

COLUMBUS COUNTY
BOARD OF COMMISSIONERS
MINUTES

The Honorable Board of Columbus County Commissioners met in their said office at 111 Washington Street, Whiteville, NC, at 7:30 P.M., July 17, 1995, it being the third Monday.

BOARD MEMBERS PRESENT:

Sammie Jacobs, Chairman

Lynwood Norris, Vice Chairman

Spruell Randolph Britt

David L. Dutton, Jr.

A. Dial Gray, III

C. W. Williams

C. E. "Gene" Wilson

James E. Hill, Jr. Attorney

*Dempsey B. Herring
Interim County Administrator*

Ida L. Smith, Clerk to Board

Chairman Jacobs called the meeting to order and Commissioner Williams gave the invocation.

BOARD MINUTES APPROVAL

A motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to approve the Board Minutes of the June 26, June 27, June 28 and July 5, 1995, Meetings, as recorded.

CONSENT AGENDA ITEMS

A motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to approve the consent agenda items as follows.

Budget Amendment:

Appropriate 10-366-0200 Microenterprise - other	\$ 689
counties match	
Appropriate 10-399-0000 Fund Balance	689
Appropriate 10-348-2200 CDBG-SCC Microenterprise	52,037
Expend 10-700-9000 SCC Microenterprise Grant	53,415

Tax Releases and Refunds:

Hattie Graham Brown: Motor vehicle (1979 Ford) listed in Bladen County where she resides. Amount \$223.53, valuation \$3,000, years 1986, 89, 90 and 91, account #17-04020.

Cardie Belle & Calvin Moore: T-1-49, house vacant. Amount \$30.00 user fee, year 1994, account #04-11816.

Linda Fox & Scott McDonald: 0-5-10C, double-listed to #11-06200, J.M. Coburn. Amount \$106.93, valuation \$14,000, years 1985-94, account #11-16583.

Ordered: That a refund check be issued to Kathryn M. Brodnax, Post Office Box 426, Lake Waccamaw, NC 28450, in the amount of \$30.00, for year 1994. Z-2-26, house vacant. Account #15-04480.

Ordered: That a refund check be issued to Burmey P. & Marcello Ward, Route 1, Box 409, Whiteville, Nc 28472, in the amount of \$30.00, for year 1991. I-7-86, vacant tract. Account #02-00940.

OATH OF OFFICE - TAX ADMINISTRATOR/ASSESSOR, WILLIAM D. BROOKS

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to appoint William D. Brooks, Jr. as Tax Administrator/Assessor for a four (4) year term, expiring June 30, 1999. The following "Oath of Office" was administered by Linda P. Proctor, Clerk of Superior Court.

NORTH CAROLINA

COLUMBUS COUNTY

OATH OF OFFICE

"I, William D. Brooks, Jr., do Solemnly Swear that I will support and maintain the Constitution and laws of the United States, and the Constitution of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Tax Administrator/Assessor of Columbus County, and that I will not allow my actions as Tax Administrator/Assessor to be influenced by my personal or political friendships or obligations, so help me God."

/s/ William D. Brooks, Jr.

Sworn to before me this the 17th day of July, 1995.

/s/ Linda P. Proctor, Clerk of Court

/s/ Ida L. Smith, Clerk to Board

(SEAL)

TAX - UNCOLLECTED TAXES FOR YEARS 1985-89 DECLARED INSOLVENT

William D. Brooks, Jr., Tax Administrator/Assessor, reported that certain personal property taxes levied for years 1985-89 remain uncollected in the amount of \$142,452.03 and that said taxes are not liens upon real estate. Mr. Brooks stated that diligent efforts have been made to collect said taxes by use of remedies against personal property under the provisions of G.S. 105-364, as amended.

A motion was made by Commissioner Norris, seconded by Commissioner Dutton and passed unanimously to approve the insolvent list for tax years 1985-89 as presented by the Tax Administrator in the amount of \$142,452.03. A copy of the tax insolvent list is on file in the office of the Clerk to the Board.

RESOLUTION - COLD POINT PROJECT COMMITMENT

A motion was made by Commissioner Britt, seconded by Commissioner Williams and passed unanimously to adopt the following Resolution:

COLUMBUS COUNTY

RESOLUTION OF LOCAL COMMITMENT

FISCAL YEAR 1994 CDBG ECONOMIC DEVELOPMENT APPLICATION

(REVISED 5-12-95)

WHEREAS, Columbus County wishes to demonstrate support for the Town of Chadbourn's proposed Fiscal Year 1994 CDBG Economic Development Program, which will result in twenty-five (25) additional jobs for the citizens of Columbus County and its environs; and

WHEREAS, local participation is a requirement for funding by the Department of Commerce.

NOW, THEREFORE, the Columbus County Board of Commissioners hereby resolves to commit a maximum of \$44,375 in county revenues to the Town of Chadbourn's Fiscal Year CDBG Economic Development project. This represents 65% of the required 25% local participation in the \$275,000 project; the Town of Chadbourn will contribute the remaining 35% (\$24,375) of the total \$68,750 local participation (including \$1,000 from the Chadbourn

Committee of 100). The county funds are to be disbursed during Fiscal Year 1995-96. In addition to its local match, the county will pay \$7,000 of the Town's contribution during the 1995-96 Fiscal Year. This \$7,000 will be repaid to the county by the town of Chadbourn without interest during Fiscal Year 1996-97.

RESOLVED this 17th day of July, 1995.

/s/ Sammie Jacobs, Chairman
Board of Commissioners
Columbus County

ATTEST:

/s/ Ida L. Smith, Clerk to Board
(SEAL)

RESOLUTION - INSTALLMENT PURCHASE CONTRACT WITH FIRST CITIZENS BANK & TRUST COMPANY

A motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to approve the following Resolution:

RESOLUTION

The Board of County Commissioners of Columbus County, North Carolina does hereby acknowledge that each of the undersigned are aware of the following events or facts:

1. The Board of Commissioners authorized the Columbus County Department of Social Services to purchase certain items of property and furniture for the new office at the county complex.
2. The bids were advertised and accepted by the Board for the said items in the amount of \$361,708.00.
3. The Board instructed the county administration officials to work out the details of the financing. These officials recommended the payment of \$100,000.00 in cash with the remaining \$261,708.00 to be on a lease purchase with First-Citizens Bank and Trust Company.
4. Each of the undersigned Commissioners hereby instruct the Chairman and the Clerk to the Board to execute the Installment Purchase Documents with First-Citizens Bank and Trust Company, subject to ratification of the Board of Commissioners at their

next regular meeting.

This the 17th day of July, 1995.

/s/ Sammie Jacobs, Chairman
 /s/ Lynwood Norris, Vice Chairman
 /s/ Spruell Randolph Britt
 /s/ David L. Dutton, Jr.
 /s/ A. Dial Gray, III
 /s/ C. W. Williams
 /s/ C. E. Wilson

ATTESTED BY:

/s/ Ida L. Smith, Clerk to Board

PROCLAMATION - WORLD WAR II VETERANS CELEBRATION

Linda Rozelle invited the Board of County Commissioners to participate in the World II celebration that is scheduled for September 2, 1995 at 7:30 p.m. at Legion Stadium in Whiteville and requested the Board to adopt a Proclamation remembering the 50th Anniversary of the World War II's end.

A motion was made by Commissioner Norris, seconded by Commissioner Wilson and passed unanimously to adopt the following Proclamation:

COLUMBUS COUNTY

1995

A PROCLAMATION

As a grateful nation remembers the 50th Anniversary of the World War II's end, we in Columbus County will assemble on the evening of September second, nineteen hundred and ninety-five to honor Columbus County World War II veterans and recall the sacrifices made on the homefront by the people of Columbus County.

In an effort to provide the people of Columbus with a clearer understanding and appreciation of the enduring lessons of World War II, acquainting them the reasons our great nation was called to fight and reminding them of the values which we strove to defend and protect, we shall say a collective thank you to the men and women of Columbus County who served.

Therefore, we do hereby proclaim that a Celebration of the Fiftieth Anniversary of the end of World War II honoring Columbus County World War II veterans shall take place at Legion Stadium in the County of Columbus at 7:30 p.m. on the evening of September 2, 1995 and we urge that the people of Columbus join us

in this great celebration.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ C.W. Williams
 /s/ Spruell R. Britt
 /s/ Sammie Jacobs
 /s/ A. Dial Gray, III
 /s/ C. E. "Gene" Wilson
 /s/ Lynwood Norris
 /s/ David L. Dutton, Jr.

**SOUTHEASTERN COMMUNITY COLLEGE/SOCIAL SERVICES - ENDORSEMENT
 OF PROPOSED FAMILY SUPPORT/PRESERVATION GRANT**

Lauren Cole, representing Southeastern Community College and Jo Ann Vereen, representing the Department of Social Services, requested the Board's endorsement on the proposed Family Support/Preservation Grant in the amount of \$100,000 to provide additional services for families and children in Columbus County. The grant, if received, will be 100% funded.

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to write a letter of endorsement for the Family Support/Preservation Grant application to provide additional services for families and children in Columbus County.

SHERIFF - BUDGET AMENDMENT FOR CAPITAL OUTLAY

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to approve the following 1995-96 budget amendment for the Sheriff's Department in Capital Outlay to include the 25% County's participation in the State Drug Grant that has to be funded up front. This amendment will allow the Sheriff to lease five (5) vehicles and purchase one (1) vehicle for the Drug Program.

Increase 10-510-74 Capital Outlay	\$32,525.00
Decrease 10-660-9999 Non-Dept. Contingency	(\$22,525.00)
Decrease 10-510-5400 Ins. & Bonding	(\$10,000.00)

CONTRACT - GROUNDS MAINTENANCE APPROVAL

A motion was made by Commissioner Britt, seconded by Commissioner Wilson and passed unanimously to approve the Grounds Maintenance Contract.

GROUNDS MAINTENANCE CONTRACT

for

Columbus County

This **CONTRACT** made and entered into this the 17th day of July, 1995, between Columbus County hereinafter referred to as the "County" and Greg Nobles, trading and doing business as Country Plant and Trim, hereinafter referred to as the "Independent Contractor".

WHEREAS, the County has advertised for bids for the purpose of Maintaining the Grounds of the County Buildings and whereas, Greg Nobles, operating as Country Plant and Trim, has submitted the low bid for the project as shown in Specification for Bids which is attached to this Contract as **Exhibit "A"**.

WHEREAS, the Independent Contractor has agreed to be employed at the stated low bid price of fifteen thousand eight hundred fifty and 00/100 (\$15,850.00) dollars as a private contractor and will receive no County benefits or any benefits of protection as a County employee.

BE IT THEREFORE RESOLVED AND CONTRACTED in consideration of the mutual promises herein as follows:

1. All requirements set down in Bid Specifications noted as **Exhibit "A"**;
2. The **Independent Contractor** will provide to the County sufficient labor and equipment for the purpose of maintaining the County grounds, including keeping all grass mowed, sidewalks edged and shrubs trimmed as outlined in **Exhibit "A"**;
3. That the work shall be completed in accordance with the specifications as set forth in the bid's **Exhibit "A"** and to the satisfaction of the County Administrator;
4. The **Independent Contractor** will carry satisfactory liability and accident insurance. This insurance will relieve the County of any liabilities which may arise while the **Independent Contractor** fulfills his obligations to the County;
5. That any fertilization, seeding, placing of pine straw, flowers or any other non-specified service will be negotiated with the supervisor of Maintenance and the

- County Administrator before such services are rendered;
6. The Board of County Commissioners, upon the recommendation of the Maintenance Supervisor and the County Administrator may, at any time, give a thirty (30) day notice of cancellation of this Contract for non-satisfactory performance by the said Independent Contractor. The said Independent contractor may likewise cancel the Contract with the County upon a written thirty (30) day notice;
 7. The Independent Contractor has agreed to the County's Bid Specifications proposed for a total of fifteen thousand eight hundred fifty and 00/100 (\$15,850.00) dollars to be paid by the tenth (10th) day of each month with each payment being one-twelfth (1/12) of the total Contract; and
 8. This Contract becomes effective upon proper signatures and execution.

IN TESTIMONY WHEREOF, the "County" has caused this instrument to be executed by the Chairman of the Board of County Commissioners of Columbus County, North Carolina, and attested by the Clerk of the Board of County Commissioners, and all by action of the Board of Commissioners being duly given and the "Independent Contractor" has set his hand and seal the day and year first written above.

/s/ GREG NOBLES, dba
COUNTRY PLANT and TRIM
Independent Contractor

COLUMBUS COUNTY

/s/ SAMMIE JACOBS, Chairman
Columbus County Board of Commissioners

ATTESTED BY:

/s/ IDA L. SMITH, Clerk to Board

Note: Contract properly executed and certified.

GOVERNING BODY - BOARD MEETING TIME CHANGED

A motion was made by Commissioner Dutton, seconded by Commissioner Britt and passed unanimously to change the meeting time for one (1) of the two (2) Board Meetings monthly to a day meeting beginning October 2, 1995.

NOTICE and RESOLUTION to CHANGE MEETING TIME**of the BOARD of COUNTY COMMISSIONERS****of COLUMBUS COUNTY, NORTH CAROLINA**

The Board of County Commissioners of Columbus County, North Carolina, unanimously approved on the 17th day of July, 1995, to adopt the following Resolution.

W I T N E S S E T H :

WHEREAS, the Board of County Commissioners of Columbus County, North Carolina, has presently scheduled meetings at 7:30 P.M. on the first and third Mondays of each month; and

WHEREAS, the Board of County Commissioners of Columbus County, North Carolina, is desirous of changing the time for the first Monday in each calendar month to 8:00 A.M., effective October 2, 1995.

BE IT, THEREFORE, RESOLVED that the Board of County Commissioners of Columbus County, North Carolina, pursuant to N.C.G.S. 153A-40, shall meet at 8:00 A.M. on the first Monday of each calendar month and at 7:30 P.M. on the third Monday of each calendar month beginning October 2, 1995, in the Board Room of the Columbus County Administrative Building, 111 Washington Street, Whiteville, North Carolina; and

BE IT, FURTHER, RESOLVED by the Board of County Commissioners that a copy of this Resolution and Notice shall be placed on the Courthouse Bulletin Board, as well as mailed to all of the news media who has requested notice.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ SAMMIE JACOBS, CHAIRMAN

ATTESTED BY:

/s/ Ida L. Smith, CLERK TO BOARD

FIRE DISTRICTS - TABOR CITY AND WILLIAMS PROPOSED SUBSTATIONS

Jerry Watts, Tabor City Fire Chief, advised the Board that the Tabor City Fire Department would like to construct a proposed fire substation in the Sandy Plain area, east of Tabor's rural district and would like to serve State Road 1118, also known as the Miller Road. Mr. Watts stated that the Tabor City Fire

Department has been serving the Miller Road area.

Barry Housand, Williams Township Fire Chief, advised the Board that Williams Township Fire Department would like to construct a proposed fire substation to enable them to extend their boundaries and would also like to serve State Road 1118. Mr. Housand stated that if they can not include SR 1118 within their boundaries, Williams can't justify spending \$30,000 for a substation.

A motion was made by Commissioner Norris, seconded by Commissioner Wilson and passed unanimously to advise Tabor and Williams Fire Departments to negotiate their differences and possibly come up with a plan that will be beneficial to both parties. Also, to include Nakina Fire Department in the negotiations as the boundaries for Tabor and Williams Fire Departments abuts those of Nakina Fire Department.

APPOINTMENT - JURY COMMISSION

A motion was made by Commissioner Britt, seconded by Commissioner Williams and passed unanimously to appoint Mr. Haynes Graham to serve on the Jury Commission for a two (2) year term, commencing July 1, 1995 and concluding June 30, 1997.

BUCKHEAD SWAMP - ENDORSEMENT TO CORP OF ENGINEERS TO PERMIT INTERNATIONAL PAPER CO. TO CLEAN DITCHES THROUGH WETLANDS

A motion was made by Commissioner Gray, seconded by Commissioner Dutton and passed unanimously to write a letter of endorsement to the Corp of Engineers requesting them to permit International Paper Company to ditch wetlands causing flooding in the Buckhead Swamp area of Columbus County.

CLOSED SESSION

At 8:45 P.M., a motion was made by Commissioner Dutton, seconded by Commissioner Britt and passed unanimously to enter into a closed session in accordance with G.S. 143-318.11, for a personnel matter.

Dempsey B. Herring, Assistant to the Administrator, and Ida L. Smith, Clerk to the Board, was excused from the closed session.

RESUMED REGULAR SESSION

At 9:35 P.M., a motion was made by Commissioner Britt, seconded by Commissioner Williams and passed unanimously to adjourn executive session and resume regular session.

No action was taken.

ADMINISTRATION - INTERIM ADMINISTRATOR APPOINTED

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed to appoint Dempsey B. Herring as the Interim County Administrator with a salary adjustment of \$400.00 per month.

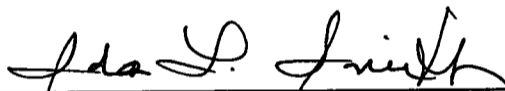
AYES: Commissioners Dutton, Norris, Jacobs, Williams, Britt and Wilson

NOES: Commissioner Gray

The motion passed on a 6 - 1 vote.

ADJOURNMENT

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to adjourn the meeting at 9:40 P.M.


 Ida L. Smith, Clerk to Board

APPROVED:


 Sammie Jacobs, Chairman