

COLUMBUS COUNTY
BOARD OF COMMISSIONERS

MINUTES

The Honorable Board of Columbus County Commissioners met in their said office at 112 West Smith Street, Whiteville, NC at 8:00 A.M., July 10, 2000 to resume the Board Meeting that was recessed at 8:45 A.M. July 3, 2000.

BOARD MEMBERS PRESENT:

Lynwood Norris, Chairman

David L. Dutton, Jr.

A. Dial Gray, III

Sammie Jacobs

Amon E. McKenzie

C.E. Wilson

James E. Hill, Jr.
County Attorney

Dempsey B. Herring
County Administrator

Ida L. Smith
Clerk to Board

BOARD MEMBER ABSENT:

Spruell R. Britt, Vice Chairman

Chairman Norris called the recessed Board Meeting to order and Commissioner Gray gave the invocation.

ECONOMIC DEVELOPMENT - DIRECTOR INTRODUCTION

Dempsey B. Herring, County Administrator, introduced Phyllis Owens who was hired as the new Economic Development Director, effective July 3, 2000.

PUBLIC HEARING CANCELED - WATER AND SEWER DISTRICT III

James E. Hill, County Attorney, updated the Board regarding the boundary lines for Columbus County Water Districts II and III and stated the Public Hearing scheduled

regarding the boundary lines should be canceled.

A motion was made by Commissioner Wilson, seconded by Commissioner Dutton and passed unanimously to cancel the Columbus County Water and Sewer District III Public Hearing as recommended by James E. Hill, Jr., County Attorney.

RESOLUTION - COLUMBUS COUNTY WATER AND SEWER DISTRICT III

A motion was made by Commissioner C.E. Wilson, seconded by Commissioner Amon E. McKenzie, and passed unanimously to adopt the following Resolution.

An adjourned or recessed regular meeting of the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer District III, in Columbus County, North Carolina, was held in the Commissioners' Chambers on the Second Floor of the Columbus County Courthouse Annex at 112 West Smith Street, in Whiteville, North Carolina, the regular place of meeting, at 8:00 A.M., on July 10, 2000 (such meeting having been adjourned or recessed from the regular meeting of said Board held on July 3, 2000).

Present: Chairman L. Lynwood Norris, presiding, and Commissioners David L. Dutton, Jr., A. Dial Gray, III, Sammie Jacobs, Amon E. McKenzie and C. E. Wilson.

Absent: Spruell R. Britt.

Also present: Gayle Godwin, Finance Officer, and Ida L. Smith, Clerk to the Board of Commissioners.

* * * * *

Commissioner C.E. Wilson introduced the following resolution, a copy of which had been made available to each Commissioner and which was read by its title:

**RESOLUTION RELATING TO THE AUTHORIZATION
OF WATER BONDS OF THE COLUMBUS COUNTY
WATER AND SEWER DISTRICT III**

WHEREAS, the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer District III, in Columbus County North Carolina (the "District"), has commenced authorizing the issuance of \$6,571,000 Water Bonds of the District pursuant to an order to be introduced by said

Board on July 10, 2000, which order will be submitted to the voters of the District at a referendum to be held on October 3, 2000, and it is necessary to take certain related action at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the District as follows:

Section 1. Said Board hereby finds and determines in connection with authorizing the issuance of such bonds that (I) the proceeds of such bonds will be used, with any other available funds, for constructing a water system of the district, as described in a preliminary engineering report prepared by McKim & Creed Engineers, Wilmington, North Carolina, dated September 1998 and revised May 1999, to provide the residents of the District with a much-needed, dependable and safe supply of water and, accordingly, the issuance of such bonds is necessary or expedient for the District, (ii) the principal amount of such bonds is adequate and not excessive for the proposed purpose of such bonds because it is based upon the District's best estimates of the cost of constructing such water system and related uses of funds and the District's best estimates of the sources of funds that will be available for such purpose, (iii) the District's debt management procedures and policies are good and will be managed in strict compliance with law, (iv) the increase in taxes, if any, necessary to service such bonds will not be excessive because it is expected that the revenues derived from the operation of such water system will be sufficient to pay for the cost of operating it and debt service on such bonds and (v) such bonds can be marketed at reasonable rates of interest.

Section 2. The law firm of Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as bond counsel of the District in connection with the authorization and issuance of such bonds.

Section 3. The Chairman of said Board and the County Manager, the Finance Officer and the County Attorney of said County are each hereby authorized to take such action as may be advisable in connection with authorizing the issuance of such bonds; and all actions heretofore taken by any of such officers or any other officer of said County

relating to such matter, including the filing of an application with the Local Government Commission of North Carolina for approval of such bonds, are hereby approved, ratified and confirmed.

Section 4. The resolution passed by the Board on June 5, 2000 entitled: "RESOLUTION RELATING TO THE AUTHORIZATION OF WATER BONDS OF THE COLUMBUS COUNTY WATER AND SEWER DISTRICT III" is hereby repealed.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner C.E. Wilson, seconded by Commissioner Amon E. McKenzie, the foregoing resolution was passed by the following vote:

Ayes: Commissioners L. Lynwood Norris, David L. Dutton, Jr., A. Dial Gray, III, Sammie Jacobs, Amon E. McKenzie and C.E. Wilson.

Noes: None.

Thereupon, upon motion of Commissioner C.E. Wilson, seconded by Commissioner Amon E. McKenzie, the bond order passed on first reading by the Board of Commissioners on June 5, 2000 entitled: "ORDER AUTHORIZING \$6,571,000 WATER BONDS" was repealed by the following vote:

Ayes: Commissioners Norris, Dutton, Gray, Jacobs, McKenzie and Wilson.

Noes: None.

Thereupon Commissioner C.E. Wilson introduced the following order authorizing bonds which was read:

**ORDER AUTHORIZING \$6,571,000
WATER BONDS**

WHEREAS, pursuant to Article 6 of Chapter 162A of the General Statutes of North Carolina, the Columbus County Water and Sewer District III, in Columbus County, North Carolina, was duly created for the purpose of providing water service to the residents of the territory included within said District and vested with the powers set forth in said Article 6;

WHEREAS, the Board of Commissioners for the County of Columbus, North Carolina has found that there is a demonstrable need for providing water service in said

District; and

WHEREAS, pursuant to said Article 6, said Board is the governing body of said District; now, therefore:

BE IT ORDERED by the Board of Commissioners for the County of Columbus, as the governing body of the Columbus County Water and Sewer District III, in Columbus County, North Carolina:

1. That, pursuant to Article 6 of Chapter 162A of the General Statutes of North Carolina and The Local Government Bond Act, as amended, the Columbus County Water and Sewer District III, in Columbus County, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said District may now or hereafter have power or authority to contract, and in evidence thereof to issue Water Bonds in an aggregate principal amount not exceeding \$6,571,000 for the purpose of providing funds, with any other available funds, for constructing a water system of said District, within and without the corporate limits of said District, including the construction and installation of wells, water treatment facilities, an elevated water storage tank, water mains and lines and appurtenant facilities, and the acquisition of necessary land, rights-of-way, and equipment.

2. That taxes shall be levied in said District in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said District has been filed with the Clerk to said Board and is open to public inspection.

4. That this order shall take effect when approved by the voters of said District at a referendum as provided in The Local Government Bond Act, as amended.

The Board of Commissioners thereupon designated the Finance Officer of the County as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners the sworn statement of debt of the District which is required by The Local Government Bond Act, as amended, to be filed after the bond order has been introduced and before the public hearing thereon.

Thereupon the Finance Officer filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the sworn statement of debt

as so required.

Thereupon the foregoing order entitled "ORDER AUTHORIZING \$6,571,000 WATER BONDS" was passed on first reading.

On motion duly made, seconded and unanimously carried, the Board of Commissioners fixed 8:00 A.M. on August 7, 2000, in the Commissioners' Chambers on the Second Floor of the Columbus County Courthouse Annex at 112 West Smith Street, in Whiteville, North Carolina, as the hour, day and place for the public hearing upon the foregoing order and directed the Clerk to the Board of Commissioners to publish said order, together with the appended statement as required by The Local Government Bond Act, as amended, once in The News-Reporter not later than the sixth day before said date.

* * * * *

I, Ida L. Smith, Clerk to the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer District III, in Columbus County, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at an adjourned regular meeting held on July 10, 2000 as relates in any way to the introduction and passage on first reading of an order authorizing bonds of said District and the calling of a public hearing upon such order and that said proceedings are recorded in Minute Book Number 25 of the minutes of said Board, beginning on Page 723 and ending on Page 727.

WITNESS my hand and the corporate seal of said County, this 10th day of July, 2000.

s/IDA L. SMITH, Clerk to Board

TO THE PUBLISHER OF THE NEWS-REPORTER

Please publish the following on July 13.

**ORDER AUTHORIZING \$6,571,000
WATER BONDS**

WHEREAS, pursuant to Article 6 of Chapter 162A of the General Statutes of North Carolina, the Columbus County Water and Sewer District III, in Columbus County, North Carolina, was duly created for the purpose of providing water service to the residents

of the territory included within said District and vested with the powers set forth in said Article 6;

WHEREAS, the Board of Commissioners for the County of Columbus, North Carolina has found that there is a demonstrable need for providing water service in said District; and

WHEREAS, pursuant to said Article 6, said Board is the governing body of said District; now, therefore,

BE IT ORDERED by the Board of Commissioners for the County of Columbus, as the governing body of the Columbus County Water and Sewer District III, in Columbus County, North Carolina:

1. That, pursuant to Article 6 of Chapter 162A of the General Statutes of North Carolina and The Local Government Bond Act, as amended, the Columbus County Water and Sewer District III, in Columbus County, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said District may now or hereafter have power or authority to contract, and in evidence thereof to issue Water Bonds in an aggregate principal amount not exceeding \$6,571,000 for the purpose of providing funds, with any other available funds, for constructing a water system of said District, within and without the corporate limits of said District, including the construction and installation of wells, water treatment facilities, an elevated water storage tank, water mains and lines and appurtenant facilities, and the acquisition of necessary land, rights-of-way, and equipment.

2. That taxes shall be levied in said District in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said District has been filed with the Clerk to said Board and is open to public inspection.

4. That this order shall take effect when approved by the voters of said District at a referendum as provided in The Local Government Bond Act, as amended.

The foregoing order has been introduced and a sworn statement of debt has been filed under The Local Government Bond Act showing the appraised value of said District to be \$203,570,505 and the net debt thereof, including the proposed bonds, to be \$0.

A tax will be levied to pay the principal of and interest on the bond if they are issued. Anyone who wishes to be heard on the questions of the validity of the bond order and the advisability of issuing the bonds may appear at a public hearing or an adjournment thereof to be held at 8:00 A.M. on August 7, 2000 in the Commissioners' Chambers on the Second Floor of the Columbus County Courthouse Annex at 112 West Smith Street, in Whiteville, North Carolina.

/s/ Ida L. Smith
Clerk to the Board of Commissioners
for the County of Columbus, North Carolina

**COLUMBUS COUNTY WATER AND SEWER DISTRICT III,
IN COLUMBUS COUNTY, NORTH CAROLINA
SWORN STATEMENT OF DEBT MADE PURSUANT
TO THE LOCAL GOVERNMENT BOND ACT, AS AMENDED**

I, Gayle B. Godwin, Finance Officer of the County of Columbus, North Carolina, having been designated by the Board of Commissioners for said County, as the governing body of the Columbus County Water and Sewer District III, in Columbus County, North Carolina, to make and file with the Clerk to the Board of Commissioners a statement of debt of said District pursuant to The Local Government Bond Act, as amended, DO HEREBY CERTIFY that the following is a true statement as shown by the books in my office, not taking into consideration any debt incurred or to be incurred in anticipation of the collection of taxes or other revenues or in anticipation of the sale of bonds other than funding and refunding bonds:

(a) GROSS DEBT

a(1)	Outstanding debt evidenced by bonds.....	\$ -0-
a(2)	Bonds authorized by an order introduced on May 8, 2000, but not yet adopted: Water Bonds.....	\$6,571,000
a(3)	Unissued bonds authorized by adopted orders.....	-0-
a(4)	Outstanding debt, not evidenced by bonds.....	\$ -0-
(a)	GROSS DEBT, being the sum of a(1), a(2), a (3) and a (4).....	\$6,571,000

(b) DEDUCTIONS

b(1)	Funding and refunding bonds authorized by orders introduced but not yet adopted.....	\$ -0-
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b(2)	Funding and refunding bonds authorized but not yet issued.....	\$ -0-
b(3)	The amount of money held in sinking funds or otherwise for the payment of any part of the principal of gross debt other than debt incurred for water purposes or sanitary sewer purposes (to the extent that the bonds are deductible under G.S. §159-55(b)).....	\$ -0-
b(4)	Bonded debt included in gross debt and incurred, or to be incurred, for water purposes.....	\$6,571,000
b(5)	Bonded debt included in gross debt and incurred, or to be incurred, for sanitary sewer system purposes to the extent that said debt is made deductible by G.S. §159-55(b).....	\$ -0-
b(6)	Uncollected special assessments heretofore levied for local improvements for which any part of the gross debt (that is not otherwise deducted) was or its to be incurred to the extent that such assessments will be applied, when collected, to the payment of any part of the gross debt.....	\$ -0-
b(7)	The amount, as estimated by the Finance Officer, of special assessments to be levied for local improvements for which any part of the gross debt (that is not otherwise deducted) was or is to be incurred, to the extent that the special assessments, when collected, will be applied to the payment of an part of the gross debt.....	\$ -0-
(b)	DEDUCTIONS, being the sum of b(1), b(2), b(3), b(4)g, b(5), b(6) and b(7).....	\$6,571,000

(c) NET DEBT

(c)	NET DEBT, being the difference between the GROSS DEBT (a) and the DEDUCTIONS (b).....	\$ -0-
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(d) APPRAISED VALUE

(d)	APPRAISED VALUE of property subject to municipal taxation before the application of any assessment ratio, being the value fixed in 1999.....	\$203,570,505
(e)	Percentage which the NET DEBT© bears to the APPRAISED VALUE (d).....	0.0%

The foregoing statement is true.

s/GAYLE GODWIN, Finance Officer

STATE OF NORTH CAROLINA)
)
 COUNTY OF COLUMBUS)

ss:

Subscribed and sworn to before me this 10th day of July 2000.

/s/ June B. Hall
 Notary Public

(Official Seal)

My Commission Expires: 9-25-2003

* * * * *

I, Ida L. Smith, Clerk to the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer district III, in Columbus County, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of a statement which was filed with me at a meeting of said Board held on July 10, 2000, after the introduction and before the public hearing on an order authorizing bonds of said District, and that said statement is open to public inspection in my office.

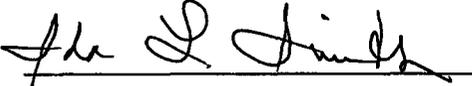
WITNESS my hand and the corporate seal of said County, this 10th day of July 2000.

/s/IDA L. SMITH, Clerk to Board

ADJOURNMENT

A motion was made by Commissioner Dutton, seconded by Commissioner Wilson and passed unanimously to adjourn the Board Meeting at 8:13 A.M.

APPROVED:


Ida L. Smith, Clerk to Board


Lynwood Norris, Chairman

