

**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., October 16, 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 Sammie Jacobs called the meeting to order and Commissioner C.W. Williams gave the invocation.

**BOARD MINUTES APPROVAL**

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to approve the Minutes of the October 2, 1995 Board Meeting, as recorded.

**CONSENT AGENDA ITEMS**

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to approve the following consent agenda items.

**Tax Releases:**

Ordered that the following tax listings be released or cancelled.

Grace Ammons: Mobile home listed in Bladen County where she resides since February, 1994. Amount \$170.43, valuation \$12,870, year 1995, account #12-00153.

Jimmie M. Blackmon: Camping trailer is located on Eugene

Grainger Campground WS-176. All user fees paid by E. Grainger. Amount \$60.00, year 1995, account #11-02972.

T.J. Sr., & Clara Chandler: L-5A-11 vacant. Amount \$60.00, year 1995, account #14-03420.

Billy E. Douglas: 1987 Pontiac was listed in South Carolina where he moved in 1992. Amount \$50.48, valuation \$6,650, year 1992, account #17-09197.

Hilda R. Edwards (Mrs.): G-6A-25 double-listed to Ray Locklear, now listed to Pauline Dennis on 13-10370, map G-6A-26A. Amount \$220.55, valuation \$28,500, years 1986-1995, account #13-11580.

Ronald A. Fisher: J-5-8, packhouse, not a dwelling. Value reduced to \$8,700. Amount \$148.80, valuation \$11,100, year 1995, account #01-27064.

Ronald Alonzo Fisher: J-5-6B, small house #3 in poor condition. Value reduced. Amount \$90.40, valuation \$11,300, year 1995, account #01-27060.

Elaine Gore: M-5A-88, old station vacant. Dwelling, waste collected by private hauler. Amount \$120.00, year 1995, account #11-11320.

Alvin Graham: X-3-161, breakdown of acreage, incorrect. Amount \$16.38, valuation \$2,100, year 1995, account #15-15947.

GSM Leasing: 1987 Maxima, double listed to William Lewis Sauls on 1-79040. Amount \$56.55, valuation \$7,450, year 1992, account #17-14542.

Kenneth Ray Hyatt: Did not own mobile home on 1-1-94. (Listed through error.) Amount \$84.19, valuation \$7,130, year 1994, account #01-45207.

Cecil & Joan E. Jenrette: Mobile home listed as real property, also personal property. Also, billed with three (3) user fees/only one (1) dwelling occupied. Amount \$147.61, valuation \$3,540, year 1995, account #07-09423.

R.N. Jordan: H-1-42, 1.73 acre/tract and house rebilled on 05-05800, Essie Mae Rhodes. Amount \$328.40, valuation \$28,000, year 1995, account #05-03382.

Louvinia Wilson Lewis: Vehicles double-listed on #17-

22900. Amount \$64.26, valuation \$9,450, year 1990, account #06-23005.

Leamon Belton & Shelba Ann Locklear: H-9-25, house graded incorrectly; value reduced. Amount \$94.92, valuation \$11,300, year 1995, account #09-16760.

Danny & J. David Long: J-12-11, house vacant. Amount \$60.00, year 1995, account #09-16784.

Rosa W. Tedder Norris: G-5-81, building vacant. Amount \$60.00, year 1995, account #13-31340.

Jane Ransom Kinlaw Pittman: K-4-10B, dwelling vacant. Amount \$60.00, year 1995, account #01-70500.

Robert Lee & Martha Powell: W-4-36, not in Acme-Delco Fire District. Amount \$58.50, year 1995, account #15-30600.

Michael Ray Richardson: M-12-2, building vacant. Amount \$60.00, year 1995, account #03-19880.

Columbus McCoy Smith: failed to receive the Senior-citizens's exemption on lot and house. Amount \$117.00, valuation \$15,000, year 1995, account #13-36660.

Margaret Baldwin Smith: S-2-74, 1 dwelling vacant. Amount \$60.00, year 1995, account #04-15064.

Alton & Terry J. Toon: WH-4-311A, double-listed to J-5B-16, same name. Amount \$28.08, valuation \$3,600, year 1995, account #01-96157.

Ervin & Rossie Ward, Heirs: C-5-53, house vacant. Amount \$60.00, year 1995, account #10-18220.

James W. Williamson: G-11-1 (in City), building vacant. Amount \$36.00, year 1995, account #09-33860.

Shelia Lynn & Cedrik Wright: H-13-25 & H-3-6 in Land Use. Amount \$254.74, valuation \$32,300, year 1995, account #06-45405.

**Releases: (2% Discount - 1995)**

<u>Name</u>	<u>2% Discount</u>	<u>Account No.</u>
J.C. Blackwell Heirs	\$ 8.26	16-01060
Patrick Cain Dudney	11.60	12-06640
Joanne Formyduval	5.70	01-28887
E.M. Gaskins (Mrs.)	8.12	09-09760

Tony & Frances Inderlin	2.08	14-07163
Donald & Ysele Speck	1.86	01-17881

**Releases: (Town of Cerro Gordo)**

David W. Clewis: CG-2-35, not in Cerro Gordo city limits. Amount \$14.40, valuation \$7,200, years 1990, 91 and 95, account #16-02760.

**Budget Amendments:**

Appropriate 10-399-0000 Fund Balance	\$25,807.15
Expend 10-610-7400 Capital Outlay (convert files at Social Services)	\$25,807.15
Appropriate 10-399-000 Fund Balance	\$20,000.00
Expend 10-690-9511 Chadbourn CDBG Water/Sewer (Coldpoint Project)	20,000.00
Appropriate 10-397-0000 General Fund	\$1,000,000
Increase 10-900-6000 Transfer to Capital Projects	1,300,000
Decrease 10-410-6000 Special Projects	(300,000)

**ORDINANCE (PROJECT) - GAS LINE INSTALLATION**

A motion was made by Commissioner Britt, seconded by Commissioner Williams and passed unanimously to adopt the following Project Ordinance for the installation of the natural gas line.

**COLUMBUS COUNTY NATURAL GAS LINE**

**CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Board of Commissioners of the County of Columbus, North Carolina, that pursuant to Section 159-13.2 of the General Statutes of North Carolina, the following Capital Project Ordinance is HEREBY ADOPTED:

**SECTION 1.** The project authorized is the Columbus County Industrial Park Natural Gas Line.

**SECTION 2.** The project director is hereby directed to proceed with the construction of the project within the terms of the appropriation made by the North Carolina General Assembly which is designated for Economic Development in accordance with the limitations set forth in Section 143.1 of the General Statutes of North Carolina, and within the funds appropriated herein.

**SECTION 3.** The following revenues are anticipated to be available to the County to complete the project:

62-397-0000 General Fund Appropriation	\$1,300,000
62-335-0000 Miscellaneous Revenue	107,339

(Reimbursement from N.C. Natural Gas)

TOTAL APPROPRIATION \$1,407,339

SECTION 4. the following amounts are appropriated for the project:

62-410-0400 Professional Services (Engineers, Consultants, etc.)	\$ 66,000
62-410-5700 Miscellaneous	65,000
62-410-7300 Gas Line Construction (Material & Labor Costs)	1,150,500
62-410-9999 Contingency	125,839
TOTAL APPROPRIATION	<u>\$1,407,339</u>

SECTION 5. The Finance Officer is directed to report quarterly on the financial status of this project. She shall also keep the Governing Body informed at each regular meeting of any unusual occurrences.

SECTION 6. Copies of the Capital Project Ordinance shall be made available to the Budget Officer and the Finance Officer for directions in carrying out the project.

ADOPTED this 16th day of October, 1995.

**LAKE WACCAMAW - REQUEST FOR FUNDS FOR STORMWATER TEST**

Dempsey B. Herring, Interim Administrator, presented the Board with a letter of request from Dr. Lawrence B. Cahoon for funding for the purpose of completing additional tests on stormwater effects to lake waters at Lake Waccamaw. The total requested for the extension is \$5,000 to be divided between the Town of Lake Waccamaw, State Parks, Water Resources and Columbus County.

A motion was made by Commissioner Norris and seconded by Commissioner Gray to table the request for funds from Dr. Lawrence B. Cahoon for stormwater tests for Lake Waccamaw until information is received from the Town of Lake Waccamaw.

A substitute motion was made by Commissioner Gray, and seconded by Commissioner Dutton to deny the request from Dr. Lawrence B. Cahoon for additional funds for stormwater tests for Lake Waccamaw.

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

NOES: None

The substitute motion passed on a 7-0 vote.

The original motion was withdrawn by Commissioner Norris, and the second was withdrawn by Commissioner Gray.

**LIBRARY - BUDGET AMENDMENT APPROVED FOR BOOKS**

Deborah Marrs, Library Director, addressed the Board in regards to the 1995-96 Library Operating Budget. Ms. Marrs requested funds from salaries and wages (3 1/2 positions) to be transferred to the books line item, due to books being cut to \$25,000 in the 1995-96 Library Operating Budget.

A motion was made by Commissioner Gray, seconded by Commissioner Williams and passed unanimously to approve the following budget amendment for the Library.

Decrease 10-630-0200 Salaries & Wages	(\$53,719.00)
Increase 10-630-3300 Books	\$53,719.00

**ORDINANCE - CABLE TELEVISION TABLED**

A motion was made by Commissioner Gray, seconded by Commissioner Britt and passed unanimously to table the Cable Television Ordinance until all Cable providers within Columbus County can be notified of the change to lower density of homes per mile from 30 homes to 20.

**ORDINANCE - CONCEALED HANDGUNS**

A motion was made by Commissioner Wilson, seconded by Commissioner Williams and passed unanimously to adopt the following Ordinance.

**AN ORDINANCE PERMITTING THE POSTING OF SIGNS**

**TO PROHIBIT THE CARRYING OF CONCEALED**

**HANDGUNS ON CERTAIN COUNTY PROPERTY**

**WHEREAS**, Chapter 398 of the 1995 Session Laws changes prior law by establishing a system that will allow private citizens to obtain permits to carry concealed handguns; and

**WHEREAS**, this change in the law will significantly increase the number of individuals who may legally carry concealed handguns; and

**WHEREAS**, the Board of Commissioners is concerned about the increased presence of concealed handguns on County property and about the threat that such increased presence will pose to the

health, safety, and general welfare of the community; and

WHEREAS, N.C.G.S. 14-415.23 authorizes counties to adopt ordinances to permit the posting of a prohibition against carrying a concealed handgun, in accordance with N.C.G.S. 14-415.11(c), on County buildings, their appurtenant premises and parks; and

WHEREAS, it is the intent of this Ordinance to permit the posting of County property such that the carrying of concealed handguns on the posted premises will constitute a violation of N.C.G.S. Chapter 14, Article 54B.

NOW, THEREFORE, BE IT ORDAINED by the Columbus County Board of Commissioners that:

SECTION 1: Posting of Signs Required. The County Administrator is hereby ordered to post appropriate signage on each park, building or portion of a building now or hereafter owned, leased as lessee, operated, occupied, managed or controlled by Columbus County, as well as the appurtenant premises to such buildings, indicating that concealed handguns are prohibited therein.

SECTION 2: Location of Signs. Said signs shall be visibly posted on the exterior of each entrance by which the general public can access the building, appurtenant premise or park. The County Administrator shall exercise discretion in determining the necessity and appropriate location for other signs posted on the interior of the building, appurtenant premise or park.

ADOPTED this the 16th day of October, 1995

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ SAMMIE JACOBS, Chairman

ATTESTED BY:

IDA L. SMITH, Clerk to Board

**ADMINISTRATION - APPROVAL OF ERNEST & YOUNG LLP TO INVESTIGATE SALES TAX**

Dempsey Herring, Interim Administrator, requested the Board to consider a proposal from Ernest & Young LLP, to investigate sales tax transactions that occurred in the County but the County did not receive its legal share. The recovery will be done on a percentage basis at no cost to the County.

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to approve Ernest & Young LLP, to investigate sales tax transactions that occurred in the County and recovery will be done on a percentage basis at no cost to the County.

**APPOINTMENT - DOMICILIARY/NURSING HOMES ADVISORY COMMITTEE**

A motion was made by Commissioner Williams, seconded by Commissioner Britt and passed unanimously to appoint Ms. Reba Bowen to serve on the Domiciliary/Nursing Home Advisory Committee for a one (1) year term, expiring October 16, 1996, to replace Ms. Arrie J. Alexander, who resigned.

**ADMINISTRATOR'S REPORT**

Dempsey B. Herring, Interim Administrator, reported on the following items:

1. The lowest bid received for the Columbus County Water & Sewer District I, Contract III, was received from McArthur Construction Company in the amount of \$1,760,466.08 which exceeds the amount budgeted for the project which is approximately \$1,200,000. We have met this week to negotiate the bid price.
2. Mr. Herring reported that he has been contacted by Murphy's Farms in response to the letter asking about future hog operations. They are willing to schedule a meeting with the Board at anytime.
3. Mr. Herring reported that he has contacted the Bion Systems who are doing a demonstration project in taking hog lagoon waste and making it into fertilizer in the McGee's Crossroads area near Benson. They have stated another project will be done in the late fall and if any of the Board members are interested, they are welcome to visit the operation.

Commissioner Gray stated that he had also read an article in the newspaper on an aerator process of eliminating waste odor and requested Mr. Herring to check into the possibility of scheduling a visit to both operations the same day.



4. The regularly scheduled monthly department head meeting will be held Wednesday, October 18, 1995 at 7:30 A.M.

**MEETING RECESSED**

At 8:05 P.M., a motion was made by Commissioner Williams, seconded by Commissioner Gray and passed unanimously to recess the Board Meeting for the purpose of holding a Columbus County Water & Sewer District II Meeting and to act as the Water and Sewer Authority.

Chairman Sammie Jacobs called the meeting to order.

The minutes of the meeting are recorded in the Columbus County Water & Sewer District Minute Book.

**ADJOURNMENT - WATER DISTRICT II MEETING**

The meeting adjourned at 8:15 P.M.

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**COLUMBUS COUNTY WATER DISTRICT I MEETING**

At 8:15 P.M., a motion was made by Commissioner Gray, seconded by Commissioner Williams and passed unanimously to hold a Columbus County Water & Sewer District I Meeting and to act as the Water and Sewer Authority.

Chairman Lynwood Norris called the meeting to order.

The minutes of the meeting are recorded in the Columbus County Water & Sewer District Minute Book.

**ADJOURNMENT - WATER DISTRICT I MEETING**

The meeting adjourned at 8:25 P.M.

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**REGULARLY SCHEDULED BOARD MEETING RESUMED**

A motion was made by Commissioner Britt, seconded by Commissioner Williams and passed unanimously to resume the regularly scheduled Board Meeting.

**ITHACA PLANT CLOSING - LETTER REQUESTING RECONSIDERATION**

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to direct Administration to write a letter of encouragement to Ithaca Industries requesting that they reconsider moving the Ithaca facility from its Chadbourn site in Columbus County.

**LIVESTOCK OPERATIONS - REQUEST STATE TO REGULATE**

Commissioner Wilson responded on a letter received from State Senator R. C. Soles, Jr. asking Commissioners whether they would like him to work toward empowering counties to regulate large-scale livestock operations.

A motion was made by Commissioner Williams, seconded by Commissioner Wilson and passed unanimously to direct the Administrator to respond to State Senator R. C. Soles, Jr., stating that they want the state to handle swine operation regulations.

**RESOLUTION - CAPE FEAR COUNCIL OF GOVERNMENTS**

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

**RESOLUTION**

**WHEREAS,** in North Carolina the Lead Regional Organizations, as volunteer organizations serving municipal and county governments, have established productive working relationships with the cities and counties across this state; and

**WHEREAS,** the 1995 General Assembly recognized this need through the appropriation of \$864,270 to help the Lead Organizations assist local governments with grant applications, economic development, community development, and to support local industrial development activities and the activities as deemed appropriate by their local governments; and

**WHEREAS,** these funds are not intended to be used for payment of member dues or assessments to a Lead Regional Organization or to supplant funds appropriated by the member governments; and

**WHEREAS,** in the event that a request is not made by June 30, 1996 for release of these funds to our Regional Council, the available funds will revert to State's general funds; and

**WHEREAS,** in Region 0, funds in the amount of \$48,015 will be used to/for prepare community development and land use plans, zoning ordinances, economic development/revitalization plans and grants, and provide other technical assistance to local governments.

NOW, THEREFORE BE IT RESOLVED, that the County of Columbus requests the release of its share of these funds, \$9,279.46, to the Cape Fear Council of Governments at the earliest possible time in accordance with the provisions of Chapter 324, House Bill 229, Section 9.4 of the 1995 Session Laws.

WITNESSED this the 16th day of October, 1995 by:

/s/ Sammie Jacobs  
Chief Elected Official

/s/ Ida L. Smith, Witness

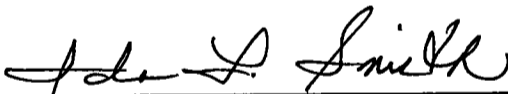
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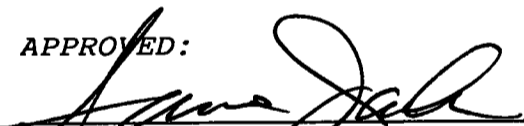
**APPRECIATION (LETTER OF) - JOE JACOBS FOR MUSTANG ROUNDUP CASE**

A motion was made by Commissioner Dutton, seconded by Commissioner Britt and passed unanimously to direct Administration to write a "Letter of Appreciation" to Joe Jacobs for the contribution which he made during the "Mustang Roundup Case" in providing a facility of safekeeping for the confiscated vehicles and waiving the storage charges.

**ADJOURNMENT**

A motion was made by Commissioner Norris, seconded by Commissioner Dutton and passed unanimously to adjourn the meeting at 8:35 P.M.

  
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Ida L. Smith, Clerk to Board

APPROVED:  
  
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Sammie Jacobs, Chairman