

COLUMBUS COUNTY BOARD OF COMMISSIONERS**July 17, 2006****6:00 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, for the purpose of holding a Public Hearing and for their regular scheduled meeting on the third Monday.

COMMISSIONERS PRESENT:

Kipling Godwin, **Chairman**
 David L. Dutton, Jr., **Vice Chairman**
 Amon E. McKenzie
 James E. Prevatte
 Sammie Jacobs
 Bill Memory
 Lynwood Norris

APPOINTEES PRESENT:

Jimmy Varner, **County Manager**
 Steven W. Fowler, **County Attorney**
 June B. Hall, **Clerk to Board**

APPOINTEE ABSENT:

Roxanne Coleman, **Finance Officer**

6:00 P.M.

PUBLIC HEARING: **Proposed Columbus County Subdivision Regulations Ordinance (Case Number: TO-04-06):** to receive written and/or oral comments from the public.

PUBLIC HEARING OPENED:

At 6:00 P.M., Chairman Godwin opened the Public Hearing, and stated the Proposed Subdivision Regulations Ordinance is to establish procedures and standards to guide and regulate the development and subdivision of land, for sale or building development (with immediate or future), within the territorial jurisdiction of Columbus County. It is further designed to provide for the orderly growth and development of Columbus County, for the sound and orderly use of land/ and for the coordination of transportation networks and utilities within proposed subdivisions with existing or planned streets and highways, and other public facilities.

We will follow the Policy on Comments at Public Hearings that has been adopted by the Board. We will allow the citizens who have filled out a purple card to speak in the order these cards were received by the Clerk. Steven W. Fowler, Columbus County Attorney, will state the guidelines and procedures that will be followed in this Public Hearing. Mr. Fowler read the policy on Comments at Public Hearings in its entirety.

Chairman Godwin requested J.B. Evans, Chairman of the Columbus County Planning Board, to make comments on this document. Mr. Evans stated the following:

1. This document has been in process for the last two to three (2-3) years;
2. The Columbus County Planning Board has compiled a workable document for Columbus County;
3. We have held several workshops with the Board of County Commissioners for their input;
4. We have held four (4) public meetings for the public's input;
5. During this process, the Planning Board members disagreed on several issues, but we were able to reach a common ground;
6. We think this document has been prepared on our county level; **and**
7. This is the right plan for Columbus County.

Chairman Godwin requested Stevie Cox, Columbus County Planner, to give an overview. Mr. Cox stated the following:

1. I am immensely grateful to have had the opportunity to work on this document;
2. I would like to thank my Planning Board members, as well as the County Commissioners for their efforts in creating a document that we can all live with;
3. Over the past twenty-four (24) months, the Planning Board and Staff have worked on the structure of the Subdivision Regulations Ordinance. The North Carolina Department of Commerce, Division of Community Assistance (NCDCA) has provided the technical support for the document. The Planning Board has worked to take into consideration a variety of

- concerns and issues that would affect the future development and subdivision of land. In March, 2005, the Planning Board voted to approve and forward this document to the County Commissioners for a Public Hearing and adoption;
4. On April, 16, 2005, staff was instructed to place copies of the Subdivision Regulations Ordinance for public review and comment in County Administration Building and each of the public libraries. Each copy of the Ordinance included a letter from the Assistant County Administrator stating that the County was receiving public comments on this document and how to provide comments. During this time, Staff received no comments from the public.;
 5. At the October 18, 2005 Planning Board Work Session, the Planning Board instructed Staff to move forward with requesting a call for a Public Hearing on the Subdivision Regulations Ordinance. On November 7, 2005, Staff made a formal request to the County Commissioners that the Public Hearing be held on December 5, 2005. At this meeting, the County Commissioners voted to table this matter and requested that there be a joint Board meeting with the Planning Board to review the Ordinance. During the period of January 2006 - April 2006, the Planning Board and the County Commissioners held a series of six (6) joint meetings to review the entire Ordinance and to make necessary changes to the document. Staff worked with Tom King of the North Carolina Division of Community Assistance to address the changes and updates.;
 6. During the period of May 25 - June 6, 2006, Staff held a series of four (4) public meetings at each of the high schools in the County. These meetings were held to educate the public on the content of the Ordinance and to receive public comments. Several members of the County Commissioners and Planning Board attended each of these Public Meetings. Furthermore, over forty-five (45) citizens participated in the Public Meetings.;
 7. Once the Public Meetings were complete, the Chairs of the Board of Commissioners and Planning Board and Planning Department Staff held a conference call with Tom King of NCDCA's Senior Planner, on June 29, 2006. The conference call was conducted to address items that would need to be amended or changed. On July 6, 2006, Staff met with Mr. King to review the final document and make the final changes to this Ordinance.;
 8. A block advertisement for the Public Hearing was published in the July 6 and July 13, 2006 editions of the News Reporter and Tabor City-Loris Tribune. The Ordinance has been made available for review at the County's libraries, the County Clerk's Office, the Planning Department and the County Website. Furthermore, Staff has worked with the local surveyors, realtors and attorney to schedule a workshop on the Subdivision Regulations Ordinance and its requirements.;
 9. In the process of getting to where we are at now, there have been the following held:

13	Drafts prepared, two (2) initially reviewed in house with DCA
3	County Staff reviews
3	Planning Board reviews
2	Board of Commissioners' reviews
2	Public review drafts
1	Public Hearing
8	Staff Meetings
13	Planning Board Meetings
3	Board of Commissioners' Meetings
4	Public Meetings;
 10. This document is not perfect, but it is one I think we can live with; **and**
 11. At this time, I will ask Tom King to speak.

Tom King stated the following:

I will go over four (4) pages of changes to this document that have been recommended as follows:

-Article 1: General Provisions (1.6)

-Article 2: Legal Status Provisions (2.7.5)

-Article 3: Application and Approval Procedures (3.4, 3.6, 3.7.7)

At this time in the list of changes, extensive discussion was conducted on the following Section:

3.7.7 Limitation on Use of Family Subdivision Procedure:

Vice Chairman Dutton, Commissioners Memory and Prevatte requested Mr. King to explain this section in further detail and clarification, and expressed concerns relative to the hardships this would place on private citizens with large families, and the ones who might be dealing with financial hardships in the future.

Chairman Godwin stated the following:

1. This document does provide some relief for situations of this nature by the request for a variance or relief;
2. A person would have to go through an appeals process if this situation should arise;
3. It is evident that this document needs some final revisions made; **and**
4. As it stands now, the plans for land given to heirs will have to be reviewed by the Columbus County Planner.

Commissioner Jacobs stated this variance should be built into this document for the convenience of our citizens.

Stevie Cox, Columbus County Planner, stated the following:

1. This document was based on a give and take situation between the Planning Board, the Board of Commissioners and Staff;
2. We can streamline the process for the review of the Family Subdivision, however, if you have it where they go from no pre-review, just final submission, and they bring in the mylars and the copies, there will not be an opportunity to catch anything that might not be right, or anything that might indicate they have to get a DOT approval; **and**
3. There may be a way of streamlining those a little, but there still needs to be some form of preliminary review, before they come in for final review.

Chairman Godwin stated, for the sake of time, the following:

1. The allotted time for this Public Hearing is technically over, but with the permission of the other Board members, we will extend the time to allow the ones who have requested to speak, the privilege of doing so;
2. This document has taken a lot of time and effort on everyone's part, and has been a well thought out document; **and**
3. We still need to make some revisions for the finalization.

PUBLIC COMMENTS:

The floor is now open for written and/or oral comments from the public. The following people spoke.

1. **Steve Candor:** stated the following:
 - A. I represent the Brunswick County Association of Realtors which covers Brunswick, Bladen and Columbus Counties;
 - B. The realtors sell the end product of a subdivision so we have a lot of concerns with this;
 - C. We want to compliment you to do the subdivision process to make sure there is quality land development in Columbus County;
 - D. I expressed concerns at the May 30, 2006 Public Meeting held at East Columbus High School regarding this document;
 - E. I am here tonight to ask some questions, or make some statements, as follows:

1.7 School Site Reservations

It is very expensive to hold onto land for 18 months while any board or committee decides on land acquisition. The Columbus County School Board should have a plan for growth and identified potential school sites. This process does not take 18 months (refer to Section 1.11). Any proposed subdivision that meets the growth plan for the school system should negotiate any agreement(s) within 9 months. Please reconsider the 18-month requirement.

1.14 Fees

Has a fee schedule been proposed for the subdivision processes? Has the public been offered an opportunity to review or submit comments on the proposed fee schedule?

2.52 Subdivision Appeals Board

Is the Subdivision Appeals Board a quasi-judicial board; similar to a Board of Adjustments? Is the criterion set for the findings of fact?

3.61 Plat Requirements

May the Board of Commissioners consider adding a few items to the title block of the plat? A few suggestions are the stage of the subdivision process; sketch, preliminary or final. Can you also require whether the subdivision is a family, minor or major subdivision?

3.7 Approval Procedures for Family Subdivisions

The application and review procedure for Family Subdivisions seems too cumbersome and expensive for the intended applicant. It is essentially the same application and review process for minor subdivisions. What is the purpose of distinguishing between the two types of subdivisions if the requirements are essentially the same? Would the Board of Commissioners have pity on the common man who wants to will his children his estate?

Please add a vested right provision for plats already in the process before the adoption of the ordinance.

4.1.10 Stream Buffers

We appreciate the Board of Commissioners adjusting the previous requirements for stream buffers. However, the ordinance requires the applicant to establish a stream buffer, even if one does not exist. The point of a stream buffer is not to disturb the area during development. Planting a 50-foot buffer of some kind would disturb the existing bank and flow of the natural stream. Would the Board consider removing the word “established” in 4.1.10 A?

4.3.4 Building Envelopes (Setbacks)

According to table 4.11, if a subdivision is 100 acres then the sub divider can only use 40 acres of the tract for development. The setbacks seem excessive. This requirement will single-handedly drive the price of land beyond affordability for most Columbus County citizens. Can the required setbacks for on and off street right-of-way be a more reasonable 25 feet?

2.8-2.8.4 Development Moratoria Procedures

Why does the county need this section in the subdivision ordinance? Why does the county want to take away our citizens right to develop their own property? Give me an example of why you would need a moratorium on subdivisions?

2.4 Subdivision Administrator

Assuming Mr. Cox is appointed the subdivision administrator, do the commissioners feel the ordinance is adequate to assist him in applying sound judgment. According to NC Statute 153A-330, whenever the ordinance includes criteria for decisions that require the application of judgment, those criteria must provide adequate guiding standards for the entity charged with plat approval?

5.2 Definitions

Since the section on adequate public facilities was removed, please remove the definition for APFs as well.

- F. I am requesting, for everyone’s sake, that the above listed items be addressed.
2. **Jim Mauldin:** stated the following:
- A. I live here in Whiteville;
 - B. I am an accountant, by profession, and also a real estate broker and investor;
 - C. I got some concerns about this document and I will address a few of them;

- D. One (1) of the concerns is the Appeals Process. I think that this is cumbersome, and if there is an Appeals Process, I want to make sure it is completely judicial and fair and equitable to everybody, straight across the board. You shouldn't have to wonder about who is making this decision and how is it going to be made;
 - E. The setbacks are another concern;
 - F. The document mentions criminal penalties, and I think it is a little bit early to be talking about criminal penalties because we've addressed the fees, but I have not seen the fee schedule. I understand it is on the Agenda to be approved, but yet I have not been able to get my hand on this fee schedule; **and**
 - G. The size of the lots has been increased from one-half (1/2) acre to, what I calculate as eight-tenths (8/10) of an acre. If the Health Department will approve an one-half (1/2) acre lot, why can't we have five-tenths (5/10) acre in the Subdivision Ordinance?
3. **Mitchell Mercer:** stated the Family Subdivision provision's waiting period of a five (5) year restriction before any other division or sale could happen is my major concern.
4. **Lacy Wilson:** stated the following:
- A. The books were just made available on Thursday;
 - B. Will roads have to be paved in minor subdivisions or only in major subdivisions?

Tom King replied stating that if it was more than two (2) lots, you would have to have a gravel street, and with a major subdivision, the roads will have to be up to DOT standards.

- C. What if someone develops a subdivision on a soil road? We call them dirt roads in Columbus County. County DOT works the roads, but it is not paved. If I build a major subdivision on a dirt road, am I going to have to pave my road coming out to a dirt road?
- Mr. King and Chairman Godwin replied stating yes you will.
5. **Nelson Soles:** stated the following:
- A. I am a North Carolina registered land surveyor in Columbus County;
 - B. I do support the Subdivision Regulations Ordinance because I think Columbus County needs this;
 - C. In looking over the document, and in my line of work, and what I see on a daily basis, I do have some concerns;
 - D. I have been told that this is only for stick-built homes, but I do not see this in the document, and I would like for it to be clearly referenced;

Mr. King replied this Ordinance deals with the division of land for stick-built, manufactured homes, modular or commercial.

Discussion was conducted relative to previous information given and statements made as to this Ordinance applying to stick-built homes only or being inclusive of all types of homes.

- E. The reason that I ask the question is the statement listed in the "What and When" section that states "The Subdivision Regulations regulate the division of land rather than the actual use of the land, therefore, anything can be placed on a subdivided lot: a site-built, modular or manufactured home, or a commercial or industrial building";
- F. What are we going to be held to by this document?;
- G. This needs some clarification;

In-depth discussion was conducted relative to this being a zoning issue or not one, the original intent of the Ordinance being only stick-built homes, this document being a piggyback to another document, and the original intent of this document.

- H. When I have clients come in and they tell me they would like to do an eight (8) lot subdivision for mobile homes, it is very unclear if they have to abide by the existing Manufactured/Mobile Home Ordinance or this Subdivision Regulations Ordinance;

Chairman Godwin replied stating that if anyone comes to you planning to do three (3) or more lots for the purpose of mobile homes, it will be governed by the existing

Manufactured/Mobile Home Park Ordinance.

- I. On the statement of Ownership and Dedication, I noticed that the Ordinance is requiring that the statement be notarized. I am just wondering the legality of that. Is it required? We, surveyors, have to put all these notes on the maps, and it is getting cumbersome in getting all these notes on there. If the professional land surveyor's signature does not to be notarized, the Planner's signature does not have to be notarized, I am just wondering why we are asking that Ownership and Dedication be notarized, because I know that the final plat has to be on mylar. Those mylars can not be crimped, and if it is stamped with the ink that is on those, it will bleed into the mylar and also I feel like that is an extra burden on the developer to have to run to all these places to try and get notaries.

Commissioner Prevatte asked if someone had done their preliminary plans, and we pass this Ordinance, will they have to go back and redo all their paperwork? Stevie Cox replied stating, the Planning Board met on Thursday, and at our Planning Board Meeting, they made a motion that was passed where that there be a Common Law Vested Right Section included in the Ordinance, to be written by the County Attorney. What this would do is that for anyone that is already in the process, they would be able to prove that they have invested a substantial amount of time and money into a subdivision of land, prior to that date. Based on case law, they would be able to get in under the Common Law Vested Right Section, that we are proposing as an addition to the Ordinance, as well.

The percentage of completion, to determine if a developer should fall under the Common Law Vested Right Section, was discussed at great length without a definite percentage amount established.

6. **Raymond Suggs:** stated the following:

1. My biggest problem with this document is the family subdivision;
2. I have a large family, and under this regulation, I would have to do a major subdivision;
3. It would cost me too much money to give my children and my relatives my land;
4. This Family Subdivision needs to be eliminated from this document completely;
5. The County and the Subdivision Administrator should have no control over what I do with my property and what my children do with the property after I give it to them. Once I give it to them, it is theirs. They should be able to turn around and sell it the next day, if they want to. They shouldn't have to wait five (5) years before they can do anything with it; **and**

Chairman Godwin stated this could be done under a Major Subdivision.

6. If I did this under a Major Subdivision, it would cost me thousands and thousands of dollars to do it and the taxes. If I do it under a Family Subdivision, I fall under a certain tax bracket, and if I do it under Major Subdivision, I fall under a higher tax bracket. I would have to pay a lot more taxes.

7. **William Harold Thompson:** stated the following:

1. Basically, what the previous gentleman stated is what I would like to say also;
2. I need some clarification on the stream buffers;
3. I own a lot of property on Waccamaw River, and does that mean I will have to go down there and plant a fifty (50') foot buffer?;
4. If your house is sitting on the river, are you going to have to move it to meet these standards?;
5. I've heard about civil and criminal penalties;
6. We also have a farm that has a canal running through it. Am I going to have to go to that farm and do a fifty (50') foot buffer? The definition of a stream (Ditch or Canal) is a man-made channel other than a modified natural stream constructed for drainage purposes that is typically dug through inter-stream divide areas;
7. Is everybody in Columbus County that has a farm with a ditch running through it, for drainage purposes, going to have to do a fifty (50') foot buffer?;
8. I was one of the ones that didn't get a copy of this today because it was fifty and 00/100 (\$50.00) dollars, and I borrowed Lacy Wilson's;
9. I apologize for not having been here for all the other meetings, and this is a big

- concern to me for all the people that already have houses on Waccamaw River, it says existing or the ones to be. Are they going to have to go and move their house and put a fifty (50') foot buffer?
10. On the land I have already that's got ten (10') foot, can I not go and cut the underbrush down so I can see the river? That is why you got a house on the river for. If you didn't want to see the river, you might as well have it back over here on Slippery Log Road so I can look at the swamp.;
 11. This would apply to a fish pond; **and**
 12. There are a lot of concerns in this document that needs to be addressed.
8. **Terry L. Mann:** stated the following:
- A. I have lived in the city limits all my life, and will probably never purchase any land outside of the city limits;
 - B. On a business level, I would like to say that it is time we adopt some type of orderly growth for development that will come to Columbus County sooner or later;
 - C. The best way to develop a good tax base, is to build nicer housing developments;
 - D. I really urge you to get on this process, make the necessary tweaks and process; **and**
 - E. You will not be adopting anything that the neighboring counties do not have.
9. **Janice Young:** stated the following:
- A. I represent the Whiteville Chamber of Commerce;
 - B. I respect the job that everyone has done in getting this document prepared;
 - C. We do support and think it is very important that a Subdivision Ordinance be passed;
 - D. You can look around at the counties around us, and you can see that we need to be prepared for the growth that is ahead;
 - E. It is also important that because of the lifestyle that many of our citizens have, that we do look at a balance, because of the lifestyle that many of our people live here, the reason they are living here, is because of the balance that we have in those developments and agriculture in some others already;
 - F. We believe it is important that we continue to plan for the use of our land;
 - G. Additional ordinances, such as this one, such as perhaps additional restrictions on the mobile home development needs to be put into place in order to improve the economic development of our county;
 - H. One of the best ways to grow and improve our county, is by having additional development and property so we will have additional taxpayers supporting us and supporting a lot of the needs we have here; **and**
 - I. We do believe it is important to move on with this process, and to move on with it properly, paying attention to the questions and concerns that have been addressed tonight.
10. **Billy M. Duncan:** stated the following:
- A. I am a Land Surveyor here in Whiteville;
 - B. Mr. Dutton, I would like to address your concern to start with, where you were talking about the farmer out there;
 - C. We have heard from the cities and towns where they already have their Ordinances in place;
 - D. I am asking you to consider the people out in the country, the farmers, who have worked long and hard to buy their farm and have their land, and be easy on them. Let me speak for them, because they are a different breed. They don't like to be told what they can do with what they have got. Please take that into consideration, when you think.;
 - E. The Environmental Health Department controls the size of your lot. If they will approve an one-half (½) acre lot, that's good. I can show you within three (3) miles of this town, some nice little houses on that size where one (1) or two (2) people live in a house, with a nice little garden in that space. That's sufficient.;
 - F. With the Major Subdivision, on the eight lot, you are not being reasonable, you should think seriously about that, especially with the larger size. Special consideration should be given to the ten (10) acres, if you are going with the twenty (20) lots, if you are going with twelve (12) lots, show that should be able to handle a larger subdivision.

Chairman Godwin stated it was apparent there were some issues that needed clarification and modification in the Proposed Columbus County Subdivision Regulations Ordinance.

J.B. Evans, Chairman of the Columbus County Planning Board, recommended that all members of the Planning Board and the Columbus County Board of Commissioners meet and work on the issues of concern that have been stated.

Commissioner Prevatte recommended that these issues be in writing so they would not be overlooked at the joint meeting.

PUBLIC HEARING ADJOURNED:

At 7:21 P.M., Commissioner Memory made a motion to adjourn the Public Hearing, seconded by Commissioner Jacobs. The motion unanimously carried.

**7:27 P.M.
REGULAR SESSION**

Agenda Items #1 and #2: MEETING CALLED to ORDER and INVOCATION:

At 7:27 P.M., Chairman Godwin called the meeting to order, The invocation was delivered by Commissioner Bill Memory. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America.

Agenda Item #3: PRESENTATION - RETIREMENT PLAQUE:

Chairman Godwin presented the following Retirement Plaque to Sanford Hardee for his many years of service to the Columbus County Sheriff's Department.

Presented to
SANFORD HARDEE
in Grateful Appreciation and Loyalty
to
Columbus County Sheriff's Department
10-01-1974 - 06-30-2006

COLUMBUS COUNTY BOARD OF COMMISSIONERS

Mr. Hardee stated he had enjoyed working with the Columbus County Sheriff's Department for thirty-two (32) years, and he had worked under several different sheriffs, and thanked the County Commissioners for this recognition.

Chairman Godwin recognized the Sheriff's Department's staff that was present, and Mr. Hardee received a standing ovation.

Agenda Item #4: BOARD MINUTES APPROVAL:

Commissioner Memory made a motion to approve the following Board Minutes, as recorded, seconded by Commissioner Norris. The motion unanimously carried.

- A. June 12, 2006 Budget Workshop Minutes;
- B. June 13, 2006 Ordinance Workshop Minutes;
- C. June 15, 2006 Budget Workshop Minutes;
- D. June 19, 2006 Regular Session Minutes;
- E. June 20, 2006 Public Hearing and Special Called Meeting Minutes;
- F. June 26, 2006 Public Hearing and Special Called meeting Minutes;
- G. June 26, 2006 Columbus County Water and Sewer District IV Board Meeting Minutes;
- H. June 28, 2006 Special Called Meeting Minutes; **and**
- I. June 30, 2006 Special Called Meeting Minutes.

Agenda Item #4: ORDINANCE - APPROVAL of COLUMBUS COUNTY SUBDIVISION REGULATIONS ORDINANCE (CASE NO.: TO-04-06):

Stevie Cox, Columbus County Planning Director, requested Board approval and adoption of the Columbus County Subdivision Regulations Ordinance (Case Number: TO-04-06). The required Public Hearing was duly called for, advertised, and held prior to this meeting. In view of

the Public Hearing that was held, I am recommending the Columbus County Subdivision Regulations Ordinance be tabled and set a date for a workshop to address the items of concern.

Commissioner Memory made a motion to table this Agenda item, and for the Clerk to the Board to contact all the Planning Board members, and the Columbus County Board of Commissioners, and set up a joint meeting, to address the items of concern that were expressed in the Public Hearing held previous to this meeting, and for this workshop to be no later than the first meeting in September, 2006. This motion was seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #6: PLANNING DEPARTMENT - APPROVAL of PROPOSED FEE SCHEDULE (CASE NO.: TO-01-06:

Stevie Cox, Planning Director, requested Board approval of the following County of Columbus Planning Department Fee Schedule.

**COUNTY OF COLUMBUS
PLANNING DEPARTMENT
FEE SCHEDULE**

APPLICATION REQUEST	FEE
Subdivision Reviews	
Sketch Plan Review/Technical Review	
Family Subdivision	\$125
Minor Subdivision	\$125
Major Subdivision	\$175
Preliminary Site Plan Review	
Family Subdivision (8 lots or less)	\$250 plus \$20 per lot
Minor Subdivision (8 lots or less)	\$250 plus \$50 per lot
Major Subdivision (9 lots or more)	\$350 plus \$50 per lot
Final Site Plan Review	
Family Subdivision (8 lots or less)	\$200
Minor Subdivision (8 lots or less)	\$300
Major Subdivision (9 lots or more)	
(9 - 20 lots)	\$500
(21 or more lots)	\$1,000
Consulting Fees (Engineers, Attorney, etc.)	Actual Cost to County
Exemption Plats	\$125
Recombination/Exempt Plats	\$125
Site Plan Review	\$350.00 plus \$50 per lot
Appeals Board Application 1	
Variance Application	\$300.00
Text Change Application	\$300.00
Newspaper Notification Surcharge	\$150.00
Adjoining Property Owners Notifications Letters	\$50.00
Manufactured/Mobile Home Park Application	\$300.00 plus \$10.00 per lot over 3 lots
Resort Vehicle Park/Campground Application	\$300.00 plus \$10.00 per lot over 15 lots
Ordinance Fee	
Manufactured/Mobile Home Park Ordinance	\$35.00
Resort Vehicle Park/Campground	\$20.00
Subdivision Ordinance	\$55.00, for paper copy; \$27.50 for CD; \$70 for both
Airport Minimum Standards for Commercial Operations	\$10.00
Airport Rules and Regulations	\$10.00
Airport Height Hazard	\$10.00
Land Use Verification Letter	\$35.00

Flood Zone Verification Letter	\$35.00
Manufactured/Mobile Home Park Operator License Fee -2	\$150
Required Performance Bond	150% of actual cost

1. Applicant will be charged for the advertisement cost for the public hearing notices and notification to the adjoining property owners.
2. Manufactured/Mobile-Home Park Operators of Rental Parks will be required to purchase an operator's license each year for each park. Each park will have to be inspected for compliance with the Manufactured/Mobile Home Park Ordinance.

Discussion was conducted relative to the timing of this fee schedule, and if the Board should wait until the Proposed Columbus County Subdivision Regulations Ordinance has been adopted.

Stevie Cox, County Planner, requested the Board to adopt the Fee Schedule in part, as follows:

**COUNTY OF COLUMBUS
PLANNING DEPARTMENT
FEE SCHEDULE**

APPLICATION REQUEST	FEE
Site Plan Review	\$350.00 plus \$50 per lot
Appeals Board Application 1	
Variance Application	\$300.00
Text Change Application	\$300.00
Newspaper Notification Surcharge	\$150.00
Adjoining Property Owners Notifications Letters	\$50.00
Manufactured/Mobile Home Park Application	\$300.00 plus \$10.00 per lot over 3 lots
Resort Vehicle Park/Campground Application	\$300.00 plus \$10.00 per lot over 15 lots
Ordinance Fee	
Manufactured/Mobile Home Park Ordinance	\$35.00
Resort Vehicle Park/Campground	\$20.00
Airport Minimum Standards for Commercial Operations	\$10.00
Airport Rules and Regulations	\$10.00
Airport Height Hazard	\$10.00
Land Use Verification Letter	\$35.00
Flood Zone Verification Letter	\$35.00
Manufactured/Mobile Home Park Operator License Fee -2	\$150
Required Performance Bond	150% of actual cost

1. Applicant will be charged for the advertisement cost for the public hearing notices and notification to the adjoining property owners.
2. Manufactured/Mobile-Home Park Operators of Rental Parks will be required to purchase an operator's license each year for each park. Each park will have to be inspected for compliance with the Manufactured/Mobile Home Park Ordinance.

Commissioner McKenzie made a motion to approve the Planning Department Fee Schedule in part, as listed immediately above, seconded by Commissioner Jacobs. The motion unanimously carried.

Agenda Item #7: CDBG-SSH (#05-C-1358), BID GROUP #1 - RECOMMENDATION of AWARD:

Tammy Jones, The Adams Company, Incorporated, requested approval of the following Recommendation of Awards for the CDBG-SSH (#05-C-1358).

**2005 Columbus County CDBG-SSH (#05-C-1358)
Bid Group #1
Bid Date: June 22, 2006 - 10:00 A.M.**

Summary of Low Bids

Unit	Contractor	Bid Price
05-01	Joseph Locklear	\$25,020
05-02	Howard Miller	\$39,650
05-04	Charles Merritt	\$46,640
05-05	Joseph Locklear	\$29,855
05-06	Joseph Locklear	\$26,790
05-07	Charles Merritt	\$45,197

**Recommendation of Awards
Limit 2 Contracts**

Unit	Contractor	Bid Price
05-01	Charles Merritt	\$32,515
05-02	Howard Miller	\$39,650
05-04	Wayne Hardwick	\$48,175
05-05	Joseph Locklear	\$29,855
05-06	Joseph Locklear	\$26,790
05-07	Charles Merritt	\$45,197

Recommendation

Award Contracts as stated in the Recommendation of Awards.

- Notes: 1. Lowest bidder was more than 10% lower than our cost estimate on Unit 05-01 and that bid was rejected.
2. Unit 05-04 was recommended to the 2nd lowest bidder to limit the contractors to 2 contracts.

Approved: _____
Columbus County

Discussion was conducted relative to the reason Unit 05-04 was not awarded to the lowest qualified bidder. Tammy Jones stated the reason was, the contractors were limited to two (2) contracts each, in order to complete the units in a timely manner.

Commissioner Prevatte made a motion to approve the Recommendation of Awards, as presented by The Adams Company, Incorporated, with the exception of awarding Unit #05-04 to Charles Merritt at forty-six thousand, six hundred forty, and 00/100 (\$46,640.00) dollars, seconded by Vice Chairman Dutton. The motion unanimously carried.

Ms. Jones announced that the 2006 Award for the CDBG \$700,000 grant would be held in Raleigh, North Carolina, on July 31, 2006.

Agenda Item #8: SANDYFIELD C&D WASTE PROCESSING and DISPOSAL FACILITY - REQUEST for APPROVAL and FRANCHISE:

L.E. Priester, Jr., Ph.D, on behalf of his client, Red Epperson, requested Board approval and a Franchise for C&D Waste Processing and Disposal Facility in Sandyfield. Dr. Priester presented the following information to the Board:

1. I am an environmental consultant from South Carolina;
2. I am here representing my client, Red Epperson, from Georgia;
3. In this C&D Waste Processing and Disposal Facility, we will recycle as much as possible;
4. The portion of the waste that cannot be recycled will be placed in a landfill, and this landfill

501

will be area filled, which is stored above ground, to prevent any contamination in the soil or water;

5. I have contacted the State Solid Waste Department, the Department of Hydrology, and all the other applicable departments, and they seem to be okay with this facility;
6. This area is not in the Cape Fear Watershed; **and**
7. We are requesting a Franchise and a Host Fee Schedule.

Red Epperson, stated the following:

1. I can provide a copy of the Articles of Incorporation for my company;
2. This was voted in by the Town of Sandyfield;
3. I have purchased a tract of land which consists of one hundred thirty (130) acres; **and**
4. If this is not approved, it appears that the Town of Sandyfield has entered into a thirty (30) year Franchise Agreement with me, illegally, which I have provided you with a copy.

In-depth discussion was conducted regarding this request. Commissioner McKenzie stated the Board had previously been presented with a proposal of this type at two (2) other locations in Columbus County, and none of the private citizens were in favor of the proposals. Commissioner Jacobs stated he concurred with Commissioner McKenzie, and did not think any of the citizens of Columbus County, in any area, would favor this proposal, therefore, the Board would not favor the proposal.

Commissioner Memory made a motion to inform the applicant, Fred Epperson, that Columbus County will not enter into a Franchise Agreement, and will not entertain any action on this matter, seconded by Commissioner Jacobs. The motion unanimously carried.

Agenda Item #9: PRESENTATION - PROPOSED LANDFILL on OLD LAKE ROAD in BOLTON:

Christine Hall, private citizen, presented each Board member a well prepared packet of information in opposition of the proposed landfill on Old Lake Road in Bolton. Ms. Hall made the following presentation, on behalf of the citizens from the Town of Sandyfield:

1. Thanks for the opportunity you have given me to speak;
2. The Mayor and three (3) of his supporters entered into this Agreement without the consent of the citizens;
3. We have several objections to this matter, as follows:
 - Dr. Priester is presenting on the behalf of Red Epperson, why doesn't he speak for himself?;
 - Epperson is using Dr. Priester as his mouthpiece;
 - Individuals outside of North Carolina are looking at this state as a dumping ground for their trash;
 - We should be providing the necessary services for this area to attract economic development, and not considering permission to build things that will drive people away;
 - We strongly object to the Board even listening to this information;
4. Columbus County should never become a dumping ground for other counties or states;
5. Columbus County has a bad track record;
6. The Board of County Commissioners is a safekeeper of the county;
7. This area has no infrastructure;
8. Sandyfield is a sensitive area;
9. There is a law in place that Sandyfield and East Arcadia cannot commit to this request;
10. There are six (6) churches that are proposing to have this area for their use and purpose; **and**
11. I am asking the Board of County Commissioners to do two (2) things, which are as follows:
 - A. Submit a letter to State officials in support of a moratorium on landfills in Columbus County; and
 - B. Request Epperson to donate this land to the surrounding areas to be used at their discretion, for the best benefit of the private citizens.

Agenda Item #10: TOURISMBUREAU - APPROVAL and ADOPTION of RESOLUTION of the COLUMBUS COUNTY BOARD of COMMISSIONERS ACCEPTING the CONDITIONS in the MAY 22, 2006, LETTER of CONDITIONS FROM USDA, RURAL DEVELOPMENT, for the RBEG GRANT:

Jennifer Long, Tourism Director, requested Board approval and adoption of the following

Resolution of the Columbus County Board of Commissioners Accepting the Conditions in the May 22, 2006 Letter of Conditions From USDA, Rural Development.

RESOLUTION of the COLUMBUS COUNTY BOARD of COMMISSIONERS
ACCEPTING the CONDITIONS in the MAY 22, 2006
LETTER of CONDITIONS FROM USDA, RURAL DEVELOPMENT

BE IT RESOLVED:

That the Columbus County Board of Commissioners accepts the conditions set forth in a Letter of Conditions dated May 22, 2006.

That the Board of Commissioners agrees to abide by the requirements of RD Instruction 1942-A, Paragraph 1942-17 (q)(1), **Borrower Accounting Methods, Management Reporting, and Audits.**

That the Chairman and Clerk be authorized to execute all forms necessary to obtain a **Rural Business Enterprise Grant (RBEG)** from Rural Development, including, but not limited to the following forms:

Form RD 1942-46	Letter of Intent to Meet Conditions
Form RD 400-1	Equal Opportunity Agreement
Form RD 400-4	Assurance Agreement
Form RD 1940-1	Request for Obligation of Funds
Form AD -1047	Certification Regarding Debarment Primary Covered Transactions
Form AD -1049	Certification Regarding Drug Free Workplace
Exhibit A.1 1940-Q	Certification for Contracts, Grants and Loans

This Resolution is to become a part of the official Minutes of the Board Meeting held on July 17, 2006.

MOTION MADE BY: Vice Chairman Dutton and SECONDED BY: Commissioner Norris that the Resolution be approved.

MOTION PASSED: Seven (7) FOR, and -0- AGAINST.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
 /s/ **KIPLING GODWIN, Chairman**
ATTESTED BY:
 /s/ **JUNE B. HALL, Clerk to Board**
July 17, 2006

Ms. Long started the following:

1. We applied for a Federal Grant establishing a Revolving Loan Program;
2. Our first project will be Inn D'Vine;
3. We have been funded and approved for seventy-five thousand and 00/100 (\$75,000.00) dollars; **and**
4. We are the first Tourism Office to apply for this grant.

Vice Chairman Dutton made a motion to approve the Resolution of the Columbus County Board of Commissioners Accepting the Conditions in the May 22, 2006 Letter of Conditions from USDA, Rural Development, seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #11: SOCIAL SERVICES 2007 - 2009 WORK FIRST PLAN - DECISION of COUNTY STATUS and APPOINTMENT of COMMITTEE MEMBERS:

Mary Thompson, Program Manager, requested a Board decision on the status for the Work First Program, and the appointment of members for the Committee for 2007-2009 Work First Planning Process, to be Standard or Electing.

Commissioner Jacobs made a motion for the decision on the status for the Work First Program to be Standard, seconded by Commissioner Norris. The motion unanimously carried.

Vice Chairman made a motion to approve the appointments to the Committee for 2007 - 2009 Work First Planning Process, as recommended by Mary Thompson, seconded by Commissioner Prevatte. The motion unanimously carried.

Agenda Item #12: PLANNING - DEPARTMENTAL UPDATE:

Stevie Cox, Columbus County Planner, requested the Board to table his Departmental Update until the next meeting.

Vice Chairman Dutton made a motion to table the Departmental Update for Planning until the next meeting, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #13: EMERGENCY SERVICES - APPROVAL of ACCEPTANCE of the FOLLOWING GRANTS, and APPROVAL of BUDGET AMENDMENTS;

- A. **Hazardous Material Emergency Planning Grant - \$4,925.00 (No Matching Funds);**
- B. **HRSA Grant from NC Department of Health and Human Services - \$18,436.00 (No Matching Funds); and**
- C. **Emergency Management Planning Grant - \$21,676.69 (No Matching Funds).**

Ronnie Hayes, Emergency Services Director, requested Board approval of the acceptance of the above listed grants, and approval of the accompanying Budget Amendments for such.

Vice Chairman Dutton made a motion to approve the above listed three (3) grants, with no matching funds, and the accompanying Budget Amendments, seconded by Commissioner McKenzie. The motion unanimously carried. A copy of these documents will be kept on file in the Emergency Services Director's Office and the Clerk's Office for review.

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-535-3302	Hazardous Materials Planning Grant	\$4,925
Revenue	10-348-0001		\$4,925
Expenditure	10-535-3305	HRSA Grant	\$18,436
Revenue	10-348-0004		\$18,436
Expenditure	10-535-3304	Emergency Planning Grant	\$21,677
Revenue	10-348-0006		\$21,677

Agenda Item #14: EMERGENCY SERVICES - ESTABLISHMENT of PUBLIC HEARING DATE for the REVISED FIRE DISTRICT MAP for ACME DELCO-RIEGELWOOD FIRE and RESCUE DEPARTMENT:

Ronnie Hayes, Emergency Services Director, requested the Board to establish a date for a Public Hearing on the Revised Fire District Map for Acme Delco-Riegelwood Fire and Rescue Department.

Commissioner Memory made a motion to establish August 21, 2006, at 6:30 P.M., in the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, for the Public Hearing on the revised fire district map for Acme Delco-Riegelwood Fire and Rescue Department. This motion was seconded by Commissioner Norris, and unanimously carried.

Agenda Item #15: EMERGENCY SERVICES - APPROVAL of ENGINEERING SERVICES AGREEMENT with SYNERGEM EMERGENCY SERVICES, LLC:

Ronnie Hayes, Emergency Services Director, requested Board approval of an Engineering Services Agreement between Synergem Emergency Services, L.L.C. and The County of Columbus, North Carolina, for Task I and Task II. Mr. Hayes stated the following:

1. There is three hundred fifty thousand and 00/100 (\$350,000.00) dollars sitting in a fund for the 911 Center that can only be used for improving the system;
2. The Task I and Task II will cost thirteen thousand, nine hundred sixty-five and 00/100 (\$13,965.00) dollars; **and**
3. This company will check to see if we are at the right level of efficiency and what could be done for improvement.

Jon M. Samuels, Senior Consultant, and Cosandra Tripp, Synergem Emergency Services, L.L.C., stated the following:

1. We are an engineering service company;
2. We go in and check the system out to see if it is operating at the right level of efficiency, if it should need any improvements;
3. Determine what your real needs are, and what will be the greatest benefit to you; **and**
4. We will develop statements of work.

Commissioner Jacobs made a motion to approve the Engineering Services Agreement between Synergem Emergency Services, L.L.C. and The Columbus County, North Carolina, for Phase I and Phase II, at the cost of thirteen thousand, nine hundred sixty-five, and 00/100 (\$13,965.000 dollars. This motion was seconded by Commissioner Norris, and unanimously carried. A copy of this document will be kept on file in the Emergency Services Director's Office and in the Clerk's Office for review.

Agenda Item #16: BUILDING INSPECTIONS - APPROVAL of REVISED COLUMBUS COUNTY BUILDING INSPECTIONS' FEES:

Ray Reeves, Building Inspection Director, requested Board approval and adoption of the following Revised Columbus County Building Inspections' Fees.

Columbus County Building Inspections' Fees July, 2006

(Building permits do not include electrical, plumbing, mechanical, insulation or other permits that may be required.)

RESIDENTIAL BUILDING PERMIT

Single Family Dwelling	\$0.24 per sq. ft. heated
Duplex	\$0.24 per sq. ft. heated
Townhouse	\$0.24 per sq. ft. heated
Modular (Homes)	\$0.24 per sq. ft. heated
Home Addition	\$0.24 per sq. ft. heated
Accessory Building	\$0.24 per sq. ft. heated
All Unheated Area	\$0.20 per sq. ft.

Minimum Building Permit: \$75.00

Finish Bonus room	\$75.00
Deck (Open)	\$75.00
Deck (Covered)	\$100.00
Porch (Open)	\$75.00
Porch (Covered)	\$100.00
Garage Enclosure	\$100.00
Re-model	\$100.00
(Includes Rehab., Moved Home and Re-roof, and any Home Improvement)	
Swimming Pool	\$75.00
Piers	\$100.00
Other	

COMMERCIAL/INDUSTRIAL BUILDING PERMIT

New construction	\$0.30 per sq. ft.
Minimum	\$100.00
Re-Model (Office Area)	\$100.00
Apartments	\$0.30 per sq. ft.
Modular (Office-Classroom)	\$0.24 per sq. ft.
Cell Tower	\$150.00

505

Other

INSULATION PERMIT

Up to 1,000 sq. ft.	\$50.00
Above 1,000 sq. ft.	\$0.03 per sq. ft.

MOVING HOME

Mover must provide copy of license (Requires inspection before moving)	
In County Inspection	No Charge
Outside county Inspection	\$100.00
Moving Permit	\$150.00
Footing and Foundation	\$100.00

(Electrical, Mechanical, Plumbing and Insulation Fees apply for work to the moved home per the applicable fee schedule)

MOBILE HOME SET-UP

All Single, Double and Triple Wide	\$75.00
Footing Permit	\$45.00

(Electrical, Mechanical and Plumbing Fees Apply)

ELECTRICAL PERMITS

New Construction (up to 200 amp) (Above 200 amp, Add \$0.25 per additional amp)	\$100.00
Temporary Service Pole (90 Day)	\$40.00
Service Pole (100 amp max.) (Pumps, electrical fences, gates, etc.)	\$40.00
Temporary Power Certificate (Commercial Only)	\$100.00
A/C Wiring	\$40.00
Fire/Alarm System	\$50.00
Hood Suppression System	\$50.00
Service change (Up to 200 amp/No remodel) (Above 200 amp, add \$0.25 per additional amp)	\$50.00
Re-connection	\$50.00

Remodel (Residential):

Additional Outlets (Up to 20 - 120 Volt Outlets) (Above 20, add \$0.50 per 120 volt outlet) (Add \$3.00 per any 240 volt outlet)	\$50.00
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Remodel (Commercial):

Additional Outlets (Up to 20 - 120 Volt Outlets) (Above 20, add \$0.50 per 120 volt outlet) (Ass \$3.00 per any 240 volt outlet)	\$50.00
Up to 20 -277 Volt Outlet (Above 20, add \$2.00 per outlet)	\$70.00
Up to 15 - 480 Volt Outlets (Above 15, add \$4.00 per Outlet) (Outlets include wiring for motors, fans, lights, receptacles and machinery)	\$75.00
Mobile Home (Single, Double and Triple Wide)	\$65.00
Modular (Residential and Commercial)	\$65.00
Sign	\$40.00
Swimming Pool	\$40.00

Pier	\$50.00
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PLUMBING PERMITS

New Construction (Up to 10 Fixtures)	\$100.00
Each Additional Fixture	\$5.00
Additions/Remodel (Up to 5 Fixtures)	\$50.00
Each Additional Fixture	\$5.00
Sewer Line Replacement	\$30.00
Water Line (County)	\$30.00
Mobile Home (Single Wide)	\$40.00
Mobile Home (Double Wide / Triple Wide)	\$50.00
Modular	\$50.00
Gas Piping One Appliance	\$35.00
For Each Additional Appliance	\$5.00
Other	

Fixture Change Out / No Change in Drain Line Location:

One Trapped Fixture	\$30.00
Each Additional Fixture	\$4.00
Yard Sprinkler System (Up to 15 heads Additional Heads)	\$50.00
Hot Water Heater	\$30.00
Re-Location of Water Heater	\$40.00

Fire Sprinkler Systems:

Up to 10,000 sq. ft. (Above 10,000 sq. ft, add \$0.03 per sq. ft. to base fee)	\$150.00
Other	

MECHANICAL PERMITS

New Installation Per Unit:

Per Ton	\$30.00
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Unit Change Out Only:

Per Ton	\$20.00
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Heating Systems / Chiller Systems:

(For all Furnaces, Boilers, Conversion Burners, Heat Exchangers, Hot Water Heating Systems, Commercial Hot Water Heaters and Chillers)

Fee Based on Each Unit:

Up to 100,000 BTU	\$60.00
100,001 to 250,000	\$70.00
250,001 to 450,000	\$80.00
450,001 to 650,000	\$90.00
850,001 to 1,500,000	\$110.00
Commercial Kitchen Hoods (Gas Commercial Stoves BTU Rate Above Applies)	\$50.00 Each
Gas Piping for One Unit	\$35.00
Additional Units	\$5.00
Other	

MISCELLANEOUS PERMITS

ABC Inspection	\$100.00
Tent Permit	\$50.00

507

(Owner must provide copy of Fire Marshall Report before use)

Therapeutic Home Inspection/New	\$100.00
Annual Inspection	\$50.00
Day Care/New	\$100.00
Annual Inspection	\$50.00

Outdoor Advertisement:

Up to 32 sq. ft.	\$100.00
(Above 32 sq. ft., add \$0.50 per each additional sq. ft.)	

Small Business:

Up to 16 sq. ft.	\$50.00
(Add \$0.50 per additional sq. ft.)	

Subdivision Sign:

Up to 16 sq. ft.	\$50.00
(Add \$0.50 per additional sq. ft.)	

*****All Lighted Signs Require an Electrical Permit*****

PENALTIES

Reinspection Fees	\$30.00
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Charge Double the Permit Fee if Work Begins Without a Permit.

Commissioner Prevatte stated he wanted these fees to be user friendly, and made a motion to approve the Revised Columbus County Building Inspections' Fees, to be effective August 15, 2006, seconded by Commissioner Jacobs, the motion unanimously carried.

Agenda Item #17: RESOLUTION - COUNTY of COLUMBUS, NORTH CAROLINA, DECLARATION of OFFICIAL INTENT to REIMBURSE:

Jim Varner, County Manager, requested Board approval and adoption of the following County of Columbus, Declaration of Official Intent to Reimburse that is required by the Local Government Commission, for the \$1.3 Million to be borrowed to complete the construction of the Columbus County Detention Project.

RESOLUTION **COUNTY OF COLUMBUS, NORTH CAROLINA** **DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

BE IT HEREBY RESOLVED that the County of Columbus does hereby adopt the following declaration (the "**Declaration**") of official intent to reimburse.

This declaration (the "**Declaration**") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of the County of Columbus County, North Carolina, (the "**Issuer**") with respect to the matters contained herein.

1. **Expenditures to be incurred.** The Issuer anticipates incurring expenditures (the "**Expenditures**") to complete construction of the **Columbus County Detention Project**.
2. **Plan of Finance.** The insurer intends to finance the costs of the Project with the proceeds of debt to be issued by the issuer (the "**Borrowing**") the interest on which is to be excluded from gross income for Federal income tax purposes.
3. **Maximum Principal Amount of Debt to be issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is one million, three hundred thousand, and 00/100 (\$1,300,000.00) dollars.

4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the **Borrowing** for any of the **Expenditures** incurred by it prior to the issuance of the **Borrowing**.

ADOPTED this the 17th day of July, 2006

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ **KIPLING GODWIN, Chairman**

ATTESTED BY:
/s/ **JUNE B. HALL, Clerk to Board**

Commissioner Jacobs made a motion to approve the County of Columbus, North Carolina, Declaration of Official Intent to Reimburse, seconded by Commissioner Memory. The motion unanimously carried.

Agenda Item #18: AGREEMENT - MUNICIPAL AGREEMENT, WBS ELEMENT: 40296:

Jim Varner, County Manager, requested Board approval of the following Municipal Agreement, WBS Element: 40296, with the North Carolina Department of Transportation for the extension of Government Complex Road.

NORTH CAROLINA
COLUMBUS COUNTY

5/9/06

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

MUNICIPAL AGREEMENT

AND
COUNTY OF COLUMBUS

WBS ELEMENT: 40296

THIS AGREEMENT, made and entered into this the _____ day of _____, 2006, between the DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter referred to as the Department, and the COUNTY OF COLUMBUS, hereinafter referred to as the County;

W I T N E S S E T H :

WHEREAS, the Department has plans to make certain street and highway constructions and improvement within the County under WBS Element 40296, Columbus County, said plan consisting of the roadway improvements which consist of grade, drain base and pave the extension of Government Complex Road from end of pavement to US 701 Bypass at SR 1150 (Campground Road); said project having a right-of-way width as shown on the project plans on file with the Department's Division Engineer in Fayetteville, North Carolina; and,

WHEREAS, the Department and the County are authorized by the following legislation: G.S. 136-676.1 and 136-66.3 to participate in the planning and construction of a project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the Department and the County have agreed that the corporate limits of the County, as of this date of the awarding of the contract for the construction of the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

NOW, THEREFORE, in consideration of the premises and the benefits accruing to the Department and the County as the result of the construction of the project, it is agreed as follows:

1. The county shall prepare the environmental and/or planning document, including any environmental permits.
2. The Department shall prepare the design and project plans, administer the construction contract and construct the project. All work shall be done in accordance with Departmental

standards, specifications, policies and procedures.

3. The county, at no expense or liability whatsoever to the Department, shall be responsible for acquiring for conveyance to the Department, and additional right of way and/or easements required for said project. If, during acquisition of any properties necessary for this project, underground storage tanks or any contaminated and/or hazardous materials are discovered or become known, the county shall be solely responsible for removal and disposition of said tanks and/or materials in accordance with all applicable state and federal policies, procedures, and guidelines. Acquisition of right of way shall be accomplished in accordance with policies and procedures set forth in the North Carolina Right of Way Manual. The County shall indemnify and save harmless the Department from any and all claims for damages that might arise on account of said right of way acquisition, drainage and construction easements for the construction of said project.

4. The County, without any cost or liability whatsoever to the Department, shall relocate and adjust all utilities in conflict with the project. Said work shall be performed in a manner satisfactory to the Department prior to the Department beginning construction of the project. The county shall make every effort to promptly relocate said utilities in order that the Department will not be delayed in the construction of the project. The County, at no expense to the Department, shall make all necessary adjustments to house or lot connections or services lying within the right of way or construction limits, whichever is greater, of the project, whether said connections or services are owned by the County or by others.

5. The Department shall construct, or cause to be constructed, the project in accordance with the plans and specifications of said project. The Department shall administer the construction contract for said project.

6. It is further agreed that upon completion of the project, the Department shall be liable and responsible for maintenance activities and all traffic operating controls and devices shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highways", and Departmental criteria.

7. The Department shall have the right to abandon the project at any time before the county has been called upon to perform any part of its agreement.

8. The County is prohibited from contracting with or making subawards under transactions covered by this agreement to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement contracts for goods or services equal to or in excess of \$25,000 and all non-procurement transactions (e.g., subawards to subrecipients). Contractors receiving individual awards for \$25,000 or more and all subrecipients must certify that the organization and its principals are not suspended or debarred. The county may rely upon the certification unless it knows that the certification is erroneous. The County agrees that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.

IT IS UNDERSTOOD AND AGREED upon that the approval of the project by the Department is subject to the conditions of this Agreement and that no expenditure of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the County.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the County by authority duly given, as evidenced by the attached certified copy of Resolution, Ordinance or Charter provision, as the case may be.

L.S.
ATTEST:
JUNE B. HALL
CLERK TO BOARD

COUNTY OF COLUMBUS
BY: **KIPLING GODWIN**
TITLE: CHAIRMAN

COUNTY SEAL

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

/s/ **LEO HUNT, Acting Finance Officer**

Federal Tax Identification Number: 56-6000289

County's Remittance Address: Columbus County Administration Building, Whiteville, North Carolina 28472

DEPARTMENT OF TRANSPORTATION

**BY: _____
STATE HIGHWAY ADMINISTRATOR**

APPROVED AS TO FORM

**BY: _____
ASSISTANT ATTORNEY GENERAL**

Commissioner McKenzie made a motion to approve the Municipal Agreement, WBS Element: 40296, with the North Carolina Department of Transportation, for the extension of Government Complex Road, seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #19. PROCLAMATION - FAMILY DAY PROCLAMATION SEPTEMBER 25, 2006:

Stefanie Pugliese, The National Center on Addiction and Substance Abuse at Columbia University, requested Board approval and adoption of the following Family Day Proclamation September 25, 2006.

***FAMILY DAY
PROCLAMATION
September 25, 2006***

WHEREAS, the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; **and**

WHEREAS, surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families, the less likely they are to smoke, drink and use illegal drugs; **and**

WHEREAS, teenagers who virtually never eat dinner with their families are seventy-two (72%) percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes; **and**

WHEREAS, the correlation between family dinners and reduced risk for teen substance abuse are well documented; **and**

WHEREAS, parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers; **and**

WHEREAS, family dinners have long constituted a substantial pillar of family life in America.

NOW, THEREFORE, we, the Columbus County Board of Commissioners do hereby proclaim the fourth Monday in September as:

“Family Day – A Day to Eat Dinner With Your Children”

in Columbus County, and call upon all citizens to recognize and participate in its observance.

ADOPTED this the 17th day of July, 2006.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ KIPLING GODWIN, Chairman
ATTESTED BY:**

/s/ **JUNE B. HALL, Clerk to Board**

Commissioner Memory made a motion to approve the Family Day Proclamation September 25, 2006, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #20: PROCLAMATION - PROCLAMATION of APPRECIATION to the GRAHAM FAMILY of the LAKE WACCAMAW AREA, ST. SIOUAN FESTIVAL:

Lila Spaulding, Chair of the St. James Siouan Festival, requested Board approval and adoption of the following Proclamation of Appreciation to the Graham Family of the Lake Waccamaw Area, St. Siouan Festival.

**PROCLAMATION of APPRECIATION to the
GRAHAM FAMILY of the LAKE WACCAMAW AREA
ST. SIOUAN FESTIVAL**

The Board of County Commissioners, at their regularly scheduled meeting on July 17, 2006, unanimously adopted the following Proclamation:

BE IT PROCLAIMED THAT WHEREAS, the **St. Siouan Festival** of Columbus County has made life-long strides to improve the quality of life in their community and county; **and**

WHEREAS, members of the **St. Siouan Festival** have served on numerous boards, agencies, committees in their church, government and community functions; **and**

WHEREAS, the **Committee** is recognized County and State-wide for leadership in positive endeavors for the general welfare of all people; **and**

WHEREAS, the **Committee** has given unselfishly of their time and energies to help those in need or those with unfortunate situations in a most untiring and caring way.

THEREFORE, BE IT PROCLAIMED by the Board of Commissioners of Columbus County, North Carolina, that they do hereby recognize the true loyal and faithful service to their community and county and congratulate them on this special occasion.

ADOPTED unanimously on this the 17th day of July, 2006.

**BOARD OF COUNTY COMMISSIONERS
KIPLING GODWIN - DISTRICT VI, Chairman
DAVID L. DUTTON, JR. - District VII, Vice Chairman**

**ATTESTED BY:
JUNE B. HALL, Clerk to Board**

COMMISSIONERS:

**Amon E. McKenzie - I
James E. Prevatte - II
Sammie Jacobs - III**

**Bill Memory - IV
Lynwood Norris -V**

**Jimmy Varner, County Manager
Steve Fowler, County Attorney
June B. Hall, Clerk to Board**

Commissioner Jacobs made a motion to approve and adopt the Proclamation of Appreciation to the Graham Family of the Lake Waccamaw Area, St. Siouan Festival, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #21: RESOLUTION - NOTICE and RESOLUTION to CANCEL MEETING of the BOARD of COUNTY COMMISSIONERS of COLUMBUS COUNTY, NORTH CAROLINA:

Chairman Godwin requested Board approval and adoption of the following Notice and Resolution to Cancel Meeting of the Board of County Commissioners of Columbus County, North Carolina.

**NOTICE and RESOLUTION to CANCEL MEETING 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, 2006, 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 6:30 P.M. on the first Monday and at 6:30 P.M. on the third Monday of each month; **and**

WHEREAS, the **Board of County Commissioners** of Columbus County, North Carolina, is desirous of cancelling the meeting scheduled for the first Monday in August, only.

BE IT, THEREFORE, RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY, North Carolina, pursuant to N.C.G.S. 153A-40, to cancel the regular meeting of the said Board scheduled for August 07, 2006, be, and the same is hereby canceled, and the next regularly scheduled meeting of the said Board shall be in the Columbus County Commissioners' Chambers, Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina, on Monday, August 21, 2006.

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 forwarded to all of the news media who has requested notice.

ADOPTED this the 17th day of July, 2006.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **KIPLING GODWIN, Chairman**

ATTESTED BY:

/s/ **JUNE B. HALL, Clerk to Board**

Commissioner McKenzie made a motion to approve and adopt the Notice and Resolution to Cancel Meeting of the Board of County Commissioners of Columbus County, North Carolina, seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #22: APPOINTMENTS/REAPPOINTMENTS - BOARDS/COMMITTEES:

A. Juvenile Crime Prevention Council:

Commissioner Prevatte appointed Fran Stevens, 231 Cape Fear Drive. Whiteville, North Carolina 28472, Telephone: 642-7467, for a two (2) year term, with term expiring June 30, 2008, to replace Beverlee Nance.

Commissioner Godwin appointed Willis Nealy, 20 Robinhood Ct., Whiteville, North Carolina 28472, Telephone: 642-5661, to fill the unexpired term of David Lawrence, who is deceased, with term expiring June 30, 2007.

B. Columbus County Department of Aging Advisory Council:

Commissioner Prevatte reappointed Robert Adams, 233 Mt. Calvary Road, Clarkton, North Carolina 28422, Telephone: 648-6355, for a three (3) year term, with term expiring June 30, 2009.

Agenda Item #23: CONSENT AGENDA ITEMS:

Commissioner Jacobs made a motion to approve the following Consent Agenda Items, seconded by Commissioner McKenzie. The motion unanimously carried.

A. Tax Refunds and Releases:

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):
July 17, 2006**

513

Refunds Name: Blake, Robert & Vera Amount: \$5.46
Value: \$700.00 Year 001 Account # 13-03077 Bill # 82190 Total \$5.60
Refund the property value and the Columbus Rescue fee. Property is double listed in the name of Brenda Blake Raynor. Check should be payable to Brenda Blake Raynor.
339 Westview Dr. Fayetteville NC 28303

Refunds Name: Blake, Robert & Vera Amount: \$5.46
Value: \$700.00 Year 002 Account # 13-03077 Bill # 59701 Total \$5.60

Refund the property value and the Columbus Rescue fee. The property is double listed in the name of Brenda Blake Raynor. Check should be payable to Brenda Blake Raynor.
339 Westview Dr. Fayetteville NC 28303

Refunds Name: Blake, Robert & Vera Amount: \$5.46
Value: \$700.00 Year 003 Account # 13-03077 Bill # 29923 Total \$5.60
Refund the property value and the Columbus Rescue fee. The property is double listed in the name of Brenda Blake Raynor. Check should be payable to Brenda Blake Raynor.
339 Westview Dr. Fayetteville, NC 28303

Refunds Name: Blake, Robert & Vera Amount: \$5.46
Value: \$700.00 Year 004 Account # 13-03077 Bill # 86063 Total \$6.65
Refund the property value, the Columbus Rescue (.14) and W 2 (1.05). Property is double listed in the name of Brenda Blake Raynor. Check should be payable to Brenda Blake Raynor.
339 Westview Dr. Fayetteville NC 28303

Refunds Name: Blake, Robert & Vera Amount: \$38.69
Value: \$5,300.00 Year 005 Account # 13-03077 Bill # 89737 Total \$39.75
Refund the property value and the Columbus Rescue. The property is double listed in the name of Brenda Blake Raynor. Make check payable to Brenda Blake Raynor.
339 Westview Dr. Fayetteville NC 28303

Refunds Name: Galloway, Jason Amount: \$0.00
Value: \$0.00 Year 005 Account # 11-01055 Bill # 289 Total \$177.00
Refund user fee on a house that is vacant and does not have a trash can.
389 Artesia Rd. Hallsboro NC 28442

Refunds Name: Grainger, Tammy Amount: \$0.00
Value: \$0.00 Year 005 Account # Bill # Total \$132.75
Refund user fee deposit. Land did not perk. Moving house to S.C.
1248 Millbranch Rd. Tabor City NC 28463

Refunds Name: Smith, Burnice T. Amount: \$0.00
Value: \$0.00 Year 005 Account # 12-25442 Bill # 21885 Total \$177.00
Refund user fee on a house that is vacant and does not have a can. Refund should be payable to customer and Tax Office.
1193 Old Boardman Rd. Evergreen NC 28438

Refunds Name: Smith, Burnice Amount: \$0.00
Value: \$0.00 Year 005 Account # 13-25439 Bill # 21870 Total \$177.00
Refund user fee on a old mobile home that is vacant has no power and no trash can. Make check payable to customer and tax office.
1193 Old Boardman Rd. Evergreen NC 28438

Refunds Name: Ward, Jerry Amount: \$58.91
Value: \$8,070.00 Year 005 Account # 02-02930 Bill # 28101 Total \$248.90
Refund the value of a mobile home, the Columbus Rescue (1.61) and the Roseland fire (4.84). The property is double listed in the name of Jeffery Ward. Total refund should be \$263.21 which includes \$14.31 interest. Make check payable to Irene Ward.
559 Brice Ward Rd. Chadbourn NC 28431

Refunds Name: Coleman, Katherine Amount: \$0.00
Value: \$0.00 Year 005 Account # 01-15467 Bill # 94424 Total \$177.00

Refund user fee on a mobile home that was been repossessed.
1345 Klondyke Rd. Chadbourn NC 28431

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):
July 17, 2006**

Release the Property Value in the name of Beasley, Jamison Amount: \$258.96
Value: \$33,200.00 Year: 2004 Account # 15-02447 Bill # 5059 Total \$482.44
Release the value of a double wide, the Acme Delco fire (39.84) and the Columbus Rescue fee (6.64). The home is double listed in the name of Sharon & Jamison Beasley.

Release the Property Value in the name of Beasley, Jamison Amount: \$258.96
Value: \$33,200.00 Year: 2003 Account # 15-02447 Bill # 8908 Total \$482.44
Release the value of a double wide, the Acme Delco fire (39.84) and the Columbus Rescue (6.64). The home is double listed in the name of Sharon & Jamison Beasley.

Release the Property Value in the name of Beasley, Jamison Amount: \$116.20
Value: \$33,200.00 Year: 2003 Account # 15-02447 Bill # 5161 Total \$116.20
Release the property value for the Town of Sandy Field. Property is double listed in the name of Sharon & Jamison Beasley.

Release the Property Value in the name of Beasley, Jamison Amount: \$116.20
Value: \$33,200.00 Year: 2004 Account # 15-02447 Bill # 2884 Total \$116.20
Release the property value for the Town of Sandy Field that is double listed in the name of Sharon & Jamison Beasley.

Release the Property Value in the name of Beasley, Jamison Amount: \$121.80
Value: \$34,800.00 Year: 2005 Account # 15-02447 Bill # 7158 Total \$121.80
Release the property value for the Town of Sandy Field that is double listed in the name of Sharon & Jamison Beasley.

Release the Property Value in the name of Beasley, Jamison Amount: \$254.04
Value: \$34,800.00 Year: 2005 Account # 15-02447 Bill # 8718 Total \$479.76
Release the value of a double wide, the Acme Delco fire (41.76) and the Columbus Rescue (6.96). The home is double listed in the name of Sharon & Jamison Beasley.

Release the Property Value in the name of Britt, William Amount: \$84.94
Value: \$10,890.00 Year: 2003 Account # 12-01052 Bill # 0784 Total \$297.83
Release the value of a mobile home, the Evergreen Fire (25.00) and the Columbus Rescue (2.18). The home was repossessed in 2002.

Release the Property Value in the name of Britt, William Amount: \$79.40
Value: \$10,180.00 Year: 2004 Account # 12-01052 Bill # 6929 Total \$302.78
Release the value of a mobile home, the Evergreen Fire (25.00), the Columbus Rescue (2.04) and W 2 (11.20). The home was repossessed in 2002.

Release the Property Value in the name of Britt, William Amount: \$69.57
Value: \$9,530.00 Year: 2005 Account # 12-01052 Bill # 0651 Total \$293.02
Release the value of a mobile home, the Evergreen Fire (25.00), the Columbus Rescue (1.91) and W2 (12.39). The home was repossessed in 2002.

Release the Property Value in the name of Duncan, W.A. Amount: \$7.80
Value: \$1,000.00 Year: 2003 Account # 01-22100 Bill # 7055 Total \$10.23
Release the property value, the North Whiteville Fire (2.23) and the Whiteville Rescue (.20). Property was billed with incorrect acres.

Release the Property Value in the name of Duncan, W.A. Amount: \$7.80
Value: \$1,000.00 Year: 2004 Account # 01-22100 Bill # 3260 Total \$10.66
Release a portion of the property value, the North Whiteville Fire (1.56), Whiteville Rescue (.20) and W3 (1.10). Property billed with incorrect acres.

Release the Property Value in the name of Duncan, W.A. Amount: \$15.33
Value: \$2,100.00 Year: 2005 Account # 01-22100 Bill # 7090 Total \$19.63
Release a portion of the property value, the North Whiteville Fire (1.15), the Whiteville Rescue (.42) and

515

W3 (2.73). The property was billed with incorrect acres.

Release the Property Value in the name of George, Trumilla Amount: \$142.74
Value: \$18,300.00 Year: 2004 Account # 01-00243 Bill # 6895 Total \$166.53
Release a portion of the property value, a portion of the Whiteville Rescue (3.66) and a portion of the W3 (20.13). The out building were torn down in 2003.

Release the Property Value in the name of Georgia AG Chemical (Inc) Amount:
\$522.69
Value: \$71,601.00 Year: 2005 Account # 01-31637 Bill # 81 Total \$537.01
Release the property value and the Columbus Rescue. The property is double listed in the name of Carolina Eastern Whiteville LLC.

Release the Property Value in the name of Kissam, Stuart Amount: \$287.62
Value: \$39,400.00 Year: 2005 Account # 12-05021 Bill # 744 Total \$330.96
Release the property value, the Columbus Rescue (7.88) and the W2 (35.46). The property is double listed in the same name with a different account number.

Release the Property Value in the name of Long, Bobby M Amount: \$39.78
Value: \$5,100.00 Year: 2003 Account # 03-13466 Bill # 9937 Total \$226.37
Release the value of a mobile home, the Old Dock fire (4.08) and the Columbus Rescue (1.02). The home is double listed in the name of Karen Cooper.

Release the Property Value in the name of Long, Bobby M. Amount: \$34.38
Value: \$4,710.00 Year: 2005 Account # 03-13466 Bill # 0165 Total \$216.09
Release the value of a mobile home, the Old Dock fire (3.77) and the Columbus Rescue (.94). The home is double listed in the name of Karen Cooper.

Release the Property Value in the name of Long, Bobby M. Amount: \$39.02
Value: \$5,002.00 Year: 2004 Account # 03-13466 Bill # 188 Total \$225.42
Release the value of a mobile home, the Old Dock fire (4.00) and the Columbus Rescue (1.00). The home is double listed in the name of Karen Cooper.

Release the Property Value in the name of Simmons, Roger Amount: \$91.83
Value: \$12,580.00 Year: 2005 Account # 03-21252 Bill # 1391 Total \$291.85
Release the value of a mobile home, the Old Dock fire (10.06) and the Columbus Rescue (2.52). The home was repossessed in 2004.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$24.18
Value: \$3,100.00 Year: 2004 Account # 01-05020 Bill # 7956 Total \$26.97
Release the property value, the Brunswick fire (2.17) and the Whiteville Rescue (.62). All the property has been conveyed to other parties.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$31.39
Value: \$4,300.00 Year: 2005 Account # 01-85020 Bill # 2068 Total \$35.26
Release the property value, the Brunswick fire (3.01) and the Whiteville Rescue (.86). All the property has been conveyed to others parties.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$10.92
Value: \$1,400.00 Year: 1996 Account # 01-85020 Bill # 4488 Total \$12.18
Release the property value, the Brunswick Fire (.98) and the Whiteville Rescue (.28). All the land has been conveyed to other parties.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$24.18
Value: \$3,100.00 Year: 2003 Account # 01-85020 Bill # 1617 Total \$26.97
Release the property value, the Brunswick fire (2.17) and the Whiteville Rescue (.62). All the property has been conveyed to other parties.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$24.18
Value: \$3,100.00 Year: 2002 Account # 01-85020 Bill # 0908 Total \$26.97
Release the property value, the Brunswick fire (2.17) and the Whiteville Rescue (.62). All the property has been conveyed to other parties.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$22.32

Value: \$3,100.00 Year: 2000 Account # 01-85020 Bill # 1975 Total \$25.11
 Release the property value, the Brunswick Fire (2.17) and the Whiteville Rescue (.62). All the property has been conveyed to other parties.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$21.55
 Value: \$3,100.00 Year: 1999 Account # 01-85020 Bill # 0391 Total \$24.34
 Release the property value, the Brunswick fire (2.17) and the Whiteville Rescue (.62). All the property has been conveyed to other parties.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$21.55
 Value: \$3,100.00 Year: 1998 Account # 01-85020 Bill # 7957 Total \$24.34
 Release the property value, the Brunswick fire (2.17) and the Whiteville Rescue (.62). All the property has been conveyed to other parties.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$21.55
 Value: \$3,100.00 Year: 1997 Account # 01-85020 Bill # 2761 Total \$24.34
 Release the property value, the Brunswick fire (2.17) and the Whiteville Rescue (.62). All the property has been conveyed to other parties.

Release the Property Value in the name of Smith, Forney (Heirs) Amount: \$24.18
 Value: \$3,100.00 Year: 2001 Account # 01-85020 Bill # 2850 Total \$26.97
 Release the property value, the Brunswick fire (2.17) and the Whiteville Rescue (.62). All the property has been conveyed to other parties.

Release the Property Value in the name of Stevens, Phillip Amount: \$7.30
 Value: \$1,000.00 Year: 2005 Account # 03-24287 Bill # 4300 Total \$186.02
 Release the value of a mobile home, the Brunswick fire (.70) and the Columbus Rescue (.20). This old mobile home was replaced with a newer one and listed.

Release the Property Value in the name of Williamson, J.K. Amount: \$33.36
 Value: \$4,570.00 Year: 2005 Account # 16-17571 Bill # 0382 Total \$219.95
 Release the value of a mobile home, the Cerro Gordo Fire (4.57) the Columbus Rescue (.91) and the W2 (4.11). The home is double listed in the name of Beverly Strickland.

Release the Property Value in the name of Worsley Oil of Wilmington Amount: \$58.40
 Value: \$8,000.00 Year: 2005 Account # 02-09201 Bill # 1128 Total \$60.00
 Release the business personal value and the Whiteville Rescue. The business closed in 2001 and the canopy was torn down at the same time.

Release the User Fee in the name of Jacobs, Alvin Amount: \$0.00
 Value: \$0.00 Year: 2005 Account # 08-09703 Bill # 834 Total \$177.00
 Release user fee. Customer using a commercial hauler.

Release the User Fee in the name of Premier Enterprises of Whiteville Amount: \$0.00
 Value: \$0.00 Year: 2005 Account # 01-04641 Bill # 7485 Total \$90.48
 Release user fee. Customer using a commercial hauler.

Release the User Fee in the name of Prince, Keith Amount: \$0.00
 Value: \$0.00 Year: 2005 Account # 07-00005 Bill # 7885 Total \$177.00
 Release user fee. House vacant for 2005. Requested a can for 2006.

Release the User Fee in the name of Prince, Keith Amount: \$0.00
 Value: \$0.00 Year: 2005 Account # 07-13223 Bill # 7889 Total \$177.00
 Release one of two user fees. Customer only has one trash can.

Release the User Fee in the name of Smith, Bernice Amount: \$0.00
 Value: \$0.00 Year: 2004 Account # 12-25439 Bill # 7750 Total \$177.00
 Release user fee on old mobile home that is vacant, has no power and no trash can.

Release the User Fee in the name of Smith, Burnice Amount: \$0.00
 Value: \$0.00 Year: 2004 Account # 12-25442 Bill # 7766 Total \$177.00
 Release user fee on house that is vacant and has no trash can.

Release the User Fee in the name of Waddell, Rosalee (Etal) Amount: \$0.00
 Value: \$0.00 Year: 2005 Account # 12-28147 Bill # 7333 Total \$177.00
 Release user fee on house that is vacant.

Release the User Fee in the name of Ward, Betty L. Amount: \$0.00
 Value: \$0.00 Year: 2005 Account # 16-16837 Bill # 7797 Total \$177.00
 Release user fee on vacant house that does not have a trash can.

Release the User Fee in the name of Wilson, Joe Jr. Amount: \$0.00
 Value: \$0.00 Year: 2005 Account # 11-30300 Bill # 0728 Total \$177.00
 Release one of two user fees. Customer only has one trash can.

B. Amendments to the June 19, 2006 Refund and Releases:

Release the property value in the name of Alice Smith. This should be Alice Melton.

Release the value of a jet ski in the name of Amanda Wilkins. Release also includes a late list fee of \$.96. The total amount to releases is \$10.59 instead of \$9.63.

Agenda Item #24: COMMENTS:

Chairman Godwin opened the floor for comments that anyone would like to make. The following people spoke.

A. Public:

Noah David Long: stated the following:

1. "We the People" hereby request our three (3) minutes of speaking time be uninterrupted until we are finished;
2. "We the People:" are here tonight to bring to your attention a terrible miscarriage of justice;
3. As everyone knows in the business world most businessmen have to pay for their mistakes at their expense;
4. "We the People" would like to know why you seven (7) men are not included in the most businessmen department;
5. That is, your two (\$2) million dollar error that has been conveniently passed onto the taxpayers of Columbus County;
6. "We the People" have observed blaming Mr. Farmer and Mr. Currie is not a good method of handing one's responsibility as a County Commissioner;
7. As the IRS will tell the taxpayer who tries to blame his CPA for wrong doing, the responsibility is the taxpayers;
8. "We the People" think, YOU, Mr. Commissioners are responsible for the two (\$2) million dollar error and no one else;
9. How seven (7) County Commissioners, a County Manager and an Assistant County Manager missed a two (\$2) million dollar budget expense is beyond comprehension. A projects revenue is projected but not the expense. Preposterous;
10. "We the People" elected seven (7) Commissioners for a purpose and that is to guarantee the scrutiny of seven (7) men, NOT ONE MAN, so the scenario would not happen;
11. Your tax increase of three and one-half (\$.035) cents on the backs of the taxpayers adds up to \$2,149,000.00 over the next two (2) years to make up for your error;
12. "We the People" are remembering your water district errors costing the taxpayers extra money and now, YOU, Mr. commissioners have made a two (\$2) million dollar error that is costing the taxpayers even more money;
13. Columbus County's Administration should recognize their responsibility in creating the scenario we are currently in and make adjustments within Columbus County for their error;
14. "We the People" insist our elected officials be made accountable for their management of Columbus County's business affairs;
15. "We the People" are required by law to be responsible for our actions, and we insist our County Commissioners be responsible for theirs;
16. "We the People" want to know what law exonerates you seven (7) County Commissioners from being responsible for your erroneous actions?; **and**
17. Thank You.

Vice Chairman Dutton replied to the above stating, the Columbus County Board of

Commissioners are doing the best they possibly can with what they have to work with. The Board's hands are tied to a great degree, monetarily, due to Medicaid cost and the educational systems' demands.

C. Board of Commissioners:

1. **Vice Chairman Dutton:** I would like to apologize to everyone for my outburst earlier. I should have handled this in a different manner.
2. **Commissioner Prevatte:** stated the following:
 - A. We need to move ahead with the Medicaid Advisory Committee;
 - B. The Board, itself, will elect its Chairman; **and**
 - C. The Board needs to meet in the near future and solicit ideas on the best way to handle the Medicaid crisis.

RECESS REGULAR SESSION and enter into CLOSED SESSION in ACCORDANCE WITH N.C.G.S. § 143-318.11 (3) ATTORNEY-CLIENT PRIVILEGE:

At 9:09 P.M., Commissioner Jacobs made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 143-318,11 (3) Attorney-Client Privilege, seconded by Commissioner Norris. The motion unanimously carried.

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 9:30 P.M., Vice Chairman Dutton made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Memory. The motion unanimously carried.

Agenda Item #25: ADJOURNMENT:

At 9:31 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Memory. The motion unanimously carried.

APPROVED:

JUNE B. HALL, Clerk to Board

KIPLING GODWIN, Chairman