversation with Building Inspections, is that they’re going to demolish the building and then probably build something new there. I’ll be able to bring you another update as soon as I make contact with the owner.

Vice Chairman McMillian: I went by there the other day and I didn’t see any work being done.

John Ganus: I was there today.

Vice Chairman McMillian: Who’s moving the debris? Is it the county or the owners?

John Ganus: The property in front of Dollar General, the owners are doing the work there. There’s only a small amount of work that’s been done but there has been something done which is a step in the right direction. They are under a deadline, which falls under the notices we have to issue. They’ve made contact with the Building Inspections Office, which is something we haven’t had in a few other cases, so that’s a positive move, but I will follow up on it to make sure it gets done.

Agenda Item #12: ECONOMIC DEVELOPMENT – BROWNFIELDS GRANT 2021 – APPROVAL of CONTRACT for ENVIRONMENTAL SERVICES:

Gary Lanier, Director, requested Board Approval.



October 6, 2021

Columbus County, North Carolina
111 Washington Street, Suite 9
Whiteville, North Carolina 28472-3323

Attn: Dr. Gary Lanier
Brownfields Project Manager/Economic Development Commission Director
P: (910) 640-6608
E: glanier@columbusco.org

Re: Proposal for Professional Environmental Consulting Services –
Columbus County, North Carolina

Dear Dr. Lanier:

Terracon Consultants, Inc. (Terracon) appreciates this opportunity to submit our proposal to provide Professional Environmental Consulting Services to Columbus County.

A. PROJECT INFORMATION

Terracon and its subcontractors will be providing services to the Columbus County in support of their Brownfields Program. In order to fulfill the requirements of Columbus County's U.S. EPA Brownfields Coalition Assessment Grant #02D09021, Terracon will provide services based on the Tasks outlined in the Brownfields Assessment Cooperative Agreement Work Plan dated June 28, 2021. Activities conducted under this grant will be in general accordance with the EPA Terms and Conditions of the brownfields grant.

B. SCOPE OF SERVICES

The scope of our services will vary based on the needs of the project. See the attached **Exhibit A** for a detailed breakdown of the anticipated services to be provided.

C. COMPENSATION

Services performed will be in general accordance with the estimated fees established in the attached Scope of Services (**Exhibit A**) and at rates defined in the attached Fee Schedule.

Terracon will issue Task Orders as needed for each individual project task and/or individual sub-task as indicated in the Scope of Services. Each task order will indicate the billing type (Time and Materials, Lump Sum, etc.) and estimated cost to complete the associated task and/or sub-task.

Terracon Consultants, Inc. 2401 Brentwood Road, Suite 107 Raleigh, North Carolina 27626
P (919) 873-2211 F (919) 873-9555 www.terracon.com

Proposal for Professional Environmental Consulting Services
Columbus County, NC Brownfields Project ■ Columbus County, NC
October 6, 2021




Our services may be initiated by signing and returning an original copy of the attached Agreement for Services to our Raleigh, North Carolina office. Project initiation may be expedited by faxing a copy of the signed Agreement for Services to Justin Fabriziani at (919) 436-2988 or emailing it to justin.fabriziani@terracon.com.

The terms, conditions, and limitations stated in the Agreement for Services (and sections of this proposal incorporated therein) shall constitute the exclusive terms and conditions and services to be performed for this project. This proposal is valid only if authorized within 60 days from the proposal date.

Again, we greatly appreciate the opportunity to provide this proposal for our services. If you have any questions, please do not hesitate to contact us.

Sincerely,
Terracon Consultants, Inc.


Justin L. Fabriziani, RSM
Environmental Department Manager


Michael T. Jordan, PG, RSM
Senior Principal

Attachments: Proposed Scope of Services/Fee Proposal
Fee Schedule
Agreement for Services

Proposal for Professional Environmental Consulting Services
Columbus County, NC Brownfields Project ■ Columbus County, NC
October 6, 2021



ATTACHMENTS

EXHIBIT A

Scope of Work and Cost Estimate – Professional Services
Columbus County, North Carolina
Coalition Assessment Grant

SCOPE OF SERVICES

Terracon and its subcontractors will provide services to Columbus County, North Carolina (Columbus County) in support of their brownfield program and their U.S. Environmental Protection Agency (EPA) Community-wide Assessment Grant. Tasks 1 – 5 of the scope of services is developed to fulfill the requirements of the US EPA Brownfields Coalition Assessment Grant #02D09021. The scope is developed to coincide with the services defined under Columbus County’s Brownfields Assessment Cooperative Agreement Work Plan dated June 28, 2021. Activities conducted under this grant will be in general accordance with Terms and Conditions included with the Columbus County’s EPA Cooperative Agreement.

In addition to the scope of services described within this Exhibit A, supplemental services can be provided in support of the brownfields program on an as-needed and individual contract basis. Services may include but are not limited to Grant Writing, Cleanup Planning and Implementation, North Carolina Department of Environmental Quality State Brownfields Program consulting, Site-Specific Risk Assessment, and other related activities as requested. For Time and Materials (T&M) portions of this Cost Estimate, projects will be billed monthly.

Task 1: Outreach

Terracon will provide support for outreach/public involvement and engagement activities for the three-year grant cycle. Particular focus of outreach meetings will be designed to engage the community about the brownfields process and assessment activities funded through this grant. Proposed community activities are anticipated to include general outreach meetings within the target communities and development of a site inventory. Additionally, Terracon will work with Columbus County to complete the Community Involvement Plan.

Terracon will work with Columbus County to facilitate public meetings to provide the community with informational sessions regarding the brownfields program.

Deliverable under this task includes:

- Community Involvement Plan
- Outreach & Community Involvement Public Meeting participation including preparation of presentations and handout materials.
- Estimate participation in 6 public meetings

Total Task 1: \$17,000 (T&M)

Scope of Work – Professional Services
Columbus County, NC Brownfield Coalition Assessment Grant
US EPA Brownfields Assessment Grant #02D09021



Task 2: Site Inventory

Terracon will work with Columbus County and the public to develop a site inventory for property identification and prioritization. Terracon will conduct a windshield survey of target areas, conduct research through environmental databases, solicit feedback, and develop ranking criteria with Columbus County.

Deliverable under this task includes:

- Site Inventory Spreadsheet

Total Task 2: \$3,000 (T&M)

Task 3: Assessment

3A. EPA Quality Assurance Project Plans

Terracon will complete one (1) Generic Quality Assurance Project Plan (QAPP) in accordance with the EPA Cooperative Agreement Work Plan. QAPPs will be prepared in accordance with EPA Region 4 Quality Assurance Guidelines for Conducting Brownfields Site Assessments and will be submitted to the EPA Project Officer for approval prior to conducting Phase II Environmental Site Assessment activities.

Deliverables under this task Include:

- One Generic QAPP (\$4,000)

Task 3A - Lump Sum Fee for Generic QAPP: \$4,000

3B. Site Characterization - Phase I Environmental Site Assessments (ESAs)

Terracon estimates the completion of up to 28 Phase I ESAs. Phase I ESAs will be prepared in accordance with EPA's standard for all appropriate inquiries. Columbus County will utilize the practices in ASTM standard E1527-13 "Standard Practices for Environmental Site Assessment: Phase I Environmental Site Assessment Process," or EPA's All Appropriate Inquiries Final Rule "All Appropriate Inquiries Rule: Reporting Requirements Checklist for Assessment Grant Recipients", (Publication Number: EPA 560-R-11-030).

Deliverables under this task Include:

- Phase I ESA Reports

Task 2B - Lump Sum Fee (est. 13 @ \$3,500*): \$98,000*
**Variations in cost may occur due to the size of the properties to be assessed.*

Terracon may complete additional site assessment services in support of a Phase I ESA in general accordance with the Terms and Conditions of the EPA Cooperative Agreement and applicable state and federal regulations and standards. Additional assessment activities include, but are not limited to, Natural Resources & Wetlands Surveys, Asbestos Surveys, Lead Paint Surveys, Property Condition Assessments, Mold Surveys and Ground Penetrating Radar (GPR). Fees will be established based on-site conditions and will be approved in conjunction with the Phase I ESA scope approval, by Columbus County.

Responsive ■ Resourceful ■ Reliable

Scope of Work – Professional Services
Columbus County, NC Brownfield Coalition Assessment Grant
US EPA Brownfields Assessment Grant #02D09021



3C. Phase II ESAs & Site Specific QAPPs

Terracon will complete Phase II ESAs including Site Specific-QAPPs, (upon site eligibility approval by EPA Region 4) resulting from the findings of a Phase I ESA in general accordance with the Terms and Conditions of the EPA Cooperative Agreement and ASTM Method E 1903-97 (Phase II Environmental Site Assessment). It is anticipated that up to 15 Phase II ESAs (including SS-QAPP, \$3,150 ea.) will be completed under this grant, dependent on the complexity and costs associated with the assessment(s) based on Phase I ESA findings.

Deliverables under this task Include:

- Phase II ESA Reports

Task 2C - Lump Sum Fee (est. 15 @ \$28,000 each): \$420,000**

***SSQAPP Addendums may be completed at a reduced rate dependent on the complexity of the additional assessment.*

Total Task 3: \$522,000

Task 4: Remediation/Reuse Planning

Terracon will complete up to 4 Analysis for Brownfields Cleanup Alternatives (ABCAs) resulting from Phase II ESA findings. The ABCAs will also serve as the framework for remedial action plans. Sites undergoing remedial planning through Columbus County’s brownfields program will be encouraged to involve the North Carolina Department of Environmental Quality (NCDEQ) to ensure that the regulatory framework for assessment, liability protection, remediation and potential redevelopment of environmentally-impacted sites is appropriately addressed.

Deliverables under this task Include:

- Up to 4 ACBAs (\$5,250 each)
- Up to 2 visioning sessions (\$2,500 each)

Total Task 4: \$25,000

Task 5: Programmatic Support

Terracon will complete the majority of the programmatic reporting requirements and provide EPA Programmatic Support assistance for the three-year grant period. This support will be provided on an as-needed, *time and materials* basis. Anticipated activities for this task are listed below; additional support activities may be added at the discretion of Columbus County and/or as required by the EPA Brownfields Project Officer.

- Assist with revisions and approval of the EPA Work Plan, as needed;
- Assist by providing updates for each of the project tasks for use with EPA quarterly reports (Region 4 requires quarterly reporting through the Assessment, Cleanup and Redevelopment Exchange System (ACRES) system;

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Scope of Work – Professional Services
Columbus County, NC Brownfield Coalition Assessment Grant
US EPA Brownfields Assessment Grant #02D09021



- Assist in preparation of required MBE/WBE reporting forms (such as EPA Form 5700-52A) on an annual basis;
- Assist in the annual projections of anticipated environmental site assessments as required by EPA;
- Assist in the interpretation of EPA Grant Terms and Conditions;
- Assist in the preparation of the EPA Final/Grant Closeout Report within 90 days of the end of the grant period;
- Entry of project information in the EPA Brownfields Assessment, Cleanup and Redevelopment Exchange System (ACRES) database;
- Provide management and technical oversight as needed;
- Completion of EPA Brownfields Site-Specific Project Eligibility Determination Forms;
- Support for Columbus County project meetings and other EPA meetings such as monthly project status meetings, tours and site visits;
- Interagency coordination with Federal, State and Local Brownfields agencies on an as-needed basis; and
- Negotiate assessment requirements on the Coalition’s behalf with the EPA and NCDEQ.

Deliverables under this task Include:

- ACRES database entry, completed forms as listed above and other reporting as-needed.

Task 5 – Programmatic Support (T&M): \$27,000

Total for Tasks 1 through 4: \$593,000

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Terracon

Schedule of Services and Fees

2021 Environmental Services

I. PERSONNEL

Administrative Staff.....	\$50.00/hour
CAD Technician/Drafter.....	\$70.00/hour
Technician	\$75.00/hour
Assistant Engineer/Scientist.....	\$80.00/hour
Field Engineer/Scientist	\$85.00/hour
Staff Engineer/Scientist.....	\$100.00/hour
Senior Staff Engineer/Scientist	\$115.00/hour
Project Manager	\$130.00/hour
Project Engineer/Scientist.....	\$145.00/hour
Senior Project Manager	\$165.00/hour
Senior Engineer/Scientist.....	\$195.00/hour
Senior Engineer/Scientist Consultant.....	\$225.00/hour

** An overtime premium of 1.5 times the hourly rate will apply for Technician services provided Monday-Friday that are in excess of 8 hours per day and for services provided before 7:00 AM and after 6:00 PM, as well as for services provided on Saturday, Sunday, and Terracon recognized Holidays.*
Note: Deposition or court testimony at a minimum of 1.75 times regular rate - minimum of \$235.00/hour

II. EXPENSES AND SUPPLIES

Vehicle Charge	\$0.75/mile
Overnight Per Diem, Lodging and Food	at Cost
Shipping charges, rental equipment, materials, permit fees or other contracted services.....	Cost + 15%
Subcontractors (including laboratory tests, drilling, private utility location, survey)	Cost + 15%

III. ENVIRONMENTAL EQUIPMENT (Personnel Time Not Included)

YSI Multimeter	\$118.00/day
Electric Water Level Indicator	\$31.00/day
Hydrocarbon/Water Interface Probe	\$55.00/day
Peristaltic Pump	\$31.00/day
Monsoon Pump	\$91.00/day
Whale Pump	\$30.00/day
Turbidity Meter	\$31.00/day
Pore Water Sampler	\$50.00/day
PID	\$88.00/day
Hand Auger	\$25.00/day
Thermal Camera.....	\$75.00/day
Metal Detector	\$35.00/day
Hammer Drill	\$75.00/day
Generator	\$55.00/day
Marine/Other Portable Battery	\$19.00/day
Trimble GPS	\$150.00/day
PetroFlag	\$100.00/day + Sample Supplies
ColorTec	\$100.00/day + Sample Supplies
HACH Colorimeter	\$100.00/day + Sample Supplies
Injection Equipment (Pumps and Hoses).....	\$400/day
Level D PPE	\$30.00/day

AGREEMENT FOR SERVICES

This **AGREEMENT** is between Columbus County NC ("Client") and Terracon Consultants, Inc. ("Consultant") for Services to be provided by Consultant for Client on the FY2021 EPA Brownfields Assessment Grant - Columbus County- NC project ("Project"), as described in Consultant's Proposal dated 10/06/2021 ("Proposal"), including but not limited to the Project Information section, unless the Project is otherwise described in Exhibit A to this Agreement (which section or Exhibit is incorporated into this Agreement).

1. **Scope of Services.** The scope of Consultant's services is described in the Proposal, including but not limited to the Scope of Services section ("Services"), unless Services are otherwise described in Exhibit B to this Agreement (which section or exhibit is incorporated into this Agreement). Portions of the Services may be subcontracted. Consultant's Services do not include the investigation or detection of, nor do recommendations in Consultant's reports address the presence or prevention of biological pollutants (e.g., mold, fungi, bacteria, viruses, or their byproducts) or occupant safety issues, such as vulnerability to natural disasters, terrorism, or violence. If Services include purchase of software, Client will execute a separate software license agreement. Consultant's findings, opinions, and recommendations are based solely upon data and information obtained by and furnished to Consultant at the time of the Services.
2. **Acceptance/ Termination.** Client agrees that execution of this Agreement is a material element of the consideration Consultant requires to execute the Services, and if Services are initiated by Consultant prior to execution of this Agreement as an accommodation for Client at Client's request, both parties shall consider that commencement of Services constitutes formal acceptance of all terms and conditions of this Agreement. Additional terms and conditions may be added or changed only by written amendment to this Agreement signed by both parties. In the event Client uses a purchase order or other form to administer this Agreement, the use of such form shall be for convenience purposes only and any additional or conflicting terms it contains are stricken. This Agreement shall not be assigned by either party without prior written consent of the other party. Either party may terminate this Agreement or the Services upon written notice to the other. In such case, Consultant shall be paid costs incurred and fees earned to the date of termination plus reasonable costs of closing the Project.
3. **Change Orders.** Client may request changes to the scope of Services by altering or adding to the Services to be performed. If Client so requests, Consultant will return to Client a statement (or supplemental proposal) of the change setting forth an adjustment to the Services and fees for the requested changes. Following Client's review, Client shall provide written acceptance. If Client does not follow these procedures, but instead directs, authorizes, or permits Consultant to perform changed or additional work, the Services are changed accordingly and Consultant will be paid for this work according to the fees stated or its current fee schedule. If project conditions change materially from those observed at the site or described to Consultant at the time of proposal, Consultant is entitled to a change order equitably adjusting its Services and fee.
4. **Compensation and Terms of Payment.** Client shall pay compensation for the Services performed at the fees stated in the Proposal, including but not limited to the Compensation section, unless fees are otherwise stated in Exhibit C to this Agreement (which section or Exhibit is incorporated into this Agreement). If not stated in either, fees will be according to Consultant's current fee schedule. Fee schedules are valid for the calendar year in which they are issued. Fees do not include sales tax. Client will pay applicable sales tax as required by law. Consultant may invoice Client at least monthly and payment is due upon receipt of invoice. Client shall notify Consultant in writing, at the address below, within 15 days of the date of the invoice if Client objects to any portion of the charges on the invoice, and shall promptly pay the undisputed portion. Client shall pay a finance fee of 1.5% per month, but not exceeding the maximum rate allowed by law, for all unpaid amounts 30 days or older. Client agrees to pay all collection-related costs that Consultant incurs, including attorney fees. Consultant may suspend Services for lack of timely payment. It is the responsibility of Client to determine whether federal, state, or local prevailing wage requirements apply and to notify Consultant if prevailing wages apply. If it is later determined that prevailing wages apply, and Consultant was not previously notified by Client, Client agrees to pay the prevailing wage from that point forward, as well as a retroactive payment adjustment to bring previously paid amounts in line with prevailing wages. Client also agrees to defend, indemnify, and hold harmless Consultant from any alleged violations made by any governmental agency regulating prevailing wage activity for failing to pay prevailing wages, including the payment of any fines or penalties.
5. **Third Party Reliance.** This Agreement and the Services provided are for Consultant and Client's sole benefit and exclusive use with no third party beneficiaries intended. Reliance upon the Services and any work product is limited to Client, and is not intended for third parties other than those who have executed Consultant's reliance agreement, subject to the prior approval of Consultant and Client.
6. **LIMITATION OF LIABILITY.** CLIENT AND CONSULTANT HAVE EVALUATED THE RISKS AND REWARDS ASSOCIATED WITH THIS PROJECT, INCLUDING CONSULTANT'S FEE RELATIVE TO THE RISKS ASSUMED, AND AGREE TO ALLOCATE CERTAIN OF THE ASSOCIATED RISKS. TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL AGGREGATE LIABILITY OF CONSULTANT (AND ITS RELATED CORPORATIONS AND EMPLOYEES) TO CLIENT AND THIRD PARTIES GRANTED RELIANCE IS LIMITED TO THE GREATER OF \$50,000 OR CONSULTANT'S FEE, FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEY AND EXPERT FEES) ARISING OUT OF CONSULTANT'S SERVICES OR THIS AGREEMENT. PRIOR TO ACCEPTANCE OF THIS AGREEMENT AND UPON WRITTEN REQUEST FROM CLIENT, CONSULTANT MAY NEGOTIATE A HIGHER LIMITATION FOR ADDITIONAL CONSIDERATION IN THE FORM OF A SURCHARGE TO BE ADDED TO THE AMOUNT STATED IN THE COMPENSATION SECTION OF THE PROPOSAL. THIS LIMITATION SHALL APPLY REGARDLESS OF AVAILABLE PROFESSIONAL LIABILITY INSURANCE COVERAGE, CAUSE(S), OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY, OR OTHER RECOVERY. THIS LIMITATION SHALL NOT APPLY TO THE EXTENT THE DAMAGE IS PAID UNDER CONSULTANT'S COMMERCIAL GENERAL LIABILITY POLICY.
7. **Indemnity/Statute of Limitations.** Consultant and Client shall indemnify and hold harmless the other and their respective employees from and against legal liability for claims, losses, damages, and expenses to the extent such claims, losses, damages, or expenses are legally determined to be caused by their negligent acts, errors, or omissions. In the event such claims, losses, damages, or expenses are legally determined to be caused by the joint or concurrent negligence of Consultant and Client, they shall be borne by each party in proportion to its own negligence under comparative fault principles. Neither party shall have a duty to defend the other party, and no duty to defend is hereby created by this indemnity provision and such duty is explicitly waived under this Agreement. Causes of action arising out of Consultant's Services or this Agreement regardless of cause(s) or the theory of liability, including negligence, indemnity or other recovery shall be deemed to have accrued and the applicable statute of limitations shall commence to run not later than the date of Consultant's substantial completion of Services on the project.
8. **Warranty.** Consultant will perform the Services in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions in the same locale. EXCEPT FOR THE STANDARD OF CARE PREVIOUSLY STATED, CONSULTANT MAKES NO WARRANTIES OR GUARANTEES, EXPRESS OR IMPLIED, RELATING TO CONSULTANT'S SERVICES AND CONSULTANT DISCLAIMS ANY IMPLIED WARRANTIES OR WARRANTIES IMPOSED BY LAW, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.
9. **Insurance.** Consultant represents that it now carries, and will continue to carry: (i) workers' compensation insurance in accordance with the laws of the states having jurisdiction over Consultant's employees who are engaged in the Services, and employer's liability insurance (\$1,000,000); (ii) commercial general liability insurance (\$2,000,000 occ / \$4,000,000 agg); (iii) automobile liability insurance (\$2,000,000 B.I. and P.D. combined single limit); and (iv) professional liability insurance (\$1,000,000 claim / agg). Certificates of insurance will be provided upon request. Client and Consultant shall waive subrogation against the other party on all general liability and property coverage.



Reference Number: P70207393

- 10. CONSEQUENTIAL DAMAGES.** NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR LOSS OF PROFITS OR REVENUE; LOSS OF USE OR OPPORTUNITY; LOSS OF GOOD WILL; COST OF SUBSTITUTE FACILITIES, GOODS, OR SERVICES; COST OF CAPITAL; OR FOR ANY SPECIAL, CONSEQUENTIAL, INDIRECT, PUNITIVE, OR EXEMPLARY DAMAGES.
- 11. Dispute Resolution.** Client shall not be entitled to assert a Claim against Consultant based on any theory of professional negligence unless and until Client has obtained the written opinion from a registered, independent, and reputable engineer, architect, or geologist that Consultant has violated the standard of care applicable to Consultant's performance of the Services. Client shall provide this opinion to Consultant and the parties shall endeavor to resolve the dispute within 30 days, after which Client may pursue its remedies at law. This Agreement shall be governed by and construed according to Kansas law.
- 12. Subsurface Explorations.** Subsurface conditions throughout the site may vary from those depicted on logs of discrete borings, test pits, or other exploratory services. Client understands Consultant's layout of boring and test locations is approximate and that Consultant may deviate a reasonable distance from those locations. Consultant will take reasonable precautions to reduce damage to the site when performing Services; however, Client accepts that invasive services such as drilling or sampling may damage or alter the site. Site restoration is not provided unless specifically included in the Services.
- 13. Testing and Observations.** Client understands that testing and observation are discrete sampling procedures, and that such procedures indicate conditions only at the depths, locations, and times the procedures were performed. Consultant will provide test results and opinions based on tests and field observations only for the work tested. Client understands that testing and observation are not continuous or exhaustive, and are conducted to reduce - not eliminate - project risk. Client shall cause all tests and inspections of the site, materials, and Services performed by Consultant to be timely and properly scheduled in order for the Services to be performed in accordance with the plans, specifications, contract documents, and Consultant's recommendations. No claims for loss or damage or injury shall be brought against Consultant by Client or any third party unless all tests and inspections have been so performed and Consultant's recommendations have been followed. Unless otherwise stated in the Proposal, Client assumes sole responsibility for determining whether the quantity and the nature of Services ordered by Client is adequate and sufficient for Client's intended purpose. Client is responsible (even if delegated to contractor) for requesting services, and notifying and scheduling Consultant so Consultant can perform these Services. Consultant is not responsible for damages caused by Services not performed due to a failure to request or schedule Consultant's Services. Consultant shall not be responsible for the quality and completeness of Client's contractor's work or their adherence to the project documents, and Consultant's performance of testing and observation services shall not relieve Client's contractor in any way from its responsibility for defects discovered in its work, or create a warranty or guarantee. Consultant will not supervise or direct the work performed by Client's contractor or its subcontractors and is not responsible for their means and methods. The extension of unit prices with quantities to establish a total estimated cost does not guarantee a maximum cost to complete the Services. The quantities, when given, are estimates based on contract documents and schedules made available at the time of the Proposal. Since schedule, performance, production, and charges are directed and/or controlled by others, any quantity extensions must be considered as estimated and not a guarantee of maximum cost.
- 14. Sample Disposition, Affected Materials, and Indemnity.** Samples are consumed in testing or disposed of upon completion of the testing procedures (unless stated otherwise in the Services). Client shall furnish or cause to be furnished to Consultant all documents and information known or available to Client that relate to the identity, location, quantity, nature, or characteristic of any hazardous waste, toxic, radioactive, or contaminated materials ("Affected Materials") at or near the site, and shall immediately transmit new, updated, or revised information as it becomes available. Client agrees that Consultant is not responsible for the disposition of Affected Materials unless specifically provided in the Services, and that Client is responsible for directing such disposition. In no event shall Consultant be required to sign a hazardous waste manifest or take title to any Affected Materials. Client shall have the obligation to make all spill or release notifications to appropriate governmental agencies. The Client agrees that Consultant neither created nor contributed to the creation or existence of any Affected Materials conditions at the site and Consultant shall not be responsible for any claims, losses, or damages allegedly arising out of Consultant's performance of Services hereunder, or for any claims against Consultant as a generator, disposer, or arranger of Affected Materials under federal, state, or local law or ordinance.
- 15. Ownership of Documents.** Work product, such as reports, logs, data, notes, or calculations, prepared by Consultant shall remain Consultant's property. Proprietary concepts, systems, and ideas developed during performance of the Services shall remain the sole property of Consultant. Files shall be maintained in general accordance with Consultant's document retention policies and practices.
- 16. Utilities.** Unless otherwise stated in the Proposal, Client shall provide the location and/or arrange for the marking of private utilities and subterranean structures. Consultant shall take reasonable precautions to avoid damage or injury to subterranean structures or utilities. Consultant shall not be responsible for damage to subterranean structures or utilities that are not called to Consultant's attention, are not correctly marked, including by a utility locate service, or are incorrectly shown on the plans furnished to Consultant.
- 17. Site Access and Safety.** Client shall secure all necessary site related approvals, permits, licenses, and consents necessary to commence and complete the Services and will execute any necessary site access agreement. Consultant will be responsible for supervision and site safety measures for its own employees, but shall not be responsible for the supervision or health and safety precautions for any other parties, including Client, Client's contractors, subcontractors, or other parties present at the site. In addition, Consultant retains the right to stop work without penalty at any time Consultant believes it is in the best interests of Consultant's employees or subcontractors to do so in order to reduce the risk of exposure to the coronavirus. Client agrees it will respond quickly to all requests for information made by Consultant related to Consultant's pre-task planning and risk assessment processes. Client acknowledges its responsibility for notifying Consultant of any circumstances that present a risk of exposure to the coronavirus or individuals who have tested positive for COVID-19 or are self-quarantining due to exhibiting symptoms associated with the coronavirus.

Consultant: Terracon Consultants, Inc.

By:  Date: 10/7/2021

Name/Title: Justin L. Fabrizio / Environmental
Department Manager

Address: 2401 Brentwood Rd Ste 107
Raleigh, NC 27604-3686

Phone: (919) 873-2211 Fax: (919) 873-9555

Email: Justin.Fabriziani@terracon.com

Client: Columbus County NC

By: _____ Date: _____

Name/Title: _____

Address: 111 Washington Street
Whiteville, NC 28472

Phone: _____ Fax: _____

Email: _____

Gary Lanier: This is the US Environmental Protection Agency Grant that was a coalition grant that we received a few months ago. We advertised for qualifications from Environmental Service providers. Terracon was the only one who responded. I did have another company who called and asked questions but I never received a response from them. We worked with Terracon with the first Brownfields grant we received and they did an outstanding job. We were able to get a lot of properties cleaned up and back into service, so I think we would do well to be able to work with them on this new grant. This is a coalition grant with us, Chadbourn and Fair Bluff. We're able to do anything, anywhere in the county and within those two towns and we already have our eyes on some properties we can start working on.

MOTION:

Commissioner Byrd made a motion to approve, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #13: FINANCE – MONTHLY FINANCE REPORT:

Jay Leatherman, Finance Director, presented the monthly finance report.

**Columbus County
Financial Summary
September 30, 2021**

We have completed three months, 25.0% of the 2021-2022 fiscal year. Following are highlights of August's financial operations.

FUND 10 – OPERATING FUND

Revenues

Total General Fund revenue received for the current fiscal year was \$24,049,659, 36.25% of the budget. We received over 55% of the budgeted tax revenue, \$18,696,009, as residents took advantage of the discount for early payment of their property taxes. This represents the single largest source of revenue.

The sales tax receipts year-to-date of \$3,295,040 is the second largest source of revenue to date.

Register of Deeds revenue of \$169,950 is over 44% of their total budget for the year.

Several of the larger revenue producing departments, Aging and Social Service, are awaiting third party funds for reimbursement of their operations performed to date.

Finance staff will be monitoring all receipts on a regular basis and assist departments in collecting revenue to meet the budget.

Expenditures

Total General Fund expenditures year-to-date was \$13,338,260, 20.1% of the budget.

The majority of department's expenses were under 25% of their total for the month. Those departments that exceeded the 25% average was the result of large one-time expenses budgeted for the year that were paid in July. The Education department has the largest total expense year-to-date of \$2,650,637.

Total revenue in the Operating Fund exceeded Expenditures by \$10,711,399.

OTHER FUNDS

I have attached a summary of revenue and expenditures to date for several other funds. Several of these funds report expenses exceeding revenue which is a result of the timing of receiving the revenue for these funds.

COUNTY OF COLUMBUS					
FINANCIAL SUMMARY REPORT			Percent of Year Complete: 25.0%		
September 30, 2021					
FUND 10 - OPERATIONS		FY 21/22	ACTUAL YTD	BALANCE	% COLLECTED
REVENUES		BUDGET	TOTALS	REMAINING	YTD
	AD VALOREM TAXES	\$ 33,747,267	\$ 18,696,009	\$ 15,051,258	55.40%
	COURT	\$ 90,000	\$ 14,315	\$ 75,685	15.91%
	SALES TAX	\$ 11,966,105	\$ 3,295,040	\$ 8,671,065	27.54%
	NC JCPC PROGRAM - TEEN COURT	\$ 71,977	\$ 11,987	\$ 59,990	16.65%
	ELECTION FEES	\$ 31,700	\$ 215	\$ 31,485	0.68%
	COLLECTION FEES	\$ 34,400	\$ 13	\$ 34,387	0.04%
	REGISTER OF DEEDS	\$ 377,000	\$ 169,550	\$ 207,450	44.97%
	SHERIFF	\$ 1,932,958	\$ 58,785	\$ 1,874,173	3.04%
	DETENTION CENTER	\$ 1,551,000	\$ 106,856	\$ 1,444,144	6.89%
	EMERGENCY MANAGEMENT	\$ 56,101	\$ 224	\$ 55,877	0.40%
	FIRE DEPARTMENT	\$ 22,500	\$ 4,239	\$ 18,261	18.84%
	INSPECTION	\$ 370,000	\$ 26,625	\$ 343,375	7.20%
	ANIMAL CONTROL	\$ 21,000	\$ 124,762	\$ (103,762)	594.10%
	AIRPORT	\$ 538,500	\$ 27,201	\$ 511,299	5.05%
	PLANNING	\$ 9,800	\$ 3,199	\$ 6,601	32.64%
	SOIL CONSERVATION	\$ 37,180	\$ 846	\$ 36,334	2.28%
	DEPARTMENT OF AGING REVENUES	\$ 2,060,658	\$ 193,902	\$ 1,866,756	9.41%
	HEALTH DEPARTMENT	\$ 2,403,672	\$ 693,770	\$ 1,709,902	28.86%
	SOCIAL SERVICE	\$ 6,798,170	\$ 552,658	\$ 6,245,512	8.13%
	VETERANS SERVICE	\$ 2,000	\$ -	\$ 2,000	0.00%
	PUBLIC SCHOOLS	\$ 159,000	\$ 3,287	\$ 155,713	2.07%
	LIBRARY	\$ 171,000	\$ 32,708	\$ 138,292	19.13%
	RECREATION	\$ 24,500	\$ 3,385	\$ 21,115	13.82%
	MISCELLANEOUS REVENUES	\$ 435,719	\$ 25,491	\$ 410,228	5.85%
	INVESTMENT EARNINGS	\$ 600,000	\$ 4,592	\$ 595,408	0.77%
	AMERICAN RECOVERY FUNDS	\$ 2,781,930	\$ -	\$ 2,781,930	0.00%
	FUND BALANCE APPROPRIATED	\$ 54,201	\$ -	\$ 54,201	0.00%
	Total General Fund Revenues	\$ 66,348,338	\$ 24,049,659	\$ 42,298,679	36.25%
		FY 21/22	YTD	BALANCE	% EXPENSED
EXPENDITURES		BUDGET	TOTALS	REMAINING	YTD
	GOVERNING BODY	\$ 342,490	\$ 84,524	\$ 257,966	24.68%
	ADMINISTRATION	\$ 487,497	\$ 97,973	\$ 389,524	20.10%
	PERSONNEL	\$ 167,583	\$ 39,167	\$ 128,416	23.37%
	PURCHASING	\$ 124,658	\$ 406	\$ 124,252	0.33%
	FINANCE	\$ 469,003	\$ 165,669	\$ 303,334	35.32%
	TAX DEPARTMENT	\$ 1,936,057	\$ 400,586	\$ 1,535,471	20.69%
	LEGAL DEPARTMENT	\$ 226,006	\$ 86,473	\$ 139,533	38.26%
	NC JCPC PROGRAM - TEEN COURT	\$ 71,977	\$ 18,437	\$ 53,540	25.62%
	MAINTENANCE	\$ 1,773,253	\$ 335,177	\$ 1,438,076	18.90%
	ELECTIONS	\$ 582,932	\$ 180,311	\$ 402,621	30.93%
	REGISTER OF DEEDS	\$ 509,395	\$ 127,418	\$ 381,977	25.01%
	SPECIAL APPROPRIATIONS	\$ 713,309	\$ 211,731	\$ 501,578	29.68%
	MANAGEMENT INFORMATION SYSTEM	\$ 456,482	\$ 131,018	\$ 325,464	28.70%
	CENTRAL GARAGE	\$ 48,219	\$ 8,234	\$ 39,985	17.08%
	PUBLICLY OWNED TREATMENT WATER	\$ 43,924	\$ 16,346	\$ 27,578	37.21%
	SHERIFF'S DEPARTMENT	\$ 8,486,998	\$ 1,983,811	\$ 6,503,187	23.37%
	LAW ENFORCEMENT CENTER	\$ 5,061,114	\$ 928,280	\$ 4,132,834	18.34%
	EMS	\$ 15,350	\$ 2,548	\$ 12,802	16.60%
	EMERGENCY SERVICES	\$ 1,697,904	\$ 320,111	\$ 1,377,793	18.85%
	FIRE MARSHALL	\$ 174,521	\$ 36,292	\$ 138,229	20.80%
	CORONER MEDICAL EXAMINER	\$ 72,000	\$ 5,900	\$ 66,100	8.19%
	ANIMAL CONTROL	\$ 760,056	\$ 160,495	\$ 599,561	21.12%
	AIRPORT	\$ 615,728	\$ 60,545	\$ 555,183	9.83%
	INSPECTIONS	\$ 333,599	\$ 85,592	\$ 248,007	25.66%
	PLANNING	\$ 232,807	\$ 38,816	\$ 193,991	16.67%
	ECONOMIC DEVELOPMENT	\$ 231,154	\$ 115,801	\$ 115,353	50.10%
	COOPERATIVE EXTENSION	\$ 525,472	\$ 41,813	\$ 483,659	7.96%
	SOIL CONSERVATION	\$ 242,297	\$ 58,850	\$ 183,447	24.29%

	DEPARTMENT OF AGING	\$ 2,858,635	\$ 473,203	\$ 2,385,432	16.55%
	HEALTH DEPARTMENT	\$ 4,981,103	\$ 908,550	\$ 4,072,553	18.24%
	SOCIAL SERVICES ADMINISTRATION	\$ 9,408,762	\$ 1,992,019	\$ 7,416,743	21.17%
	PUBLIC ASSISTANCE PROGRAMS	\$ 1,916,891	\$ 278,204	\$ 1,638,687	14.51%
	VETERANS SERVICE OFFICER	\$ 159,489	\$ 34,884	\$ 124,605	21.87%
	EDUCATION	\$ 14,282,689	\$ 2,650,637	\$ 11,632,052	18.56%
	LIBRARY	\$ 1,637,919	\$ 377,077	\$ 1,260,842	23.02%
	RECREATION	\$ 589,194	\$ 123,620	\$ 465,574	20.98%
	TRANSFER TO	\$ 2,683,534	\$ -	\$ 2,683,534	0.00%
	NON DEPARTMENTAL	\$ 1,428,337	\$ 757,742	\$ 670,595	53.05%
	Total General Fund Expenditures	\$ 66,348,338	\$ 13,338,260	\$ 53,010,078	20.10%
	Total Revenue over/(under) Expenditures	\$0	\$ 10,711,399		
	TAX REVALUATION FUND	FY 21/22	YTD	BALANCE	% Collected
REVENUES		BUDGET	TOTALS	REMAINING	YTD
	REVALUATION FUND	\$ 20,000	\$0	\$ 20,000	0.00%
EXPENDITURES					
	REVALUATION FUND	\$ 20,000	\$0	\$ 20,000	0.00%
	HUD SECTION 8 RENTAL ASSISTANCE	FY 21/22	YTD	BALANCE	% Collected
REVENUES		BUDGET	TOTALS	REMAINING	YTD
	HUD SECTION 8 RENTAL ASSISTANCE				
	ANNUAL CONTRA EARNED	\$ 1,500,000	\$257,778	\$ 1,242,222	17.19%
	OTHER REVENUES	\$ 223,350	\$ 38,569	\$ 184,781	17.27%
	TOTAL HUD REVENUES	\$ 1,723,350	\$ 296,347	\$ 1,427,003	17.20%
EXPENDITURES					
	HUD Expenditures	\$ 1,723,350	\$ 289,641	\$ 1,433,709	16.81%
	Excess revenue over/(under) expenditures	\$0	\$ 6,706		
	TRANSPORTATION	FY 21/22	YTD	BALANCE	% Collected
		BUDGET	TOTALS	REMAINING	YTD
	REVENUES	\$ 786,170	\$ 2,901	\$ 783,269	0.37%
	EXPENDITURES	\$ 786,170	\$ 75,291	\$ 710,879	9.58%
	EMERGENCY TELEPHONE SYSTEM	FY 21/22	YTD	BALANCE	% Collected
		BUDGET	TOTALS	REMAINING	YTD
	REVENUES	\$ 318,748	\$ 26,357	\$ 292,391	8.27%
	EXPENDITURES	\$ 318,748	\$ 40,894	\$ 277,854	12.83%
	DEBT SERVICE	FY 21/22	YTD	BALANCE	% Collected
		BUDGET	TOTALS	REMAINING	YTD
	REVENUES	\$ 3,800,197	\$0	\$ 3,800,197	0.00%
	EXPENDITURES	\$ 3,800,197	\$ 224,876	\$ 3,575,321	5.92%
	WATER DISTRICTS I-V	FY 21/22	YTD	BALANCE	% Collected
REVENUES		BUDGET	TOTALS	REMAINING	YTD
	COLUMBUS COUNTY COMBINED WATER DI	\$ 3,691,009	\$ 426,507	\$ 3,264,502	11.56%
EXPENDITURES					
	COLUMBUS COUNTY COMBINED WATER DI	\$ 3,691,009	\$ 401,167	\$ 3,289,842	10.87%
	Excess revenue over/(under) expenditures	\$0	\$ 25,340		
	SOLID WASTE	FY 21/22	YTD	BALANCE	% Collected
		BUDGET	TOTALS	REMAINING	YTD
	REVENUES	\$ 5,567,405	\$ 2,360,673	\$ 3,206,732	42.40%
	EXPENDITURES	\$ 5,567,405	\$ 476,456	\$ 5,090,949	8.56%
	Excess revenue over/(under) expenditures	\$0	\$ 1,884,217		

FIRE DEPARTMENTS	<u>FY 21/22</u>	<u>YTD</u>	<u>BALANCE</u>	<u>% Collected</u>
REVENUES	<u>BUDGET</u>	<u>TOTALS</u>	<u>REMAINING</u>	<u>YTD</u>
	\$ 2,057,942	\$992,866	\$ 1,065,076	48.25%
EXPENDITURES				
Ad Valorem Taxes	\$ 1,799,633	\$868,354	\$ 931,279	48.25%
Special Appropriations	\$ 258,309	\$54,474	\$ 203,835	21.09%
	\$ 2,057,942	\$922,828	\$ 1,135,114	44.84%
AMBULANCE AND RESCUE	<u>FY 21/22</u>	<u>YTD</u>	<u>BALANCE</u>	<u>% Collected</u>
	<u>BUDGET</u>	<u>TOTALS</u>	<u>REMAINING</u>	<u>YTD</u>
REVENUES	\$ 976,618	\$380,166	\$ 596,452	38.93%
EXPENDITURES				
Ad Valorem Taxes	\$ 751,618	\$ 112,040	\$ 639,578	14.91%
Special Appropriation	\$ 225,000	\$ 112,500	\$ 112,500	50.00%
	\$ 976,618	\$ 224,540	\$ 752,078	22.99%

MOTION:

Commissioner McDowell made a motion to accept, seconded by Commissioner Coleman. The motion unanimously passed.

Agenda Item # 14: ADMINISTRATION – COLUMBUS COUNTY SCHOOL BOARD’S OFFER to SELL MOUNT OLIVE SCHOOL PROPERTY:

Eddie Madden, County Manager, presented the School Board’s offer to the Commissioners.

THE PHIPPS LAW FIRM, PLLC

WILLIAM W. PHIPPS
ATTORNEY AT LAW
905 PIREWAY ROAD
P.O. BOX 35

TABOR CITY, NORTH CAROLINA 28463

LICENSED IN N. C. & S. C.
TELEPHONE
(910) 653-7770
FAX: (910) 653 7790

MAILING ADDRESS
POST OFFICE BOX 35
TABOR CITY
NORTH CAROLINA 28463

September 29, 2021

Mr. Eddie H. Madden, Jr.
Columbus County Manager
111 Washington Street
Whiteville, NC 28472

VIA EMAIL: emadden@columbusco.org
Re: Mount Olive School Property
Former Plant Operations

Dear Mr. Madden:

At our last Board Meeting on September 13, 2021, the Columbus County Board of Education, in Open Session, directed me to contact you and the County Commissioners concerning the disposition of the Mount Olive School Property, formerly and most recently used as the Plant Operations Site, under NCGS 115C-518. Pursuant to that Statute, **the Board of Education must first determine whether the use of the buildings and building site are unnecessary or undesirable for public school purposes.** The Board in Open Session found that the site, as well as the school itself, were unnecessary as it has not been used as a school in many years and has served as the headquarters for our Plant Operations Department. When we closed Hallsboro Middle School in 2020, the School Board elected to move the site for Plant Operations from the Western part of the County at the Mount Olive Facility to the Hallsboro Middle School Facility as a result of it being more centrally located within the county, thereby saving time and money in travel from the site to the various schools within our system. With that having been determined and considering the current condition of the buildings and the cost to bring them up to the current code, if any building project were to be commenced, the Board elected to pursue the procedures provided for under NCGS 115C-518.

The second phase of the NCGS 115C-518, after the determination as to the fitness or desirability of the site for school purposes, mandates the Board of Education to afford the first opportunity to obtain the property to the Board of County Commissioners at the fair market price or a price negotiated between the two Boards. At this time, there are three (3) tracts of property concerned in the Mount Olive School site. In lieu of going to the expense of an appraisal, the Board has authorized me to use the tax values as the fair market price, as generally the fair market price is somewhat above what the tax value is, but in this case the Board is satisfied, absent the need for an appraisal, to offer the property to the County Commissioners for the tax valuation as listed in the Columbus County Tax Office. The property consists of three (3) tracts, the main tract with all of the buildings listed on it, being a 3.460 acre tract having a Land Tax Value of \$19,400.00 and a Building Tax Value of \$613,700.00, for a Total Tax Value for Tax Parcel ID #: 62071 of

\$633,100.00. The second tract Tax Parcel ID #: 94350, containing 1.700 acres has a Land Tax Value of \$13,100.00, and the third tract, being Tax Parcel ID #: 94432, containing 1.840 acre has a Land Tax Value of \$6,100.00. The total Tax Value of these three (3) tracts is \$652,300.00 and this is the fair market value that the Board of Education has elected to tender to the Board of Commissioners for their consideration as to whether or not they would like to purchase the property.

If the Board is not interested in purchasing the property at that value, then the Board of Education is more than willing to discuss a negotiated price between the two (2) Boards, in order to try to reach some satisfactory compromise as to the value of the property and the right of the County Board of Commissioners to purchase the property.

Please review this offer with the County Commissioners and I have attached a copy of the three (3) tax cards representing the tax values, which we have elected to treat as the fair market value of the property, for your use in considering whether or not to purchase the property. In making its decision, the Board of Commissioners needs to be aware that there are some residents in the community who believe the school site should be updated and upgraded to be used as an Emergency Storm Shelter Site, and the Red Cross has approached the School Board about updates and upgrades that would be needed to qualify the School Site as an Emergency Storm Shelter Site; however, the School Board has no responsibility for providing for Emergency Shelters, which is only within the authority of the County Board of Commissioners.

The Board of Education is more than willing to negotiate a price on the property and will be happy to discuss that option with you. The County Manager, any of the Board Members or the entire Boards can meet jointly and give the proper notice in accordance with the Public Meetings Laws to discuss the same. As to the disposition of the property otherwise, the Board of Education is required by Statute to utilize the procedures of Chapter 160A, Article 12 in order to otherwise dispose of the property. The County has available to it more options than does the School System, as there are several options that the County has, pursuant to that Statute, which the Columbus County School Board would not be allowed to utilize. Please review these options and the two (2) Statutes referenced and contact me with any decision you may have as to the purchase for the fair market value or as to the desire to negotiate a purchase price for the properties constituting the Mount Olive School property, consisting of 7.0 acres, more or less, with a tax valuation of \$652,300.00.

I look forward to hearing from you at your earliest convenience and will keep my Board advised and am providing a copy of this to the current Superintendent, Dr. Deanne R. Meadows and the Associate Superintendent, Jonathan Williams. I do appreciate your consideration of this and look forward to discussing the matter with you as the County Manager or with you and the County Board Members at your convenience. With all good wishes, I am

Very Sincerely,



William W. Phipps

WWP/mc

Enclosure

CC:

Dr. Deanne R. Meadows, Superintendent

Dr. Jonathan Williams, Associate Superintendent

Columbus County Schools

PROPERTY# 62071 12-50145 COLUMBUS CO BOARD OF EDUCATION 28472										TWSHIP 12 MAP H 2 RECORD OF OWNERSHIP BOOK PAGE YEAR STAMPS 665000 633100										LAST REVAL. 665000 633100										PRIOR VALUE 633100																																																																																									
WHITEVILLE NC MT. OLIVE SCHOOL SEE DEEDS Z/253, FF/470, P1 361 EXCE																																																																																																																							
ACT YR BLT 1954										COND P										EFF. YR BLT.										BUILDING ELEMENTS AND CALCULATIONS																																																																																									
FOUNDATION										03 SLAB										VALUE										ATTIC										DESCRIPTION										VALUE																																																																					
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										99 MISC/OB										1										GYM										6684X1										66843200										65										75										534770																																							

[illegible]

PROPERTY#	TWSP	PIN	LAST REVAL	PRIOR VALUE
94423	12	0264.00-16-1004.000	5900	6100
12-50145	H	2	PAGE	STAMPS
RECORD OF OWNERSHIP				
COLUMBUS CO BOARD OF EDUCATION			BOOK	YEAR
28472			198	3062009
WHITEVILLE NC				

CAND#	LEGAL DESCRIPTION				PROPERTY FACTORS					
1	COL	CO	BOARD	OF EDUCATION	CLASS	OCCUP	ACCESS	TOPO	LND IMP	SHADE
PROPERTY LOCATION					16	00	04	01	00	01
NEAR 5533 SILVER SPOON RD					BUILDING					
LISTED	00-00000				% COMPLETE					
APPR	DATE	ZONED		NW -- CR W2						

ACT YR BLT	COND	EFF. YR BLT.	VALUE	BUILDING ELEMENTS AND CALCULATIONS	DESCRIPTION	VALUE
FOUNDATION				ATTIC		
FLOORING SYSTEM				BASE OF AREA		
STRUCTURAL FRM				BASE S/F		
EXTERIOR WALLS				STORY		
ROOF FRAMING				C/D		
ROOF COVER				WALL HEIGHT		
ROOF DESIGN				ATTACHMENTS		
FLOOR COVER						
INTERIOR FINISH						
CABINILL. WORK						
ELECTRICAL				PERIMETER MULT		
PLUMBING				GRADE		
FIXTURES				DEPR P/F/E		
SPRINKLER						
SYSTEM						
HEAT/COOL						
FIREPLACE						
BASEMENT						

FRIG	DEPTH	UT PR	DEP FAC	FF PRICE	SUB TOTAL	SH	TOPO	XF	WD	FACT	ADJ	LAND VALUE
LAND DESCRIPTION CALCULATIONS												
SQUARE FOOTAGE												
SF PRICE												
SUB TOTAL												
SH												
TOPO												
RW												
OTHER												
ADJ												
LAND VALUE												

CLASS	ACRES	SIZE FAC	DIRT	FACT	RATE	LAND VALUE
WD	.840	2.00			2.00	550
U/R	1.000	2.00			2.00	2600
TOTAL						
ACRES						
1.840						
TOTAL LAND VALUE						
6124						

CLASS	# ACRES	RATE	LAND USE VALUATIONS AND TOTALS
BUILDING SITE			
TOTAL USE VALUE			
VALUE LAND			
TOTAL USE BUILDINGS			
TOTAL USE VALUE			
TOTAL ACRES			
9 / 24 / 21			

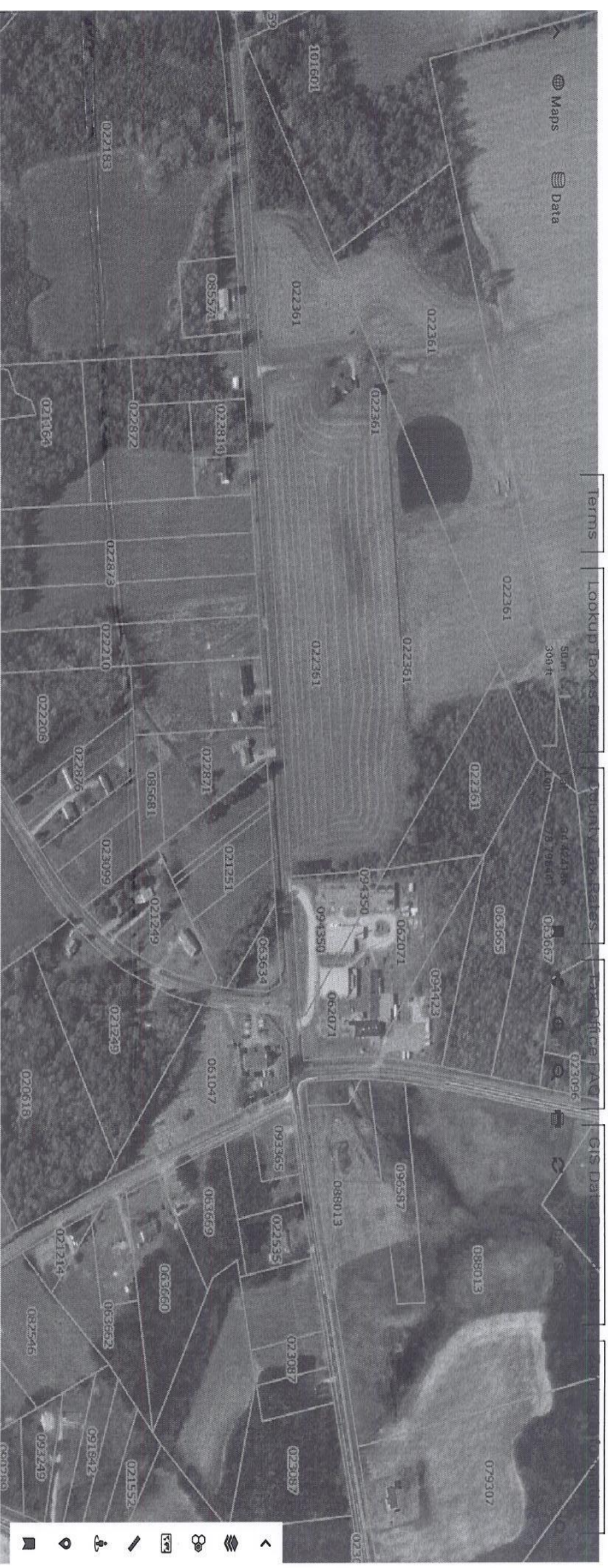
SALES INFORMATION		TOTAL VALUE SUMMARY OF OTHER IMPROVEMENTS	6100
AMOUNT:		TOTAL VALUE LAND	6100
DATE:		TOTAL VALUE BUILDINGS	
QUAL SALE:		TOTAL VALUE	6100

AMOUNT:		TOTAL VALUE SUMMARY OF OTHER IMPROVEMENTS	6100
DATE:		TOTAL VALUE LAND	6100
QUAL SALE:		TOTAL VALUE BUILDINGS	
TOTAL VALUE		TOTAL VALUE	6100

Land Records
Property Information

Property Information

Menu



MOTION:

Vice Chairman McMillian made a motion to decline the offer from the Columbus County School Board, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #15: ADMINISTRATION – EMERGENCY SERVICES STUDY COMMITTEE:

Eddie Madden, County Manager, presented the proposed EMS Advisory Committee.

Eddie Madden: The Association of County Commissioners has offered to provide technical assistance to discuss and study the Emergency Management System countywide. They have asked that the Board approve an advisory committee, they have provided guidance as to the composition of that committee, and with that guidance we submit the list before you on page 64 of your agenda packet. At first, I was listed as an advisory committee member, but as you can imagine, a number of people expressed interest in serving on this committee, so I thought it would only be appropriate for me to move to an ex-officio role. The list before you is a recommendation, it is certainly not binding, but it does require the Board's input and approval before we can move forward.

Chairman Bullard: We have one name change on that list is that correct?

Eddie Madden: Yes, sir, one name that was brought to my attention this afternoon was to replace Whiteville City Manager, Darren Currie, with Mr. Darren Norris, Tabor City Emergency Services Chief.

Columbus County

ADMINISTRATION

TELEPHONE
910-640-6630



TELEFAX
910-640-1654

Proposed EMS Advisory Committee

- Chris Smith, County Commissioner
- Randy Guyton, Chadbourn Rescue Chief and Chairman of Rescue Chief’s Association
- Dr. Peter Chambers, Columbus County Medical Director
- Terry Vineziano, Vice President, Columbus Regional Hospital
- Sylvia Cox, Executive Vice President, Southeastern Community College
- Steve Camlin, Chief, Acme-Delco Rescue
- Shannon Strickland, Chief, Whiteville Rescue
- Darren Currie, Whiteville City Manager (Municipal Manager Representative)
- Stefan Jacobs, Buckhead Rescue Chief

Ex Officio Members

- Nick West, Assistant County Manager, Columbus County
- Kay Stephens, Emergency Services Director, Columbus County
- Eddie Madden, County Manager

MOTION:

Commissioner Coleman made a motion to approve the proposed EMS advisory committee, seconded by Commissioner Watts. The motion unanimously passed.

Agenda Item #16: APPOINTMENTS/RE-APPOINTMENTS/REPLACEMENTS:

Staff requested appointments, re-appointments or replacements to the following boards, committees and councils.

Legend: EB	= Entire Board
Listed Zone #	= Individual Commissioner

Zone I:	Jerome McMillian	Zone V:	Brent Watts
Zone II:	Chris Smith	Zone VI:	Ricky Bullard
Zone III:	Giles E. Byrd, Jr.	Zone VII:	Charles T. McDowell
Zone IV:	Lavern Coleman		

COMMITTEE	ZONE/EB	PERSON(S)	EXP. DATE	BOARD ACTION
Columbus County Animal Control Advisory Council	III V	Millie Freeman (attendance) Johnny Worley (attendance)	07/17/2023 05/21/2022	Hold Hold
Columbus County Department of Aging Advisory Council	IV	Emory Worley (resigned)	06/30/2022	Hold
Columbus County Airport Authority	I III	Ronnell Williams Jesse L. Malpass	10/20/2021 10/20/2021	Reappoint Reappoint
Board of Adjustments	V	Warren Miller	09/30/2024	Hold
Juvenile Crime Prevention Council	V VII	Chip Gore (resigned) Beverlee Nance (resigned)	06/30/2022 06/30/2022	Hold Kris Hanks

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

At 7:02 P.M., Commissioner McDowell 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 Vice Chairman McMillian. The motion unanimously passed.

Agenda Item #17: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV, and V BOARD MEETING MINUTES:

A. October 04, 2021

MOTION:

Commissioner Byrd made a motion to approve the minutes, seconded by Commissioner Smith. The motion unanimously passed.

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

At 7:03 P.M., Commissioner Coleman 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 Vice Chairman McMillian. The motion unanimously passed.

Agenda Item #18: COMMENTS:

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

A. Board of Commissioners:

1. Commissioner Watts stated the following:
-I want to read a letter, it was a long week at the fair, a big week at the fair and a lot of hard work went into it.

“Good Evening Everyone,

The entire Board of Directors for the Columbus County Agricultural Fair, Inc., and everyone who volunteered on behalf of this year’s fair would like to thank all citizens of Columbus County and the surrounding areas for helping to make this year’s fair the largest attended fair in Columbus County history. Thank you everyone for coming out to support us. The Board of Directors feel strongly in our motto, “The fair is a family a-fair”. Every year the fair week gives our county the ability to come together and celebrate everything great about Columbus County. From our agriculture to our arts and crafts, from the Demolition Derby to our livestock industry, from our local talent to our people we are truly blessed to live in one of the greatest counties in North

Carolina. All of this is not possible without a team of individuals, both Board of Directors and volunteers who give their time and talents for a successful fair. Thank you everyone for these contributions to our fair and community. To our first responders, thank you for being on site and helping to keep everyone safe. We appreciate our firefighters and paramedics who volunteered their time to stand ready at a moment's notice. Thank you for all you do for the fair and county. The Columbus County fair roots began with the Columbus County Law Enforcement Association and our mutual support of each other. This year we want to extend our most sincere gratitude to Sheriff Jody Greene and all the members of the Columbus County Sheriff's Department. The men and women of the Columbus County Sheriff's Department volunteered their time and talent to not only help park cars this year but were on watch to keep all people safe. Thank you Sheriff Greene for their professionalism and volunteerism. We also want to thank the North Carolina State Highway Patrol, another law enforcement agency who came to support us. We appreciate every man and woman who serve to protect us every day. Finally, we want to thank the county of Columbus for your support. We appreciate our relationship and look forward to working with you for many years to come. So, until next year, thank you for coming out and supporting the Columbus County Fair.

Sincerely,

Jess Hill, President

Sarah Gore, Vice President

Vickie Hardie, Secretary

Joe Jacobs, Treasurer

Mack Ward, Fair Manager

Dwayne Barnes

Danny Benton

Anne Ferguson

Bill Gore

Ben Harrelson

Ethan Jordan

Donald Nealey

Rhonda Thompson

Bobby Worley"

2. Vice Chairman McMillian stated the following:

-I have a letter from Ms. Barbara Featherson.

-She would like for me to spread this information.

-I forwarded it to our county building and it was forwarded to the Commissioners.

-It's in regards to the Southeastern Community Action Partnership, where on Tuesday, November 09, 2021 they will host a Big Pop Up - a signature event dedicated to providing food, household supplies, and more to 2,000 families in need.

-We're asking anyone in the area that would like to participate to please come out, it is free.

-This event opens to the public at 10:00 a.m. and will conclude at 2:00 p.m. Individuals and families from our seven-county service area will drive through at Robeson Community College, where our staff, partners, and volunteers will help fill their vehicles.

3. Commissioner Smith stated the following:

-I want to back up the letter read by Commissioner Watts.

-I want to congratulate the Fair Board.

-A lot of work and stress goes in to that fair that the public doesn't even realize.

-I just want to say thank you to all.

4. Commissioner McDowell stated the following:

-I want to thank Mrs. Edwards and Harold Nobles, we had a concern about where one of the lines went in from between Nakina Middle and Old Dock.

-It's settled and with Soil and Water.

-I called and they jumped right on it and got it repaired for me and I would like to thank them because lots of times we talk about the things that don't get done, so I want to make sure we talk about the things that do get done.

-So I really appreciate it.

5. Commissioner Coleman stated the following:

-I would like to echo what was said about the fair.

-It was a great success, I went, and a lot of hard work went into it and it showed.

-I appreciate that.

-I've been faced, twice in my short term, with discussions that I am trying to dissolve or destroy the volunteer EMS of Columbus County.

-Mr. Chairman, have I ever mentioned wanting to get rid of the EMS volunteers of Columbus County?

Chairman Bullard: No, sir. The only thing I've ever heard you say is that you want to help in any way you can.

Commissioner Coleman stated the following:

-I have never said that I wanted to get rid of the county's volunteer EMS.

-I'm going to face this again, I reckon, and I'm going to try and find out where it started at.

-It's discouraging to hear this because we couldn't operate without a volunteer service.

-I was a volunteer with EMS service for years.

-They put in a lot of hard work and time that they don't get paid for.

-And I certainly, as of today, and something in the future might change but I don't foresee that, but I do support, and I wanted to go on record, the county's volunteer EMS system in Columbus County.

6. Chairman Bullard stated the following:

-I would like to say again that I appreciate ATMC for hitting areas in Columbus County, that will allow a lot of kids to have access to the internet to do their homework.

-I think this is a major step for these children to have access to the internet to make better grades.

-I think there's so much opportunity there.

-I do appreciate ATMC for doing what they're doing.

-I enjoyed the fair this year, I thank all the volunteers, they gave up many afternoons and nights of their time with their families to park cars and do whatever was needed.

-I heard several comments about people feeling so much safer leaving the fair and going to their vehicles because the Sheriff had a lot of his deputies parking cars and making sure our safety was first on his priority list.

-I thank the Sheriff and these deputies for donating their time.

-It's a lot of work and I thank you.

-And I thank a lot of employees here in the county for what they're doing.

-I'm hearing a lot of good things going on and I'm excited about so many of the good things that are going on.

Commissioner McDowell: Mr. Chairman, may I say something? We've mentioned the fair quite a few times but I would also like to mention the parade. There was way more people at the parade than I anticipated with everything going on with COVID. A lot of Commissioners were there and it was just a fun time and I think we need to give credit for organizing and providing that service to the county.

Commissioner Watts: I think there were over 80 people in the fair parade. And, another thing I want to say about the fair, it was the largest, and you can ask the Sheriff, there were no problems with anybody as far as trouble or anything. That says a lot about our county. It looks good that there isn't anyone out there fighting or getting into trouble.

Chairman Bullard stated the following:

-And this shows how we can work together.

-It takes team effort.

-You can accomplish big things when we're united and working together and it shows.

-I'm proud of everybody that had a part in it.

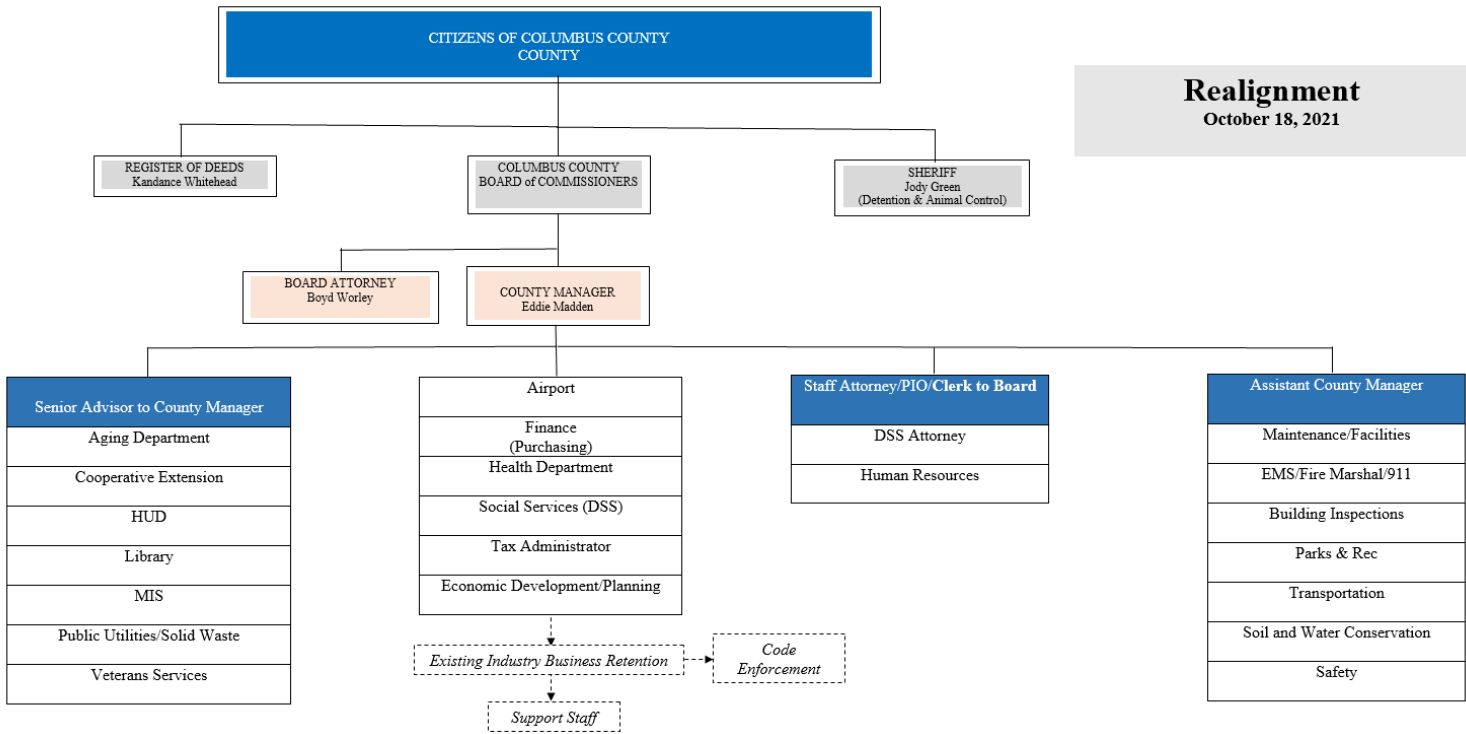
-Let's give a hand to those people that donated their time.

B. County Manager Eddie Madden stated the following:

-I have an extensive report.

-It's been reported in the newspaper, but tomorrow is a significant day for the Administration, the administrative staff, the Attorney's Office, the Human Resources Office, along with the District Attorney's Office.

- We will be relocating tomorrow, swapping space with the District Attorney's Office.
- The move will begin early tomorrow morning, and we expect for the move to take no more than two full days.
- So, we will be down, at some level, for a couple of days.
- We will be checking email and voicemails and responding back as quickly as we can and I do apologize in advance for the inconvenience to the public.
- Once again I would like to welcome Mr. Nick West, Nick is with us this evening and he started today in his capacity as Assistant County Manager and we know that Mr. West will be extremely helpful to us and we're happy to have him as a part of our team.
- I also would like to comment on the county fair, it was a great event.
- I brought my family and we had a great time.
- I was impressed with how organized it was and how clean the grounds were and everything was just fantastic and that is really a kudos to the volunteers, all the law enforcement agencies and the Fair Board.
- So, fantastic job and I'm looking forward to it next year.
- I've been asked to provide a list of accomplishments to the Board and I will go into that in just a second.
- I'm in my seventh month now and there are a lot of things going on.
- There has been a lot of change and all of it I think is for the betterment of the county, organization and employees.
- One of the things we have done is place emphasis on the need for vaccination of our employees.
- We've not mandated it, we've not required it, but we have incentivized it.
- We have provided monetary incentive for those who are fully vaccinated by October 27, 2021.
- And every employee who is fully vaccinated by the 27th are entered into a drawing and that has excited the group a bit and we've seen an uptick in the number of vaccinations amongst our employees.
- To date, 269 of our employees are fully vaccinated.
- We're expecting that number to be even higher by the 27th.
- Last Friday, Mr. Kyle Duncan, was named Interim Director of the Building Inspections Department.
- We do have a couple of positions that are posted right now, one is the Director's position.
- Kyle will serve in that capacity until a full-time director is named.
- With regard to the accomplishments, there are a lot of great things going on and some of them have already been mentioned this evening but I do want to highlight a couple.
- I can't say enough about the Writ of Mandamus being dropped by Judge Sasser.
- That was a sticking point with this Board and something that was difficult and complex to work through but fortunately, we were able to resolve the matter.
- The indirect consequence of that is the move tomorrow, with the District Attorney's Office relocating to 111 Washington St, their needs have been addressed for the long term, and they will have adequate office space to accommodate not only their current needs but their future needs.
- And I think Judge Sasser saw our effort to try to accommodate the Judicial System.
- We've completed the first phase of the Historic Courthouse renovations.
- The asbestos abatement process is fully complete and we're in the final design phase now.
- The selective demolition will occur not long after the first of the year.
- Bidding is expected to take place in December for that work and we're happy to be on schedule for the renovations at the courthouse.
- The office relocations that I referred to are really being well coordinated by Mr. Stuart Carroll, who is here this evening, Mr. Alan James from our MIS Department and all of our county department managers affected by this move.
- Everyone has worked very well together with a common goal of trying to resolve this issue for the long term.
- As a derivative of that, our office environment and some of our office buildings have been much improved and particularly if you've been by the new HUD office, you will see those improvements that were coordinated by Mr. Carroll.
- It is much improved compared to what they were in before, so, a lot of really good things happening as a result of that.
- This evening I have an organizational chart I want to give you.



-I know there's been a lot of conversation about positions and salary, so I thought it would be good for you all to know that this realignment of the organizational chart, actually results in savings to the tax payers of \$133,811. This has been brought about as a result of vacancies that have occurred that we have not filled and responsibilities that have been added to current employees in their roles.

-For example, Ms. Amanda Prince, has picked up the Clerk's duties, along with Ms. LaToya Williams.

-With regard to the Maintenance Director's position, we did not hire a replacement for that, we moved Mr. Stuart Carroll into that position.

-Mr. Gary Lanier has assumed the role of Planning Director.

-As a result of all of those realignments is a savings to the tax payers of \$133,811.

-I've made a conscious effort to try and visit all of our aging centers across the county.

-To date I have visited four of those aging centers and we have a few more to go this month.

-It's been a pleasure to be able to do that, to not only share a meal with the folks who frequent the aging center but to sit down and have a discussion with them about how things are going and try to be as relative as possible in our conversations with them.

-So, it's been a really good experience for me to go around and visit the aging centers.

-We've implemented the new fleet program, and the Sheriff is here and he can attest to this also, the number that's been provided to me so far is that this program is saving taxpayers \$76,438 year to date.

-This is in comparison to the budgeted numbers we had for the purchase of vehicles.

-So, instead of purchasing a handful of vehicles in a given year, we're able to lease more and replace our fleet more often and the result is saving taxpayers, in this case, \$76,438.

-We will be evaluating the county's EMS program and engaging the Association of County Commissioners to help facilitate that process.

-We're really just getting started with that, the Board just approved the advisory committee this evening and there will be a lot of work that will go into that process over the course of the next year.

-We're looking forward to having a discussion about the service needs of the EMS program.

-The billing side of our water department has been consolidated with the finance department, that has brought about more accountability in billing and collections and has provided a more convenient place for our customers to make payment.

-That has gone very well and we commend the staff of the finance and billing departments that have made that a success so far.

-Finally, later this month, and you all know I have a background in both the public and private sector, so I'm always trying to identify ways to streamline, reduce, eliminate waste to try and make things better, so we've assembled a group we're calling the Lean Taskforce.

-This group will develop an in-depth discussion on ways to eliminate waste, streamline our processes and make things more convenient for our customers.

- For example, that could be the permitting process for starting to build a house, to applying for benefits or whatever it may be, to try and make the process for our customers and citizens as user-friendly as possible and eliminate duplication and waste along the way.
- So we’re looking forward to having that discussion very soon.
- I have the difficult task this evening of presenting you with some information from the Local Government Commission (LGC).
- This letter was received as a result of the 2019-2020 audit.



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

SHARON EDMUNDSON
DEPUTY TREASURER

MEMORANDUM

To: Chair Bullard and Board of Commissioners, Manager Madden, & Finance Officer Leatherman

From: Susan McCullen, Director Fiscal Management Section State and Local Government

RE: UAL Monitoring Requirements

Date: September 15, 2021

The staff of the Local Government Commission has adopted a more structured monitoring process for those units of local government that are included on the Unit Assistance List (UAL). This move is not intended to be punitive but should assist the unit in restoring fiscal health. Our goal is to provide some routine assistance to the unit and the governing board so the unit can be restored to fiscal health and removed from the UAL.

Monitoring Requirement	Due Date
Virtual Visit	TBD
2023 Draft Budget	May 16, 2022
Budget to Actual-8 month	March 15, 2022
Virtual Board Training	Optional

Virtual board training will be available online in the beginning of 2022. Should you have any questions on the items documented, please let us know. LGC staff and I look forward to working with you to improve your financial condition and help you to be removed from the Unit Assistance List. If you have questions, please contact us at LGCMonitoring@nctreasurer.com.

Sincerely,

Susan McCullen

Susan McCullen
Director, Fiscal Management Section
State and Local Government Finance Division

3200 Atlantic Avenue • Raleigh, North Carolina 27604
Courier #56-20-45
Telephone: (919) 814-4300 • Fax: (919) 855-5812
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- That audit presentation was made some time ago to you and as a result of that the LGC has issued what is referred to as a unit letter.
- The unit letter is required by the LGC to go to the governing body when significant findings within that audit occur.
- In this case, it was for the 2019-2020 audit year.
- Let me be clear, I was not your manager in 2019 and 2020, nor was Mr. Leatherman your finance director at that time.
- Many of you were not Board members either.

-So, these are things that date back some months ago, and yet we are responsible for answering these deficiencies to the LGC.

-In fact, if you read the letter, we are now required to go through a pretty rigorous monitoring process with them, where they will discuss with us our corrective action on dealing with the deficiencies found in the 2019-2020 audit.

-They will do what is referred to as a site visit, that site visit may be on-site physically or it may be virtual.

-They will review financial statements going forward for the foreseeable future and they will be involved in the process of the adoption of our budget next year.

-Being a manager of a local government is difficult, but it is even more difficult when you have the monitoring of a LGC going on simultaneously.

-As you can imagine, it's much like the IRS doing an audit of you personally or in your businesses.

-It ties up a lot of the staff's time, it's very rigorous and we've already gone through some of the difficulties of answering the LGC with regard to the application for funding for the West Columbus Middle School project as well as the extension of the existing financial package with the Whiteville City School project.

-This is not a pleasant experience at all to have to go through but it is just the beginning of what lies ahead.

-We also expect to receive a unit letter with regard to the fiscal year 2021 audit.

-Again, I assumed duties here on March 29th, that's almost three-fourths of the way through the budget year, and a lot of those same deficiencies that were in place in prior years were occurring when I was seated in my position here, as well as Mr. Leatherman.

-We have been working through those systematically, trying to take corrective action based on the audit, the auditor's findings and the disclosures that were made to this Board in prior years.

-This would normally be distributed via email but given the magnitude of this letter and for those who are not familiar with the audit process, I felt that further explanation was warranted and more importantly a differentiation between administrations and Boards was clear.

-That concludes my report.

Chairman Bullard: Mr. Madden I just want to say I am totally happy that you and Mr. Leatherman are here to help clear this up.

Eddie Madden: Yes, sir, if you give us time, we will get us back on track.

Commissioner Smith: I'm a new Board member and I'm happy to be here. I admire the progress we've made in a year. And you know the old saying, if you keep doing the same thing, you're going to get the same results. If you ask the same questions, you're going to get the same answers. Change is good and I think we're going in the right direction.

Commissioner Coleman: This county is going forward. I was in Whiteville Saturday and I had several people come to me about the decisions we were making and how hard it was. They appreciated what we were doing. They see a change in the county. I know it's a difficult time but I appreciate what you're doing and what the finance department's doing to help us through this time. No doubt in my mind that you all are working hard and I will fully support you and your committees as much as I can.

Vice Chairman McMillian: I would also like to thank you Mr. Madden, you and your staff for all the hard work you've done since you've been here. I really appreciate the help from you and the new Board members for helping me finally get some water to our citizens in the county who have been waiting for a long time. I really appreciate your efforts on that and also the help that we've been getting on the schools and things. Thank you for looking out for the citizens and the taxpayers and I appreciate all the help.

Commissioner Watts: I'm new here too so I wasn't here in 2019 but I feel confident in our county manager, our other staff, all our county employees and every member on this Board that we will work this out and we're going to roll on and do great things.

Commissioner Smith: Mr. Madden you were listing changes in the county and one of the biggest changes is the county's no longer paying rent on Parole, HUD and the Board of Elections.

Eddie Madden: Yes, sir, I forgot to mention it, that's \$70,000 the county is saving in rent.

Chairman Bullard: What's the total amount of savings Mr. Madden?

Eddie Madden: It's about \$275,000.

At 7:32 P.M., Vice Chairman McMillian made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 143-318.11(A)(3) Attorney-Client privilege and (6) Personnel, seconded by Commissioner Coleman. The motion unanimously passed.

Agenda Item #19: CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (A)(3) ATTORNEY-CLIENT PRIVILEGE and (6) PERSONNEL:

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 8:35 P.M., Commissioner Smith made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Coleman. The motion unanimously passed.

READING and APPROVAL of CLOSED SESSION GENERAL ACCOUNT:

Chairman Bullard requested Amanda Prince, Staff Attorney, to orally read the Closed Session General Account. Ms. Prince orally stated the following: “County Commissioners discussed pending litigation concerning Thrive LLC and opioid litigation. No action was taken by the Board.”

MOTION:

Commissioner Byrd made a motion to approve the Closed Session General Account, seconded by Vice Chairman McMillian. The motion unanimously passed.

Commissioner McDowell: I would like to ask our County Manager to meet with Mr. Gary Lanier, our Planning Director, to look at requiring water and sewer hookups for all major subdivisions being added to our ordinances if that’s permissible by the Board.

Eddie Madden: Yes, sir, we can take care of that.

Agenda Item #20: ADJOURNMENT:

At 8:36 P.M., Commissioner Smith made a motion to adjourn, seconded by Vice Chairman McMillian. The motion unanimously passed. These minutes were recorded and typed by LaToya Williams.

LATOYA WILLIAMS, Deputy Clerk

RICKY BULLARD, Chairman

COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV, and V
COMBINATION BOARD MEETING
Monday, October 18, 2021
7:02 P.M.

The Honorable Columbus County Commissioners met on the above stated date and time at the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, for the purpose of acting as the Columbus County Water and Sewer District I Board.

COMMISSIONERS PRESENT:

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

APPOINTEES PRESENT:

Boyd Worley, **Board Attorney**
Amanda B. Prince, **Staff Attorney/Deputy Clerk to Board**
Jay Leatherman, **Interim Finance Officer**

MEETING CALLED TO ORDER:

At 7:02 P.M., Chairman Ricky Bullard called the **combination meeting** of Columbus County Water and Sewer District I Board Meeting to order.

Agenda Item #20: COLUMBUS COUNTY WATER and SEWER DISTRICT I BOARD MEETING MINUTES:

October 04, 2021 Columbus County Water and Sewer District I Board Meeting

Commissioner Byrd made a motion to approve the October 04, 2021 Columbus County Water and Sewer District I Board Meeting Minutes, seconded by Commissioner Smith. The motion unanimously passed.

ADJOURNMENT:

At 7:03 P.M., Commissioner Coleman made a motion to adjourn, seconded by Vice Chairman McMillian. The motion unanimously passed.

LATOYA WILLIAMS, Deputy Clerk

RICKY BULLARD, Chairman

COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV, and V
COMBINATION BOARD MEETING
Monday, October 18, 2021
7:02 P.M.

The Honorable Columbus County Commissioners met on the above stated date and time at the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, for the purpose of acting as the Columbus County Water and Sewer District II Board.

COMMISSIONERS PRESENT:

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

APPOINTEES PRESENT:

Boyd Worley, **Board Attorney**
Amanda B. Prince, **Staff Attorney/Deputy Clerk to Board**
Jay Leatherman, **Interim Finance Officer**

MEETING CALLED TO ORDER:

At 7:02 P.M., Chairman Ricky Bullard called the **combination meeting** of Columbus county Water and Sewer District II Board Meeting to order.

Agenda Item #20: COLUMBUS COUNTY WATER and SEWER DISTRICT II BOARD MEETING MINUTES:

October 04, 2021 Columbus County Water and Sewer District II Board Meeting

Commissioner Byrd made a motion to approve the October 04, 2021 Columbus County Water and Sewer District II Board Meeting Minutes, seconded by Commissioner Smith. The motion unanimously passed.

ADJOURNMENT:

At 7:03 P.M., Commissioner Coleman made a motion to adjourn, seconded by Vice Chairman McMillian. The motion unanimously passed.

LATOYA WILLIAMS, Deputy Clerk

RICKY BULLARD, Chairman

COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV, and V
COMBINATION BOARD MEETING
Monday, October 18, 2021
7:02 P.M.

The Honorable Columbus County Commissioners met on the above stated date and time at the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, for the purpose of acting as the Columbus County Water and Sewer District III Board.

COMMISSIONERS PRESENT:

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

APPOINTEES PRESENT:

Boyd Worley, **Board Attorney**
Amanda B. Prince, **Staff Attorney/Deputy Clerk to Board**
Jay Leatherman, **Interim Finance Officer**

MEETING CALLED TO ORDER:

At 7:02 P.M., Chairman Ricky Bullard called the **combination meeting** of Columbus county Water and Sewer District III Board Meeting to order.

Agenda Item #20: COLUMBUS COUNTY WATER and SEWER DISTRICT III BOARD MEETING MINUTES:

October 04, 2021 Columbus County Water and Sewer District III Board Meeting

Commissioner Byrd made a motion to approve the October 04, 2021 Columbus County Water and Sewer District III Board Meeting Minutes, seconded by Commissioner Smith. The motion unanimously passed.

ADJOURNMENT:

At 7:03 P.M., Commissioner Coleman made a motion to adjourn, seconded by Vice Chairman McMillian. The motion unanimously passed.

LATOYA WILLIAMS, Deputy Clerk

RICKY BULLARD, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV, and V
COMBINATION BOARD MEETING
Monday, October 18, 2021
7:02 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and time at the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, for the purpose of acting as the Columbus County Water and Sewer District IV Board.

COMMISSIONERS PRESENT:

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

APPOINTEES PRESENT:

Boyd Worley, **Board Attorney**
Amanda B. Prince, **Staff Attorney/Deputy
Clerk to Board**
Jay Leatherman, **Interim Finance Officer**

MEETING CALLED TO ORDER:

At 7:02 P.M., Chairman Ricky Bullard called the **combination meeting** of Columbus county Water and Sewer District IV Board Meeting to order.

**Agenda Item #20: COLUMBUS COUNTY WATER and SEWER DISTRICT IV BOARD
MEETING MINUTES:**

October 04, 2021 Columbus County Water and Sewer District IV Board Meeting

Commissioner Byrd made a motion to approve the October 04, 2021 Columbus County Water and Sewer District IV Board Meeting Minutes, seconded by Commissioner Smith. The motion unanimously passed.

ADJOURNMENT:

At 7:03 P.M., Commissioner Coleman made a motion to adjourn, seconded by Vice Chairman McMillian. The motion unanimously passed.

LATOYA WILLIAMS, Deputy Clerk

RICKY BULLARD, Chairman

COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV, and V
COMBINATION BOARD MEETING
Monday, October 18, 2021
7:02 P.M.

The Honorable Columbus County Commissioners met on the above stated date and time at the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, for the purpose of acting as the Columbus County Water and Sewer District V Board.

COMMISSIONERS PRESENT:

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

APPOINTEES PRESENT:

Boyd Worley, **Board Attorney**
 Amanda B. Prince, **Staff Attorney/Deputy Clerk to Board**
 Jay Leatherman, **Interim Finance Officer**

MEETING CALLED TO ORDER:

At 7:02 P.M., Chairman Ricky Bullard called the **combination meeting** of Columbus county Water and Sewer District V Board Meeting to order.

Agenda Item #20: COLUMBUS COUNTY WATER and SEWER DISTRICT V BOARD MEETING MINUTES:

October 04, 2021 Columbus County Water and Sewer District V Board Meeting

Commissioner Byrd made a motion to approve the October 04, 2021 Columbus County Water and Sewer District V Board Meeting Minutes, seconded by Commissioner Smith. The motion unanimously passed.

ADJOURNMENT:

At 7:03 P.M., Commissioner Coleman made a motion to adjourn, seconded by Vice Chairman McMillian. The motion unanimously passed.

LATOYA WILLIAMS, Deputy Clerk

RICKY BULLARD, Chairman