

**COLUMBUS COUNTY BOARD OF COMMISSIONERS****July 06, 2009****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 the purpose of holding two (2) public hearings and for their regular scheduled meeting on the first Monday.

**COMMISSIONERS PRESENT:**

James E. Prevatte **Chairman**  
 Ricky Bullard, **Vice Chairman**  
 Amon E. McKenzie  
 Giles E. Byrd  
 Edwin Russ  
 Lynwood Norris  
 Ronald Gore

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
 Terri L. Martin, **Interim County Attorney**  
 June B. Hall, **Clerk to Board**  
 Bobbie Faircloth, **Finance Officer**

**6:30 P.M.**

**PUBLIC HEARING (Second): CDBG Application** - the purpose of this Public Hearing is to receive oral and written comments from citizens regarding the submittal of a CDBG application for infrastructure in the amount of \$75,000.00.

**PUBLIC HEARING CALLED to ORDER:**

At 6:30 P.M., Chairman Prevatte opened the Public Hearing and stated the following:

1. The purpose of this Public Hearing is to receive oral and written comments from citizens regarding the submittal of a CDBG application for infrastructure in the amount of \$75,000.00;
2. This is a CDBG Grant for Columbus County Water and Sewer District II; **and**
3. This grant is for low income families and will pay for the water hookup.

Commissioner McKenzie stated the following:

1. There is one-half (1/2) million dollars available for this and care should be taken in the application process for these funds; **and**
2. The applicant needs to show the following needs when applying:
  - must show a critical need;
  - must show an environmental need; **and**
  - must show a pressing need.

Commissioner Byrd asked the following questions:

1. Is this only for Columbus County Water and Sewer District II; **and**
2. Can we apply for funds for Columbus County Water and Sewer District III?

Gail Edwards, Executive Assistant, replied stating this application was only for Columbus County Water and Sewer District II, and we can only apply for these funds once a year.

**COMMENTS:**

There were no comments received from the public either oral or written.

**PUBLIC HEARING CLOSED:**

At 6:34 P.M., Commissioner Norris made a motion to close the Public Hearing, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Items #1, #2 and #3:****MEETING CALLED to ORDER, INVOCATION and PLEDGE of ALLEGIANCE:**

At 6:34 P.M., Chairman James E. Prevatte called the July 06, 2009 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by

Commissioner Amon E. McKenzie. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Vice Chairman Ricky Bullard.

**Agenda Item #4: BOARD MINUTES APPROVAL:**

Commissioner Norris made a motion to approve the June 08, 2009 Budget Workshop Minutes, as recorded, seconded by Commissioner Byrd. The motion unanimously passed.

Commissioner Byrd made a motion to approve the June 15, 2009 Regular Session Board Meeting Minutes, with a correction to be made on Page 225 as follows: Agenda Item #13 should be Agenda Item #14, seconded by Vice Chairman Bullard. The motion unanimously passed.

**Agenda Item #5: PUBLIC INPUT:**

Chairman Prevatte opened the floor for Public Input. The following spoke.

1. **Joseph Michael Lewis:** stated the following:
  - A. I received information today regarding the closing of the road in front of my house;
  - B. I have lived in this area for fifty-two plus (52+) years and this road provides easier access for us to exit without having to utilize the dangerous intersection;
  - C. The paper states that this road does not serve a useful purpose, but that is incorrect, the road is being utilized frequently on a daily basis;
  - D. It is a convenience for us to avoid the dangerous four(4) lane intersection which has taken many lives;
  - E. This road is utilized by all the people living in the area and Mr. Peterson's rental people;
  - F. This is rental property for Mr. Peterson and I don't understand why he would want to close it;
  - G. This issue has come up before and I received a certified letter stating that this Board had unanimously approved it being closed before the meeting of the Board had ever occurred;
  - H. Many of my neighbors are opposing this but could not be here tonight; **and**
  - F. I an asking you to not close this road.

Commissioner Byrd asked Mr. Lewis if this road was behind the depot. Mr. Lewis replied stating yes. Commissioner Byrd stated the four (4) lane intersection that would have to be used if this road is closed is highly dangerous and almost impossible to maneuver.

2. **Ronnie Watts:** stated the following:
  - A. I would like to apologize for not being on the agenda;
  - B. I am here tonight to ask that Tabor City Emergency Services be put on the County Franchise;
  - C. The reason I am asking this is I would like to hire two (2) people to work forty (40) hours a week, eight (8) hours a day to run the second calls that we are missing;
  - D. We have missed twenty-eight (28) second calls from January, 2009 to the present time and we need some backup help;
  - E. These people that I plan to hire, when they are not running second paged-out calls from the County, I would like them to transport people from home to the doctors' offices, and from the hospital to home, and no long-distance transports, just in our district to subsidize their pay;
  - F. Second calls - Chadbourn is 11 ½ miles from Tabor City, Fair Bluff is 14 ½ miles from Tabor City, Nakina is 15 1/2 miles, and Whiteville does not leave out of their district for anyone; **and**
  - G. It takes these squads that long to get to our city limits.

Chairman Prevatte asked Mr. Watts if the reason he needed a franchise was they were going to do transport services and not just EMS service. Mr. Watts replied stating yes.

Vice Chairman Bullard asked Mr. Watts if he would be using different vehicles to do the transport calls than when you do the 911 calls. Mr. Watts replied stating yes they would and they had four (4) ambulances.

3. **Robert Adams:** stated the following:
  - A. I am here tonight as an advocate for the senior citizens of Columbus County;

- B. Since the economy has declined, there are more and more senior citizens coming to the Aging Department to eat, thereby creating a huge cluster of people at certain hours of the day;
  - C. More and more accidents are occurring in this area;
  - D. The Department of Aging needs more access areas and parking areas; and
  - E. Some improvement needs to be made at this location before something detrimental happens.
4. **Ellen G. Lewis:** stated the following:
- A. I am here tonight to speak on the closing of South Front Street;
  - B. Since I have been living in this area for the past twenty-three (23) years, this road has been heavily utilized, by all the neighbors and Mr. Peterson's rental people;
  - C. The paper states that this road is not used, and that is not true, there are four (4) families that use this road 4-5 times daily;
  - D. I am here to fight and do whatever I can do to keep this road open;
  - E. If this road is closed, we will have to use the dangerous four-lane intersection;
  - F. Please consider that this is just rental property which was purchased two (2) years ago; and
  - G. This is only rental property for Mr. Peterson.

**Agenda Item #6: ROAD CLOSING - SOUTH FRONT STREET in RANSOM TOWNSHIP:**

J. Coburn Powell, Attorney-at-Law, is requesting Board approval and adoption of the following resolution calling for a public hearing on the issue of closing a portion of South Front Street in Ransom Township.

**RESOLUTION**

The Columbus County Board of Commissioners, at its regular meeting held on July 6, 2009, ~~unanimously~~ adopted the following Resolution:

**WHEREAS**, it has been brought to the attention of the Board of Commissioners of Columbus County that a portion of South Front Street is located in Ransom Township ~~is not serving any useful purpose;~~ and

**WHEREAS**, the portion of South Front Street measuring 18 feet by 487.99 feet and the area in between Lots A and B of the Survey for Harold Peterson as shown on map recorded in Map Book 83, Page 86, Columbus County Registry, and said area running along the old abandoned Railroad Tract with the lands on both sides of said South Front Street owned by Harold W. Peterson and wife, Pamela Dodge.

**WHEREAS**, Harold W. Peterson and wife, Pamela Dodge and their attorney, J. Coburn Powell, have requested that this area of South Front Street be closed; and

**WHEREAS**, the Board of Commissioners of Columbus County, acting pursuant to the provisions of North Carolina General Statute § 153A-241, hereby declares its intent to close that portion of South Front Street located in Ransom Township mentioned above, and a public hearing on the question of closing this road is hereby called.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners that a public hearing be and it is hereby set for August 3, 2009 at 6:30 P.M. in the Columbus County Commissioners' office, Whiteville, NC and that public notice of said hearing be published in the News Reporter once a week for four (4) successive weeks, which publication shall be July 9, 16, 23 & 30, 2009 so that all parties having any interest or affected by the proposed closing of a portion of South Front Street in Ransom Township may be present and be heard.

~~Unanimously~~ adopted this the 6th day of July, 2009.

/s/ **James Prevatte, Chairperson**

ATTEST:

/s/ **June Hall, Clerk to Board**

Attorney Powell stated the following:

1. All we are asking for tonight is to adopt a resolution to hold a public hearing; **and**
2. At that public hearing, if you approve this resolution to do so, we will have time to receive public comment.

After discussion was conducted relative to the reason for the adoption of this resolution to establish a public hearing for this matter, Commissioner Russ made a motion to adopt this Resolution which establishes a Public Hearing for August 3, 2009, at 6:30 P.M., seconded by Commissioner Norris.

Mr. Powell stated the information that Mr. Lewis received two (2) years ago was a proposed notice and the idea had been abandoned, and now we are back asking for the same action.

Vice Chairman Bullard stated in the Resolution, that if the language that is reading "is not serving any useful purpose" was eliminated, he would be willing to agree to the same.

Chairman Prevatte stated that this matter would be placed on hold in order to allow for the scheduled 7:00 P.M. Public Hearing to be held.

**RECESS REGULAR SESSION for the PURPOSE of holding a SCHEDULED PUBLIC HEARING:**

At 7:05 P.M., Commissioner Byrd made a motion to recess Regular Session to hold the second scheduled Public Hearing, seconded by Commissioner McKenzie. The motion unanimously passed.

**7:05 P.M.**

**PUBLIC HEARING: Refinancing debt for Columbus Regional Healthcare System** - the purpose of this Public Hearing is to receive citizens' comments regarding the refinancing of debt for Columbus Regional Healthcare System.

**PUBLIC HEARING CALLED to ORDER:**

At 7:05 P.M., Chairman Prevatte called the Public Hearing to order and stated the purpose of this Public Hearing is to receive citizens' comments regarding the refinancing of debt for Columbus Regional Healthcare System. Chairman Prevatte asked Carl Biber, Chief Financial Officer of Columbus Regional Healthcare System, if he would like to make any comments. Mr. Biber stated the following:

1. We are requesting permission to refinance the existing debt totaling almost \$6 million dollars at a lower interest rate saving approximately \$190,000 over the term of the existing debt;
2. In October 1996, the hospital entered into two (2) installment financings totaling \$11,664,000.00 and change for construction, additions and renovations mainly in the Pharmacy, Pediatrics, Labor and Delivery Floor Renovations as well as additions to the Survey Area, Patient Registration and Physical Therapy;
3. The interest rates at that time were very good rates at 5 3/4% on the \$4 million note, and 5.48% on the \$7 million note, which both will mature in October, 2016;
4. In the current environment, we find ourselves the opportunity to take advantage of interest rates lower than originally attached to these notes;
5. The interest rate for non-profit, pyramid owned and sponsored hospitals has been floating around between 3 1/2 to 4% recently;
6. With your permission, we would like to pursue re-financing the remaining balance, not assuming any additional debt, on these two (2) loans with the savings of \$190,000 which does not include the prepaid penalty of \$60,000, plus the fees for the re-financing.

**COMMENTS:**

Chairman Prevatte opened the floor for public comments. No comments were received either orally or written.

**PUBLIC HEARING CLOSED:**

At 7:09 P.M., Commissioner Russ made a motion for the Public Hearing to be closed, seconded by Commissioner McKenzie. The motion unanimously passed.

**7:09 P.M. - RESUME REGULAR SESSION:**

At 7:09 P.M., Commissioner McKenzie made a motion to resume Regular Session, seconded by Vice Chairman Bullard. The motion unanimously passed.

**Agenda Item #6 (Continued):**

Commissioner Byrd stated the following:

1. Under Statute, if the said road has been used for the past twenty, plus (20+) years by the local citizenry, then it will fall into the Easement by Prescription;
2. If this road is closed, the residents would be forced to exit at the four-lane intersection which is highly dangerous; **and**
3. This road has been there for the last seventy-eight (78) years.

Mr. Powell stated the following:

1. This road is on the New Berlin Colony Map;
2. Portions of this road have been closed by this Board in previous years;
3. The residents do have another road available for egress; **and**
4. We can eliminate the wording of “unanimously” and “is not serving any useful purpose” in the ad.

**SUBSTITUTE MOTION:**

Commissioner Byrd made a substitute motion to deny this resolution calling for a public hearing on the premises of Joseph Lewis stating the citizens of the area did not want the road closed, seconded by Commissioner Gore.

A roll-call vote was taken with the following results:

**AYES:** Commissioners McKenzie, Byrd and Gore; **and**  
**NAYS:** Chairman Prevatte, Vice Chairman Bullard, Commissioners Russ and Norris.

The motion fails on a three (3) to four (4) vote.

A roll-call vote was taken on the original motion with the following results:

**AYES:** Chairman Prevatte, Vice Chairman Bullard, Commissioners Russ, Norris and Gore; **and**  
**NAYS:** Commissioners McKenzie and Byrd.

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

**Agenda Item #7: COLUMBUS REGIONAL HEALTHCARE SYSTEM - APPROVAL and ADOPTION of RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING a PROPOSED INSTALLMENT FINANCING AGREEMENT to REFINANCE a PORTION of the COST of CERTAIN EXISTING FACILITIES and PROVIDING for CERTAIN RELATED MATTERS:**

Carl Biber, Chief Financial Officer of Columbus Regional Healthcare System, is requesting Board approval and adoption of the following Resolution.

A regular meeting of the Board of Commissioners for the County of Columbus, North Carolina, was held in the Dempsey B. Herring Courthouse Annex located at 112 West Smith Street, in Whiteville, North Carolina, at 6:30 P.M., on July 6, 2009.

Present: Chairman James E. Prevatte, presiding, and Commissioners Amon E. McKenzie, Giles E. “Buddy” Byrd, Edwin Russ, Lynwood Norris, Vice Chairman Ricky Bullard and Commissioner Ronald Gore.

Absent: -0-

\* \* \* \* \*

Chairman James E. Prevatte introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

**RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A  
PROPOSED INSTALLMENT FINANCING AGREEMENT TO REFINANCE A  
PORTION OF THE COST OF CERTAIN EXISTING FACILITIES AND PROVIDING  
FOR CERTAIN RELATED MATTERS.**

WHEREAS, the County of Columbus, North Carolina (the "County") and First Union National Bank of North Carolina (now known as Wachovia Bank, National Association) entered into an Installment Financing Contract, dated as of October 10, 1996, as amended by a Supplement No. 1 thereto dated as of January 17, 1997 (as amended and supplemented, the "Prior Contract"), pursuant to G.S. §160A-20, as amended, the proceeds of which were used to finance a portion of the cost of a project (the "Project") consisting of the construction of additions to and the renovation of Columbus County Hospital (now known as Columbus Regional Hospital and referred to herein as the "Hospital"); and

WHEREAS, the Hospital is leased from the County and operated by Columbus Regional Health Care System, formerly known as Columbus County Hospital, Incorporated, a North Carolina nonprofit corporation (the "Corporation"); and

WHEREAS, the Corporation makes the payments due under the Prior Contract; and

WHEREAS, the County is considering entering into an installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$6,000,000, with any other available funds, for the refinancing of all or some portion of the County's obligations under the Prior Contract in order to realize debt service savings for the County and the Corporation; and

WHEREAS, it is necessary to provide for certain related matters at this time;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County (the "Board") as follows:

Section 1. The Board hereby finds and determines in connection with such proposed agreement that (a) such proposed agreement is necessary or expedient in order to realize debt service savings for the County and the Corporation, (b) such proposed agreement is preferable to a bond issue of the County for the same purpose because (1) there is not sufficient time to authorize and issue general obligation bonds of the County for such purpose without putting the opportunity to realize debt service savings at greater risk and (2) the Project is not appropriate for refinancing with revenue bonds of the County, (c) the sums estimated to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because (1) the proposed principal components of such sums are based upon the County's best estimates of the funds needed for such purpose and the sources of funds available to the County for such purpose and (2) interest rates applicable to such proposed agreement are relatively low currently, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with law, (e) the County expects that it will realize debt service savings in connection with its entering into such proposed agreement and that revenues derived by the Corporation from the operation of the Hospital will be applied to pay sums to fall due under the proposed agreement and that, accordingly, the County expects that it will not be necessary to increase taxes in connection with the proposed agreement and (f) the County is not in default regarding any of its debt service obligations.

Section 2. The County Manager, the Finance Director and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such proposed agreement with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with the negotiation of such proposed agreement and the development of the related refinancing; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed agreement under Article 8 of Chapter 159 of the General Statutes

of North Carolina, as amended.

Section 4. If determined to be necessary by the County Manager or the Finance Director of the County in connection with the proposed agreement, the Board hereby approves the appointment of the law firm of Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina, to serve as special counsel to the County in connection with such proposed agreement. The Board hereby requests the Local Government Commission of North Carolina to approve such appointment.

Section 5. The actions of the Chief Finance Officer of the County in calling a public hearing on such proposed agreement and publishing a notice of such public hearing in The News Reporter, in accordance with the provisions of G.S. §160A 20, as amended, are hereby approved, ratified and confirmed.

Section 6. This resolution shall take effect immediately upon its passage.

Upon consideration of the foregoing resolution and motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Chairman James E. Prevatte, Vice Chairman Ricky Bullard, Commissioners Amon E. McKenzie, Giles E. "Buddy" Byrd, Edwin Russ, Lynwood Norris and Ronald Gore.

Noes: -0-

Thereupon, the Chairman of the Board of Commissioners for the County of Columbus, North Carolina (the "County") announced that this was the hour, day and place fixed for the public hearing for the purpose of considering whether the Board of Commissioners for the County should approve a proposed installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$6,000,000, with any other available funds, for the refinancing of all or some portion of the County's obligations under the Prior Contract, as such term is hereinafter described, in order to realize debt service savings for the County and the Corporation, as such term is hereinafter described. The County would secure the repayment by it of moneys advanced pursuant to such proposed agreement by granting a security interest in a portion of the Project hereinafter defined and certain related property.

The Prior Contract consists of the Installment Financing Contract, dated as of October 10, 1996, as amended by a Supplement No. 1 thereto dated as of January 17, 1997 (as amended and supplemented, the "Prior Contract"), entered into between the County and First Union National Bank of North Carolina (now known as Wachovia Bank, National Association), the proceeds of which were used to finance a portion of the cost of a project (the "Project") consisting of the construction of additions to and the renovation of Columbus County Hospital, now known as Columbus Regional Hospital (the "Hospital"). The Hospital is leased from the County and operated by Columbus Regional Health Care System, formerly known as Columbus County Hospital, Incorporated, a North Carolina nonprofit corporation (the "Corporation").

Notice of this public hearing was published in The News Reporter not less than 10 days before the date of this public hearing.

The Finance Director of the County and the Vice President of Financial Services of the Corporation then described such refinancing as currently proposed.

The Finance Director of the County and the Vice President of Financial Services of the Corporation then presented and described a proposal to effectuate such refinancing, dated June 1, 2009, that the County had received from Branch Banking and Trust Company in response to the Corporation's request for such a proposal. Such proposal appears to meet the County's needs under existing circumstances and constitutes the proposed agreement that is the subject of this public hearing.

The Chairman of the Board of Commissioners for the County (the "Board of Commissioners") then announced that the Board of Commissioners would immediately hear anyone who might wish to be heard on such matter.

No one appeared, either in person or by attorney, to be heard on such matter and the Clerk to the Board of Commissioners announced that no written statement relating to such matter had been

received.

Thereupon, upon motion of Commissioner Lynwood Norris, seconded by Commissioner Giles E. Byrd, the Board of Commissioners determined to proceed with such refinancing and to approve on a preliminary basis such proposed agreement to effectuate such refinancing in an amount not to exceed \$6,000,000 substantially as presented. Such motion was approved by the following vote:

Ayes: Chairman James E. Prevatte, Vice Chairman Ricky Bullard, Commissioners Amon E. McKenzie, Giles E. "Buddy" Byrd, Edwin Russ, Lynwood Norris and Ronald Gore.

Noes: -0-.

Thereupon, the Chairman of the Board of Commissioners announced that the public hearing was closed.

\* \* \* \* \*

I, June B. Hall, Clerk to the Board of Commissioners for the County of Columbus, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of a regular meeting of said Board held on July 6, 2009, the record having been made in Minute Book No. 31 of the minutes of said Board, beginning at page \_\_\_\_ and ending at page \_\_\_\_, and is a true copy of so much of said minutes as relates in any way to the matters described therein.

I DO HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board, stating that regular meetings of said Board are held in the Dempsey B. Herring Courthouse Annex located at 112 West Smith Street, in Whiteville, North Carolina, on the first and third Mondays of each month at 6:30 P.M., except that regular meetings that are scheduled to be held on a holiday are instead held on the following business day, has been on file in my office as of a date not less than seven days before the date of said meeting in accordance with G.S. § 143-318.12.

WITNESS my hand and the corporate seal of said County, this 7th day of July 2009.

/s/ **JUNE B. HALL**

Clerk to the Board of Commissioners

(SEAL)

Commissioner Norris made a motion to approve the Resolution Making Certain Determinations Concerning a Proposed Installment Financing Agreement to Refinance a Portion of the Cost of Certain Existing Facilities and Providing for Certain Related Matters, seconded by Commissioner Byrd. The motion unanimously passed.

**Agenda Item #8: CDBG # 06-C-1605 - ESTABLISH PUBLIC HEARING for CLOSE-OUT:**

Evelyn Troy, former Director of Dream Center, requested the Board to establish July 20, 2009, at 6:30 P.M. as the date and time for a public hearing to close out CDBG # 06-C-1605.

Commissioner McKenzie made a motion to establish July 20, 2009, at 6:30 P.M., as the date and time for a Public Hearing for the close-out of CDBG Grant # 06-C-1605, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #9: PUBLIC TRANSPORTATION - ESTABLISH PUBLIC HEARING for RURAL OPERATING ASSISTANCE PROGRAM (ROAP):**

Charles Patton, Transportation Director, requested the Board to establish July 20, 2009, at 7:00 P.M., as the date and time for a public hearing on the ROAP Program.

Commissioner Norris made a motion to establish July 20, 2009, at 7:00 P.M., as the date and time for a Public Hearing for the Rural Operating Assistance Program (ROAP), seconded by Vice Chairman Bullard. The motion unanimously passed.



**Agenda Item #10: Public Transportation - Departmental Update:**

Charles Patton, Transportation Director, delivered the following departmental update to the Board.

- I would like to review with the commissioners why we are here and how we are funded;
- In the late 70's and early 80's all of the DSS's and the Mental Health Workshops in the state were having difficulty finding reliable transportation. The private systems were typically lasting 2-3 years or until their first wreck thus leaving the agencies with no reliable transportation.;
- In Raleigh, DSS and DOT got together and DOT started establishing Community Transportation Systems in every county in North Carolina so that the Human Service Agencies could have a reliable and dependable transportation system. In Columbus County this started out as a non-profit organization but was made government and a department of Columbus County Government in the year 2000. ;
- NCDOT has put us here with administration and capital funds. This a federal stream of money that is administered by NCDOT. They pay 85% of all Administrative funds and 90% of all Capital funds. The remaining 10-15% is paid by Columbus County Transportation from surcharges and fares. None, and I repeat, none of the system is funded by the county except for the Veterans Transportation Program to VA hospitals and clinics, which the county chooses to fund. The human service agencies have their own pots of transportation monies and they hire us to transport their clients.;
- I am the only county employee (but DOT paid) and I oversee and manage a contract that we have with a private transportation provider, First Transit, Inc. They are responsible for the management of the system, personnel staffing, driver training, drug & alcohol testing, safety program, maintenance, and maintaining required insurance levels as specified by DOT..... As a reminder, since all vehicles are leased to First Transit, all accidents and lawsuits resulting from accidents are their responsibility. ;
- This combination of careful county & First Transit management has resulted in one of the lowest cost/mile, if not the lowest, in the state. Neighboring counties have a 20-50% higher cost/mile than we do. This allows our human service agencies to stretch their pots of transportation money much further than other counties.; **and**
- We are proud of our Transit System and the new facility that NCDOT has provided us and we hope to continue serving Columbus County in an efficient and safe manner.

**Agenda Item #11: ECONOMIC DEVELOPMENT - APPROVAL of INTERLOCAL AGREEMENT REGARDING DEVELOPMENT APPROVAL and PERMITTING PROCESS for BRUNSWICK-COLUMBUS BUSINESS PARK:**

Justin Smith, Economic Development Director, requested Board approval of the following Interlocal Agreement Regarding Development Approval and Permitting Process for Brunswick-Columbus Business Park.

**INTERLOCAL AGREEMENT REGARDING DEVELOPMENT APPROVAL AND PERMITTING PROCESS FOR BRUNSWICK-COLUMBUS BUSINESS PARK**

**THIS INTERLOCAL AGREEMENT REGARDING DEVELOPMENT APPROVAL AND PERMITTING PROCESS FOR BRUNSWICK-COLUMBUS BUSINESS PARK** (the "Agreement") is dated as of July 6, 2009, and is by and between BRUNSWICK COUNTY, NORTH CAROLINA ("Brunswick"), and COLUMBUS COUNTY, NORTH CAROLINA ("Columbus"), with both of the above being jointly referred to as the "Parties" to this Agreement.

WHEREAS --

Brunswick and Columbus are parties to an INTERLOCAL DEVELOPMENT AGREEMENT FOR BRUNSWICK-COLUMBUS BUSINESS PARKS ("Development Agreement") to develop a business park at an initial location described on Exhibit "A" ("Business Park") as a joint effort to enhance economic development in their region; and

WHEREAS --

Some of the lots or sites to be developed and sold as part of the Business Park may be partially located in Brunswick and partially located in Columbus ("Joint Sites"); and

WHEREAS --

To streamline the development approval and permitting process for Joint Sites, the Parties wish to enter into this Agreement to assign responsibility and authority for the various aspects of the development approval and permitting process to either Brunswick or Columbus.

THEREFORE, based upon the foregoing and the mutual covenants herein contained, the Parties agree as follows:

**ARTICLE I**  
**BUSINESS PARK DEVELOPMENT APPROVAL AND PERMITTING**

1. **Parties To Cooperate.** The Parties will cooperate in the development approval and permitting process for the Joint Sites in the Business Park in accordance with the terms and conditions of this Agreement. The Business Park is as described in Exhibit A.
2. **Development Approval and Permitting on Joint Sites.** For any Joint Sites, responsibility and authority for the various aspects of the development approval and permitting process that are within the authority and jurisdiction of counties under the North Carolina General Statutes shall be handled pursuant to the Ordinances for Brunswick County (“Ordinance”) for all Joint Sites including, but not limited to, the following: zoning permit(s) and approval; subdivision requirements and approval, storm water or other environment permit(s); fire inspection or permit(s) and building inspections and permit(s). All rights, duties, responsibilities and obligations under the Ordinance shall apply to Joint Sites as if the Joint Sites were completely within the boundaries and jurisdiction of Brunswick County. Any assessments or fees that are required under the Ordinance shall go to Brunswick County as compensation for the assumption of the duties, responsibilities and obligations assigned under this Agreement and no fee or assessment will be paid to Columbus County despite the fact that a portion of the Joint Sites are within Columbus County. All other revenue shall be collected and distributed as provided in the Development Agreement. Except for the subject matter of this Agreement, all other matters related to the Business Park shall be governed by the Development Agreement.

**ARTICLE II**  
**TERM AND TERMINATION OF AGREEMENT; WITHDRAWAL**

1. **Effective Date.** This Agreement and the obligations created hereunder take effect and become binding immediately upon the execution of this Agreement by all the Parties.
2. **Termination.** This Agreement shall remain in effect so long as the Development Agreement is in effect and shall terminate upon termination of the Development Agreement unless otherwise agreed by the Parties.

Notwithstanding the foregoing, the Parties may, at any time by unanimous consent, terminate this Agreement and the joint undertakings contemplated herein. After the expiration or termination of this Agreement, none of the Parties shall have any continuing obligations hereunder unless specifically and expressly indicated herein.

**ARTICLE III**  
**DEFAULT AND REMEDIES**

Any of the Parties shall be in default under this Agreement if they, or any of their representatives, agents or assigns violates any provision of this Agreement. Such violation may be a failure to perform a duty, responsibility or obligation under this Agreement or the failure may be an overt act which is in violation of their duty, responsibility or obligation under this Agreement. Upon the occurrence of any event of default which shall continue for a period of thirty (30) days after notice from any non-defaulting party, any one or more non-defaulting party may proceed to protect and enforce their respective rights under this Agreement. The enforcement of rights may include a suit, action or special proceeding at law or in equity, either for specific performance or for any legal or equitable remedy as may be deemed most effectual to protect the rights of the non-defaulting party.

During the continuation of an event of default, any non-defaulting party may incur and pay reasonable expenses for the defaulting party’s account as may be necessary to cure the default. Any party making any such payment shall be entitled to reimbursement by the defaulting party with interest at an annual rate of interest equal to 5% (“Contract Rate”). A party may cure its default of a payment obligation only by paying to or on behalf of the non-defaulting party all amounts past due

and unpaid, together with interest from the due date at the Contract Rate, and any other expenses of collection incurred by the non-defaulting party as a result of such default.

All remedies under this Agreement are cumulative and may be exercised concurrently or separately. The exercise of any one remedy shall not be deemed an election of such remedy or preclude the exercise of any other remedy. If any event of default shall occur and thereafter be waived, such waiver shall be limited to the particular breach so waived and shall not be deemed a waiver of any other breach under this Agreement. If any party employs an attorney to assist in the enforcement of provisions of this Agreement, and such party prevails in its attempts at enforcement, then the defaulting party must pay the actual and reasonable attorneys' fees and all of the other costs the non-defaulting party may have reasonably incurred (whether or not any suit or proceeding is commenced), all to the maximum extent permitted by law.

#### **ARTICLE IV INDEMNIFICATION**

To the extent permitted by law, each party will indemnify, protect and save the other Parties and their respective officers and employees harmless from all liability, obligations, losses, claims, damages, actions, suits, proceedings, costs and expenses, including reasonable attorneys' fees, arising out of, connected with, or resulting directly or indirectly from the negligent or intentionally wrongful actions of the indemnifying party (or its officers, employees or other agents) related to this Agreement or to the transactions contemplated in this Agreement. The indemnification arising under this Article will survive the termination of this Agreement.

#### **ARTICLE V REPRESENTATIONS, COVENANTS AND WARRANTIES**

Each of the Parties represents, covenants and warrants for the benefit of the others, as follows:

(a) Neither the execution nor delivery of this Agreement, nor the fulfillment of or compliance with its terms and conditions, nor the consummation of the transactions contemplated herein results in a breach of or default under the terms, conditions and provisions of any agreement or instrument to which such party is now a party or by which it is bound.

(b) Neither the execution and delivery of this Agreement, nor the consummation of the transactions contemplated herein, nor the fulfillment of or compliance with the terms and conditions hereof, to the best of each party's knowledge, constitutes a violation of any provision of governing law.

(c) To the knowledge of each party, there is no litigation or other court or administrative proceeding pending or threatened against such party which affect its right to execute or deliver this Agreement or to comply with the terms hereof.

(d) No approval of any regulatory or governing body is required by any Party to execute and deliver this Agreement or to comply with the terms hereof.

(e) All of the Parties' representations, covenants and warranties contained herein are true, correct and complete in all material respects and are not false or misleading in any material respect.

(f) This Agreement has been validly authorized, executed and delivered by the Parties, and constitutes the valid, legal and binding obligation of the Parties.

#### **ARTICLE VI AUTHORITY FOR THIS AGREEMENT**

Section 158-7.1 of the General Statutes provides general authority for any local government to take action designed to enhance the unit's business prospects, and in particular to provide for the acquisition and development of land for use as a business park. Article 20, Chapter 160A of the General Statutes authorizes multiple units of local government to enter into interlocal agreements to carry out any activity that they could each carry out individually. Section 158-7.4 of the General Statutes expressly authorizes two or more units of local government to enter into contracts and agreements regarding the development of business and commercial parks and Sites, including the right to share in the proceeds from property taxes levied on parks or Sites.

Each County specifically agree that the terms of this Agreement are enforceable obligations of future County Boards as continuing contracts, and each party hereto will be stopped from contending otherwise in any action to enforce the terms of this Agreement.

**ARTICLE VII**  
**LEGAL COUNSEL**

Nexsen Pruet, PLLC, by and through Thomas H. Johnson, Jr., has to date and may in the future provide legal assistance, consultation and advice to the Parties as to the terms and structure of this Agreement. All of the Parties acknowledge and agree that in relation to this Agreement, Mr. Johnson and the aforementioned law firm does not represent either of the Counties individually, and each County has been represented by its own counsel. The Parties further acknowledge that Nexsen Pruet, PLLC has not acted as counsel for either County in the negotiation or other consideration of this Agreement.

**ARTICLE VIII**  
**MISCELLANEOUS**

1. **Informalities.** Informalities observed in the administration or performance of this Agreement and the failure of any party to insist upon strict compliance with the provisions hereof on one occasion shall not be deemed to be the waiver of any provision or of the right of any party hereto to insist upon the strict performance of this Agreement at any later time.

2. **Governing Law.** This Agreement shall be governed by North Carolina law.

3. **Notices.**

(a) Any communication required or permitted by this Agreement must be in writing except as expressly provided otherwise in this Agreement.

(b) Any communication shall be sufficiently given and deemed given when delivered by hand or on the date shown on a delivery receipt from either the United States Postal Service or a nationally-recognized express delivery service, if addressed as follows:

If to Brunswick, to the Brunswick County Manager, Courthouse, 310 Government Center Drive Northeast, Bolivia, NC 28422.

If to Columbus, to the Columbus County Manager, 111 Washington Street, Whiteville, NC 28472.

(c) Any addressee may designate additional or different addresses for communications by notice given under this Section to the other Parties.

4. **Non-Business Days.** If the date for making any payment or the last day for performance of any act or the exercising of any right is not a business day, such payment may be made or act performed or right exercised on or before the next succeeding business day.

5. **Assignments.** No party may sell or assign any interest in or obligation under this Agreement without the prior express written consent of all the Parties.

6. **Amendments.** This Agreement may not be changed except in writing signed by all the Parties.

7. **Binding Effect.** Subject to the specific provisions of this Agreement, this Agreement is binding upon and inures to the benefit of, and is enforceable by, the Parties and their respective successors and assigns.

8. **Time.** Time is of the essence as to each and all provisions of this Agreement.

9. **Liability of Officers and Agents.** No officer, agent or employee of any party shall be subject to any personal liability or accountability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute such documents in their official capacities only, and not in their individual capacities. This Section shall not relieve any such officer, agent or employee from

the performance of any official duty provided by law.

10. **Third-Party Beneficiaries.** There are no entities which are, or which are intended as, third-party beneficiaries of this Agreement.

11. **Counterparts.** This Agreement may be executed in several counterparts, including separate counterparts. Each will be an original, but all of them together constitute the same instrument.

12. **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties with respect to the general subject matter covered hereby.

13. **Definitions.** All terms with initial capitals used in this Agreement will have the meanings ascribed to those terms in this Agreement.

14. **Rules of Construction.** Unless the context otherwise indicates:

(a) Words importing the singular shall include the plural and vice versa, and words importing the masculine gender shall include the feminine and neuter genders as well.

(b) All references to Articles, Sections, or Exhibits are references to Articles, Sections and Exhibits of this Agreement.

(c) All references to the "Parties" are to the Parties to this Agreement.

(d) All references to officers are references to officers of the Parties to this Agreement.

(e) The headings herein are solely for convenience of reference and shall not constitute a part of this Agreement nor shall they affect its meanings, construction or effect.

15. **Exhibits.** All exhibits attached hereto are listed below and are incorporated herein by reference.

**Exhibits –**

A Site description

**IN WITNESS WHEREOF**, the Parties have hereunto set their hands and seals with the intent to be bound as of the day first set out above.

[SEAL]

BRUNSWICK COUNTY,  
NORTH CAROLINA

\_\_\_\_\_  
Clerk, Board of Commissioners

\_\_\_\_\_  
Chairman, Board of Commissioners

[SEAL]

COLUMBUS COUNTY,  
NORTH CAROLINA

ATTEST:

/s/ **JUNE B. HALL**

Clerk, Board of Commissioners

/s/ **JAMES E. PREVATTE**

Chairman, Board of Commissioners

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

\_\_\_\_\_  
Finance Officer  
Brunswick County, North Carolina

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

/s/ **BOBBIE FAIRCLOTH**

Finance Officer

Columbus County, North Carolina

**[INTERLOCAL AGREEMENT dated as of July 6, 2009]**

**Exhibit A – Business Park****Brunswick County –**

Lying in Northwest Township, Brunswick County, North Carolina, containing 409.41 acres, more or less, and being a portion of each of the following tracts:

The ACME Tract, containing a total of 578.09 acres, and the W.L. Hobbs Tract, containing a total of 462.8 acres, both as shown on the plat entitled “International Paper Realty, ACME and W.L. Hobbs Tracts,” as recorded in Plat Book 29, Page 426 of the Brunswick County Registry, a duplicate of which map is recorded in Plat Book 75, Page 86 of the Columbus County Registry (both tracts lying partially in Brunswick County and partially in Columbus County);

More specifically being the portion of the ACME tract that lies in Brunswick County, which portion contains a total of 373.69 acres, more or less, TOGETHER WITH a 35.72-acre portion of the W.L. Hobbs tract, said 35.72 acres being distributed evenly along and parallel with the common line between the two tracts, totaling 409.41 acres in Brunswick County.

The said 373.69-acre tract is identified as Brunswick County Parcel #01400008 and is highlighted in pink on the attached map, and the W.L. Hobbs tract is identified as Brunswick County Parcel #0140000801, and is highlighted in green on the attached map, for general identification.

**Columbus County –**

Lying in Ransom Township, Columbus County, North Carolina, containing 204.40 acres, more or less, being the portion of the following tract that lies in Columbus County (the entire tract lying partially in Columbus County and partially in Brunswick County):

The ACME Tract, containing a total of 578.09 acres, as shown on the plat entitled “International Paper Realty, ACME and W.L. Hobbs Tracts,” as recorded in Plat Book 75, Page 86 of the Columbus County Registry, a duplicate of which map is recorded in Plat Book 29, Page 426 of the Brunswick County Registry.

Said 204.40-acre tract is identified as Columbus County Property #28573 and #87263, and is highlighted in yellow on the attached map for ease of identification.

**Exhibit A continued – The Business Park (map)**

Mr. Smith stated the following:

1. This agreement will help streamline projects;
2. This only applies to projects that are partially located in both counties;
3. Brunswick County has a large staff of inspectors and must comply with more rigid regulations than Columbus County; **and**
4. This would be beneficial to us.

Commissioner Byrd made a motion to approve the Interlocal Agreement Regarding Development Approval and Permitting Process for Brunswick-Columbus Business Park, seconded by Vice Chairman Bullard. The motion unanimously passed.

**RECESS REGULAR SESSION and enter into COMBINATION MEETING of COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V BOARD MEETING:**

At 7:37 P.M., Vice Chairman Bullard made a motion to recess Regular Session and enter into a **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #12: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 15, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

This information will be recorded in Minute Book Number 1 for each Water District

respectively.

**Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV AND V - APPROVAL of APRIL and MAY ADJUSTMENTS to MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the April and May, 2009 monthly water bills.

This information will be recorded in Minute Book Number 1 for each Water District respectively.

**Agenda Item #14.: COLUMBUS COUNTY WATER and SEWER DISTRICT II - APPROVAL and ADOPTION/RE-AFFIRMATION of the FOLLOWING:**

- A. **Two (2) Resolutions to Submit Community Development Block Grant Applications for \$75,000.00 and for \$6,416.46 Infrastructure House Hook-ups Project for Residents in Water District II; and**
- B. **Sixteen (16) Necessary Documents for Application of Each Grant (totaling 32):**

Kip McClary, Public Utilities Director, requested the Board to approve and adopt the following two (2) Resolutions and the thirty-two (32) necessary documents which are required to apply for these grants.

This information will be recorded in Minute Book Number 1 for Columbus County Water and Sewer District II.

**ADJOURN COMBINATION MEETING of COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III IV and V BOARD MEETING and resume REGULAR SESSION:**

At 7:49 P.M., Commissioner McKenzie made a motion to adjourn the Combination Meeting of Columbus County Water and Sewer Districts I, II, III, IV and V, and resume Regular Session, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #15: APPOINTMENTS - COMMITTEES/BOARDS/COUNCILS:**

June B. Hall, Clerk to the Board, requested the following appointments to be made.

COMMITTEE	ZONE/ EB	PERSON(S)	EXPIR. DATE	BOARD ACTION
Chadbourn Planning and Zoning Board <b>Motion: Vice Chairman Bullard</b> <b>Second: Commissioner Norris</b>	EB	Brad Walker (ETJ)	05-2009	<b>Re-Appoint</b>
Department of Aging Advisory Council	IV VI	Elaine Gore Murray Myra Godwin	06-30-2009 06-30-2009	<b>Jimmy Stanley</b> <b>Hold</b>
Fair Bluff Planning Board <b>Motion: Vice Chairman Bullard</b> <b>Second: Commissioner McKenzie</b>	EB	Mike Hughes (ETJ)	April, 2009	<b>Re-Appoint</b>

**Agenda Item #16: CONSENT AGENDA ITEMS:**

**A. Tax Refund and Releases:**

Commissioner Norris made a motion to approve the following Tax Refund and Tax Releases, seconded by Commissioner McKenzie. The motion unanimously passed.

**TAX REFUND (as submitted to the Governing Body Office from the Tax Office):  
July 06, 2009**

Refunds Name: Smith, Ida Mae Amount: \$0.00  
 Value: \$0.00 Year: 008 Account # 04-14680 Bill # 82364 Total \$200.00  
 Refund the user fee. House is double listed in the name of Linda Diane Smith.  
 72 Glendale Rd. Bolton NC 28423

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):  
 July 06, 2009**

Release the Property Value in the name of Cox, Ernest Amount: \$23.68  
 Value: \$2,905.00 Year: 2008 Account # 07-04545 Bill # 3822 Total \$227.17  
 Release the value of a mobile home, the Yam City Fire (2.91) and Columbus Rescue (.58). The home is double listed in the same name on a different account number.

Release the User Fee in the name of Brown, Pandora Amount: \$0.00  
 Value: \$0.00 Year: 2008 Account # 15-03654 Bill # 9804 Total \$200.00  
 Release the user fee. The house is vacant and has no trash can.

Release the User Fee in the name of Bryant, James O. Amount: \$0.00  
 Value: \$0.00 Year: 2007/0 Account # 04--05935 Bill # 9999 Total \$393.00  
 Release the user fees for 2007 and 2008. The house is vacant and has no trash can.

Release the User Fee in the name of Chestnut, Fentress Amount: \$0.00  
 Value: \$0.00 Year: 2006/0 Account # 13-08179 Bill # 9999 Total \$586.00  
 Release the user fees for 06, 07, and 2008. The house is vacant, unlivable and has no trash can.

Release the User Fee in the name of Donahue, Crystal Amount: \$0.00  
 Value: \$0.00 Year: 2008 Account # 03-02149 Bill # 5415 Total \$200.00  
 Release the user fee. House is vacant and has no trash can.

Release the User Fee in the name of Floyd, Elizabeth Amount: \$0.00  
 Value: \$0.00 Year: 2008 Account # 06-01225 Bill # 8027 Total \$200.00  
 Release the user fee. The house burned in January 2008.

Release the User Fee in the name of Page Home Sales Inc. Amount: \$0.00  
 Value: \$0.00 Year: 2007/0 Account # 13-31661 Bill # 9999 Total \$393.00  
 Release the user fee for 2007 and 2008. This sales lot is closed. No trash cans here.

Release the User Fee in the name of Page, Paul Amount: \$0.00  
 Value: \$0.00 Year: 2008 Account # 13-31720 Bill # 5726 Total \$200.00  
 Release the user fee. Customer is using a commercial hauler.

Release the User Fee in the name of Page, Paul F. Amount: \$0.00  
 Value: \$0.00 Year: 2008 Account # 13-02926 Bill # 5734 Total \$200.00  
 Release the user fee. House is vacant and does not have a trash can.

Release the User Fee in the name of Page, Paul F. Amount: \$0.00  
 Value: \$0.00 Year: 2008 Account # 13-31727 Bill # 5735 Total \$200.00  
 Release the user fee. There is no trash can here.

Release the User Fee in the name of Smith, Ida Mae Amount: \$0.00  
 Value: \$0.00 Year: 2006/0 Account # 04-14680 Bill # 9999 Total \$386.00  
 Release the user fees for 2006 and 2007 that are double listed in the name of Linda Diane Smith.

Release the User Fee in the name of Watt, Ricky Amount: \$0.00  
 Value: \$0.00 Year: 2008 Account # 02-03321 Bill # 9137 Total \$200.00  
 Release the user fee. House is vacant and does not have a trash can.

**B. Budget Amendments:**

Vice Chairman Bullard made a motion to approve the following Budget Amendments, seconded by Commissioner Russ. The motion unanimously passed.



TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-4310-519001	Contracted Services	26,919
	10-4310-519101	Contracted Services	2,684
	10-4310-526001	Dept Supplies	5,392
Revenue	10-3431-440035	Grants Revenue - Project Safe Neighborhood	34,995
Expenditure	10-5900-550025		45,000
Revenue	10-3210-432315		45,000

**Agenda Item #17: COMMENTS:**

Chairman Prevatte opened the floor for comments. The following spoke:

**A. Department Heads:**

1. **Kip McClary (Public Utilities):** the following is an update on the Landfill repair project:
  - A. We had another visit from the State;
  - B. They have asked for a calendar on the progress of our repair;
  - C. We started the repair work on June 16, 2009
  - D. We only received two (2) employees from Telemon and had requested eight (8);
  - E. The first week was too wet to do any major work;
  - F. During the second week, we continued doing manual work of cleaning up around the shed and repairing fences and gates;
  - G. In the third week, we repaired the old haul road, bushhogging and repairs on the south and the west corners, and as of today, only about ten (10%) of the areas have been repaired;
  - H. During the fourth week, we continued doing bushhogging;
  - I. The work is going slow, but shows improvement;
  - J. As of today, we have imported thirty (30) loads of sand, one hundred (100) loads of topsoil; **and**
  - K. We have began the establishment of the west side of the road.
2. **Justin Smith (Economic Development):** stated the following:
  - A. We have recently received notification from the Secretary of Commerce that the Southeast Regional Park and the Tabor City Industrial Park have been designated as Aquarian growth zones; **and**
  - B. Businesses that locate or expand and create new jobs in these areas could receive a tax credit of up to \$14,500.00 for every job they create.

**B. Board of Commissioners:**

1. **Vice Chairman Bullard:** I would like to say thank you to everyone for all the kind deeds they done on my behalf during the loss of my father.
2. **Commissioner Byrd:** stated the following:
  - A. I think it is time for the County to look at getting a local landfill;
  - B. This will serve Columbus County only, and not a regional landfill; **and**
  - C. This process will be lengthy and we need to get started.
3. **Commissioner Russ:** stated the following:
  - A. I have recently visited two (2) new businesses, and we all need to do this on a regular basis;
  - B. Southeastern Community College has purchased new vehicles with the Capital Outlay funds that the Board did not allow them to move to Operating Expense; **and**
  - C. I received an e-mail from the Concerned Citizens of Columbus County and it is my opinion any type of correspondence received needs to have a signature.

4. **Chairman Prevatte:** stated the following:
- A. On Wednesday, at 5:30 P.M., there is a meeting with the Golden Leaf Foundation at Southeastern Community College to help decide on how to spend \$2 million that has been allocated to Columbus County;
  - B. Remind you of the Watermelon Festival which is on July 24, and 25;
  - C. The NCACC Annual Conference is being held on August 27 - 30, 2009 and we need to get registered, and we need to decide who the voting delegate will be for Columbus County.

**MOTION:**

Commissioner Norris made a motion to appoint Chairman James E. Prevatte as the voting delegate for the 102<sup>nd</sup> NCACC Annual Conference on August 27 - 30, 2009, seconded by Vice Chairman Bullard. The motion unanimously passed.

- C. **County Manager (William S. Clark):** stated the following:
- A. We need to set a date for the Personnel Policy Manual Workshop; **and**
  - B. I would like to encourage everyone to attend the Golden Leaf Foundation Meeting on Wednesday.

**OTHER:****ESTABLISHMENT of PERSONNEL POLICY MANUAL WORKSHOP:**

Commissioner Byrd made a motion to establish July 13, 2009, at 6:30 P.M., as the date and time to conduct a Columbus County Personnel Policy Manual Workshop, seconded by Commissioner Norris. The motion unanimously passed.

**RECESS REGULAR SESSION and enter into CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (6) PERSONNEL:**

At 8:23 P.M., Commissioner Byrd made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 143-318.11 (6) Personnel, after a five (5) minute recess, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #18: CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (6) PERSONNEL.**

No official action was taken.

**ADJOURN CLOSED SESSION and resume REGULAR SESSION:**

At 9:18 P.M., Commissioner Norris made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Byrd. The motion unanimously passed.

**CLOSED SESSION GENERAL ACCOUNT:**

Chairman Prevatte requested that Interim County Attorney Terri Martin orally read the Closed Session General Account. Ms. Martin orally read the following:

“Three (3) items were discussed as follows:

1. The Social Services Board appointment of Joan Stephens as the Interim Social Services Director;
2. The interviewing for the Columbus County attorney to be done at the July 20, 2009 Board Meeting; **and**
3. Changing the July 20, 2009 Board Meeting time to 6:00 P.M. to accommodate for the interviews.”

**APPROVAL of JULY 06, 2009 CLOSED SESSION GENERAL ACCOUNT:**

Commissioner Russ made a motion to approve the July 06, 2009 Closed Session General Account, as orally read, seconded by Commissioner Norris. The motion unanimously passed.

**MOTION:**

Commissioner McKenzie made a motion to approve a ten (10%) percent increase in the salary for Joan Stephens as the Interim Social Services Director, seconded by Commissioner Norris. The motion unanimously passed.

**MOTION:**

Commissioner Byrd made a motion to change the time for the July 20, 2009 Columbus County Board of Commissioners Meeting to 6:00 P.M., in lieu of 6:30 P.M., to allow for the interviewing for Columbus County Attorney, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #19: ADJOURNMENT:**

At 9:21 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner McKenzie. The motion unanimously passed.

**APPROVED:**

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

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**JAMES E. PREVATTE, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V**  
**COMBINATION BOARD MEETING**  
**Monday, July 06, 2009**  
**7:37 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 Districts I, II, III, IV and V Board.

**COMMISSIONERS PRESENT:**

James E. Prevatte, **Chairman**  
 Ricky Bullard, **Vice Chairman**  
 Amon E. McKenzie  
 Giles E. (Buddy) Byrd  
 Edwin Russ  
 Lynwood Norris  
 Ronald Gore

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
 Terri Martin, **Interim County Attorney**  
 June B. Hall, **Clerk to Board**  
 Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:37 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

**Agenda Item #12: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 15, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner Norris made a motion to approve the June 15, 2009 Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting Minutes, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

**Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of APRIL and MAY ADJUSTMENTS to MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the April and May, 2009 monthly water bills for Columbus County Water and Sewer District I.

**DISTRICT I ADJUSTMENTS FOR THE MONTH OF APRIL, 2009**

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
4/6/2009	105350.0098	JAMES F. NEALEY	-16.00	METER READ WRONG
4/8/2009	205160	THERMON PRINCE THOMPSON	50.00	METER TAMPERING FEE
4/8/2009	205400	GLADYS WASHINGTON	50.00	METER TAMPERING FEE
4/8/2009	206010	DON WATTS	-6.00	CUSTOMER LEAK
4/9/2009	301580.0098	TONY HUFFMAN	-147.00	BILLING ERROR
4/9/2009	301580.0098	TONY HUFFMAN	42.00	CREDIT REFUNDED
4/9/2009	207390.0097	KAYCEE LITTLE	-29.00	CREDIT REFUNDED
4/9/2009	600540.0096	CHRIS PANEL	-21.00	BILLING ERROR
4/22/2009	201835	DAVID CARTRETTE	-5.00	PENALTY ERROR
4/23/2009	602470	MARSHALL SMITH	-5.00	PENALTY ERROR
4/23/2009	101210	PEARL THOMPSON	-5.00	PENALTY ERROR
4/23/2009	203870	RUSTY POWELL	-5.00	PENALTY ERROR
4/23/2009	200620	DAVID SELLERS	-5.00	PENALTY ERROR
4/23/2009	400610	THOMAS RANALLI	-5.00	PENALTY ERROR
4/23/2009	208615	BRENDA BROWN	-5.00	PENALTY ERROR
4/23/2009	101050	LONNIE GRAINGER	-5.00	PENALTY ERROR
4/23/2009	208630	BRENDA BROWN	-5.00	PENALTY ERROR
4/27/2009	201633.0098	MARSHA FLOYD	-30.00	CUT OFF WAIVED
4/23/2009	206370	RONNY WATTS	-5.00	PENALTY ERROR
4/23/2009	207810	ROY LOCKLEAR	-5.00	PENALTY ERROR
4/23/2009	204790	JOHNNY SMITH	-5.00	PENALTY ERROR
4/23/2009	602360	LORA WILLIAMS	-5.00	PENALTY ERROR
4/23/2009	302390	ROGERS TODD	-5.00	PENALTY ERROR
4/23/2009	206390	ROY T. LOCKLEAR	-5.00	PENALTY ERROR
4/23/2009	208450	GREGORY MILLS	-5.00	PENALTY ERROR
4/23/2009	100566	DAVID WATTS	-5.00	PENALTY ERROR
4/23/2009	201690	HOYT HARDEE	-5.00	PENALTY ERROR
4/23/2009	104730	KATHY SCOTT	-5.00	PENALTY ERROR
4/23/2009	603380	JUSTINA THOMPSON	-5.00	PENALTY ERROR
4/23/2009	204620	JACKSON JAMES JR	-5.00	PENALTY ERROR
4/23/2009	204700	ANNETTE JACKSON	-5.00	PENALTY ERROR
4/23/2009	100980	CHRISTINE HARDY	-5.00	PENALTY ERROR
4/23/2009	203640	JOHN GORE	-5.00	PENALTY ERROR
4/23/2009	402480	JANICE BRANTON	-5.00	PENALTY ERROR
4/23/2009	208440	ROBERT LEWIS	-5.00	PENALTY ERROR
4/23/2009	300940	DIANA GRAHAM	-5.00	PENALTY ERROR
4/23/2009	300235	JOSHUA HARRELSON	-5.00	PENALTY ERROR
4/23/2009	203895	ANGELA BUFFKIN	-5.00	PENALTY ERROR
4/23/2009	104650	HAROLD BELLAMY	-5.00	PENALTY ERROR
4/23/2009	401950	DANIEL HINSON	-5.00	PENALTY ERROR
4/23/2009	401960	DANIEL HINSON	-5.00	PENALTY ERROR
4/23/2009	303820	HANK PRINCE	-5.00	PENALTY ERROR
4/23/2009	101200	BILLY THOMPSON	-5.00	PENALTY ERROR
4/23/2009	200960	RETHA JOHNSON	-5.00	PENALTY ERROR
4/23/2009	200635	WOODMEN OF THE WORLD	-5.00	PENALTY ERROR
4/23/2009	204310	DAVID FAULK	-5.00	PENALTY ERROR
4/23/2009	200800	CLYDE JOHNSON	-5.00	PENALTY ERROR
4/23/2009	200800	CLYDE JOHNSON	-5.00	PENALTY ERROR
4/23/2009	402475	CATHY CAULDER	-5.00	PENALTY ERROR
4/23/2009	603240	CHARLES WILLIAMS	-5.00	PENALTY ERROR
4/23/2009	200140	JANELLE DAWSON	-5.00	PENALTY ERROR
4/23/2009	205045	GRACIE JACKSON	-5.00	PENALTY ERROR
4/23/2009	104750	ESTELLE TODD	-5.00	PENALTY ERROR
4/23/2009	101620	RICHARD GODWIN	-5.00	PENALTY ERROR
4/23/2009	204220	TONY JOHNSON	-5.00	PENALTY ERROR
4/23/2009	402820	SIDNEY SERVICE MART	-5.00	PENALTY ERROR

4/23/2009	303000	BILL DANIEL	-5.00	PENALTY ERROR
4/23/2009	603160	ANQUILLA GREER	-5.00	PENALTY ERROR
4/23/2009	105090	MICHAEL STANLEY	-5.00	PENALTY ERROR
4/23/2009	401910	MYRA HINSON	-5.00	PENALTY ERROR
4/23/2009	207200	WARREN MILLER	-5.00	PENALTY ERROR
4/23/2009	208390	WILLIAM PRINCE	-5.00	PENALTY ERROR
4/23/2009	601510	JAMES STEVENS	-5.00	PENALTY ERROR
4/23/2009	405038	LEON STEPHENS	-5.00	PENALTY ERROR
4/23/2009	602270	ROSCOE WILLIAMS	-5.00	PENALTY ERROR
4/23/2009	208605	BRENDA BROWN	-5.00	PENALTY ERROR
4/28/2009	201675	NICKY FOWLER	21.00	NSF
4/28/2009	201675	NICKY FOWLER	25.00	NSF FEE
4/28/2009	206020	MICHELLE LUPO	20.00	NSF
4/28/2009	206020	MICHELLE LUPO	25.00	NSF FEE

### DISTRICT I ADJUSTMENTS FOR THE MONTH OF MAY, 2009

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
5/1/2009	301130.0095	DALE JORDAN	-21.00	CREDIT TRANSFERRED
5/1/2009	301110.0097	WINFRED JORDAN	-21.00	CREDIT TRANSFERRED
5/6/2009	405068	DONALD WARD	-36.00	CUSTOMER LEAK
5/1/2009	401710.0098	IVY WEAVER	-50.00	SECURITY DEPOSIT REFUND
5/1/2009	103720.0097	ROSE MCPHERSON	-50.00	SECURITY DEPOSIT REFUND
5/1/2009	301890.0097	DEANNE PUCKETT	-50.00	SECURITY DEPOSIT REFUND
5/1/2009	302000.0097	KIMBERLY BUFFKIN	-50.00	SECURITY DEPOSIT REFUND
5/7/2009	100140.0097	HAROLD SINGLETARY	-50.00	DEPOSIT APPLIED
5/11/2009	301890	DEANNE PUCKETT	-21.00	BILLING ERROR
5/14/2009	203430.0097	JAMES SMITH	-50.00	DEPOSIT APPLIED
5/14/2009	203430.0097	JAMES SMITH	54.00	CREDIT REFUNDED

Commissioner McKenzie made a motion to approve the adjustments to the monthly bills for Columbus County Water and Sewer District I for May and April 2009, seconded by Commissioner Norris. The motion unanimously passed.

#### ADJOURNMENT:

At 7:49 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

#### **APPROVED:**

\_\_\_\_\_  
JUNE B. HALL, Clerk to Board

\_\_\_\_\_  
JAMES E. PREVATTE, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V  
COMBINATION BOARD MEETING**

**Monday, July 06, 2009**

**7:37 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 Districts I, II, III, IV and V Board.

**COMMISSIONERS PRESENT:**

James E. Prevatte, **Chairman**  
Ricky Bullard, **Vice Chairman**  
Amon E. McKenzie  
Giles E. (Buddy) Byrd  
Edwin Russ  
Lynwood Norris  
Ronald Gore

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
Terri Martin, **Interim County Attorney**  
June B. Hall, **Clerk to Board**  
Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:37 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

**Agenda Item #12: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 15, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Norris made a motion to approve the June 15, 2009 Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting Minutes, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

**Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of APRIL and MAY ADJUSTMENTS to MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the April and May, 2009 monthly water bills for Columbus County Water and Sewer District II.

**DISTRICT II ADJUSTMENTS FOR THE MONTH OF APRIL, 2009**

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
4/6/2009	121070.0098	LOTTIE GREEN	-320.00	METER READ WRONG
4/6/2009	144455.0098	VERLEANA FRINK	25.00	CUSTOMER ERROR
4/6/2009	144453.0097	KATHY TART	-25.00	CUSTOMER ERROR
4/7/2009	120836.0097	JANICE BLACKWELL	100.00	TAP FEE ADJUSTMENT
4/8/2009	132130	DONALD AMMONS	50.00	METER TAMPERING
4/8/2009	141510	GREG VANEYKEN	50.00	METER TAMPERING
4/8/2009	133495.0097	VIVIAN SINGLETON	26.67	TRANSFER BALANCE
4/8/2009	132775.0098	VIVIAN SINGLETON	-26.67	BALANCE TRANSFERRED
4/9/2009	111130	EULA CHEATHAM	-8.00	METER READ WRONG
4/9/2009	121220.0097	JUDY BOWEN	25.00	CREDIT REFUNDED
4/9/2009	131820.0097	CHERYL BARNHILL	-25.00	BILLING ERROR
4/9/2009	143113.0098	REDDGO LONG	-36.00	CUSTOMER LEAK
4/15/2009	133080.0098	HARRY CONNOR	50.00	SECURITY DEPOSIT APPLIED
4/15/2009	143970.0097	JIMMY KINLAW	29.00	MANUAL BILL
4/15/2009	143410.0097	SHIRLEY SMITH	-55.83	BILLING ERROR
4/15/2009	143994.0097	CORY COLLINS	-5.00	BILLING ERROR
4/21/2009	120330.0094	DEBBIE CRIBB	-50.00	DEPOSIT APPLIED
4/21/2009	120330.0094	DEBBIE CRIBB	13.00	DEPOSIT REFUND
4/23/2009	143994	CORY COLLINS	-5.00	PENALTY ERROR
4/28/2009	110792	ALLEN FIELDS	-30.00	COMPUTER ERROR
4/28/2009	111795	JAMES POWELL	-30.00	COMPUTER ERROR
4/28/2009	111800	KEVIN & MARY HARDIN	-30.00	COMPUTER ERROR
4/28/2009	120270	DONNA SOLES	-30.00	COMPUTER ERROR
4/28/2009	121830	ROGER DICKERSON	-\$30.00	COMPUTER ERROR
4/28/2009	122670	ROOSEVELT THOMPSON	-30.00	COMPUTER ERROR
4/28/2009	130170	PATRICIA NEALEY	-30.00	COMPUTER ERROR
4/28/2009	140320	SHANA STANLEY	-30.00	COMPUTER ERROR
4/23/2009	110792	ALLEN FIELDS	-5.00	PENALTY ERROR
4/23/2009	140320	SHANA STANLEY	-5.00	PENALTY ERROR
4/23/2009	121830	ROGER DICKERSON	-5.00	PENALTY ERROR
4/23/2009	130170	PATRICIA NEALEY	-5.00	PENALTY ERROR
4/23/2009	143320	WILLIAM PARKER	-5.00	PENALTY ERROR
4/23/2009	111795	JAMES POWELL	-5.00	PENALTY ERROR
4/23/2009	111800	KEVIN HARDIN	-5.00	PENALTY ERROR
4/23/2009	120270	DONNA SOLES	-5.00	PENALTY ERROR
4/23/2009	141770	MARY RICHARDSON	-5.00	PENALTY ERROR
4/23/2009	142180	EVA THOMPSON	-5.00	PENALTY ERROR
4/23/2009	122670	ROOSEVELT THOMPSON	-5.00	PENALTY ERROR
4/23/2009	142190	JAMES CARTER	-5.00	PENALTY ERROR
4/28/2009	141770	MARY RICHARDSON	-\$30.00	COMPUTER ERROR
4/28/2009	142180	EVA THOMPSON	-30.00	COMPUTER ERROR
4/28/2009	142190	JAMES CARTER	-30.00	COMPUTER ERROR
4/28/2009	143320	WILLIAM C PARKER	-30.00	COMPUTER ERROR
4/28/2009	132728	PAULA EVANS	58.00	NSF
4/28/2009	132728	PAULA EVANS	25.00	NSF FEE
4/28/2009	111010	DARRYL RAWLS	29.00	NSF
4/28/2009	111010	DARRYL RAWLS	25.00	NSF FEE

**DISTRICT II ADJUSTMENTS FOR THE MONTH OF MAY 2009**

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
5/1/2009	143460	SCOTT MCDANIEL	-5.00	BILLING ERROR
5/1/2009	120345	MABLE GREEN	-5.00	BILLING ERROR



5/4/2009	144453.0097	KATHY TART	-25.00	POSTING ERROR
5/4/2009	143970.0097	JIMMY KINLAW JR	-12.00	BILLING ERROR
5/1/2009	112210.0098	GARY BASS	-50.00	SECURITY DEPOSIT REFUND
5/1/2009	120590.0096	RONALD K. GORE	-50.00	SECURITY DEPOSIT REFUND
5/1/2009	144453.0098	ROGER HARDIE	-50.00	SECURITY DEPOSIT REFUND
5/1/2009	111376.0098	DONALD THOMPSON	-50.00	SECURITY DEPOSIT REFUND
5/12/2009	130101.0098	CHARLES BUFFKIN	100.00	MANUAL TAP FEE
5/14/2009	120330.0094	DEBBIE CRIBB	-50.00	SECURITY DEPOSIT REFUND
5/15/2009	131480.0097	SCOTT & AMANDA CONNOR	45.00	NSF
5/15/2009	131480.0097	SCOTT & AMANDA CONNOR	25.00	NSF FEE
5/15/2009	122634.0098	DOUG KLIER	25.00	DISCONNECT FEE
5/22/2009	111270.0098	PLEASANT HILL	25.00	BALANCE TRANSFERRED
5/22/2009	111030.0098	PLEASANT HILL	-25.00	BALANCE TRANSFERRED

Commissioner McKenzie made a motion to approve the adjustments to the monthly bills for Columbus County Water and Sewer District II for May and April 2009, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #14:** **COLUMBUS COUNTY WATER and SEWER DISTRICT II - APPROVAL and ADOPTION/RE-AFFIRMATION of the FOLLOWING:**

- A. Two (2) Resolutions to Submit Community Development Block Grant Applications for \$75,000.00 and for \$6,416.46 Infrastructure House Hook-ups Project for Residents in Water District II; and**
- B. Sixteen (16) Necessary Documents for Application of Each Grant (totaling 32):**

Kip McClary, Public Utilities Director, requested the Board to approve and adopt the following two (2) Resolutions and the thirty-two (32) necessary documents which are required to apply for these grants.

**COLUMBUS COUNTY  
CDBG INFRASTRUCTURE HOUSE HOOK-UP PROJECT**

The following documents were adopted-re-affirmed by the Columbus County Board of Commissioners on this the 6<sup>th</sup> day of July, 2009 for the Infrastructure House Hook-Up Project.

1. Resolution authorizing the Chairman to apply for CDBG Infrastructure House Hook-Up Grant in the amount of \$75,000.00; and, to sign all documents necessary for the grant application;

The following policies were adopted/re-affirmed by the Columbus County Board of Commissioners on this the 6<sup>th</sup> day of July, 2009 for the CDBG Infrastructure House Hook-Up Project:

1. Adopt Code of Conduct (Conflicts of Interest);
2. Adopt Procurement Policy;
3. Adopt Fair Housing Resolution naming the Planning Director as the Fair Housing Officer;
4. Re-affirm Fair Housing Plan and complaint procedure;

5. Adopt Residential Anti-displacement Relocation Assistance Plan;
6. Adopt Citizens Participation Plan;
7. Adopt Flood Plain Certification;
8. Adopt Resolution adopting a policy prohibiting undue force;
9. Adopt 519 Certification regarding undue force;
10. Adopt Section 3 Compliance Plan;
11. Adopt EEO and Procurement Policy;
12. Re-Affirm 504 Handicap Plan;
13. Adopt Certification that the County will use an experienced grants administrator;
14. Re-Affirm Drug-Free workplace;
15. Adopt Rehabilitation Guidelines;
16. Re-affirm Optional Coverage Relocation Assistance Plan.

Under a motion by Vice Chairman Ricky Bullard, seconded by Commissioner Lynwood Norris, the approved policies and documents were adopted/re-affirmed on the date shown above.

/s/ **JAMES E. PREVATTE, Chairman**

**ATTEST:**

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

**COLUMBUS COUNTY  
RESOLUTION TO SUBMIT A  
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION  
FOR  
\$75,000.00  
INFRASTRUCTURE HOUSE HOOK-UPS PROJECT  
FOR RESIDENTS IN  
WATER DISTRICT II**

WHEREAS, Columbus County has identified areas of need within its jurisdiction; and,

WHEREAS, Columbus County acknowledges that funds are available through the North Carolina Department of Commerce, Division of Community Assistance, Community Development Block Grant Program to address those needs, which benefit at least 70% low- to moderate-income persons; and

WHEREAS, the citizen participation requirements of conducting two public hearings to support the application have been met;

NOW, THEREFORE, Columbus County hereby resolves to submit Community Development Block Grant applications to the North Carolina Department of Commerce, Division of Community Assistance for the 2009-2010 funding cycle and hereby authorizes the Chairman to execute said application documents.

Approved, this the 6<sup>th</sup> day of July, 2009.

/s/ **JAMES E. PREVATTE, Chairman**

**ATTEST:**/s/ **JUNE B. H ALL, Clerk to the Board****(County Seal)**

**COLUMBUS COUNTY  
CDBG INFRASTRUCTURE HOUSE HOOK-UP PROJECT**

The following documents were adopted-re-affirmed by the Columbus County Board of Commissioners on this the 6<sup>th</sup> day of July, 2009 for the Infrastructure House Hook-Up Project.

1. Resolution authorizing the Chairman to apply for CDBG Infrastructure House Hook-Up Grant in the amount of \$6,416.46.00; and, to sign all documents necessary for the grant application;

The following policies were adopted/re-affirmed by the Columbus County Board of Commissioners on this the 6<sup>th</sup> day of July, 2009 for the CDBG Infrastructure House Hook-Up Project:

1. Adopt Code of Conduct (Conflicts of Interest);
2. Adopt Procurement Policy;
3. Adopt Fair Housing Resolution naming the Planning Director as the Fair Housing Officer;
4. Re-affirm Fair Housing Plan and complaint procedure;
5. Adopt Residential Anti-displacement Relocation Assistance Plan;
6. Adopt Citizens Participation Plan;
7. Adopt Flood Plain Certification;
8. Adopt Resolution adopting a policy prohibiting undue force;
9. Adopt 519 Certification regarding undue force;
10. Adopt Section 3 Compliance Plan;
11. Adopt EEO and Procurement Policy;
12. Re-Affirm 504 Handicap Plan;
13. Adopt Certification that the County will use an experienced grants administrator;
14. Re-Affirm Drug-Free workplace;
15. Adopt Rehabilitation Guidelines;
16. Re-affirm Optional Coverage Relocation Assistance Plan.

Under a motion by Vice Chairman Ricky Bullard, seconded by Commissioner Lynwood Norris, the approved policies and documents were adopted/re-affirmed on the date shown above.

/s/ **JAMES E. PREVATTE, Chairman****ATTEST:**/s/ **JUNE B. HALL, Clerk to the Board**

**COLUMBUS COUNTY  
RESOLUTION TO SUBMIT A  
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION  
FOR**

**\$6,416.46.00**  
**INFRASTRUCTURE HOUSE HOOK-UPS PROJECT**  
**FOR RESIDENTS IN**  
**WATER DISTRICT II**

WHEREAS, Columbus County has identified areas of need within its jurisdiction; and,

WHEREAS, Columbus County acknowledges that funds are available through the North Carolina Department of Commerce, Division of Community Assistance, Community Development Block Grant Program to address those needs, which benefit at least 70% low- to moderate-income persons; and

WHEREAS, the citizen participation requirements of conducting two public hearings to support the application have been met;

NOW, THEREFORE, Columbus County hereby resolves to submit Community Development Block Grant applications to the North Carolina Department of Commerce, Division of Community Assistance for the 2009-2010 funding cycle and hereby authorizes the Chairman to execute said application documents.

Approved, this the 6<sup>th</sup> day of July, 2009.  
/s/ **JAMES E. PREVATTE, Chairman**

**ATTEST:**  
/s/ **JUNE B. H ALL, Clerk to the Board**

**(County Seal)**

Vice Chairman Bullard made a motion to approve the two (2) resolutions to submit Community Development Block Grant Applications for \$75,000.00 and \$6,416.46 for the Infrastructure House Hook-ups Project for residents in Water District II, and all the necessary documents for the application of each grant, seconded by Commissioner Norris. The motion unanimously passed. A copy of these documents will be kept on file in the Administration Office and in the office of the Clerk to the Board for review.

**ADJOURNMENT:**

At 7:49 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

\_\_\_\_\_  
**JUNE B. HALL, Clerk to Board**

\_\_\_\_\_  
**JAMES E. PREVATTE, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V  
COMBINATION BOARD MEETING**

**Monday, July 06, 2009**

**7:37 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 Districts I, II, III, IV and V Board.

**COMMISSIONERS PRESENT:**

James E. Prevatte, **Chairman**  
Ricky Bullard, **Vice Chairman**  
Amon E. McKenzie  
Giles E. (Buddy) Byrd  
Edwin Russ  
Lynwood Norris  
Ronald Gore

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
Terri Martin, **Interim County Attorney**  
June B. Hall, **Clerk to Board**  
Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:37 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

**Agenda Item #12: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 15, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Norris made a motion to approve the June 15, 2009 Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting Minutes, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

**Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of APRIL and MAY ADJUSTMENTS to MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the April and May, 2009 monthly water bills for Columbus County Water and Sewer District III.

**DISTRICT III ADJUSTMENTS FOR THE MONTH OF APRIL, 2009**

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
4/6/2009	340067.0098	MADEANA PRIDGEN	-33.00	BILLING ERROR
4/8/2009	340061.0096	PREMIERE ENTERPRISES	-74.00	POSTING ERROR
4/8/2009	340061.0095	STEPHAN DAVIS	74.00	POSTING ERROR
4/9/2009	350970.0095	GAIL SUTTON	-3988.17	METER READ WRONG
4/9/2009	341370.0097	CATHY JEREMIAH	12.50	CREDIT REFUNDED
4/15/2009	340072	LUEREDER FLEMMING	-5.00	BILLING ERROR
4/17/2009	380661.0098	LOUVENIA BEST	-12.00	CUSTOMER LEAK
4/22/2009	350760	CORA SHIPMAN	-5.00	PENALTY ERROR
4/22/2009	341555	ALFRED CURTIS	-5.00	PENALTY ERROR
4/23/2009	361030	BETTY BRYAN	-30.00	COMPUTER ERROR
4/23/2009	380790	GRAHAM BRITT	-5.00	PENALTY ERROR
4/23/2009	380260	JAMES BLACKWELL	-5.00	PENALTY ERROR
4/23/2009	350080	LISA HILL	-5.00	PENALTY ERROR
4/23/2009	370130	LARRY BRITT	-\$5.00	PENALTY ERROR
4/23/2009	380080	JEROME MCPHERSON	-5.00	PENALTY ERROR
4/23/2009	361030	BETTY BRYAN	-5.00	PENALTY ERROR
4/23/2009	370663	ROBERT SAVAGE	-5.00	PENALTY ERROR
4/23/2009	340058	HUGH WILLIAMS	-5.00	PENALTY ERROR
4/23/2009	340036	HOWARD BRISSON	-5.00	PENALTY ERROR
4/23/2009	340040	KATHLEEN INMAN	-5.00	PENALTY ERROR
4/23/2009	380405	KEITH GORE	-5.00	PENALTY ERROR
4/23/2009	331418	SIDNEY CROMARTIE	-5.00	PENALTY ERROR
4/23/2009	331440	KEVIN WILLIAMS	-5.00	PENALTY ERROR
4/23/2009	360775	TYRON MCCKOY	-5.00	PENALTY ERROR
4/23/2009	370380	DANA TURBEVILLE	-5.00	PENALTY ERROR
4/23/2009	370550	BILLIE DOVE	-5.00	PENALTY ERROR
4/23/2009	340385	TIMOTHY BOOTH	-5.00	PENALTY ERROR
4/28/2009	330336	HOWARD BRISSON	-30.00	COMPUTER ERROR
4/28/2009	331418	SIDNEY CROMARTIE	-30.00	COMPUTER ERROR
4/28/2009	331440	KEVIN WILLIAMS	-30.00	COMPUTER ERROR
4/28/2009	340040	KATHLEEN INMAN	-30.00	COMPUTER ERROR
4/28/2009	340058	HUGH WILLIAMS	-30.00	COMPUTER ERROR
4/28/2009	340385	TIMOTHY BOOTH	-30.00	COMPUTER ERROR
4/28/2009	341555	ALFRED & DEANNA CURTIS	-30.00	COMPUTER ERROR
4/28/2009	340080	LISA HILL	-30.00	COMPUTER ERROR
4/28/2009	350760	CORA SHIPMAN	-30.00	COMPUTER ERROR
4/28/2009	360775	TYRONE MCKOY	-30.00	COMPUTER ERROR
4/28/2009	361030	BETTY BRYAN	-30.00	COMPUTER ERROR
4/28/2009	370130	LARRY BRITT	-30.00	COMPUTER ERROR
4/28/2009	370380	DANA TURBEVILLE	-30.00	COMPUTER ERROR
4/28/2009	370550	BILLIE DOVE	-30.00	COMPUTER ERROR
4/28/2009	370663	ROBERT SAVAGE	-30.00	COMPUTER ERROR
4/28/2009	380080	JEROME MCPHERSON	-30.00	COMPUTER ERROR
4/28/2009	380260	JAMES BLACKWELL	-30.00	COMPUTER ERROR
4/28/2009	380405	KEITH GORE	-30.00	COMPUTER ERROR
4/28/2009	380790	GRAHAM BRITT	-30.00	COMPUTER ERROR
4/28/2009	381285	SHEILA POWELL	-30.00	COMPUTER ERROR

### DISTRICT III ADJUSTMENTS FOR THE MONTH OF MAY

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
5/1/2009	340067	MADEANA PRIDGEN	-25.00	BILLING ERROR

5/4/2009	350705.0095	MARYLIN R. MCMILLAN	-50.00	BILLING ERROR
5/1/2009	360660.0097	JAMES HONEYCUTT	-50.00	SECURITY DEPOSIT REFUND
5/1/2009	350705.0095	MARYLIN R. MCMILLAN	-50.00	SECURITY DEPOSIT REFUND
5/1/2009	381190.0094	CLARA WHITE	-50.00	SECURITY DEPOSIT REFUND
5/1/2009	350500.0092	FRANKLIN MEARES JR	-50.00	SECURITY DEPOSIT REFUND
5/8/2009	381190.0094	CLARA WHITE	25.00	CREDIT BALANCE TRANSFER
5/8/2009	360680	CLARA WHITE	-25.00	CREDIT BALANCE TRANSFER
5/11/2009	330175.0098	ADDIE HAYNES	30.00	NSF
5/11/2009	330175.0098	ADDIE HAYNES	25.00	NSF FEE
5/11/2009	330360	DERROL & RUTH CLARK	41.00	COMPUTER ERROR
5/11/2009	350705.0095	MARYLIN R. MCMILLAN	-50.00	DEPOSIT APPLIED
5/11/2009	350705.0095	MARYLIN R. MCMILLAN	25.00	CREDIT REFUND
5/15/2009	370152.0097	IVA DEAN POWELL	\$25.00	NSF
5/15/2009	370152.0097	IVA DEAN POWELL	25.00	NSF FEE
5/22/2009	370400.0098	GENE SOLES	-5.00	PENALTY WAIVED
5/22/2009	380661	LOUVENIA BEST	-12.00	CUSTOMER LEAK

Commissioner McKenzie made a motion to approve the adjustments to the monthly bills for Columbus County Water and Sewer District III for May and April 2009, seconded by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:49 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

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**JAMES E. PREVATTE, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V  
COMBINATION BOARD MEETING  
Monday, July 06, 2009  
7:37 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 Districts I, II, III, IV and V Board.

**COMMISSIONERS PRESENT:**

James E. Prevatte, **Chairman**  
Ricky Bullard, **Vice Chairman**  
Amon E. McKenzie  
Giles E. (Buddy) Byrd  
Edwin Russ  
Lynwood Norris  
Ronald Gore

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
Terri Martin, **Interim County Attorney**  
June B. Hall, **Clerk to Board**  
Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:37 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

**Agenda Item #12: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 15, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Norris made a motion to approve the June 15, 2009 Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting Minutes, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

**Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of APRIL and MAY ADJUSTMENTS to MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the April, 2009 monthly water bills for Columbus County Water and Sewer District IV.

**DISTRICT IV ADJUSTMENTS FOR THE MONTH OF APRIL 2009**



<u>DATE</u>	<u>ACCT #</u>	<u>NAME ON ACCT</u>	<u>AMOUNT</u>	<u>REASON FOR ADJUSTMENT</u>
04/24/2009	41055.0097	Cleveland Brown	-114.70	Billing Error
4/20/2009	420115	Manuela Hernandez	-5.00	Penalty Error

Commissioner McKenzie made a motion to approve the adjustments to the April, 2009 monthly water bills for Columbus County Water and Sewer District IV, seconded by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:49 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

\_\_\_\_\_  
**JUNE B. HALL, Clerk to Board**

\_\_\_\_\_  
**JAMES E. PREVATTE, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V  
COMBINATION BOARD MEETING**

**Monday, July 06, 2009**

**7:37 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 Districts I, II, III, IV and V Board.

**COMMISSIONERS PRESENT:**

James E. Prevatte, **Chairman**  
Ricky Bullard, **Vice Chairman**  
Amon E. McKenzie  
Giles E. (Buddy) Byrd  
Edwin Russ  
Lynwood Norris  
Ronald Gore

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
Terri Martin, **Interim County Attorney**  
June B. Hall, **Clerk to Board**  
Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:37 P.M., Chairman Prevatte called the Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting to order.

**Agenda Item #12: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 15, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Norris made a motion to approve the June 15, 2009 Columbus County Water and Sewer Districts I, II, III, IV and V **Combination** Board Meeting Minutes, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

**Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of APRIL and MAY ADJUSTMENTS to MONTHLY WATER BILLS:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the April and May, 2009 monthly water bills for Columbus County Water and Sewer District V.

**DISTRICT V ADJUSTMENTS FOR THE MONTH OF APRIL 2009**

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
4/7/2009	800440	GARY WARD	-30.00	CUT OFF WAIVED
4/7/2009	800472.0098	VIOLET GORE	-21.00	BILLING ERROR
4/8/2009	701250.0097	TABOR PRISON	-27,156.00	INCORRECT READING
4/8/2009	701250.0097	TABOR PRISON	2,047.00	CORRECT READING
4/8/2009	800623	AMY FOWLER	-30.00	BILLING ERROR
4/9/2009	800692.0098	RAY GORE	-56.00	BILLING ERROR
4/9/2009	800641.0098	WILLIAM STEVENS	-21.00	BILLING ERROR
4/15/2009	709830.0098	HENRY HEWITT	-30.00	CUSTOMER NOT CONNECTED
4/23/2009	709780	MANDY PRINCE	-5.00	PENALTY ERROR
4/23/2009	800626	REX THOMPSON	-5.00	PENALTY ERROR
4/23/2009	700005	RONALD GORE	-5.00	PENALTY ERROR
4/23/2009	709755	MELVIN MACK	-5.00	PENALTY ERROR
4/23/2009	800614	RHONDA CAINES	-5.00	PENALTY ERROR
4/23/2009	800702	BILLY GORE	-5.00	PENALTY ERROR
4/23/2009	709934	HERMAN KING	-5.00	PENALTY ERROR
4/23/2009	709948	TOMMY CARTRETTE	-5.00	PENALTY ERROR
4/23/2009	700042	CHERIE TUCKER	-5.00	PENALTY ERROR
4/24/2009	800502.0098	MATTHEW HUFFMAN	-26.00	CLERK ERROR
4/28/2009	800562	HERMAN WARD	\$25.00	NSF FEE
4/28/2009	800562	HERMAN WARD	21.00	NSF
4/28/2009	800670	TOMMY WARD	-56.00	WATER NOT AVAILABLE

**DISTRICT V ADJUSTMENTS FOR THE MONTH OF MAY, 2009**

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMOUNT</u>	<u>REASON FOR ADJUSTMENT</u>
5/1/2009	800562.0098	HERMAN WARD	-21.00	POSTING ERROR
5/5/2009	800679	HILDA J. CLEMMONS	-14.00	CUSTOMER LEAK
5/13/2009	709830	HENRY HEWITT	-30.00	CUT OFF WAIVED
5/14/2009	800540.0097	AVIE PYLES	-50.00	DEPOSIT APPLIED
5/14/2009	800540.0097	AVIE PYLES	25.00	CREDIT REFUND
5/22/2009	800097.0098	KEVIN COLEMAN	-30.00	NOT CONNECTED
5/22/2009	800562.0098	HERMAN WARD	-5.00	BANK ERROR PENALTY WAIVED

Commissioner McKenzie made a motion to approve the adjustments to the April and May, 2009 monthly water bills for Columbus County Water and Sewer District V, seconded by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 7:49 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

**JAMES E. PREVATTE, Chairman**