

COLUMBUS COUNTY BOARD OF COMMISSIONERS

December 04, 2006

6:30 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 their regular scheduled meeting on the first Monday.

COMMISSIONERS PRESENT:

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**

COMMISSIONERS ABSENT:

Kipling Godwin, **Chairman**
David L. Dutton, Jr., **Vice Chairman**

APPOINTEE ABSENT:

Leo Hunt, **Interim Finance Officer**

OATHS of OFFICE - NEWLY ELECTED and RE-ELECTED OFFICIALS:

The Oaths of Office were administered to the following newly elected Columbus County Commissioners by The Honorable William C. Gore, Jr., Senior Resident Superior Court Judge, and to the re-elected County Commissioner by June B. Hall, Clerk to the Board.

December 04, 2006

NORTH CAROLINA

COUNTY OF COLUMBUS**OATH OF OFFICE**

“I, AMON E. McKENZIE, do solemnly and sincerely swear or affirm that I will support the Constitution of the United States of America; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the United States, to the best of my knowledge and ability, and that I will faithfully discharge the duties of my office as a member of the Board of Columbus County Commissioners, so help me God.”

/s/ AMON E. McKENZIE, District I
COUNTY COMMISSIONER

Sworn to or affirmed before me this 4th day of December, 2006.

/s/ JUNE B. HALL
Clerk to the Board

ATTESTED BY:

/s/ STEVEN W. FOWLER
Columbus County Attorney

December 04, 2006

NORTH CAROLINA

COUNTY OF COLUMBUS**OATH OF OFFICE**

“I, RICKY BULLARD, do solemnly and sincerely swear or affirm that I will support the Constitution of the United States of America; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the United States, to the best of my knowledge and ability, and that I will faithfully discharge the duties of my office as a member of the Board of Columbus County Commissioners, so help me God.”

/s/ RICKY BULLARD, District VI

COUNTY COMMISSIONER

Sworn to or affirmed before me this 4th day of December, 2006.

/s/ WILLIAM C. GORE, JR.
SENIOR RESIDENT SUPERIOR COURT
JUDGE
Thirteen A Judicial District

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

December 04, 2006

NORTH CAROLINA
COUNTY OF COLUMBUS

OATH OF OFFICE

“I, RONALD GORE, do solemnly and sincerely swear or affirm that I will support the Constitution of the United States of America; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the United States, to the best of my knowledge and ability, and that I will faithfully discharge the duties of my office as a member of the Board of Columbus County Commissioners, so help me God.”

/s/ RONALD GORE, District VII
COUNTY COMMISSIONER

Sworn to or affirmed before me this 4th day of December, 2006.

/s/ WILLIAM C. GORE, JR.
SENIOR RESIDENT SUPERIOR COURT
JUDGE
Thirteen A Judicial District

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

After the Oaths of Office were delivered to the newly elected County Commissioners and the re-elected County Commissioner, the new Board members were seated on the Board.

6:35 P.M.
REGULAR SESSION

COMMISSIONERS PRESENT:

Amon E. McKenzie
James E. Prevatte
Sammie Jacobs
Bill Memory
Lynwood Norris
Ricky Bullard
Ronald Gore

APPOINTEES PRESENT:

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

APPOINTEE ABSENT:

Leo Hunt, **Interim Finance Officer**

Agenda Item #1: MEETING CALLED to ORDER:

Due to the absence of Chairman Godwin and Vice Chairman Dutton, and having been duly authorized to do so, Steven W. Fowler, Columbus County Attorney, serving as acting Chairman, called the meeting to order.

Agenda Item #2: RE-ORGANIZATION of BOARD - ELECTION of CHAIRMAN and VICE CHAIRMAN:

Steven W. Fowler, Columbus County Attorney, presided as Acting Chairman for the election of the new Chairman and new Vice Chairman for the upcoming year. The Acting Chairman briefed the Board on the procedure for selecting the Chairman and Vice Chairman, and then opened the floor for nominations.

Commissioner Ricky Bullard nominated Commissioner James E. Prevatte as Chairman and Commissioner Bill Memory as Vice Chairman.

Commissioner Amon E. McKenzie nominated Commissioner Sammie Jacobs as Chairman and James E. Prevatte as Vice Chairman.

Commissioner Memory made a motion that the nominations be closed, seconded by Commissioner McKenzie. The motion unanimously carried.

A role-call vote was taken on the first nomination of James E. Prevatte as Chairman and Bill Memory as Vice Chairman, with the following results:

AYES: Commissioners Bullard, Prevatte and Gore
NAYS: Commissioners McKenzie, Memory, Norris and Jacobs.

This motion failed on a four (4) to three (3) vote.

A role-call vote was taken on the second nomination of Sammie Jacobs as Chairman and James E. Prevatte as Vice Chairman, with the following results:

AYES: Commissioners McKenzie, Memory, Norris, Prevatte and Jacobs
NAYS: Commissioners Bullard and Gore.

The motion passed on a five (5) to two (2) vote.

The Acting Chairman announced that Commissioner Sammie Jacobs was elected as Chairman and Commissioner James E. Prevatte as Vice Chairman for the upcoming year.

Chairman Sammie Jacobs and Vice Chairman James E. Prevatte are authorized to sign all documents and instruments on behalf of Columbus County. A Signatory Resolution is on file in the Office of the Clerk to the Board.

Commissioner Jacobs assumed the duties as Chairman and the following business was transacted.

Chairman Jacobs stated between this time and the time for the scheduled 7:00 P.M. Public Hearing, the Board members were welcome to make any comments they wished to make. The comments were as follows:

Commissioner Bullard stated the following:

1. I sincerely hope this Board will have a better relationship with the press;
2. It is my sincere desire to see this Board work together for the betterment of our citizens; **and**
3. I thank everyone who supported me, and I will do my best job for all the citizens.

Commissioner Gore stated the following:

1. I would like to thank everyone who supported me, and I intend to do the best job that I can;
2. I take this position very seriously;
3. I sincerely hope that we conduct our business at the forefront; **and**
4. I hope that at the end of my term, the citizens will still feel the same way they do now.

Commissioner Prevatte stated the following:

1. I would like to welcome our two (2) new Board members;
2. You will be facing some challenging situations;

3. It is always the intention of this Board to do what is in the best interest of the citizens of Columbus County; **and**
4. We will be butting heads, but it is important to not take this personally.

Commissioner Norris stated the following:

1. I would like to welcome the two (2) new Board members;
2. We will be glad to work with you; **and**
3. Functioning as a Board, we will need to agree to disagree.

Commissioner Memory stated the following:

1. I have butted heads with every member on this Board at some time or the other;
2. We, as a Board, need to work together for the better good of our citizens; **and**
3. No matter how extensively we may disagree with each other, we need to leave our personality in this room, and leave this room as friends.

Commissioner McKenzie stated the following:

1. I would like to thank all the citizens for this third opportunity to serve on this Board;
2. I would like to welcome the two (2) new members to this Board; **and**
3. I would like to stress the importance of all members working together.

Chairman Jacobs stated the following:

1. This is very surprising to me that I was elected to serve as Chairman for another term;
2. I appreciate this confidence the Board has placed in me;
3. I would like to welcome the two (2) new Board members;
4. I would like to emphasize how important it is for all the Board members to work together as a team; **and**
5. We will be facing some tough issues in the coming years but I feel sure we can handle them.

At 6:55 P.M., Commissioner Memory made a motion to take a five (5) minute recess before the Public Hearing, seconded by Commissioner Norris. The motion unanimously carried.

7:00 P.M.

PUBLIC HEARING: **Contracting to Make Cash Grant for Filtec Precise Expansion Incentive:** to receive oral and/or written comments from the public.

PUBLIC HEARING CALLED to ORDER:

At 7:00 P.M., Chairman Jacobs called the Public Hearing to order and stated the following:

1. The Columbus County Board of Commissioners intends to consider entering into an economic development incentive contract;
2. The County will make annual cash incentive grants pursuant to the County Industrial Development Policy, beginning in the fiscal year of the amount of each year's grant will be based on actual tax base investments made and the creation of five (5) new jobs within a minimum of five (5) years, based on the County's Incentive Policy;
3. The county estimates this over a five (5) year period beginning in fiscal year 2007-2008;
4. The Board of Commissioners believes this project will total \$13,607.85, payable over a five (5) year period, beginning in the fiscal year of 2007-2008; **and**
5. The County will fund the payments with available revenues in the County General Fund.

Jim Hinkle, Interim Economic Development Director, stated the following:

1. This incentive grant is based on the company creating five (5) additional jobs and investing one hundred thousand and 00/100 (\$100,000.00) dollars;
2. This company is Filtec Precise;
3. This is based on a recorded increase of four hundred sixty-eight thousand, one hundred six and 00/100 (\$468,106.00) dollars of assessed tax value from 12-31-04 to 12-31-05;
4. The amount of the incentive is over a five (5) year period;
5. The number of employees at this company is checked to see if they have meet the required number; **and**

6. The said company has increased from thirty-eight (38) employees to fifty-one (51).

Commissioner Memory opted out of the discussion of this matter due to his connections with the principals of the said company.

Commissioner Prevatte asked Mr. Hinkle if this incentive grant consisted of the creation of at least five (5) jobs and an investment of one hundred thousand, and 00/100 (\$100,000.00) dollars. Mr. Hinkle replied stating yes.

Commissioner Gore asked Mr. Hinkle if this was done annually, and if the company does not meet the established criteria, then they would not get the grant. Mr. Hinkle replied stating it was done annually, and if the criteria was not met, then the grant would not be given.

Agenda Item #3: INVOCATION:

The invocation was delivered by Commissioner James E. Prevatte. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner Bill Memory.

Agenda Item #4: BOARD MINUTES APPROVAL:

Commissioner Norris made a motion to approve the November 20, 2006 Regular Session Board Minutes, and the November 20, 2006 Columbus County Water and Sewer District V Board Meeting Minutes, as recorded, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #4: SURETY BONDS - EXAMINATION and APPROVAL:

Commissioner McKenzie made a motion to approve the following Surety Bonds for certain Columbus County employees, seconded by Commissioner Norris. The motion unanimously carried.

| NAME | TITLE | BOND AMOUNT | EXPIRATION DATE |
|------------------------|-------------------------|-------------|-----------------|
| Leo Hunt | Interim Finance Officer | \$100,000 | 07-17- 2007 |
| Christopher Lee Batten | Sheriff | \$50,000 | 12-02-2010 |
| Richard Jerome Gore | Tax Administrator | \$25,000 | Indefinite |
| Douglas E. Ward | Deputy Tax Collector | \$25,000 | Indefinite |
| NaTonya Hassell | Public Housing Director | \$25,000 | Indefinite |
| Linwood Cartrette | Coroner | \$15,000 | 12-06-2007 |
| William H. Hannah, Sr. | Assistant Coroner | \$15,000 | 12-06-2007 |
| Kandance Whitehead | Register of Deeds | \$10,000 | 12-04-2008 |

Agenda Item #6: PRESENTATION - DIVISION of COMMUNITY CORRECTIONS ANNUAL REPORT:

Katherine Horne, Chief Probation Parole Officer, North Carolina Department of Correction, Division of Community Corrections, delivered the following Annual Report to the Board.

1. I would like to recognize my Girl Scout Troops that are present here tonight;
2. This report is for the Thirteenth Judicial District in which Columbus County falls into the middle between Bladen County and Brunswick County; **and**
3. I am proud to say that Columbus County collected twenty-six thousand and 00/100 (\$26,000.00) dollars more than Brunswick County in fees.

Commissioner Memory congratulated Ms. Horne on the plaque she received as the Officer of the Year.

RECESS REGULAR SESSION and enter into COLUMBUS COUNTY WATER and SEWER DISTRICT III BOARD MEETING:

At 7:17 P.M., Commissioner Prevatte made a motion to recess Regular Session and enter into a Columbus County Water and Sewer District III Board Meeting, seconded by Commissioner Gore. The motion unanimously carried.

Agenda Item #7: WATER and SEWER DISTRICT II - TIMBER COVE WATER LINE EXTENSION:

This information will be recorded in Minute Book I for the Columbus County Water and Sewer District III Board.

ADJOURN COLUMBUS COUNTY WATER and SEWER DISTRICT III BOARD MEETING and resume REGULAR SESSION:

At 7:21 P.M., Commissioner Memory made a motion to adjourn Columbus County Water and Sewer District Board Meeting and resume Regular Session, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #8: ECONOMIC DEVELOPMENT - APPROVAL of INCENTIVE GRANT for FILTEC PRECISE EXPANSION:

Jim Hinkle, Interim Economic Development Director, requested Board approval of the following Incentive Grant for the Filtec Precise Expansion.

PROPOSAL for FILTEC PRECISE EXPANSION

Columbus County Incentive Grant for Filtec Precise is based on a recorded increase of \$468,106.00 of assessed tax value from 12/31/04 to 12/31/05. This new assessment will be included in the 2006/2007 tax revenue.

The incentive is based on the creation of 25 jobs. These 25 jobs have already been created, bringing the current total to 51.

The proposed Incentive Grant will be based on a five (5) year period, beginning fiscal year 2007/2008 through 2011/2012.

The payment will be disbursed according to the Columbus County Incentive Policy guidelines as adopted on September 20, 2004.

| <u>YEAR</u> | <u>% of INCENTIVE</u> | <u>INCENTIVE to FILTEC PRECISE</u> |
|---------------|-----------------------|------------------------------------|
| 2007/2008 | 85% | \$3,043.86 |
| 2008/2009 | 80% | \$2,864.81 |
| 2009/2010 | 75% | \$2,685.76 |
| 2010/2011 | 70% | \$2,506.71 |
| 2011/2012 | 70% | \$2,506.71 |
| TOTAL: | | \$13,607.85 |

Commissioner Memory abstained from voting on this matter. Commissioner Norris made a motion to approve the Incentive Grant for the Filtec Precise Expansion, seconded by Commissioner McKenzie. The motion passed unanimously with six (6) votes, with one (1) abstention.

RECESS REGULAR SESSION and enter into COLUMBUS COUNTY WATER and SEWER DISTRICT V BOARD MEETING:

At 7:21 P.M., Commissioner Norris made a motion to recess Regular Session and enter into Columbus County Water and Sewer District V Board Meeting, seconded by Commissioner McKenzie. The motion unanimously carried.

AGENDA ADD-ON:**COLUMBUS COUNTY WATER and SEWER DISTRICT V - APPROVAL of LOW BIDDER and AWARD of CONTRACT to LOW BIDDER for ELEVATED STORAGE TANK:**

This information will be recorded in Minute Book I of the Columbus County Water and Sewer District V Board.

ADJOURN COLUMBUS COUNTY WATER and SEWER DISTRICT V BOARD MEETING and resume REGULAR SESSION:

At 7:27 P.M., Commissioner Memory made a motion to adjourn the Columbus County Water and Sewer District V Board Meeting, seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #9: TRAVEL and TOURISM - DEPARTMENTAL UPDATE:

_____ Jennifer Long, Director, delivered the following Departmental Update to the Board.

1. There is a new day dawning;
2. We have some great opportunities to take advantage of;
3. We have two (2) new features, one of them being Grapefull Sisters Vineyard, LLC;
4. We have a new information booklet which has been very helpful to our tourists;
5. Columbus County has received a lot of publicity;
6. I was the first to do internal marketing;
7. Rural tourism is a viable option;
8. Columbus County has gained respect and knowledge at the State level;
9. I serve on an Executive Committee at the State level;
10. One (1) of our current projects is the Lumber River Paddle Trail;
11. We received a seventy-five thousand and 00/100 (\$75,000.00) dollars grant to start a revolving loan program;
12. Columbus County is a Tier II County which will make it easier to receive grants;
13. At the Strawberry Festival, for the first year of having hot air balloons, we had five (5), at the second year, we had fifteen (15), and hope to bring in at least twenty-five (25) for the third year;
14. We rank 56 out of 100 counties economically;
15. Domestic tourism brings in \$38 million; **and**
16. The occupancy tax is up.

Agenda Item #10: GOVERNING BODY - VOTING DELEGATE for LEGISLATIVE GOALS CONFERENCE:

June B. Hall, Clerk to the Board, requested the designation of a voting delegate for the Legislative Goals Conference to be held on January 11-12, 2007.

Commissioner Prevatte stated the following:

1. We have finished up our meeting with our recommendations;
2. I have provide you with a copy of the summarized Legislative Goals; **and**
3. The number one priority from all the counties represented were for Human Services, and that was to seek Medicaid relief for the counties.

Commissioner Norris made a motion to appoint James Prevatte as the Voting Delegate for the Legislative Goals Conference, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #11: ADMINISTRATION - EARLY DISTRIBUTION of EMPLOYEE PAYCHECKS for MONTH of DECEMBER:

Jim Varner, County Manager, requested Board approval of December 20, 2006, as an early distribution date for the paychecks for the Columbus County employees.

Commissioner Norris made a motion to approve December 20, 2006, as an early distribution date for the paychecks for the Columbus County employees, seconded by Commissioner Bullard. The motion unanimously carried.

Agenda Item #12: RESOLUTION - APPROVAL and ADOPTION of SIGNATORY RESOLUTION by the COLUMBUS COUNTY BOARD of COMMISSIONERS:

June B. Hall, Clerk to the Board, requested Board approval of the following Signatory Resolution by the Columbus County Board of Commissioners.

SIGNATORY RESOLUTION
by the
COLUMBUS COUNTY BOARD OF COMMISSIONERS

WHEREAS, in the execution of business matters and other pertinent transactions pertaining to the operations of local government affairs, it is necessary, and legally required, to have on board a Chairman and Vice Chairman to serve on behalf and in the best interest of the Columbus County Board of Commissioners and the citizens of Columbus County; **and**

WHEREAS, at the first regular scheduled meeting in the month of December, annually, a Chairman and Vice Chairman is voted on and elected from the now seven (7) member Columbus County Board of Commissioners; **and**

WHEREAS, the Chairman and Vice Chairman of the said Columbus County Board of Commissioners, or their designee, have due authority to sign, execute and administer any and all documents on behalf, and in the best interest, of Columbus County.

THEREFORE, BE IT RESOLVED, by popular vote of the seven (7) member Columbus County Board of Commissioners, on the 4th day of December, 2006, Commissioner Sammie Jacobs has been duly elected to serve as Chairman and Commissioner James E. Prevatte has been duly elected to serve as Vice Chairman for the Columbus County Board of Commissioners, or their designee, to sign, execute and administer any and all documents necessary in the normal operation of business and related affairs for the Columbus County Board of Commissioners and the citizens of Columbus County. The aforementioned will serve in these capacities until the first regular scheduled meeting in December, 2007.

ADOPTED this the 4th day of December, 2006.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **SAMMIE JACOBS, Chairman**

ATTESTED BY:

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

Commissioner McKenzie made a motion to approve the Signatory Resolution by the Columbus County Board of Commissioners, seconded by Commissioner Memory.

Jim Varner, County Manager, stated this Resolution needed to be amended due to the fact it limited the County Manager on what he could sign.

Chairman Jacobs instructed Jim Varner, County Manager, and June B. Hall, Clerk to the Board, to get together and amend this Resolution.

Commissioner McKenzie withdrew his motion and Commissioner Memory withdrew his second.

Commissioner McKenzie made a motion to approve the following amended Signatory Resolution by the Columbus County Board of Commissioners, seconded by Commissioner Memory. The motion unanimously carried.

Agenda Item #13: NOTICE and RESOLUTION - CANCELLATION of DECEMBER 18, 2006 BOARD MEETING:

Jim Varner, County Manager, 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 4th day of December, 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 third Monday in December, 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 December 18, 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 Tuesday January 02, 2007.

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 4th day of December, 2006.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **SAMMIE JACOBS, Chairman**

ATTESTED BY:

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

Commissioner Memory 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 McKenzie. The motion unanimously carried.

Agenda Item #14: APPOINTMENT - COLUMBUS REGIONAL HEALTHCARE SYSTEM BOARD of TRUSTEES:

June B. Hall, Clerk to the Board, requested the appointment of a sitting member of the Columbus County Board of Commissioners to serve on the Columbus Regional Healthcare System Board of Trustees.

Commissioner Memory made a motion to appoint Commissioner Lynwood Norris to serve on the Columbus Regional Healthcare System Board of Trustees, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #15: ANIMAL CONTROL - APPOINTMENT of ANIMAL CRUELTY INVESTIGATOR and RESCIND PREVIOUS APPOINTMENT:

Rossie Hayes, Animal Control Director, requested Board appointment of Jacqueline Schevis, and the rescinding of the previous Board appointment of Lori Daddona, who has not obtained the required re-certification.

Commissioner Norris made a motion to appoint Jacqueline Schevis as an Animal Cruelty Investigator, and rescind the previous appointment of Lori Daddona, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #16: APPOINTMENTS - BICENTENNIAL COMMITTEE:

Chairman Jacobs requested the remaining appointments be made to the Columbus County Bicentennial Committee.

Commissioner Prevatte appointed Pearl Freeman, 1127 Jordan Road, Clarkton, North Carolina 28433, Telephone: (910) 648-4210, as his second appointment to the Columbus County Bicentennial Committee.

Commissioner Bullard made a motion to appoint Senator R.C.Soles, Jr., Representative Dewey L. Hill, Bob High and Fuller Royal to serve as Ex-Officio members to the Columbus County Bicentennial Committee, seconded by Commissioner Bullard. The motion unanimously carried.

Agenda Item #17: APPOINTMENTS/RE-APPOINTMENTS - COMMITTEES/BOARDS:

June B. Hall, Clerk to the Board, requested Board appointments/re-appointments and/or replacements to the following committees/boards.

| COMMITTEE | ZONE/ EB | PERSON(S) | EXPIR. DATE | BOARD ACTION |
|--|--|--|---|--|
| Board of Health (Columbus County) EB: Motion: Prevatte Second: McKenzie | EB V III | W.C. Burns, D.V.M. Erik Kenyon, M.D. George Floyd | 12-31-2009 12-31-2009 12-31-2009 | Re-appointed Re-Appointed Re-appointed |
| Parks and Recreation Advisory Board | I II III IV V VI VII | Clarence H. Williams C. Lloyd Lennon, Jr. Walter H. Freeman James W. Duncan David Strickland Ricky Benton, Jr. Melissa Jones | 12-2008 12-2008 12-2008 12-2008 12-2008 12-2008 12-2008 | Re-appointed Re-appointed Re-appointed Re-appointed Re-appointed Appointed Re-appointed |
| Southeastern Economic Development Commission EB: Motion: Prevatte Second: McKenzie | EB | Ricky Bullard | 12-20-2010 | Appointed |
| Travel and Tourism Board | I VI VII | Evelyn Anderson Marilyn M. Ward Cynthia Hughes | 12-2010 12-2010 12-2010 | Re-appointed Re-appointed Appointed |
| Water and Sewer Advisory Commission EB: Motion: Memory Second: Norris | EB | Verne L. Hufham | N/A | Appointed |

Agenda Item #18: CONSENT AGENDA ITEMS - TAX REFUNDS and RELEASES:

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

Tax Refunds and Releases:

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):
December 04, 2006**

Refunds Name: Clarke, Darrol D. Amount: \$0.00
Value: \$0.00 Year 005 Account # 05-02554 Bill # 94009 Total \$177.00
Refund user fee. House is vacant and does not have a trash can.
10441 Silver Spoon Rd. Clarkton NC 28433

Refunds Name: Coleman, Julius Amount: \$0.00
Value: \$0.00 Year 005 Account # 15-09620 Bill # 94420 Total \$177.00
Refund user fee. Trash can picked up in 2004.
48 Carrie Ln Bolton NC 28423

Refunds Name: Coleman, Julius Amount: \$0.00
Value: \$0.00 Year 006 Account # 15-09620 Bill # 25278 Total \$160.80
Refund user fee. Trash can has been picked up.
48 Carrie Ln. Bolton NC 28423

Refunds Name: Powers, Margaret A. Amount: \$0.00
 Value: \$0.00 Year 006 Account # 13-33347 Bill # 48710 Total \$48.29
 Refund a portion of the user fee. Trash can picked up. Customer in a nursing home.
 818 Hickory Hill Rd. Chadbourn NC 28431

Refunds Name: Rivenbark, Abner Amount: \$0.00
 Value: \$0.00 Year 005 Account # 07-14077 Bill # 18995 Total \$177.00
 Refund user fee on a house that is vacant.
 613 Piney Woods Rd. Burgaw NC 28425

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):
 December 04, 2006**

Release the Property Value in the name of Brown, Van D. (etal) Amount: \$3.83
 Value: \$500.00 Year: 2006 Account # 01-09587 Bill # 2047 Total \$4.77
 Release the value of a boat, the Whiteville Rescue (.10) and the W2 Dist. (.45). The boat was sold for junk.

Release the Property Value in the name of Carolina Alignment Service. Amount: \$10.34
 Value: \$1,326.00 Year: 2004 Account # 01-12580 Bill # 9173 Total \$11.67
 Release the business personal value and the Whiteville Rescue. The business was closed in 2003.

Release the Property Value in the name of Johnson, Joanne H. Amount: \$18.90
 Value: \$2,470.00 Year: 2006 Account # 09-02246 Bill # 8658 Total \$208.96
 Release the value of a mobile home, the Williams Fire (1.48) and the Columbus Rescue (.49). The home is double listed in the name of Jo Ann Hodge.

Release the Property Value in the name of Puckett, William C. Amount: \$45.14
 Value: \$5,900.00 Year: 2006 Account # 06-30345 Bill # 9296 Total \$52.22
 Release a portion of the property value, a portion of the Yam City fire (5.90) and a portion of the Columbus Rescue (1.18). Property was billed with incorrect value.

Release the Property Value in the name of Sarvis, Joann Amount: \$82.54
 Value: \$10,790.00 Year: 2006 Account # 06-03028 Bill # 1152 Total \$293.29
 Release the value of a mobile home, the Williams Fire (6.47) and the Columbus Rescue (2.16). The home is double listed in the name of Nicky Gene Fowler.

Release the User Fee in the name of Allgood, Fred T. Amount: \$0.00
 Value: \$0.00 Year: 2006 Account # 01-02301 Bill # 7800 Total \$106.00
 Release the user fee on a house that is vacant and does not have a trash can.

Release the User Fee in the name of Allgood, Mary A. Amount: \$0.00
 Value: \$0.00 Year: 2006 Account # 01-04349 Bill # 7804 Total \$193.00
 Release user fee on a house that is vacant and does not have a trash can.

Release the User Fee in the name of Brown, Mairretta Amount: \$0.00
 Value: \$0.00 Year: 2005 Account # 15-00250 Bill # 1111 Total \$177.00
 Release the user fee on land that is vacant.

Release the User Fee in the name of Brown, Rita Amount: \$0.00
 Value: \$0.00 Year: 2006 Account # 16-05110 Bill # 1978 Total \$193.00
 Release user fee on land that is vacant.

Release the User Fee in the name of Davis, James D. Amount: \$0.00
 Value: \$0.00 Year: 2006 Account # 15-11683 Bill # 6850 Total \$193.00

Release user fee. House is vacant and trash can picked up.
 Release the User Fee in the name of Graham, Curtis Amount: \$0.00
 Value: \$0.00 Year: 2006 Account # 13-15840 Bill # 3161 Total \$193.00
 Release user fee. House is vacant and there is no trash can here.

Release the User Fee in the name of Grant, William H. Amount: \$0.00
 Value: \$0.00 Year: 2006 Account # 01-02936 Bill # 3585 Total \$104.50
 Release a portion of the user fee that was pre-paid.

Release the User Fee in the name of Jones, Robert Amount: \$0.00

Value: \$0.00 Year: 2006 Account # 07-09865 Bill # 9155 Total \$193.00

Release user fee on a house that is used for storage.

Release the User Fee in the name of Kachiaper, Bernard Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 15-21520 Bill # 9387 Total \$193.00

Release one of two user fees. Customer only has one trash can.

Release the User Fee in the name of Long, Elma G. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 03-13720 Bill # 1403 Total \$193.00

Release user fee. Trash can was picked up in 2005.

Release the User Fee in the name of McCumbee, Gary Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 03-01948 Bill # 2935 Total \$193.00

Release user fee. Trash can picked up in 2004.

Release the User Fee in the name of Melvin, Hazel Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 13-04711 Bill # 4241 Total \$193.00

Release user fee that is double listed in the name of Tommy Lee Batten.

Release the User Fee in the name of Pierce, James E. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 11-19860 Bill # 7898 Total \$193.00

Release user fee. House is vacant and does not have a trash can.

Release the User Fee in the name of Smith, Willis C. Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 12-26025 Bill # 3935 Total \$193.00

Release user fee. House has been moved of the property.

Release the User Fee in the name of Soles, William Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 03-23300 Bill # 4200 Total \$193.00

Release one of two user fees. Customer only has one trash can.

Release the User Fee in the name of Ward, Patty (Etal) Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 16-16983 Bill # 9654 Total \$193.00

Release user fee on a house that is vacant and does not have a trash can.

OTHER:

EDUCATION - EVERYBODY'S BUSINESS COALITION PUBLIC FORUMS on SCHOOL FACILITY NEEDS:

Jim Varner, County Manager, stated he had been notified by Dr. Dan Strickland, Superintendent of Columbus County Schools, and received information, by fax, relative to a public forum on school facility needs to be held on January 22, 2006, from 6:00 P.M. to 7:30 P.M., in the Cumberland County Education Center, Fayetteville, North Carolina.

After discussion was conducted relative to the importance of having representation there, Commissioner Prevatte and Gore stated they would attend this meeting.

Agenda Item #19: COMMENTS:

Chairman Jacobs opened the floor for comments. The following spoke.

A. Public:

1. **Junior Duncan, Private Citizen:** stated the following:
 - I thought Water District V was dead and it should be dead because we don't need water in this district;
 - I reside in Commissioner Zone VII, and was not allowed to vote on this issue; **and**
 - The \$20,000 deduction that is allowed for senior citizens off of their taxes don't amount to much if you keep raising the taxes.
2. **Richard Gore, Columbus County Tax Administrator:** stated the deduction for senior citizens was either \$20,000 or one-half the value of their house.

3. **Steve Smith, Private Citizen:** I have given each of you a thirty-seven (37) page booklet so entitled "Servant Leaders". I would like for each of you to read this booklet at your own leisure.

B. Department Heads:

1. **Ed Worley, Aging Director:** I would like to remind the Board to appoint members to a committee to look at the new building options for the Aging Department.
2. **Marva Scott, Social Services Director:** Have you placed a freeze on any of my positions? Chairman Jacobs stated no.
3. **Carol Worrell, Parks and Recreation Director:** we are sponsoring the 17th Annual Candle Light Event on Monday, December 11, 2006, beginning at 6:30 P.M. at the N.C. Forestry Museum.
4. **Morris Pridgen, Library Director:** I would like to thank you Chairman Jacobs for allowing your wife to be on our Board of Trustees.
5. **Jackie Roseboro, Cooperative Extension Director:** I would like to wish everyone Happy Holidays, welcome our new Commissioners and we are staying very busy.
6. **Ray Reeves, Building Inspections Director:** stated the following:
 - I need to know if Columbus County is going to charge for permit fees for the Riegelwood Area where the tornado hit;
 - I have cases where the contractor is stating the condition of the structure is beyond repair, and the insurance company is stating the structure can be repaired; **and**
 - I need some guidelines on this matter to know how to handle these situations.

Lengthy discussion was conducted relative to the most beneficial way to handle the permit fees for the residents and Columbus County, and the amount of time that would be allowed for the repairs to be done.

MOTION:

After discovery was made, that this matter needed further research to be done, Commissioner Memory made a motion to table this matter until the January 02, 2007 Meeting, seconded by Commissioner Prevatte. The motion unanimously carried.

7. **Rossie Hayes, Animal Control Director:** we now have Pet Finders on line and it is aiding in finding many homes for the animals at Animal Control.

C. Board of Commissioners:

1. **Amon McKenzie:** I would like to wish everyone a Merry Christmas and a Prosperous New Year.
2. **Ricky Bullard:** I have a question about the following motion that was made relative to the employment of a Department of Social Services attorney, at the April 17, 2006 Meeting, on Page 326, in Minute Book 29:

"Commissioner Memory made a motion to approve granting Steven W. Fowler, Columbus County Attorney, the permission, and the authority, to seek temporary contract services, with an attorney, or attorneys, for the Columbus County Social Services Attorney, due to the resignation of Jim Caviness, to do the required legal work for the Columbus County Department of Social Services. Mr. Fowler will meet with Ms. Marva Soctt, Social Services Director, and Kipling Godwin, Chairman of the Columbus County Board of Commissioners, to discuss hiring a permanent employee for the said position, and when a permanent employee is hired, they will work directly under the purview of the Columbus County Attorney. The motion was seconded by Vice Chairman David L. Dutton, Jr., and unanimously carried."

From the information in this motion, there is nothing included to give Steven Fowler the authority to hire an attorney. Was a motion ever made for you to hire an attorney?

Steven W. Fowler, Columbus County Attorney, stated it was his understanding that he had the authority to hire an Assistant County Attorney.

Commissioner Prevatte asked Mr. Fowler where did that understanding come from. Mr. Fowler replied that this understanding came from the motion that was made, several conversations with Board members and the Administration Office.

Commissioner Prevatte stated that there had been no discussions relative to this matter with him, and this is the County Manager's job, which he is supposed to do with the Board of Commissioners' approval.

Commissioner McKenzie stated that in defense of Steven W. Fowler, Columbus County Attorney, he was sure that this action was not arbitrarily done.

Commissioner Memory stated the following:

1. This is the County's first time of having a full-time attorney, he is a department head and that it was his assumption the attorney would hire the Assistant County Attorney;
2. No other department head brings their hires to the Board;
3. This can be done by Statute; **and**
4. I don't think the Board needs to get involved.

MOTION:

Commissioner Prevatte made a motion that the Department Heads will make a recommendation to the County Manager on new hires, who by statute has the authority to hire based on the approval of the County Commissioners, and the County Manager will in turn recommend to the County Commissioners on the end hiring. This motion was seconded by Commissioner Gore.

Commissioner Prevatte stated in accordance with N.C.G.S. § 153A - 82, all county employees must go through the County Manager to this Board for final approval. Steven W. Fowler, Columbus County Attorney, read orally a portion of this statute and stated he would need to do further research on this matter to make sure all actions were legal. Commissioner Prevatte stated he wanted it done legal.

Lengthy and in-depth discussion was conducted relative to the need and timeliness of all said positions following this process, and whether this would include the positions that were already in the budget that were in the process of being filled.

Commissioner Memory recommended that the Board allow the County Attorney time to contact the Institute of Government on this matter and advise the Board at a later date on this matter.

After additional discussion was conducted, Commissioner Prevatte withdrew his motion and Commissioner Gore withdrew his second.

MOTION:

Commissioner Bullard made a motion to freeze all hiring of new positions in Columbus County until we get the budget under control, and know exactly where our finances are. This motion was seconded by Commissioner Memory with one (1) change, and that change being that any new hires and essential personnel be brought to the Personnel Committee and the County Manager.

Commissioners Prevatte and Bullard stated that the aforestated motion needed to include the final approval by the Board of Commissioners.

Jim Varner, County Manager, asked about the new hire paperwork that had already been sent in, and there were eight (8) positions being filled right now at Social Services with three (3) replacements, for a total of eleven (11) positions.

Commissioner Memory stated the Board needed to look at the levels of employment for the next six (6) months.

Mr. Varner stated there were a total of twenty-four (24) positions that were in the process of being filled at the present time.

Chairman Jacobs and Commissioner McKenzie recommended that the Board did not freeze the hiring.

MODIFIED MOTION:

After additional discussion was conducted relative to new hires, Commissioner Bullard consented to the following modified motion, and Commissioner Gore consented to the second:

Bring all new hires before the Columbus County Board of Commissioners, and this will not interfere with the present status of vacant positions, and positions approved with the adoption of the budget, at the County Manager's discretion, exempting those people who have been offered a job and has accepted.

This motion unanimously carried.

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

At 8:55 P.M., Commissioner Memory 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 McKenzie. The motion unanimously carried.

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 9:37 P.M., Commissioner Memory made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Norris. The motion unanimously carried.

Agenda Item #20: ADJOURNMENT:

At 9:39 P.M., Commissioner Memory made a motion to adjourn, seconded by Commissioner McKenzie. The motion unanimously carried.

APPROVED:

JUNE B. HALL, Clerk to Board

SAMMIE JACOBS, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICT III
BOARD MEETING**

Monday, December 04, 2006

7:17 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, to act as the Columbus County Water and Sewer District III Board.

COMMISSIONERS PRESENT:

Sammie Jacobs, **Chairman**
James Prevatte, **Vice Chairman**
Amon E. McKenzie
Bill Memory
Lynwood Norris
Ricky Bullard
Ronald Gore

APPOINTEES PRESENT:

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

APPOINTEE ABSENT:

Leo Hunt, **Interim Finance Officer**

MEETING CALLED TO ORDER:

At 7:17, Chairman Jacobs called the meeting to order, and stated this meeting was to discuss a water line extension in Timber Cove.

Agenda Item #7: WATER and SEWER DISTRICT III - TIMBER COVE WATER LINE EXTENSION:

Leroy Sellers, Public Utilities Director, is requesting Board approval of construction documents, acceptance of low bid and Notice to Proceed. Mr. Sellers stated the following:

1. This will be for the construction of approximately one thousand, three hundred (1,300 LF) linear feet of four (4") inch, and four hundred, sixty (460 LF) linear feet of two (2") inch water main and appurtenances;
2. We have received four (4) bids from different contractors as follows:

| <u>CONTRACTOR</u> | <u>BID AMOUNT</u> |
|-------------------------------------|-------------------|
| Axel McPherson Construction | \$21,600.00 |
| Utilities Plus, Incorporated | \$25,087.79 |
| Frank Horne Construction | \$25,416.00 |
| Goodyear Construction, Incorporated | \$39,648.75; |
3. All funding for this project will be from grant monies designated from the USDA Rural Development;
4. The construction documents are large and will be available at this meeting for review; **and**
5. McKim and Creed, the engineering firm for this project, recommends award of this project to Axel McPherson Construction.

Commissioner Prevatte stated the following:

1. This project was approved six to seven (6-7) months ago;
2. We had to get the engineering done; **and**
3. The work to be done meets the required specifications.

Commissioner Prevatte made a motion to approve the construction documents, accept the low bid of twenty-one thousand, six hundred, and 00/100 (\$21,600.00) dollars and the Notice to Proceed for the above stated water main and appurtenances. This motion was seconded by Commissioner Memory and unanimously carried.

ADJOURNMENT:

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

APPROVED:

JUNE B. HALL, Clerk to Board

SAMMIE JACOBS, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICT V
BOARD MEETING**

Monday, December 04, 2006

7:21 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, to act as the Columbus County Water and Sewer District V Board.

COMMISSIONERS PRESENT:

Sammie Jacobs, **Chairman**
James Prevatte, **Vice Chairman**
Amon E. McKenzie
Bill Memory
Lynwood Norris
Ricky Bullard
Ronald Gore

APPOINTEES PRESENT:

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

APPOINTEE ABSENT:

Leo Hunt, **Interim Finance Officer**

MEETING CALLED TO ORDER:

Chairman Jacobs called the meeting to order and stated Adam Kiker, Engineer with Hobbs, Upchurch and Associates, is requesting Board approval of the award of the low bid received from Caldwell Tanks, Incorporated, contingent upon USDA Rural Development's approval. Mr. Kiker stated the following:

1. On Thursday, November 30, 2006, bids were opened for Contract 3 of the Columbus County Water District V, and was the second time, this project received bids for a 200,000 gallon elevated storage tank;
2. There were two (2) bids received ranging from a high bid of \$669,320.00 to a low bid of \$668,000.00 received from Caldwell Tanks, Incorporated
3. Funding for this project will be provided by a loan/grant combination from the USDA-Rural Development Program;
4. The estimate for this contract was \$450,000.00, and the current demand for steel and the scheduling of the project account for the cost overrun; **and**
5. Hobbs, Upchurch and Associates recommends to award Contract 3 to Caldwell Tanks, Incorporated for the bid price of \$668,000.00.

Commissioner Bullard asked if there would be any costs to Columbus County for the project to be done. Commissioner Memory stated that this project would be done with grant monies.

Commissioner Norris stated that everyone along the water lines had signed the necessary easements and had signed up for water.

Commissioner Prevatte asked where the money would be coming from for the difference of two hundred eighteen thousand and 00/100 (\$218,000.00) dollars, between the estimated amount and

the contract amount. Commissioner Norris stated it would come from the balance left on the loan after contracts one (1) and two (2).

Commissioner Bullard asked if this project would be any cost to the private citizens in this area, and if we had the necessary assurances of this. Commissioner Norris stated that this project would not cost the private citizens anything.

Commissioner Norris made a motion to approve the low bid received from Caldwell Tanks, Incorporated, in the amount of six hundred sixty-eight thousand, and 00/100 (\$668,000.00) dollars, for the construction of a two hundred thousand (200,000) gallon elevated storage tank for Columbus County Water and Sewer District V, contingent on the approval of USDA-Rural Development, seconded by Commissioner McKenzie. The motion unanimously carried.

ADJOURNMENT:

At 7:27 P.M., Commissioner Memory made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously carried.

APPROVED:

JUNE B. HALL, Clerk to Board

SAMMIE JACOBS, Chairman