

**COLUMBUS COUNTY BOARD OF COMMISSIONERS****Monday, November 08, 2004****8:30 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Economic Development Conference Room, Administration Building, 111 Washington Street, Whiteville, North Carolina, for the purpose of holding a Special Called Meeting.

**COMMISSIONERS PRESENT:**

Bill Memory, **Chairman**  
 Kipling Godwin  
 Sammie Jacobs  
 Amon E. McKenzie  
 Lynwood Norris  
 C.E. "Gene" Wilson

**APPOINTEES PRESENT:**

Billy Joe Farmer, **County Manager**  
 James E. Hill, Jr., **County Attorney**  
 Darren L. Currie, **Assistant County Manager**  
 June B. Hall, **Clerk to Board**

**APPOINTEE ABSENT:**

Roxanne Coleman, **Finance Officer**

**COMMISSIONER ABSENT:**

David L. Dutton, Jr., **Vice Chairman**

**MEETING CALLED TO ORDER:**

At 8:30 A.M. Chairman Memory called the Special Called Meeting to order and turned the floor over to James E. Hill, Jr., Columbus County Attorney, for discussion of Land Acquisition and Transfer of Property for the New Prison.

**LAND ACQUISITION and TRANSFER of PROPERTY for NEW PRISON:**

James E. Hill, Jr., Columbus County Attorney, stated the following:

1. By telephone, Billy Joe Farmer, County Manager, Steve Lynch, Commissioner Lynwood Norris, Al Leonard, Tabor City Town Manager, and myself have met to discuss this acquisition and transfer;
2. We have been in touch with Senator R.C. Soles, Jr.;
3. It has been discovered the State does not want this project closed out until the North Carolina Council of State meets in December, 2004;
4. The State wants this officially accepted at that time; and
5. The State wants me to send them a copy of the plat, title notes and the preliminary Certification of the title.

Commissioner Norris introduced the following motion:

I move that Columbus County, in conjunction with the Town of Tabor City, exercise its Option to Purchase the 107.95 acre tract of land from AMS Ventures, LLC *et al* for the sum stated in the option, plus any assumed costs or other agreed terms or conditions. This motion also includes the purchase of the interest of International Paper Company or its successors or assigns in the property, both as to timber and the first right of refusal to purchase, in accordance with any agreement previously executed concerning the said tract. The funds to purchase the various interests will be paid from an escrow account presently held by the Columbus County Auditor and budgeted for the project. The timing of the closing should be coordinated between the Columbus County Manager and the North Carolina State Property Office in Raleigh.

This motion was made by Commissioner Norris and seconded by Commissioners Wilson and McKenzie, and was unanimously adopted.

James E. Hill, Jr., Columbus County Attorney, stated there were some misunderstandings between the Department of Correction's officials and the State Properties' officials on how to proceed on this matter and this motion should clear the situation up.

Commissioner Wilson introduced the following motion:

I move, upon approval and acceptance by the North Carolina Council of State, that Columbus

County donate, by Special Warranty Deed, to the State of North Carolina the 107.95 acre tract of land which has been this day authorized by the Board of Commissioners to be purchased from AMS Ventures, LLC *et al* for the purpose of the construction and operation of a correctional facility to be used by or operated in conjunction with the North Carolina Department of Corrections. This motion is to include the authorization for the Chairman of the Board of Commissioners, along with the Clerk to the Board, to execute this deed and to affix the official county seal thereto, all on behalf of the County of Columbus.

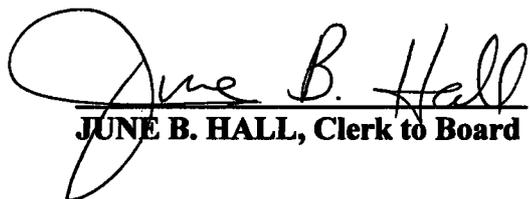
This motion was made by Commissioner Wilson and seconded by Commissioners Norris and McKenzie, and was unanimously adopted.

James E. Hill, Jr., Columbus County Attorney, stated the following:

1. I will be forwarding, to the state, the proposed deed to Columbus County which is unrecorded at this time and the documentation from this November 8, 2004 Board Meeting; **and**
2. I will be sending copies of this information to the following:
  - a. Property seller's attorney;
  - b. International Paper's attorney;
  - c. Senator Soles' Office;
  - d. Officials from the Town of Tabor City; **and**
  - e. Officials from the County of Columbus.

**ADJOURNMENT:**

At 8:41 A.M., Commissioner Godwin made a motion to adjourn, seconded by Commissioner Jacobs. The motion so carried.

  
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JUNE B. HALL, Clerk to Board

**APPROVED:**  
  
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BILL MEMORY, Chairman