

COLUMBUS COUNTY BOARD OF COMMISSIONERS**July 20, 2009****6:00 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, for the purpose of holding their regular scheduled meeting and two (2) public hearings, on the third 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** (Arrived: 6:17 P.M.)

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

At 6:00 P.M., Chairman James E. Prevatte called the July 20, 2009 Columbus County Board of Commissioners Regular Session Board Meeting to order. The invocation was delivered by Vice Chairman Ricky Bullard. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Vice Chairman Ricky Bullard.

RE-ARRANGEMENT of AGENDA;

Chairman Prevatte stated the Agenda would need to be re-arranged in accordance to the scheduled public hearings.

Agenda Item #4: BOARD MINUTES APPROVAL:

Commissioner Norris made a motion to approve the July 06, 2009 Regular Session Board Meeting Minutes, with one (1) correction on Page 243, seconded by Commissioner Russ. The motion unanimously passed.

Vice Chairman Bullard made a motion to approve the July 13, 2009 Personnel Policy Manual Workshop Minutes, as recorded, seconded by Commissioner Gore. The motion unanimously passed.

Agenda Item #5: PUBLIC INPUT:

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

Agenda Item #7: PROCLAMATION - ADOPT and APPROVE PROCLAMATION in RECOGNITION of the 100TH ANNIVERSARY of CHADBOURN PRESIDENTIAL POST OFFICE:

Levie A. Fowler, Chadbourn Postmaster, requested Board approval and adoption of the following Proclamation in Recognition of the 100th Anniversary of Chadbourn Presidential Post Office.

**PROCLAMATION in RECOGNITION of
 the 100th ANNIVERSARY of
 CHADBOURN PRESIDENTIAL POST OFFICE**

WHEREAS, the first postmaster was appointed at the Chadbourn Post Office on May 26, 1882; **and**

WHEREAS, the Chadbourn Post Office became a Presidential Post Office on January 01, 1909 due to the fact the postmaster's salary exceeded the amount of one thousand and 00/100 (\$1,000.00) dollars; **and**

WHEREAS, Thomas Henry Ramsbottom was originally appointed as Postmaster on April 26, 1901; **and**

WHEREAS, Postmaster Ramsbottom was reappointed on August 2, 1909 by President William Howard Taft, and the position of postmaster in the town was upgraded to a presidential status based on his salary exceeding the required amount; **and**

WHEREAS, the year 2009 marks a milestone in the history of the Chadbourn Presidential Post Office; **and**

WHEREAS, after a century of this classification, it is befitting to receive recognition and holding a celebration.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Columbus County Board of Commissioners, proudly recognizes the Chadbourn Presidential Post Office on its 100th Anniversary of being a **Presidential Post Office**.

ADOPTED this the 20th day of July, 2009.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

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

/s/ **AMON E. McKENZIE, District I**

/s/ **EDWIN RUSS, District IV**

/s/ **RONALD GORE, District VII**

/s/ **RICKY BULLARD, Vice Chairman**
District VI

/s/ **GILES E. "BUDDY" BYRD, District III**

/s/ **LYNWOOD NORRIS, District V**

ATTESTED BY:

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

Commissioner McKenzie made a motion to approve the Proclamation in Recognition of the 100th Anniversary of Chadbourn Presidential Post Office, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #8: ORDINANCE - REVISED MANUFACTURED / MOBILE HOME PARK ORDINANCE:

Jim Dossett, Planning Director, will present the **revised** Manufactured / Mobile Home Park Ordinance and request a Public Hearing to be established.

At the request of Jim Dossett, Planning Director, Vice Chairman Bullard made a motion to table this Agenda item, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #10: TRAVEL AND TOURISM - DEPARTMENTAL UPDATE:

Jennifer Long, Travel and Tourism Director, delivered the following departmental update to the Board.

1. I am a County employee, and a one (1) person department;
2. The Travel and Tourism Department is funded one hundred (100%) percent by Occupancy Tax;
3. We operate on eighty to ninety thousand (\$80,000 - \$90,000) dollars per year;
4. Our current figures are down twenty-three (23%) percent;
5. We are operating better then before the pre-prison time;
6. This department was developed under legislation and Columbus County is our physical agent;
7. I do print ads and manage our website;
8. I do presentations at any location where I am invited to do so;
9. I keep a strong community presence;
10. I am constantly distributing information for Columbus County;
11. I sit on two (2) State boards and have benefitted from this greatly;
12. I have a Travel and Tourism Board with seven (7) members appointed by the Board of Commissioners, plus four (4) more;
13. My Board and I held a two (2) day Strategic Planning Workshop which was very successful;
- 1.4 We are heavily working on Discover Columbus County;
15. We are proud to announce that our Working Farm is nearing completion, and we will have

- an Open House which the Board will be invited to attend; **and**
 16. I am always available and I welcome any ideas you may have.

RECESS REGULAR SESSION for FIRST SCHEDULED PUBLIC HEARING:

At 6:29 P.M., Commissioner Norris made a motion to recess Regular session for the first duly scheduled Public Hearing, seconded by Commissioner Byrd. The motion unanimously passed.

6:30 P.M.

PUBLIC HEARING: Close-Out CDBG Grant # 06-C-1605 - the purpose of this Public Hearing is to receive views and opinions from the citizens of Columbus County with regards to close-out of **the 2006 Capacity Building Program.**

PUBLIC HEARING CALLED to ORDER;

At 6:30 P.M., Chairman Prevatte called the Public Hearing to order and stated the purpose of this Public Hearing is to receive views and opinions from the citizens of Columbus County with regards to the close-out of 2006 Capacity Building Program. Chairman Prevatte stated this grant was for educational purposes in teaching people how to manage funds in a way to buy a house.

Commissioner McKenzie stated this grant was managed through the Dream Center by Ms. Evelyn Troy who was very successful and done a good job.

COMMENTS:

No comments were received either orally or written.

PUBLIC HEARING CLOSED:

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

RESUME REGULAR SESSION:

At 6:35 P.M., Commissioner McKenzie made a motion to resume Regular Session, seconded by Commissioner Russ. The motion unanimously passed.

Agenda Item #6: CLOSE-OUT CDBG # 06-C-1605:

Ms. Evelyn Troy, former Director of the Dream Center, requested Board approval to close out the Community Development Block Grant Number: 06-C-1605.

Commissioner Norris made a motion to approve the close out of the Community Development Block Grant Number 06-C-1605, seconded by Commissioner McKenzie. 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 6:35 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 Gore. The motion unanimously passed.

Agenda Item #11: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

July 06, 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 #12: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of JUNE, 2009 ADJUSTMENTS to MONTHLY WATER BILLS:

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

This information will be recorded in Minute Book Number 1 for each water district respectively.

Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICT II - APPROVAL for HOBBS, UPCHURCH and ASSOCIATES to ADMINISTER the INFRASTRUCTURE HOUSE HOOK-UP GRANTS:

Kip McClary, Public Utilities Director, requested the Board to approve Hobbs, Upchurch and Associates to administer the funds for the Infrastructure House Hook-up Grants.

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

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICT III - BOARD APPROVAL and ADOPTION of RESOLUTION by GOVERNING BODY of APPLICANT:

Kip McClary, Public Utilities Director, requested Board approval and adoption of the following Resolution by Governing Body of Applicant which will authorize William S. Clark, County Manager, to execute and file an application to NCDENR for Well Number 2 on Silverspoon Road, and authorization of Mr. Clark to execute any additional documentation that is required for this grant.

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

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICT IV - APPROVAL and ADOPTION of the RESOLUTION for the ISSUANCE of \$4,113,000 GENERAL OBLIGATION WATER BOND ANTICIPATION NOTES, and the BLANKET ISSUER LETTER of REPRESENTATIONS:

Bobbie Faircloth, Finance Director, requested Board approval and adoption of the following Resolution Providing for the Issuance of \$4,113,000 General Obligation Water Bond Anticipation Notes, and approval of the Blanket Issuer Letter of Representations.

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

Agenda Item #16: COLUMBUS COUNTY WATER and SEWER DISTRICT IV - APPROVAL and ADOPTION of COLUMBUS COUNTY WATER DISTRICT IV - WATER PROJECT, CAPITAL PROJECT ORDINANCE: Bobbie Faircloth, Finance Director, requested Board approval and adoption of the following Columbus County Water District IV - Water Project, Capital Project Ordinance.

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

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

At 6:43 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 Board Meeting and resume Regular Session, seconded by Vice Chairman Bullard. The motion unanimously passed.

Agenda Item #17: 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
Department of Aging Advisory Council	VI	Myra Godwin	06-30-2009	HOLD
City of Whiteville Planning and Zoning Board Motion: Commissioner Norris Second: Commissioner Russ	EB	Everette Lanier (ETJ)	08-01-2009	TABLE
City of Whiteville Zoning Board of Adjustment Motion: Commissioner Norris Second: Commissioner Russ	EB	Robert Nelson (ETJ)	08-01-2009	TABLE

Agenda Item #18: CONSENT AGENDA ITEM:**Tax Refund and Releases:**

Commissioner Russ made a motion to approve the following Tax Refund and Tax Releases:

**TAX REFUND (as submitted to the Governing Body Office from the Tax Office):
July 20, 2009**

Refunds Name: Galan Revocable Declaration of Trust Amount: \$283.62
Value: \$17,400.00 Year 007/0 Account # 01-01685 Bill # 99999 Total \$290.58
Refund a portion of the property value and a portion of the Whiteville Rescue for 2007 and 2008.
There was a billing error for lot size and value.
2884 Andrews Dr. SW Supply NC 28462

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):
July 20, 2009**

Release the User Fee in the name of Bowen, Susan Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 03-01811 Bill # 8823 Total \$200.00
Release the user fee. This is a vacant lot.

Release the User Fee in the name of Cox, Benjamin F. Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 13-09211 Bill # 3804 Total \$200.00
Release the user fee. House is vacant with no trash can.

Release the User Fee in the name of Faulk, Marcella Amount: \$0.00
Value: \$0.00 Year: 2006/0 Account # 01-01953 Bill # 9999 Total \$586.00
Release the user fee for 2006, 2007, and 2008. The house has been vacant for years. No trash can here.

Release the User Fee in the name of Mercer, Homer Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 09-20480 Bill # 2898 Total \$200.00
Release one of two user fees. One house is vacant and has no trash can.

Release the User Fee in the name of Smith, Cecil S. Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 14-14380 Bill # 2113 Total \$200.00
Release the user fee. House vacant, unlivable and has no trash can.

Agenda Item #19: COMMENTS:**B. Board of Commissioners:**

1. **Commissioner McKenzie:** the Department of Transportation, during the process of mowing the sides of the roads, is knocking down road signs, and I would like for Mr.

Clark to contact the appropriate person at the Department of Transportation to see if this can be stopped.

2. **Commissioner Russ:** stated the following:
 - A. I have discovered the fire departments are receiving four or five (4 or 5) cones per vehicle to use when they are responding to an emergency;
 - B. The fire departments are having to pay one thousand, nine hundred and 00/100 (\$1,900.00) dollars to have an audit done which the County requires them to do so, and that is too much. I would like for someone to check into this to see if they can get their audit done cheaper.; **and**
 - C. I have visited the Animal Shelter and I found it to be in good condition, kept very clean and I did not detect any unusual foul odors.
3. **Commissioner Byrd:** We need to have a house-to-house contact with the citizens in Water District IV in the areas where the County water is accessible, so the residents can be well informed and given an opportunity to sign up for the water.
4. **Vice Chairman Bullard:** I have visited the Animal Shelter and discovered it to be well kept, with no unusual foul odors, and I think the workers are doing a fine job in keeping the area clean.
5. **Commissioner Gore:** Kip, what is the deadline date the Water District IV signups at the reduced rate, and have there been any increase in the number of signups? Kip McClary, Public Utilities Director, replied stating the deadline date is July 31, 2009, and there has been no significant increase in the number of signups.
6. **Chairman Prevatte:** stated the following:
 - A. The controversial puppy was picked up and not delivered and these are some of the details:
 - The injury to this puppy happened several days before the pickup due to the fact the injury had already scabbed over;
 - During the time all the activity was occurring involving the puppy, Rossie Hayes, Animal Control Officer, was meeting with the Humane Society and the Veterinarian;
 - the lady was upset about the puppy not being put down due to its injury;
 - B. I have discovered the contracts for the Landfill are five (5) year contracts in lieu of ten (10) year contracts -
 - The contracts are with Waste Management and one ends in July, 2011, and one ends in December, 2012; **and**
 - Staff is gathering information on the costs that would be involved in developing a landfill; **and**
 - C. We need to establish a date for the second Personnel Policy Manual Workshop.

MOTION:

Commissioner McKenzie made a motion to establish August 10, 2009, at 6:30 P.M., for the second Personnel Policy Manual Workshop, seconded by Commissioner Byrd. The motion unanimously passed.

RECESS REGULAR SESSION and enter into SECOND PUBLIC HEARING:

At 7:00 P.M., Commissioner Byrd made a motion to recess Regular Session and enter into the second public hearing, seconded by Commissioner Gore. The motion unanimously passed.

7:00 P.M.

PUBLIC HEARING: Proposed Rural Operating Assistance Program (ROAP) Application - the purpose of this Public Hearing is to receive citizens' comments on this application.

PUBLIC HEARING CALLED to ORDER:

At 7:00 P.M., Chairman Prevatte called the Public Hearing to order and stated the purpose of this Public Hearing is to receive citizens' comments on the Proposed Rural Operating Assistance Program (ROAP) application.

COMMENTS:

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

Robert Adams (private citizen): stated the following:

1. I am requesting the Board to look into the layering of transportation needs in Columbus County;
2. In a previous budget year, six hundred thousand, plus (\$600,000+) dollars was taken from the Department of Social Services that had been allocated for transportation; **and**
3. If you look at the layering, or duplicate service, for transportation, and eliminate the services that are being duplicated, you could save the County a lot of money.

PUBLIC HEARING CLOSED:

At 7:03 P.M., there being no further comments, Commissioner Byrd made a motion to close the Public Hearing, seconded by Commissioner Russ. The motion unanimously passed.

Agenda Item #9: PUBLIC TRANSPORTATION - ROAP GRANT CERTIFIED STATEMENT:

Charles Patton, Transportation Director, requested the Board to approve and authorize Chairman Prevatte to sign the following Certified Statement for the FY 2010 Rural Operating Assistance Program.

**CERTIFIED STATEMENT
FY 2010
County of Columbus**

RURAL OPERATING ASSISTANCE PROGRAM

Whereas Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering all federal and/or state programs related to public transportation, and grants NCDOT authority to do all things required in applicable federal and/or state legislation to properly administer the public transportation programs within the State of North Carolina;

WHEREAS, G.S. 136-44.27 established the Elderly and Disabled Transportation Assistance Program;

WHEREAS, funds will be used for transportation related expenditures as specified in the FY2010 Rural Operating Assistance Program (ROAP) application;

WHEREAS, information regarding use of the funds will be provided at such time and in such a manner as NCDOT may require;

WHEREAS, it is the policy of the North Carolina Department of Transportation that Disadvantaged Business Enterprises, Minority Owned Business Enterprises and Women Owned Business Enterprises shall have the opportunity to participate in the performance of contracts financed in whole or part by Federal and State funds in order to create a level playing field, and the county shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract.

WHEREAS, ROAP funds will be used to provide eligible services during the period July 1, 2009 through June 30, 2010;

WHEREAS, any interest earned on ROAP funds will be expended for eligible program uses as specified in the ROAP application; and

WHEREAS, the County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.

This is to certify that the undersigned is duly elected, qualified and acting chairperson of the Board of County Commissioners of the County of Columbus, North Carolina, and that the following statements are true and accurate:

Check the box if the county's application includes a request for funding.

X Elderly and Disabled Transportation Assistance Program

1. The funds received from G.S. 136-44.27 will be used to provide transportation services for the elderly and disabled allowing individuals to reside for a longer period in their homes, thereby enhancing their quality of life.
2. The funds will not be used to supplant or replace existing federal, state or local funds designated to provide elderly and disabled transportation services in the county.

X Employment Transportation Assistance Program

1. The funds will be used to assist transitional Work First participants after eligibility for cash assistance has concluded, participants in local Workforce Development Programs, and/or the general public with employment-related transportation needs
2. The funds will be suballocated to the local Department of Social Services, Work Force Development Program or the community transportation system for employment transportation.
3. The funds will be transferred to the Elderly and Disabled Transportation Assistance Program or the Rural General Public Program after an assessment of employment transportation needs in the service area indicates that employment transportation needs are substantially being met. This assessment will occur prior to any transfer of funds and following submission of a statement to that effect from the County Manager to the Public Transportation Division.

X Rural General Public Program

1. The funds will be limited to use by the community transportation system
2. The funds will not be used to provide human service agency trips.
3. The funds will be used to provide transportation to residents in the non-urbanized area of the county.

X Supplemental Elderly and Disabled Transportation Assistance Program

1. The funds will be used according to the eligibility criteria and restrictions provided in the EDTAP Guidelines.
2. The funds will be used to initiate new or expanded services or continue a service that began operating after July 1, 2006 with Supplemental EDTAP funds as the funding source.

X Supplemental Employment Transportation Assistance Program

1. The funds will be used according to the eligibility criteria and restrictions provided in the EMPL Guidelines.
2. The funds will be used to initiate new or expanded services or continue a service that began operating after July 1, 2006 with Supplemental EMPL funds as the funding source.

X Supplemental Rural General Public Program

1. The funds will be used according to the eligibility criteria and restrictions provided in the RGP Guidelines.
2. The funds will be used to initiate new or expanded services or continue a service that began operating after July 1, 2006 with Supplemental RGP funds as the funding source.

WITNESS my hand and official seal, this 20th day of July, 2009.

Attest:

/s/ **JAMES E. PREVATTE**
Signature, Board of County
Commissioners Chairperson

/s/ **WILLIAM S. CLARK**
Signature, County Manager/Administrator

Print Name: **JAMES E. PREVATTE**Print Name: **JAMES E. PREVATTE**

Vice Chairman Bullard made a motion to approve and authorize Chairman Prevatte to sign the Certified Statement for the FY 2010 Rural Operating Assistance Program, seconded by Commissioner Byrd. 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 7:05 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 Norris. The motion unanimously passed.

Agenda Item #20: 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 9:08 P.M., Commissioner Norris made a motion to adjourn Closed Session and resume Regular Session, seconded by Vice Chairman Bullard. The motion unanimously passed.

READING of CLOSED SESSION GENERAL ACCOUNT:

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

“There were two (2) items addressed, and they are as follows:

1. The Board discussed the position of the Columbus County Maintenance Director; **and**
2. Conducted two (2) interviews for the Columbus County Attorney.”

APPROVAL of CLOSED SESSION GENERAL ACCOUNT:

Commissioner McKenzie made a motion to approve the July 20, 2009 Closed Session General Account, seconded by Commissioner Byrd. The motion unanimously passed.

HUMAN RESOURCES - EMPLOYMENT of ANTHONY SOLES as MAINTENANCE DIRECTOR:

Commissioner Russ made a motion to hire Anthony Soles as the Columbus County Maintenance Director, at the annual salary of thirty-two thousand, five hundred, and 00/100 (\$32,500.00) dollars, to be effective immediately, seconded by Commissioner Norris. The motion unanimously passed.

HUMAN RESOURCES - APPOINTMENT of MICHAEL STEPHENS as COLUMBUS COUNTY ATTORNEY:

Commissioner Russ made a motion to appoint Michael Stephens as the Columbus County Attorney, at the annual salary of sixty-eight thousand and 00/100 (\$68,000.00) dollars, with a one (1) year contract, seconded by Vice Chairman Bullard. The motion unanimously passed.

Agenda Item #21: ADJOURNMENT:

At 9:11 P.M., Vice Chairman Bullard made a motion to adjourn, seconded by Commissioner McKenzie. 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 20, 2009

6:35 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 6:35 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 #11: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner Gore made a motion to approve the July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting Minutes, as recorded, 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 JUNE, 2009 ADJUSTMENTS to MONTHLY WATER BILLS:

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

DISTRICT I ADJUSTMENTS FOR THE MONTH OF JUNE, 2009

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
6/1/2009	101460.0098	INEZ FOWLER	-313.20	WATER OFF/CUSTOMER DECEASED

6/1/2009	102116.0098	ROY YARBROUGH	-30.00	CUSTOMER NOT CONNECTED
6/2/2009	201360	DONALD WILLIAMS	-35.00	CLERK ERROR
6/2/2009	201355	DONALD WILLIAMS	64.00	CLERK ERROR
6/2/2009	201360.0094	DONALD WILLIAMS	-29.00	CLERK ERROR
6/3/2009	103825.0095	ANDELA GRISTE	-50.00	DEPOSIT APPLIED
6/3/2009	103825.0096	GARY NEALEY	-50.00	DEPOSIT APPLIED
6/3/2009	103825.0096	GARY NEALEY	50.00	DEPOSIT TRANSFERRED
6/10/2009	102610.0097	ROBERT CRIBB	41.00	NSF
6/10/2009	102610.0097	ROBERT CRIBB	25.00	NSF FEE
6/18/2009	200780.0095	ELLA MYERS	21.00	CLERK ERROR
6/18/2009	200780.0096	LILLIE PURCHA	-56.00	CLERK ERROR
6/25/2009	207390.0096	STEPHEN BARNES	50.00	METER TAMPERING FEE
6/23/2009	405100	ROBERT BELL	-30.00	BILLING ERROR
6/25/2009	207390.0096	STEPHEN BARNES	50.00	METER TAMPERING FEE
6/25/2009	600600	BARRY WRIGHT	-30.00	CUSTOMER NOT CONNECTED
6/30/2009	301970.0098	RONALD CARTERET	50.00	METER TAMPERING FEE
6/30/2009	302000.0097	KIMBERLY BUFFKIN	10.50	CREDIT REFUNDED

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

ADJOURNMENT:

At 6:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Bullard. 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 20, 2009

6:35 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 6:35 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 #11: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Gore made a motion to approve the July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting Minutes, as recorded, 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 JUNE, 2009 ADJUSTMENTS to MONTHLY WATER BILLS:

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

DISTRICT II ADJUSTMENTS FOR THE MONTH OF JUNE, 2009

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
6/1/2009	131480	SCOTT & AMANDA CONNOR	-30.00	CUT OFF FEE WAIVED

6/5/2009	130101.0098	CHARLES BUFFKIN	100.00	TAP FEE ADDED
6/23/2009	140520	WILLARD LANE	-42.70	RUINED CLOTHES
6/25/2009	144475.0098	IVORY SIMPSON	345.00	METER READ WRONG
6/25/2009	112170.0095	GLENN THOMPSON	50.00	DEPOSIT APPLIED
6/25/2009	111700	GARY BELL	-45.00	CUSTOMER LEAK
6/30/2009	121720	MICKEY BASS	50.00	METER TAMPERING
6/30/2009	142195.0097	MAURICE BROWN	50.00	METER TAMPERING
6/30/2009	131072	KAREN HARDING	50.00	METER TAMPERING
6/30/2009	144070.0096	ROSCOE BOZEMAN	31.67	CREDIT REFUNDED

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

Agenda Item #13: COLUMBUS COUNTY WATER and SEWER DISTRICT II - APPROVAL for HOBBS, UPCHURCH and ASSOCIATES to ADMINISTER the INFRASTRUCTURE HOUSE HOOK-UP GRANTS:

Kip McClary, Public Utilities Director, requested the Board to approve Hobbs, Upchurch and Associates to administer the funds for the Infrastructure House Hook-up Grants.

Chairman Prevatte stated the following:

1. On June 15, 2009, an advertisement for procurement for grant administration of the Infrastructure House Hookup Project was advertised for bids;
2. Only one (1) proposal was received, therefore a second advertisement for procurement was required;
3. Proposals were again solicited and on July 13, 2009, only one (1) proposal was received;
4. Based on proposals received, staff recommends Hobbs, Upchurch and Associates for grant administration of these funds;
5. Grant administration is required by the Division of Community Assistance on all CDBG grants and such is funded with grant funds; **and**
6. The fee schedule is as follows.

FEE SCHEDULE

Hobbs, Upchurch and Associates, P.A. is pleased to offer our clients a competitive rate structure. Our firm aggressively pursues the control of overhead and quality in an effort to maintain the highest level of professional service at the most reasonable project costs.

Hobbs, Upchurch and Associates, P.A. proposes a not-to-exceed price of 15% of the total funding which will be made available with regards to this project which is outlined in the CDBG Infrastructure House Hook-Ups Grant guidelines. With regards to the grant in the amount of \$75,000.00, HUA would charge a not-to-exceed price of \$11,250.00. With regards to the grant in the amount of \$6,416.46, HUA would charge a not-to-exceed price of \$962.00. As previously noted, each grant applied for with regards to providing house hook-ups to residents in Water District II will stand alone. HUA will charge a not-to-exceed price on each allocation of funding made available for this project.

Not-to-Exceed Project Cost for Administration (15% of \$75,000.00) = \$11,250.00

Not-to-Exceed price for Administration (15% of \$6,416.46) - \$962.00

Standard Fee Schedule

Hobbs, Upchurch and Associates, P.A. is pleased to offer our clients a competitive rate structure. Our firm aggressively pursues the control of overhead and quality in an effort to maintain the highest level of professional service at the most reasonable project costs.

Engineer Grade V	\$140.00 / Hour
Engineer Grade IV	\$130.00 / Hour
Engineer Grade III	\$100.00 / Hour
Engineer Grade II	\$80.00 / Hour
Engineer Grade I	\$65.00 / Hour
Survey Manager	\$130.00 / Hour
Surveyor Grade II	\$100.00 / Hour
Surveyor Grade I	\$70.00 / Hour
Survey Crew Two Man	\$100.00 / Hour
GIS Coordinator	\$90.00 / Hour
Designer Grade IV	\$110.00 / Hour
Designer Grade III	\$90.00 / Hour
Designer Grade II	\$80.00 / Hour
Designer Grade I	\$60.00 / Hour
Construction Manager III	\$100.00 / Hour
Construction Manager II	\$80.00 / Hour
Construction Manager I	\$70.00 / Hour
Environmental Specialist	\$70.00 / Hour
Community Development Specialist III	\$110.00 / Hour
Community Development Specialist II	\$80.00 / Hour
Administrator	\$60.00 / Hour

Hobbs, Upchurch and Associate, P.A.'s hourly rates include all expenses and reflect our competitive pricing.

PROJECT TIME SCHEDULE

As noted, funding for each project will stand alone. Hobbs, Upchurch and Associates, P.A. will ensure that all work is completed within the allotted time frame for each grant. De-obligated funds from NC Department of Commerce may have more stringent time frames involved as these will be funds, which have been returned to DCA from prior years and therefore may have more definitive time restrictions regarding close-out. Anticipated completion date will be determined as funding becomes available.

Commissioner Norris made a motion to approve Hobbs, Upchurch and Associates to administer the funds for the Infrastructure House Hook-Up grants, if awarded, seconded by Commissioner Gore. The motion unanimously passed.

ADJOURNMENT:

At 6:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Bullard. 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 20, 2009
6:35 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 6:35 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 #11: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner Gore made a motion to approve the July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting Minutes, as recorded, 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 JUNE, 2009 ADJUSTMENTS to MONTHLY WATER BILLS:

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

DISTRICT III ADJUSTMENTS FOR THE MONTH OF JUNE, 2009

<u>DATE</u>	<u>ACCT #ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
6/2/2009340388	CARLTON COX	-25.00	BILLING ERROR
6/2/2009340690.0098	WJ PRIDGEN	-50.00	DEPOSIT APPLIED
6/3/2009350865.0097	ROBERT BULLARD	-50.00	DEPOSIT APPLIED

6/3/2009370228.0099		JEANETTE WILLIAMS	-50.00	DEPOSIT APPLIED
6/3/2009341150.0098		CHARLES PAGE	-50.00	DEPOSIT APPLIED
6/3/2009340730.0096		HONEY HILL FARMS	-50.00	DEPOSIT APPLIED
6/3/2009350665.0094		ANDREW JOHNSON	58.00	BALANCE TRANSFERRED
6/3/2009340062.0095		ANDREW JOHNSON	-58.00	BALANCE TRANSFERRED
6/4/2009341148.0098		ROBERT BYRD	3.34	CREDIT TRANSFERRED
6/4/2009341146.0097		ROBERT BYRD	-3.34	CREDIT TRANSFERRED
6/5/2009381190.0094		CLARA WHITE	-17.00	CREDIT TRANSFERRED
6/5/2009360680.0098		CLARA WHITE	17.00	CREDIT TRANSFERRED
6/8/2009330360		DERROLL & RUTH CLARKE	-76.00	BILLING ERROR
6/17/2009	360660.0097	JAMES HUNEYCUTT	\$17.50	CREDIT REFUNDED
6/18/2009	341325.0098	LAURA BRITT	53.00	NSF
6/18/2009	341325.0098	LAURA BRITT	25.00	NSF FEE
6/23/2009	341325.0098	LAURA BRITT	-30.00	CUT OFF WAIVED
6/23/2009	381290.0096	MATT TOWNSEND	-30.00	BILLING ERROR
6/30/2009	340690.0098	KATHY CARTRETTE	25.00	CREDIT REFUNDED
6/30/2009	350970.0095	CLORINDA SUTTON	-36,088.00	METER READ WRONG
6/30/2009	370180.0096	HEATHER COLEMAN	50.00	METER TAMPERING
6/30/2009	360260.0091	KEVIN DUBININ	2.50	CREDIT REFUNDED

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

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICT III - BOARD APPROVAL and ADOPTION of RESOLUTION by GOVERNING BODY of APPLICANT:

Kip McClary, Public Utilities Director, requested Board approval and adoption of the following Resolution by Governing Body of Applicant which will authorize William S. Clark, County Manager, to execute and file an application to NCDENR for Well Number 2 on Silverspoon Road, and authorization of Mr. Clark to execute any additional documentation that is required for this grant.

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and Safe Drinking Water Act Amendments of 1996, and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater or drinking water system improvements; and

WHEREAS, The Columbus County Water and Sewer District III has need for and intends to construct improvements to its water supply system to include one (1) additional well supply with water quality and SCADA monitoring systems; and

WHEREAS, The Columbus County Water and Sewer District III intends to request state (loan or grant) assistance for the project.

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY:

That Columbus County Water and Sewer District III, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State (loan or grant) award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the Governing Body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Columbus County Water and Sewer District III to make scheduled repayment of the loan, to withhold from Columbus County Water and Sewer District III any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That William S. Clark, County Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a (loan or grant) to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

ADOPTED this the 20th day of July, 2009 at the Dempsey B. Herring Courthouse Annex, Whiteville, North Carolina.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

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

ATTESTED BY:

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

Chairman Prevatte stated that Columbus County Water and Sewer District III was one (1) well down and that an additional well was needed.

Commissioner Byrd made a motion to approve and adopt the Resolution by Governing Body of Applicant, seconded by Commissioner McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 6:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Bullard. 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 20, 2009
6:35 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 6:35 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 #11: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Gore made a motion to approve the July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting Minutes, as recorded, seconded by Commissioner Norris. The motion unanimously passed.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICT IV - APPROVAL and ADOPTION of the RESOLUTION for the ISSUANCE of \$4,113,000 GENERAL OBLIGATION WATER BOND ANTICIPATION NOTES, and the BLANKET ISSUER LETTER of REPRESENTATIONS:

Bobbie Faircloth, Finance Director, requested Board approval and adoption of the following Resolution Providing for the Issuance of \$4,113,000 General Obligation Water Bond Anticipation Notes, and approval of the Blanket Issuer Letter of Representations.

A regular meeting of the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer District IV, in Columbus

County, 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 20, 2009.

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

Absent: None.

* * * * *

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 PROVIDING FOR THE ISSUANCE OF \$4,113,000 GENERAL OBLIGATION WATER BOND ANTICIPATION NOTES

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

Section 1. Said Board has determined and does hereby find, declare and represent:

- (a) That an order authorizing not exceeding \$5,142,000 Water Bonds of the Columbus County Water and Sewer District IV, in Columbus County, North Carolina (the "District"), was adopted by the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the District (the "Board"), on September 5, 2000, which order was approved by the vote of a majority of the qualified voters of the District who voted thereon at a referendum duly called and held on November 7, 2000.
- (b) That the maximum time period for issuing bonds under said order was extended to November 7, 2010 by an order adopted by the Board on June 4, 2007.
- (c) That none of said bonds has been issued and that no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds.
- (d) That it is necessary to issue \$4,113,000 notes at this time in anticipation of the receipt of the proceeds of the sale of a like amount of said bonds.

Section 2. In anticipation of the receipt of the proceeds of the sale of a like amount of said bonds, the issuance of \$4,113,000 notes of the District is hereby authorized, which notes shall be designated "General Obligation Water Bond Anticipation Notes" and dated August 11, 2009 (the "Notes"). The Notes shall mature on May 5, 2010, without option of prior payment, and shall bear interest from their date at a rate to be determined by the Local Government Commission of North Carolina at the time the Notes are sold, which interest shall be payable at the maturity of the Notes on the basis of a 360-day year, consisting of twelve 30-day months. The Notes shall be in a denomination or denominations of not less than \$100,000, and both the principal of and the interest on the Notes shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

The Notes will be issued by means of a book-entry system with no physical distribution of Note certificates to be made except as hereinafter provided. One fully-registered Note certificate in the aggregate principal amount of the Notes and registered in the name of Cede & Co., a nominee of The Depository Trust Company, New York, New York (“DTC”), will be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Notes in the principal amount of \$100,000 or integral multiples of \$1,000 in excess of \$100,000, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of each Note shall be payable to Cede & Co. or any other person appearing on the registration books of the District hereinafter provided for as the registered owner of such Note or his registered assigns or legal representative at such office of the Note Registrar mentioned hereinafter or such other place as the District may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Note shall be made by the Note Registrar on the interest payment date to the registered owner of such Note (or the previous Note or Notes evidencing the same debt as that evidenced by such Note) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding the interest payment date, by check mailed to such person at his address as it appears on such registration books. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Notes by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The District will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Notes or (b) the Finance Director of the County of Columbus, North Carolina (the “County”) determines not to continue to use the book-entry system of evidence and transfer of ownership of the Notes through DTC in accordance with DTC’s rules, the District will discontinue the book-entry system with DTC. If the District identifies another qualified securities depository to replace DTC, the District will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Notes registered in the name of such other depository or its nominee in exchange for the outstanding Notes, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the District fails to identify another qualified securities depository to replace DTC, the District will deliver replacement Notes in the form of fully registered certificates in the denomination of \$100,000 or integral multiples of \$1,000 in excess of \$100,000 (“Certificated Notes”) in exchange for the outstanding Notes as required by DTC and others. The District may also deliver one or more Certificated Notes to any participant of DTC in exchange for Notes credited to its account with DTC in accordance with DTC’s rules.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Notes issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Notes shall bear the manual or facsimile signatures of the Chairman of the Board and the Clerk to the Board and the corporate seal or a facsimile of the corporate seal of the District shall be impressed or imprinted, as the case may be, on the Notes.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Notes shall bear the manual or facsimile signature of the Secretary of said Commission and the

certificate of authentication of the Note Registrar to be endorsed on all Notes shall be executed as provided hereinafter.

In case any officer of the District or the Local Government Commission of North Carolina whose manual or facsimile signature shall appear on any Notes shall cease to be such officer before the delivery of such Notes, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Note may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Note shall be the proper officers to sign such Note although at the date of such Note such persons may not have been such officers.

No Note shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Note Registrar of the certificate of authentication endorsed thereon.

The Note to be registered in the name of Cede & Co. and the endorsements thereon shall be in substantially the following forms:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. R-1		\$4,113,000
	United States of America State of North Carolina County of Columbus	

COLUMBUS COUNTY WATER AND SEWER DISTRICT IV

GENERAL OBLIGATION WATER BOND ANTICIPATION NOTE

Maturity	Interest Rate	Cusip
May 5, 2010

The Columbus County Water and Sewer District IV, a body politic and corporate in the County of Columbus, North Carolina, is justly indebted and for value received hereby promises to pay to

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said County (the “Note Registrar”), the principal sum of

FOUR MILLION ONE HUNDRED THIRTEEN THOUSAND DOLLARS

and to pay interest on such principal sum on the basis of a 360-day year, consisting of twelve 30 day months, at the rate per annum specified above from the date hereof to the maturity hereof. The interest so payable will be paid to the person in whose name this note (or the previous note or notes evidencing the same debt as that evidenced by this note) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the note registration books of said District. Both the principal of and the interest on this note shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said District are hereby irrevocably pledged.

This note is given for money borrowed in the amount of the face of this note in anticipation of the receipt of the proceeds of the sale of a like amount of Water Bonds, duly authorized by an order adopted by the Board of Commissioners for said County, as the governing body of said District, on September 5, 2000, which was approved by the vote of a majority of the qualified voters of said District who voted thereon at a referendum duly called and held on November 7, 2000. The maximum time period for issuing bonds under said order was extended to November 7, 2010 by an order adopted by said Board on June 4, 2007. This note is issued pursuant to and in full compliance with The Local Government Bond Act, as amended, Article 9, as amended, of Chapter 159 of the General Statutes of North Carolina and a resolution duly passed by said Board on July 20, 2009 (the "Resolution").

This note is being issued by means of a book-entry system with no physical distribution of note certificates to be made except as provided in the Resolution. This note is registered in the name of Cede & Co., a nominee of DTC, and is required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of this note in the principal amount of \$100,000 or integral multiples of \$1,000 in excess of \$100,000, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of this note by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. Said District will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, said District will be authorized to deliver replacement notes in the form of fully-registered certificates in the denomination of \$100,000 or integral multiples of \$1,000 in excess of \$100,000 in exchange for the outstanding notes as provided in the Resolution.

At the office of the Note Registrar, in the manner and subject to the conditions provided in the Resolution, this note may be exchanged for an equal aggregate principal amount of notes of the same maturity, of authorized denominations and bearing interest at the same rate.

The Note Registrar shall keep at his or her office the books of said District for the registration of transfer of notes. The transfer of this note may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Note Registrar together with

an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Note Registrar. Upon any such registration of transfer, the Note Registrar shall deliver in exchange for this note a new note or notes, registered in the name of the transferee, of authorized denominations, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this note have happened, exist and have been performed in regular and due form and time as so required and that the total indebtedness of said District, including this note, does not exceed any constitutional or statutory limitation thereon.

This note shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this note shall have been authenticated by the execution by the Note Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, said District, pursuant to the Resolution, has caused this note [to be manually signed by] [to bear the facsimile signatures of] the Chairman of said Board and the Clerk to said Board and [a facsimile of] its corporate seal to be [printed] [impressed] hereon, all as of the 11th day of August 2009.

/s/ **JAMES E. PREVATTE**
Chairman of the Board of Commissioners

/s/ **JUNE B. HALL**
Clerk to the Board of Commissioners

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within note has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This note is issued under the provisions of the within-mentioned Resolution.

Finance Director of the County of Columbus, North Carolina, as Note Registrar
By: _____
Authorized Signatory

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto

the within note and all rights thereunder and hereby irrevocably constitutes and appoints

attorney to register the transfer of said note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within note in every particular, without alteration or enlargement or any change whatever.

Certificated Notes issuable hereunder shall be in substantially the form of the Note registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Notes.

Section 4. The Notes will not be subject to redemption prior to maturity.

Section 5. Notes, upon surrender thereof at the office of the Note Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Note Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Notes of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Note may be registered only upon the registration books of the District upon the surrender thereof to the Note Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Note Registrar. Upon any such registration of transfer, the Note Registrar shall authenticate and deliver in exchange for such Note a new Note or Notes, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the principal amount of such Note so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Notes shall be exchanged or the transfer of Notes shall be registered hereunder, the Note Registrar shall authenticate and deliver at the earliest practicable time Notes in accordance with the provisions of this resolution. All Notes surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Note Registrar. The District or the Note Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Notes sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the District or the Note Registrar for exchanging or registering the transfer of Notes under this resolution.

As to any Note, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Note and the interest on any such Note shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note and interest thereon, to the extent of the sum or sums so paid.

The District shall appoint such registrars, transfer agents, depositories or other agents as may be necessary for the registration, registration of transfer and exchange of Notes within a reasonable time according to then current commercial standards and for the timely payment of principal and interest with respect to the Notes. The Finance Director of the County is hereby appointed the registrar, transfer agent and paying agent for the Notes (collectively the "Note Registrar"), subject to the right of the governing body of the District to appoint another Note Registrar, and as such shall keep at his or her office the books of the District for the registration, registration of transfer, exchange and payment of the Notes as provided in this resolution.

Section 6. The Blanket Issuer Letter of Representations, as requested by DTC in connection with the issuance of the Notes and in the form presented at this meeting, is hereby approved, and the Finance Director of the County is hereby authorized to complete and execute such Letter of Representations and to deliver the same to DTC for and on behalf of the District.

Section 7. The actions of the County Manager and the Finance Director of the County in applying to the Local Government Commission of North Carolina to approve, advertise and sell the Notes are hereby approved, ratified and confirmed, and the Local Government Commission of North Carolina is hereby requested to ask for bids for the Notes by printing and distributing circulars and other means relating to the sale of the Notes.

Section 8. The District covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), relating to the issuance of the Notes, except to the extent that the District obtains an opinion of bond counsel to the effect that noncompliance would not result in interest on the Notes being includable in the gross income of their owners for purposes of federal income taxation.

Section 9. The District hereby finds, declares and represents that (a) it reasonably expects that it, all entities subordinate to the District and all entities that issue obligations on behalf of the District (all within the meaning of Section 265(b)(3)(E) of the Code) will not issue in the aggregate more than \$30,000,000 of tax-exempt obligations (not counting private-activity bonds and certain refunding bonds as provided in Section 265(b)(3)(C)(ii) of the Code) during the current calendar year and (b) no entity has been or will be formed or availed of to avoid the limits described above. In addition, the District hereby designates each of the Notes as a "qualified tax-exempt obligation" for the purposes of Section 265(b)(3) of the Code.

Section 10. The County Manager and the Finance Director of the County and their designees are hereby authorized and directed to take such other actions and to execute and deliver such other documents, certificates, undertakings, agreements or other instruments as may be necessary or appropriate to effectuate the issuance of the Notes.

Section 11. This resolution shall take effect upon its passage.

Thereupon Commissioner Amon E. McKenzie moved the passage of the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$4,113,000 GENERAL OBLIGATION WATER BOND ANTICIPATION NOTES", and Commissioner Edwin Russ seconded the motion, and the resolution was passed by the following vote:

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

Noes: None.

* * * * *

I, June B. Hall, Clerk to the Board of Commissioners for the County of Columbus, North Carolina, as the governing body of the Columbus County Water and Sewer District IV, in Columbus County, 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 20, 2009, the record having been made in Minute Book No. 30 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 issuance of \$4,113,000 General Obligation Water Bond Anticipation Notes of said District.

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 District, this 20th day of July 2009.

/s/ **JUNE B. HALL**

Clerk to the Board of Commissioners

Commissioner McKenzie made a motion to approve and adopt the Resolution for the Issuance of \$4,113,000 General Obligation Water Bond Anticipation Notes, and the Blanket Issuer Letter of Representations, seconded by Commissioner Russ. The motion unanimously passed. A copy of the executed Blanket Issuer Letter of Representations will be kept on file in the office of the Columbus County Finance Officer for review.

Agenda Item #16: **COLUMBUS COUNTY WATER and SEWER DISTRICT IV - APPROVAL and ADOPTION of COLUMBUS COUNTY WATER DISTRICT IV - WATER PROJECT, CAPITAL PROJECT ORDINANCE:** Bobbie Faircloth, Finance Director, requested Board approval and adoption of the following Columbus County Water District IV - Water Project, Capital Project Ordinance.

**COLUMBUS COUNTY WATER DISTRICT IV-WATER PROJECT
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Board of Commissioners of the County of Columbus, North Carolina, that pursuant to Section 159-13.2 of the General Statutes of North Carolina, the Capital Project

Ordinance is **HEREBY ADOPTED**:

SECTION 1. The project authorized is the installation of water mains and appurtenances for Water and Sewer District IV.

SECTION 2. The project director is hereby directed to proceed with the construction of the water lines and appurtenances.

SECTION 3. The project will be executed in full during fiscal year 09/10.

SECTION 4. The following revenues are anticipated to be available to the county to complete the project as of July 2009.

ACCOUNT NUMBER	TITLE	AMOUNT
52-3719-910005	USDA Rural Development Loan	4,113,000.00
52-3719-436015	USDA Rural Development Grant Funds	1,501,000.00
52-3719-439810	County Appropriation	174,846.00
52-3719-436040	NC Commerce Grant	500,000.00
52-3719-437020	Developer Contribution	33,358.00
TOTAL:		6,322,204.00

SECTION 5. The following amounts are appropriated for the project:

ACCOUNT NUMBER	TITLE	AMOUNT
52-7114-519000	Engineer - Construction Administration/Basic Fees	731,077.25
52-7114-519901	Engineer - Resident Inspection	146,000.00
52-7114-519055	Construction - Well - Bill's Well Drilling	73,500.00
52-7114-519030	Construction – Contract I - T.A. Loving	3,709,136.85
52-7114-519035	Construction – Contract II - Caldwell Tanks, Inc.	976,000.00
52-7114-519040	Construction – Contract III - Ashley Electric-SCADA	47,536.00
52-7114-810004	Debt Service Interest	150,000.00
52-7114-519101	Bond Counsel Legal Fees-Adv.	35,000.00
52-7114-557000	Land & Right of Way Costs	88,571.25
52-7114-549965	Contingency	365,382.65
TOTAL:		6,322,204.00

SECTION 6: The Finance Officer is directed to report quarterly on the financial status of this project. She shall keep the Governing Body informed at each regular meeting of any unusual occurrences.

SECTION 7: Copies of the Capital Project Ordinance shall be made available to the Budget Officer and the Finance Officer for directions in carrying out this project.

ADOPTED this the 20th day of July 2009.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **JAMES PREVATTE, Chairman**

ATTESTED BY:

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

Commissioner Byrd made a motion to approve and adopt the Columbus County Water District IV - Water Project, Capital Project Ordinance, seconded by Commissioner Norris. The motion unanimously passed.

ADJOURNMENT:

At 6:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Bullard. 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 20, 2009
6:35 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 6:35 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 #11: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Gore made a motion to approve the July 06, 2009 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting Minutes, as recorded, 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 JUNE, 2009 ADJUSTMENTS to MONTHLY WATER BILLS:

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

DISTRICT V ADJUSTMENTS FOR THE MONTH OF JUNE, 2009

<u>DATE</u>	<u>ACCT #</u>	<u>ACCT NAME</u>	<u>ADJ AMT</u>	<u>REASON FOR ADJUSTMENT</u>
6/1/2009	800584	BARBARA CARTER	-100.00	METER READ WRONG
6/1/2009	800584	BARBARA CARTER	-30.00	CUT OFF FEE

6/1/2009	709980.0098	JOHN D. SINGLETARY	-30.00	CUSTOMER NOT CONNECTED
6/3/2009	704530.0098	THOMAS SMALL	-50.00	DEPOSIT APPLIED
6/3/2009	704530.0098	THOMAS SMALL	50.00	DEPOSIT TRANSFERRED
6/15/2009	800051.0098	LARRY WRIGHT	-46.00	CUSTOMER HAD LEAK
6/18/2009	700025.0098	TERRY SMALL	-30.00	CUT OFF FEE
6/23/2009	800587.0098	HARRY GREEN	-30.00	CUSTOMER NOT CONNECTED
6/24/2009	709946	FANNIE WATTS	-30.00	BILLING ERROR
6/24/2009	800659	DAVID MCPHERSON	-30.00	BILLING ERROR
6/25/2009	700023.0098	MION PRINCE	-187.00	BILLING ERROR
6/25/2009	709965.0098	GEORGE & ETHEL FAULK	-56.00	BILLING ERROR
6/29/2009	709946	FANNIE WATTS	-30.00	BILLING ERROR
6/30/2009	709960.0098	PEARLINE MITCHELL	-30.00	BILLING ERROR
6/30/2009	800575.0097	DAVID BECK	-30.00	BILLING ERROR

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

ADJOURNMENT:

At 6:43 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Bullard. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman