

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 8:00 A.M., January 2, 1996, it being the first Tuesday, following the first Monday, New Year's Day.

BOARD MEMBERS PRESENT:

Spruell Randolph Britt, Chairman

C.E. "Gene" Wilson, Vice Chairman

David L. Dutton, Jr.

A. Dial Gray, III

Lynwood Norris

C.W. Williams

James E. Hill, Jr. Attorney

Dempsey B. Herring
County Administrator

Ida L. Smith, Clerk to Board

ABSENT:

Sammie Jacobs, Commissioner

Chairman Britt called the meeting to order and Mr. Ed Worley, Aging Director, gave the invocation.

BOARD MINUTES APPROVAL

A motion was made by Commissioner Williams, seconded by Commissioner Norris and passed unanimously to approve the Minutes of the December 4, 1995, Board Meeting, as recorded.

RESOLUTION - CHANGING TIME FOR USE OF ARTIFICIAL LIGHTS FOR THE PURPOSE OF SEARCHING FOR DEER TABLED

Calvin Malpass, a concerned citizen, addressed the Board on his concerns with the proposed Resolution for changing the hours by which artificial lights may be used to sweep fields in search of deer from sunset until 11:00 P.M. and one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise. Mr. Malpass requested the Board to remain with

the existing law. A petition with 403 signatures opposing the tentative Resolution was presented to the Board.

A motion was made by Commissioner Dutton and seconded by Commissioner Wilson to table the proposed Resolution to consider changing the hours for spotlighting of deer until the next Board Meeting.

An amended motion was made by Commissioner Dutton, seconded by Commissioner Wilson and passed unanimously to table the proposed Resolution to consider changing the hours for spotlighting of deer until the March 18, 1996 Board Meeting.

CONSENT AGENDA ITEMS

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

Tax Releases:

Jerry Wayne Batten: Does not own grain bins. Leasehold on L-2-10 removed several years ago. Amount \$47.30, valuation \$5,500, year 1995, account #14-01700.

John Bellamy: K-8-157, does not exist. Double-listed to K-8-156. Amount \$142.76, valuation \$16,600, years 1994 and 1995, account #03-00940.

F. Harvey Britt (Heirs): E-5-39 combined to E-5-50 and listed to Henry E. Edwards on account 12-06820. Amount \$1,160.40, valuation \$132,000, years 1990-95, account #12-02520.

Ada M. Brown: F-6A-38, totally exempted due to Senior Citizens' exemption (mobile home already exempted). Amount \$84.65, valuation \$2,900, year 1995, account #13-04180.

John Kenneth Buck: Mobile home (1992 Fleetwood) sold 11-94 and rebilled to Dalton Bernard Dockery. Amount \$186.47, valuation \$14,740, year 1995, account #07-01008.

Shirley M. & Jerry Buffkin: I-13-38, house #1 burned in 1994. Amount \$336.90, valuation \$35,500, year 1995, account #06-03446.

Neil G. Callahan, III: 1993 Camper incorrect valuation. Amount \$55.00, valuation \$6,410, year 1995, account #08-02392.

Betty Merle Clayter: 2% discount given in August not

absorbed by computer when balance of taxes paid, prior to release. Amount \$7.60, valuation -, year 1995, account #15-09280.

Howard Lofton Cox, Sr.: 2% discount not absorbed by computer when balance of taxes paid prior to release. Amount \$7.94, valuation -, year 1995, account #07-02700.

Levon Davis: G-13C-1, failed to receive the disability exemption on lot and house. Amount \$132.00, valuation \$15,000, year 1995, account #06-07120.

Lester & Ressie Freeman (Etal): S-1-19, acreage corrected to 20.67 acres - 10.29 acres double-listed to Inez Graham on 04-00077. Amount \$61.32, valuation \$7,300, year 1995, account #04-05123

Steve W. & Laverna Gore: H-7-63A, mobile home double-listed on real and personal property. Amount \$99.48, valuation \$4,700, year 1995, account #13-15775.

Thomas J. & Dorothy Gore: 2% discount not absorbed by computer. Amount \$1.17, year 1995, account #03-09580.

Alice Green: G-2-12B, failed to receive the disability exemption on lot and house. Amount \$117.00, valuation \$15,000, year 1995, account #12-10023.

Willie Hill: K-7A-251A (3.6 acres), vacant tract incorrect breakdown of acreage. Amount \$167.04, valuation \$19,200, year 1995, account #01-40740.

McKoy McCray: E-3-22, no house on property, vacant lot only. Amount \$117.72, valuation \$7,400, year 1995, account #12-17120.

Melissa Ann McNeill: Mobile home double-listed on #09-04932, Carl J. Conner, Jr. Amount \$91.75, valuation \$3,700, year 1995, account #01-57454.

Jeffrey Dean & Cynthia McPherson: I-9-115C, house totally destroyed by fire prior to 1-1-95. Amount \$181.80, valuation \$14,500, year 1995, account #09-18980.

Thomas & Darlene Nuccio: Mobile home (1990 model) sold in August, 1994. Amount \$126.61, valuation \$11,260, year 1995, account #05-04803.

Annie Adam Patterson: Vehicles discovery, billed to

wrong account. Amount \$33.20, valuation \$3,510, year 1986-87, account #17-29080.

Pinnacle Business Services: Personal property / business (copiers) sold to Federal Paper Board Company, prior to 1-1-95. Amount \$53.96, valuation \$6,288, year 1995, account #15-30115.

Randy's Char-Broiled Burgers: Out of business prior to 1-1-92. Amount \$63.92, valuation \$9,264, year 1992, account #01-74720.

Robert Lee & Nellie W. Russ: Failed to receive the senior citizen's exemption on mobile home. Amount \$99.08, valuation \$5,010, year 1995, account #12-23640.

Singletary Sanderson: L-1-25, houses moved to Bladen County. Amount \$254.20, valuation \$14,100, year 1995, account #05-06003.

Christine Shipman: Vehicle totalled in September, 1991. Amount \$5.47, valuation \$700, year 1992, account #17-32862.

Carl & Armatha Shullar: N-2-81/B, house completed after 1-1-93. Amount \$4,026.02, valuation \$396,170, year 1995 for years 1990-93, account #14-14090.

Linda Ann Smith: W-4-55A, not in Acme-Delco Fire District. Amount \$26.29, valuation -, year 1995, account #15-34927.

James Theodore Staradumsky: Vehicle (1991 Ford) listed in New Hanover County, per New Hanover County affidavit. Amount \$114.16, valuation \$15,040, year 1992, account #17-35519.

William Toman, Jr.: 1994 Camper, incorrect valuation. Amount \$64.60, valuation \$7,530, year 1995, account #08-19306.

Edward L., Jr. and Barbara White: J-7-27A, acreage breakdown incorrect. Amount \$66.30, valuation \$8,500, year 1995, account #02-04407.

Charles Wilkins: Moved to Brunswick County prior to 1-1-95. Mobile home repossessed. Amount \$148.89, valuation \$10,360, year 1995, account #15-38906.

Releases (Solid Waste User Fees):

<u>NAME</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>ACCOUNT NO.</u>
AT&T Unregulated: Business Equipment/no house.	\$60.00	1995	15-00957
Anthony & Addie Bonsignore: V-1-7A, house vacant.	36.00	1995	15-02725
Vester & Jean Cartrette: I-9-112, house vacant.	60.00	1995	09-04080
Edith Marie Council: 0-5-3, house vacant.	60.00	1995	11-06902
Albert Edwards Heirs: D-8-31, vacant.	60.00	1995	16-03840
Patricia Stephens Fipps: G10-20, no house.	60.00	1995	09-08260
Joe W. & Nancy Floyd: LW-2-13, 1 house vacant, 1 house seasonal.	60.00	1995	08-05923
Owen Gore: 0-13-2, house vacant.	60.00	1995	07-07000
D. Graham Heirs: LW-4-8, dwelling vacant .	18.00	1994	08-07000
D. Graham Heirs: LW-4-8, dwelling vacant.	36.00	1995	08-07000
William O. & Naomi Graham: X-3-132, house vacant.	60.00	1995	15-16580
Clempson & Uldine Green: E-6-111, house vacant.	60.00	1995	16-05940
William Milton Inman: E-3-73B, House #2 vacant.	60.00	1995	12-12920
William Milton Inman: E-3-73, House #1 vacant.	60.00	1995	12-12920
Ella Lowery: F-6A-25, house vacant.	60.00	1995	13-24480
Irvin Meares Heirs: C-5-42, dwelling vacant.	60.00	1995	10-11780
Woodrow Reynolds: HB-1-27, house vacant.	60.00	1995	11-22540
Seabreeze & Associates: 0-1-15, building vacant.	60.00	1995	08-16323
Douglas & Betty Skipper: House vacant, WS-2-19.	60.00	1995	11-24580
Juanita W. Small: J-1-11 dwelling vacant.	60.00	1995	05-06440
Y.Y. Strickland: E-11-10, house vacant.	60.00	1995	06-38820
Roger Dale & Rhonda Ward: I-10-72A, house vacant.	60.00	1995	09-32610
Cecil R., III & Jennifer Yoder: house used as storage J-8-17.	60.00	1995	02-09717

Ordered: That a refund check be issued to Willie Haley, Jr., Route 5, Box 410, Whiteville, NC 28472, in the amount of \$3.93 for year 1991. 1965 Chevrolet, double-listed to Willie Haley, Jr., on late listing, on account #01-36023. Valuation \$500, account #17-17561.

Ordered: That a refund check be issued to A. Dial Jr. & Kea Gray, 110 West Lewis Street, Whiteville, NC, 28472, in the amount of \$36.00 for year 1995. WH-3-713, billed with three (3) user fees. Only two (2) dwellings occupied. All taxes already paid. Account #01-34520.

Ordered: That a refund check be issued to Christine

McPherson, 1977 S. Moon Road, Astor, Florida 32002, in the amount of \$784.30 for years 1991-94. Billed incorrectly on H-8-70. Acreage combined with H-8-79. Valuation \$101,200, account #09-14840.

Ordered: That a refund check be issued to Kelly Susan Swint, 2703 Mulberry Drive, Sandusky, Ohio, 44870, in the amount of \$30.00 for year 1994, user fees. Account #11-26603.

Budget Amendment:

Transfer 72-399-0000 Emergency Telephone Fund	\$22,848.00
Expend 72-525-0200 Emergency Mgt. Salaries	21,224.00
Expend 72-525-0500 FICA	1,624.00

AGING - DESIGNATED AS LEAD AGENCY FOR COLUMBUS COUNTY

A motion was made by Commissioner Norris, seconded by Commissioner Gray and passed unanimously to designate the Columbus County Department of Aging as the Focal Point Lead Agency on Aging which will administer the Area Plan and will assist the Region 0 Area Agency of the Cape Fear Council of Governments.

CONTRACT - DEPARTMENT OF SOCIAL SERVICES' ATTORNEY

A motion was made by Commissioner Williams, seconded by Commissioner Wilson and passed unanimously to approve the following Contract of Employment for the Department of Social Services' Attorney.

STATE OF NORTH CAROLINA

COUNTY OF COLUMBUS

CONTRACT OF EMPLOYMENT

(Primary Contract)

THIS CONTRACT OF PRIMARY EMPLOYMENT by and between the Columbus County Commissioners (hereinafter referred to as DEPARTMENT), and David S. Tedder, Attorney-at-Law (hereinafter referred to as ATTORNEY), to provide for the legal services needed by the Columbus County Child Support Agency (hereinafter referred to as AGENCY).

W I T N E S S E T H :

WHEREAS, the DEPARTMENT desires to employ the ATTORNEY to provide legal services needed by the AGENCY upon the following terms:

1. That this is Contract shall begin December 1, 1995, and

will continue through November 30, 1996, unless terminated, renewed, or extended as provided herein.

2. That the ATTORNEY, upon reasonable notice, shall be available for consultation, legal advice and representation as requested by the AGENCY on legal matters arising under Article 9, Chapter 110 of the North Carolina General Statutes, Title 42 United States Code, Section 651 et seq., and the regulations promulgated thereunder regarding the performance of program legal services.

3. The ATTORNEY agrees to comply with all of the requirements of Article 9, Chapter 110 of the North Carolina General Statutes, Title 42 United States Code, Section 651 et seq., and the regulations promulgated thereunder, regarding the performance of program legal services. These requirements include, but are not limited to, maintaining such records as are required by the DEPARTMENT or AGENCY, making such records available for Federal or State Audit if required, and making any financial, statistical, and program progress reports.

4. That the DEPARTMENT agrees to pay the ATTORNEY sixty and 00/100 (\$60.00) dollars per hour for the time spent in performing the services required under this Contract. This hourly rate shall encompass all expenses including, but not limited to, those for salary, supplies, office space, heating and maintenance for office space, telephone service, long-distance telephone calls, and travel. That the ATTORNEY is not to be reimbursed for incurring extraordinary expenses incidental to performing the services required under this Contract, with the exception that the DEPARTMENT agrees to pay all Court costs and filing fees which are required to be paid in conjunction with the services provided by the ATTORNEY under this Contract.

5. Either party may terminate this agreement with thirty (30) days written notice to the other party.

6. That it is understood and agreed between the DEPARTMENT and the ATTORNEY that the payment of compensation specified in this Contract, its continuation or any renewal or extension thereof, is dependent upon and subject to, the allocation and appropriation of funds to the DEPARTMENT for the purpose set forth in this

Contract.

7. That the DEPARTMENT has the option to renew or extend this Contract for additional one (1) year periods, not to exceed two (2) renewals or extensions.

8. The ATTORNEY shall notify the AGENCY when a conflict of interest arises for the ATTORNEY. In all such cases, referral shall be made to another attorney with whom the DEPARTMENT has contracted for secondary employment for the provision of legal services when conflicts arise.

9. Reimbursement for attendance at one (1) annual training session shall be made based upon a maximum hourly rate of sixty and 00/100 (\$60.00) dollars, not to exceed a maximum of two hundred and 00/100 (\$200.00) dollars for the full session or one hundred and 00/100 (\$100.00) dollars for each day attended or the amount set by the Child Support Enforcement Agency. ATTORNEY agrees to attend the annual IV-D Conference and to attend the annual attorney's Child Support Conference.

10. ATTORNEY agrees to complete and return work in a timely manner and to file orders within thirty (30) days of their being rendered.

NOW, THEREFORE, the parties have executed this Contract in triplicate originals, one (1) to be retained by the ATTORNEY, one (1) to be retained by the AGENCY, and one (1) to be filed with the Child Support Enforcement Section of the Department.

/s/ DAVID S. TEDDER
ATTORNEY-AT-LAW

/s/ SPRUELL R. BRITT, CHAIRMAN
COUNTY BOARD OF COMMISSIONERS

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Contract Act.

/s/ GAYLE B. GODWIN

FINANCE OFFICER

AIRPORT - GRANT AGREEMENT APPROVAL

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to accept a grant from the North Carolina Department of Transportation, Aviation Division,

for the Columbus County Airport for land acquisition and construction for a runway extension. The complete Grant Agreement is on file in the office of the Clerk to the Board. The following Resolution was adopted:

A motion was made by Commissioner Lynwood Norris and seconded by Commissioner C.W. Williams for the adoption of the following Resolution, and upon being put to a vote was duly accepted:

WHEREAS, a grant in the amount of \$941,822 has been approved by the Department (N.C. Department of Transportation, Aviation Division) based on a total estimated cost of \$1,046,469; and

WHEREAS, an amount equal to or greater than 10% of the total project cost has been appropriated by the Sponsor (Columbus County) for this Project.

NOW THEREFORE, BE AND IT IS RESOLVED THAT the Spruell R. Britt, Chairman of the Sponsor, be and hereby is authorized and empowered to enter into a Grant Agreement with the Department, thereby binding the Sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

I, Ida L. Smith, Clerk to the Board of the County of Columbus, do hereby certify that the above is a true and correct copy of an excerpt from the minutes of the Columbus County Commissioners of a meeting duly and regularly held on the 2nd day of January, 1996.

This, the 2nd day of January, 1996.

/s/ Ida L. Smith

(SEAL)

Clerk to the Board
County of Columbus

SCHOOLS - WHITEVILLE CITY TEN YEAR FACILITIES NEEDS ASSESSMENT
PLAN APPROVED

A motion was made by Commissioner Norris, seconded by Commissioner Williams and passed unanimously to approve the 1996 Public School Facility 10-Year Needs Assessment Plan for submission to the State Department of Public Instruction for Whiteville City

Schools.

APPOINTMENTS - HEALTH BOARD TABLED

A motion was made by Commissioner Gray, seconded by Commissioner Norris and passed unanimously to table the appointments to the Columbus County Health Department Board of Directors until the next Board Meeting.

CHAMBER OF COMMERCE - WELCOME SIGNS DESIGN APPROVED

A motion was made by Commissioner Norris, seconded by Commissioner Wilson and passed unanimously to approve the design for the County and City Welcome Signs as presented by Jackie McPherson, Executive Vice-President of the Greater Whiteville Chamber of Commerce.

BUILDINGS (COURTHOUSE) - LEASE PURCHASE AGREEMENT FOR NEW HEATING/AIR CONDITIONING SYSTEM & WIRING

Dempsey B. Herring, Administrator, advised the Board that the major problem with the Courthouse is the boiler system and leaking radiators which results in water damage to carpets. A new central heating and air conditioning wiring update and plans for installation has been completed by David Simms of Wilmington, a licensed professional engineer, with the help of Frank Ballard. The initial monies budgeted for the project do not include wiring upgrades. Mr. Herring stated that after thorough investigations with power companies and contractors, he is recommending the Board consider a Lease Purchase Plan through Carolina Power and Light Company which will allow us to install a complete new heating and air conditioning system, including wiring, not to exceed \$150,000.00, with a five (5) year pay back.

A motion was made by Commissioner Gray, seconded by Commissioner Norris and passed unanimously to allow Dempsey Herring, Administrator, to proceed with the Lease Purchase Plan for the installation of a new central heating and air conditioning system, including wiring, in the Courthouse, not to exceed \$150,000.00.

CLOSED SESSION

At 8:45 A.M., a motion was made by Commissioner Dutton, seconded by Commissioner Norris and passed unanimously to enter

into a closed session in accordance with G.S. 143-318.11(5) to discuss the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

RESUMED REGULAR SESSION

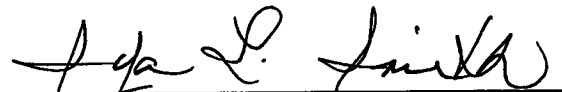
At 9:02 A.M., a motion was made by Commissioner Wilson, seconded by Commissioner Williams and passed unanimously to adjourn closed session and resume regular session.

No action was taken.

ADJOURNMENT

Immediately, thereafter, a motion was made by Commissioner Wilson, seconded by Commissioner Norris and passed unanimously to adjourn the Board Meeting.

APPROVED:



Ida L. Smith, Clerk to Board



Spruell R. Britt, Chairman