

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

Tuesday, July 06, 2010

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 conducting their regular scheduled meeting on the first Tuesday, being the first Monday was observed as a legal holiday.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
 Mike Stephens, **County Attorney**  
 June B. Hall, **Clerk to Board**  
 Bobbie Faircloth, **Finance Officer**

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

At 6:30 P.M., Chairman P. Edwin Russ called the July 06, 2010 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Commissioner Ronald Gore. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America, which was led by Commissioner Amon E. McKenzie.

**Agenda Item #4: PRESENTATION - RETIREMENT PLAQUE:**

Chairman Russ presented the following retirement plaque to Larry K, Wright for his years of service to the Columbus County Cooperative Extension Department.

***PRESENTED TO******LARRY K. WRIGHT******IN GRATEFUL APPRECIATION******FOR YOUR DEDICATION AND LOYALTY******TO******COLUMBUS COUNTY COOPERATIVE EXTENSION DEPARTMENT******12-01-1984 - 07-01-2010******\* \* \* \* \*******COLUMBUS COUNTY BOARD OF COMMISSIONERS***

Chairman Russ stated the following:

1. Larry Wright worked with limited-resource farmers for over twenty-six (26) years.
2. His primary job responsibilities were to develop programs that looked at ways in which small farmers could reduce cost and increase profitability.
3. He worked with, and supported, the endeavors of the Columbus County Bee Keepers Association and the Columbus County Farmers Market.
4. He has been very dedicated in his service to Cooperative Extension, as well as his service to the citizens of Columbus County.
5. His knowledge and wisdom in the areas in which he served will be missed.
6. We wish him the best of luck as he retires from the North Carolina Cooperative Extension Service.

Mr. Wright stated it had been a pleasure serving the citizens of Columbus County and I thank the Board of Commissioners for the opportunity to have worked for Columbus County.

**Agenda Item #5: BOARD MINUTES APPROVAL:**

Commissioner Prevatte made a motion to approve the June 21, 2010 Regular Session Board Meeting Minutes, as recorded, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #6: PUBLIC INPUT:**

Chairman Russ opened the floor for public input. The following spoke.

**Robert Eugene Adams, 233 Mt. Calvary Road, Clarkton, NC 28433:** stated the following:

1. I would like to speak on the Agenda Item concerning tobacco products;
2. Tobacco was here before we were;
3. Tobacco is ingrained into our economy so deep until, if you want to finish off the economy in our County, do away with tobacco;
4. It exists, it is a vibrant industry, and is ingrained all the way through our economy;
5. The taxes from tobacco come back to the health industry; **and**
6. This has been a short-sighted, no forethought subject.

**Agenda Item #7: AGING - APPROVAL of AWARD of CONTRACT for NUTRITION CONGREGATE MEALS to BATEMAN:**

Ed Worley, Aging Director, requested Board approval to award the contract for Nutrition Congregate Meals to Bateman.

Commissioner McKenzie made a motion to approve the award of the contract for Nutrition Congregate Meals to Bateman, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #8: AGING - APPROVAL of TITLE III-D FUNDING:**

Ed Worley, Aging Director, requested Board approval of Title III-D Program Funding for 2010-2011 from the Cape Fear Council of Governments as follows.

<b>Health Promotion Funding:</b>	\$3,136.00 <u>348.00</u> \$3,484.00	10% Match
<b>Medication Management:</b>	\$1,709.00 <u>190.00</u> \$1,899.00	10% Match

Mr. Worley stated the money for the match was in his budget.

Commissioner McKenzie made a motion to approve the Title III-D Program Funding for 2010-2011 from the Cape Fear Council of Governments, as listed above, seconded by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #9: PUBLIC TRANSPORTATION - ESTABLISHMENT of PUBLIC HEARING DATE and TIME for RURAL OPERATING ASSISTANCE PROGRAM (ROAP):**

Charles Patton, Director, requested the Board to establish a date and time for a Public Hearing for the ROAP Program.

Commissioner Prevatte made a motion to establish July 19, 2010, at 6:30 P.M., as the date and time for a Public Hearing for the Rural Operating Assistance Program (ROAP), seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #10: SHERIFF - PERMISSION to ACCEPT PROPOSAL with SOUTHERN HEALTH PARTNERS:**

Sheriff Batten requested Board permission to accept the proposal for inmate health care for

FY 2010-2011, with Southern Health Partners. The contract will be presented at a later date.

Sheriff Batten stated the following:

1. I am requesting that you approve the proposal with Southern Health Partners to provide healthcare services for Columbus County Detention Center; **and**
2. Mr. Clark and I have looked over the proposal, the County Attorney has reviewed the proposal, and based on our opinions, we think it will save approximately twenty to thirty thousand (\$20,000 to \$30,000) dollars annually.

Discussion was conducted between the Sheriff and the Board relative to the following:

1. The monetary amount spent annually for the inmates is approximately two hundred seventy thousand to two hundred seventy-five thousand (\$270,000 - \$275,000) dollars;
2. The proposal is for two hundred thirty thousand (\$230,000) dollars, plus any small deviation;
3. This amount has been budgeted for healthcare;
4. When the inmate population is up, you do have more healthcare expense;
5. We have one hundred ninety-seven (197) beds, and at the present time, we have two hundred two (202) inmates, with three (3) inmates being housed from Bladen County;
6. The contract will be renewable annually;
7. The contract has a two and one-half (2 ½%) percent increase built in for each year;
8. In 2006, the cost of upgrading the old jail to State standards was anywhere between five hundred thousand to seven hundred fifty thousand (\$500,000 - \$750,000) dollars, and could run as much as one million dollars at the present time;
9. The old jail housed sixty-seven (67) inmates, after it is brought up to State standards, it would only house thirty-two (32) inmates; **and**
10. The contract will be drawn up, sent to the County Attorney for review and then brought back to the Board of Commissioners for approval.

Commissioner McKenzie made a motion to approve Sheriff Batten accepting the proposal with Southern Health Partners, for inmate healthcare at the Columbus County Detention Center, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #11: SHERIFF - PERMISSION TO ENTER INTO LEASE AGREEMENT:**

Sheriff Batten requested Board permission to enter into a Lease Agreement with Carolyn Sellers Duncan for rent on a building at 932 East Jefferson Street, Whiteville, North Carolina, to be utilized as offices for the Narcotics Division, as well as SBI, FBI and ATF agents, at the cost of eight hundred and 00/100 (\$800.00) dollars per month. The lease agreement will be presented at a later date.

**ORIGINAL MOTION:**

Commissioner McKenzie made a motion to permit Sheriff Batten to move forward with the procedure of entering into a Lease Agreement with Carolyn Sellers Duncan for rent on a building at 932 East Jefferson Street, Whiteville, North Carolina, to be utilized as offices for the Narcotics Division, as well as SBI, FBI and ATF agents, at the cost of eight hundred and 00/100 (\$800.00) dollars per month, seconded by Commissioner Norris.

Discussion was conducted between the Sheriff and the Board relative to the following:

1. Drug dollars can be used to enhance drug-related activities, training and related activities, intervention of drug activities and to lease office space;
2. These dollars have been seized by Federal authorities;
3. The cost of utilizing the old jail for this space;
4. Repairs to the old jail would entail a new negative air system, replacement of the roof on the Annex and a mold abatement;
5. This will be a two (2) year lease, at eight hundred and 00/100 (\$800.00) dollars per month, for five thousand (5,000) square feet;
6. Columbus County will be responsible for the utilities;
7. The available space at the Health Department would entail privacy issues;
8. The inmates at the Detention Center could be utilized to clean the old jail except for any hazardous materials;
9. Tony Soles, Maintenance Director, to get a proposal on the cleaning and fixing the old jail

- to be suitable for the use of office space;
10. Postpone the matter until the quote for the repair and cleaning of the old jail can be obtained;
  11. Enter the Lease Agreement for one (1) year with an option to renew to allow time to discover the cost of redoing the old jail; **and**
  12. The building to be rented is equipped with a security system which entails cameras and an alarm system.

## **SUBSTITUTE MOTION:**

Commissioner Prevatte made a substitute motion to table this matter until Tony Soles, Maintenance Director, has a mediation team to look at the cost of repairing and cleaning the old jail, seconded by Commissioner Gore.

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

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

The **substitute motion** failed on a four (4) to three (3) vote.

## **AMENDED ORIGINAL MOTION:**

After further discussion, Commissioner McKenzie amended his motion to permit Sheriff Batten to move forward with the procedure of entering into a Lease Agreement with Carolyn Sellers Duncan for rent on a building at 932 East Jefferson Street, Whiteville, North Carolina, to be utilized as offices for the Narcotics Division, as well as SBI, FBI and ATF agents, at the cost of eight hundred and 00/100 (\$800.00) dollars per month, for one (1) year, with the option to renew. Commissioner Norris amended his second.

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

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

The **amended original motion** passed on a four (4) to three (3) vote.

## **Agenda Item #12: HEALTH - RESOLUTION REQUESTING ADOPTION of ORDINANCE PROHIBITING the USE of TOBACCO PRODUCTS in ALL COLUMBUS COUNTY FACILITIES, USE in COUNTY-OWNED VEHICLES and 50 FEET from COUNTY BUILDINGS:**

Kimberly Smith, Health Director, requested Board approval and adoption of the following Resolution Requesting Adoption of Ordinance Prohibiting the Use of Tobacco Products in All County Facilities, Use in County-Owned Vehicles and 50 Feet from County Buildings.

### **RESOLUTION REQUESTING ADOPTION OF ORDINANCE PROHIBITING THE USE OF TOBACCO PRODUCTS IN ALL COLUMBUS COUNTY FACILITIES, USE IN COUNTY-OWNED VEHICLES AND 50 FEET FROM COUNTY BUILDINGS**

**WHEREAS**, according to the Centers for Disease Control and Prevention, (CDC) tobacco use and secondhand smoke exposure are leading preventable causes of illness and premature death in North Carolina and the nation;

**WHEREAS**, the CDC advises that all individuals with coronary heart disease or known risk factors for coronary heart disease should avoid all indoor environments that permit smoking;

**WHEREAS**, tobacco is a recognized carcinogen in humans. Health risks associated with use of smokeless tobacco products include myocardial infarction, stroke, and adverse reproductive outcomes.

**WHEREAS**, in 2006, a report, issued by the United States Surgeon General stated that the scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke. The report further stated that secondhand smoke has been proven to cause cancer, heart disease, and asthma attacks in both smokers and nonsmokers;

**WHEREAS**, on February 24, 2010 the Columbus County Board of Health unanimously supported the adoption of an ordinance entitled **“PROHIBITING THE USE OF TOBACCO PRODUCTS IN ALL COLUMBUS COUNTY FACILITIES, USE IN COUNTY-OWNED VEHICLES AND 50 FEET FROM COUNTY BUILDINGS”**; pursuant to the approval of the Columbus County Board of Commissioners;

**WHEREAS**, on May 19, 2009, the State of North Carolina passed "An Act To Prohibit Smoking In Certain Public Places And Certain Places Of Employment" S.L. 2009-27, amending Chapter 130A of the General Statutes and thereby authorizing local governments to adopt and enforce ordinances "that are more restrictive than State law and that apply in local government buildings, on local government grounds, in local vehicles, or in public places”;

**WHEREAS**, Columbus County is committed to providing a safe and healthy workplace in all Columbus County facilities for its employees and the visiting public;

**WHEREAS**, Columbus County provides support to employees who want to quit the use of tobacco products;

**WHEREAS**, Columbus County recognizes the health risks of tobacco use and secondhand smoke for non-smokers. The aim is to minimize the harmful effects of tobacco use among staff and eliminate secondhand smoke exposure for staff and the public in those facilities and grounds controlled by Columbus County;

**NOW, THEREFORE, BE IT RESOLVED** that the Columbus County Board of Health request the Columbus County Board of Commissioners approve and adopt an ordinance entitled **“PROHIBITING THE USE OF TOBACCO PRODUCTS IN ALL COLUMBUS COUNTY FACILITIES, USE IN COUNTY-OWNED VEHICLES AND 50 FEET FROM COUNTY BUILDINGS”**.

**ADOPTED**, this the \_\_\_\_\_ day of July, 2010

\_\_\_\_\_  
**Edwin Russ, Chairman**  
**Columbus County Board of Commissioners**

**ATTEST:**

\_\_\_\_\_  
**June Hall, Clerk to the Board**

Commissioner Prevatte made a motion in opposition to the Resolution Requesting Adoption of Ordinance Prohibiting the Use of Tobacco Products in All County Facilities, Use in County-Owned Vehicles and 50 Feet from County Buildings, as it stands, seconded by Commissioner Bullard. The motion unanimously passed.

**Agenda Item #13: ECONOMIC DEVELOPMENT - APPROVAL of PROJECT “OCEAN” INCENTIVE GRANT PACKAGE:**

Gary Lanier, Economic Development Director, requested Board approval of the following Incentive Grant Package.

**Project:** Ocean

**Investment:** \$8,000,000 40 Jobs

**County Tax Rate:** 0.815

<b>Tax Year</b>	<b>County Property Taxes Paid on Investment**</b>	<b>Percentage</b>	<b>Grant Amount</b>
Tax Year 1	\$65,200	85%	\$55,420.00
Tax Year 2	\$65,200	80%	\$52,160.00
Tax Year 3	\$65,200	75%	\$48,900.00

Tax Year 4	\$65,200	70%	\$45,640.00
Tax Year 5	\$65,200	70%	\$45,640.00
Total over 5 year period	\$326,000	76%	<b>\$247,760.00</b>

\*\* Hypothetical does not include depreciation of equipment, which will affect property taxes paid and incentives grant awarded.

Commissioner McKenzie made a motion to approve the Project “Ocean” Incentive Grant Package, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #14: ECONOMIC DEVELOPMENT - APPROVAL of MODIFICATION OF INCENTIVE GRANT for PIRAMIDE MEXICAN FOODS, INCORPORATED:**

Gary Lanier, Economic Development Director, requested Board approval of the following modification of the Incentive Grant for Piramide Mexican Foods, Incorporated, accompanied with a Modification of Agreement, as follows.

**Project:** Tortilla  
**Investment:** \$1,655,000 20 Jobs  
**County Tax Rate:** 0.815

Tax Year	County Property Taxes Paid on Investment**	Percentage	Grant Amount
Tax Year 1	\$13,488	85%	\$11,465.01
Tax Year 2	\$13,488	80%	\$10,790.60
Tax Year 3	\$13,488	75%	\$10,116.19
Tax Year 4	\$13,488	70%	\$9,441.78
Tax Year 5	\$13,488	70%	\$9,441.78
<b>Total over 5 year period</b>	\$67,441	76%	<b>\$51,255.35</b>

\*\* Hypothetical does not include depreciation of equipment, which will affect property taxes paid and incentives grant awarded.

**STATE OF NORTH CAROLINA  
 COUNTY OF COLUMBUS**

**MODIFICATION OF AGREEMENT**

This Modification of Agreement is made and entered into by and between COLUMBUS COUNTY (hereinafter referred to as “County”), a political subdivision of the State of North Carolina, and PIRAMIDE MEXICAN FOODS, INC., a North Carolina corporation (hereinafter referred to as “Company”).

**WITNESSETH:**

WHEREAS, the Agreement between County and Company, with the effective date of July 6, 2009, requires certain specific modifications; and,

WHEREAS, the Company has greatly exceeded its original projections as stated in the Agreement.

NOW, THEREFORE, in consideration of the mutual promises set forth in this Modification

of Agreement and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the County and the Company do hereby agree to modify the Agreement as follows:

**SECTION 3: INVESTMENT**

- 3.1 The Company has agreed to make an initial investment in the amount of One Million Six Hundred Fifty-Five Thousand no/100 Dollars (\$1,65454,000.00) toward the development of the Facility and purchase of equipment during the first three (3) years of the five-year Grant period.

**SECTION 5: GRANT PAYMENTS**

- 5.2 Based upon the commitments and considerations made in this Modification of Agreement, the Columbus County Economic Development Commission will budget a Grant of \$51,255.35, payable as follows:

\$11,465.01 in year 1; \$10,790.60 in year 2, \$10,116.19 in year 3, \$9,441.78 in year 4, and \$9,441.78n in year 5.

All remaining terms and conditions of the Agreement between County and Company, with the effective date of July 6, 2009, remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused the execution of this Modification of Agreement, by authority duly given and in multiple originals, to be effective as of the last date of signature.

**COLUMBUS COUNTY**

**By: /s/ P. EDWIN RUSS, Chairman**  
**Columbus County Board of Commissioners**  
**Date signed: 07-07-2010**

**ATTESTED BY:**

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

**PIRAMIDE MEXICAN FOODS, INC.**

**By: \_\_\_\_\_**  
**Its \_\_\_\_\_**  
**Date signed: \_\_\_\_\_**

Approved as to form:

**/s/ MIKE STEPHENS**  
**Columbus County Attorney**

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

**/s/ BOBBIE FAIRCLOTH**  
**Columbus County Finance officer**

**STATE OF NORTH CAROLINA**  
**COUNTY OF COLUMBUS**

This 7<sup>th</sup> day of July, 2010, personally came before me, **DEBRA J. EPPS**, a Notary Public for Columbus County, North Carolina, June B. Hall, who being by me duly sworn, says that she is the Clerk of the Board of Commissioners of Columbus County; recognizes the official seal of the Board; is acquainted with P. Edwin Russ, who is Chairman of the Board; that she witnessed the signature of the Chairman and the affixation of the official seal of the Board to the foregoing instrument in the presence of the Chairman of the Board, in accordance with the order of the Board.

Witness my hand and official seal or stamp, this the 7<sup>th</sup> day of July, 2010.

/s/ **DEBRA J. EPPS**

My Commission Expires: 10/05/2014

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public for \_\_\_\_\_  
County, \_\_\_\_\_, do certify that on this the \_\_\_\_ day of \_\_\_\_\_, 2010,  
personally appeared before me \_\_\_\_\_, President of Piramide Mexican  
Foods, Inc., proved to me by satisfactory evidence to be the person whose name is signed on the  
foregoing instrument, and acknowledged that \_\_\_\_\_ signed it voluntarily on behalf of the  
corporation and in the capacity stated, for the purposes therein stated.

Witness my hand and official seal or stamp, this the \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Commissioner Prevatte made a motion to approve modification of the Incentive Grant for Piramide Mexican Foods, Incorporated, accompanied with a Modification of Agreement, seconded by Vice Chairman Byrd. The motion unanimously passed.

Commissioner Prevatte stated he would like to thank Piramide Mexican Foods, Incorporated for exceeding the requirements they were given.

**Agenda Item #15: RECREATION. - DEPARTMENTAL UPDATE:**

Due to the absence of Julie Strickland, Parks and Recreation Director, William S. Clark, County Manager, stated the following:

- 1. Due to a medical emergency in her family, Julie could not be here, and she will have to postpone her update;
- 2. There is one (1) item that she wanted to bring to your attention; **and**
- 3. In the Tabor City area, the County and the school system have a lease on property that we are using for Parks and Recreation, and Mike Stephens, County Attorney, will deliver an update.

Mike Stephens, County Attorney, stated the following:

- 1. Bill Phipps, Columbus County Board of Education Attorney, and I have been in conversation concerning the two (2) lease agreements;
- 2. One (1) of the Lease Agreements is for the old football field behind the Primary School (Tabor City Old Civitan Field) , and one (1) of the Lease Agreements is for the Tabor City Athletic Complex;
- 3. We have a twenty-five (25) year lease on the Tabor City Old Civitan Field, which was signed in 2008;
- 4. The Tabor City Athletic Complex was signed in 1993 and is a twenty-five (25) year lease also;
- 5. I talked with Al Leonard also, and there was some discussion that we would need this Board to ask the Columbus County Board of Education to terminate and/or assign, these Lease Agreements to the Town of Tabor City.

Commissioner Prevatte made a motion to approve Mike Stephens, County Attorney, to make a request to the Columbus County Board of Education to either terminate, or assign the two (2) leases for the Old Civitan Field and the Tabor City Athletic Complex to the Town of Tabor City, seconded by Commissioner Bullard. The motion unanimously passed.

**Agenda Item #16: GOVERNING BODY - DESIGNATION of VOTING DELEGATE to NCACC ANNUAL CONFERENCE on AUGUST 26-29, 2010:**

June B. Hall, Clerk to the Board, requested a voting delegate to be designated for the NCACC Annual Conference on August 26-29, 2010.



Commissioner Norris made a motion to designate Commissioner James E. Prevatte as the voting delegate to the NCACC Annual Conference, seconded by Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #17: GOVERNING BODY - APPROVAL and ADOPTION of DESIGNATION of QUARTER-CENT (1/4 ¢) SALES TAX PROCEEDS RESOLUTION, EDUCATION COMMITTEE and ESTABLISHMENT of BUDGET:**

William S. Clark, County Manager, requested Board discussion and possible adoption of the following Designation of Quarter-Cent (1/4¢) Cent Sales Tax Proceeds Resolution, the formation of an Education Committee and the establishment of a budget.

**DESIGNATION of QUARTER-CENT (1/4 ¢) CENT SALES TAX PROCEEDS RESOLUTION**

**WHEREAS**, on the November 2, 2010 Ballot, the citizens of Columbus County will be presented with the opportunity to vote for or against the Quarter-Cent (1/4 ¢) Sales Tax; **and**

**WHEREAS**, to educate the public concerning the use of proceeds from the sales tax, the designation of these funds are hereby made by the Board of Columbus County Commissioners; **and**

**WHEREAS**, funds provided to public education is a sound investment in the future of Columbus County and its citizens; **and**

**WHEREAS**, additional revenue monies to the Columbus County Governmental General Fund provide for the overall economic and financial stability of the County; **and**

**WHEREAS**, fifty (50%) percent of the Quarter-Cent (1/4 ¢) Sales Tax proceeds shall be hereby designated to Education - Capital Improvements, solely for Columbus County Schools; Whiteville City Schools and/or Southeastern Community College; in percentage amounts to be determined at a later date by the Board of Columbus County Commissioners; **and**

**WHEREAS**, fifty (50 %) percent of the Quarter-Cent (1/4¢) Sales Tax proceeds shall be designated to improve the Columbus County General Fund Balance.

**NOW, THEREFORE, BE IT RESOLVED** by the Columbus County Board of Commissioners that the proceeds from the November 2, 2010 sales tax vote by Columbus County Citizens shall be hereby designated as follows:

1. Fifty (50%) percent of the Quarter-Cent (1/4¢) Sales Tax proceeds shall be hereby designated to Education - Capital Improvements, solely for Columbus County Schools; Whiteville City Schools and/or Southeastern Community College; in percentage amounts to be determined at a later date by the Board of Columbus County Commissioners; **and**
2. Fifty (50 %) percent of the Quarter-Cent (1/4¢) Sales Tax proceeds shall be designated to improve the Columbus County General Fund Balance.

**APPROVED and ADOPTED** this the 6th day of July, 2010.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
**P. EDWIN RUSS, Chairman**

**ATTESTED BY:**

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

Mr. Clark stated the following:

1. At the last meeting, it was unanimously approved for this to be placed on the November 02, 2010 ballot;
2. This Resolution will inform the citizens of Columbus County of how this money will be used;
3. We need to have a committee to educate the public, somebody in charge of the committee;
4. We need a lot of leadership to get this accomplished;

5. We need some money set aside to get this done;
6. Some media exposure may be very advantageous; **and**
7. My recommendation would be to set aside ten thousand and 00/100 (\$10,000.00) dollars to help accomplish this.

Commissioner Gore made a motion to table this matter until July 19, 2010, seconded by Commissioner Bullard. The motion unanimously passed.

**Agenda Item #18: APPOINTMENTS/RE-APPOINTMENTS/REPLACEMENTS to COMMITTEES/BOARD/COUNCILS:**

June B. Hall, Clerk to the Board, requested the following appointments/re-appointments/replacements be made.

COMMITTEE	DISTRICT / EB	PERSON(S)	EXPIR. DATE	BOARD ACTION
Home and Community Care Block Grant for Aging Services Advisory Council	I VI	C.W. Williams Peggy Gerald	06-30-2010 06-30-2013	<b>Hold</b> <b>Appoint</b>
Industrial Facilities Pollution Control Financing Authority <b>**See Documentation**</b>	EB	Robert Howard	06-30-2010	<b>Hold</b>
Whiteville Planning and Zoning Board <b>**See Whiteville ETJ Area Map***</b>	EB	<b>ETJ (Has been vacant for some time)</b>	N/A	<b>Hold</b>

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

At 7:13 P.M., Commissioner McKenzie 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 #19: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 21, 2010 **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.

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

At 7:14 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 Vice Chairman Byrd. The motion unanimously passed.

**Agenda Item #20: CONSENT AGENDA ITEMS:**

**A. Budget Amendments:**

Commissioner McKenzie made a motion to approve the following Budget Amendments, seconded by Commissioner Prevatte. The motion unanimously passed.

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	12-5862-569921	Special Charity Funds	47,000
Revenue	12-3580-484000	Charitable Donations	47,000
Expenditure	10-4310-535300	M&R Vehicles (#39 and #60)	13,035
Revenue	10-3431-489000	Miscellaneous Revenue - Sheriff	13,035

**B. Tax Releases:**

Vice Chairman Byrd made a motion to approve the following Tax Releases, seconded by Commissioner Norris. The motion unanimously passed.

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):  
July 06, 2010**

Release the Property Value in the name of Bannerman, Tammie Bowen Amount: \$326.00  
Value: \$30,900.00 Year: 2008-0 Account # 8-01214 Bill # 9999 Total \$744.00  
Release entire portion of property value. House burned in 2007. Release Columbus Rescue(8.00) Release user fee for yrs 2008-2009.

Release the Property Value in the name of Brown, Betty Amount: \$137.49  
Value: \$3,900.00 Year: 2004-0 Account # 15-04755 Bill # 9999 Total \$162.13  
Release portion of property value. Double listed to Jefferson Graham Act#15-16343. Release Acme Delco (21.12), release Columbus Rescue (3.52)

Release the Property Value in the name of Nance, Kimberly C. Amount: \$88.27  
Value: \$29,342.00 Year: 2008-0 Account # 9-21240 Bill # 9999 Total \$506.95  
Release entire value of mobile home. Sold and moved mobile home to Brunswick County. Release Williams Fire (6.51), release Columbus Rescue(2.17), release user fee for yrs. 2008-2009.

Release the Property Value in the name of Palabra Viva Hispanic Church Inc. Amount: \$738.39  
Value: \$90,600.00 Year: 2009 Account # 13-04528 Bill # 4082 Total \$756.51  
Release entire portion of property value. Should be exempted. Release Columbus Rescue(18.12)

Release the Property Value in the name of Watts, T Brian Amount: \$170.81  
Value: \$2,714.00 Year: 2004-0 Account # 11-04028 Bill # 9999 Total \$207.11  
Release entire value of boat. Demolished in 2004. Release Hallsboro Fire(13.11), release Columbus Rescue(4.36)

Release the User Fee in the name of Cartwright, Lorraine S. Amount: \$0.00  
Value: \$0.00 Year: 2009 Account # 1-05126 Bill # 0318 Total \$210.00  
Release user fee. Property is vacant.

Release the User Fee in the name of Thompson, Donald & Wanda Amount: \$0.00  
Value: \$0.00 Year: 2009 Account # 1-04367 Bill # 6236 Total \$210.00  
Release user fee. Property is vacant.

Release the User Fee in the name of Thompson, Donald & Wanda Amount: \$0.00  
Value: \$0.00 Year: 2009 Account # 7-02848 Bill # 4402 Total \$210.00  
Release user fee. Did not get a can for 2009.

Release the User Fee in the name of Thompson, Donald & Wanda Amount: \$0.00  
Value: \$0.00 Year: 2009 Account # 14-03053 Bill # 4403 Total \$210.00  
Release user fee. Property is vacant.

Release the User Fee in the name of Ward, Betty Lou S. Amount: \$0.00  
Value: \$0.00 Year: 2009 Account # 16-16837 Bill # 6485 Total \$210.00  
Release user fee. Property is vacant.

**Agenda Item #21: COMMENTS:**

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

**A. Department Heads:**

**Ed Worley, Department of Aging:** stated the following:

1. When and if the Resolution Prohibiting the Use of Tobacco Products is passed, the County will be forced to purchase some more land;
2. I am not in favor of this Resolution;
3. In my opinion, tobacco is the most important crop in this county, and I appreciate the tobacco farmers;
4. We do have seniors who smoke, and this is one of the last few freedoms that they have left;
5. The Health Director needs to make resolutions for the Health Department and not for the Department of Aging; **and**
6. This is a horrible thing to pass, this type of resolution, especially in the face of our farmers and in the face of our seniors.

**B. Board of Commissioners:**

1. **Commissioner McKenzie:** I am requesting the County Attorney to check into what it will take for Columbus County to have a county-wide water system.
2. **Commissioner Prevatte:** stated the following:
  - a. I was at the Water Department and Kip took some time out of his day going over the old Landfill;
  - b. The condition of the old Landfill is one hundred (100%) percent better than it was last year at this time;
  - c. I would like to thank the Department of Transportation for the clay, topsoil and ground-up asphalt that they have given to Columbus County for the use at the old Landfill;
  - d. I am requesting that we look at Uniform Rules for the Water Districts, relative to the payment of the water bills and the re-connect fee being charged, and I would like this to be placed on the July 19, 2010 Agenda for discussion.
3. **Vice Chairman Byrd:** stated the following:
  - a. I do serve on the Health Board and the Resolution Prohibiting the Use of Tobacco Products was passed when I was not present at a meeting;
  - b. At the Health Board Meeting last Wednesday night, I openly opposed the Resolution and stated that I would oppose it when it comes before the Commissioners; **and**
  - c. Mr. Attorney, I would like for you to check into whether we have a smoking policy, and if not, entertain the idea of creating one.
4. **Commissioner Bullard:** stated the following:
  - a. I am not in favor of cutting the smoking out completely, I think the doorway should be open, but have respect for the smokers also;
  - b. Columbus County was built off the tobacco farmers;
  - c. Kip, about two (2) months ago, we discussed the Evergreen trash containers, and have you come up with anything on this, and if not, when will you have a plan for us? Kip replied stating he would have some information on this in two (2) weeks; **and**
  - d. I have been told that Congressman Mike McIntyre plans to vote against the deep port at Southport. We are relying on this deep port for the Brunswick-Columbus Industrial Park. We need a Resolution of Support sent to Congressman McIntyre for the deep port at Southport.

**MOTION:**

Commissioner Bullard made a motion to send a Resolution of Support for the Deep Port at Southport to Congressman Mike McIntyre, seconded by Vice Chairman Byrd. The motion unanimously passed.

5. **Commissioner Gore:** stated the following:
- a. We did get a \$400,000.00 grant for the radio communication system;
  - b. Congressman McIntyre has sent out a statement opposing the new port at Southport;
  - c. The e-mail I received from Gary Lanier, Economic Development Director, states the detrimental impact it will have on Columbus County and New Hanover County if the new port does not come to Southport; **and**
  - d. I am in total opposition to the Tobacco Resolution, because the majority of the buildings that we, as County employees use, in Columbus County was built from tobacco money.
6. **Commissioner Prevatte:** stated that all members of the Board needed to sign the Resolution of Support for the port in Southport.

**Gary Lanier, Economic Development Director,** stated the following:

- a. At this time, we don't know all the facts;
- b. We don't know the economical, the environmental and the infra structural impacts;
- c. The Corps of Engineers has suggested that a Feasibility Study be done; **and**
- d. Once all the facts are there, then, a decision could be made that we, as a state, could make to move forward with the deep port at Southport or not.

**AMENDED MOTION:**

Commissioner Bullard amended his motion to send a Resolution of Support for the Deep Port at Southport and Support for a Feasibility Study to be Done, to Congressman Mike McIntyre. Vice Chairman Byrd amended his second. The amended motion unanimously passed.

**Agenda Item #22: ADJOURNMENT:**

At 7:33 P.M., Vice Chairman Byrd made a motion to adjourn, seconded by Commissioner Gore. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**

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

**Tuesday, July 06, 2010**

**7:13 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District I Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
Mike Stephens, **County Attorney**  
June B. Hall, **Clerk to Board**  
Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:13 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #19: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 21, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner McKenzie made a motion to approve the June 21, 2010 Columbus County Water and Sewer District I Board Meeting Minutes, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 7:14 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**

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

**P. EDWIN RUSS, Chairman**

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

**Tuesday, July 06, 2010**

**7:13 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District II Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
Mike Stephens, **County Attorney**  
June B. Hall, **Clerk to Board**  
Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:13 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #19: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 21, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner McKenzie made a motion to approve the June 21, 2010 Columbus County Water and Sewer District II Board Meeting Minutes, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 7:14 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**

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

**P. EDWIN RUSS, Chairman**

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

**Tuesday, July 06, 2010**

**7:13 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District III Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
Mike Stephens, **County Attorney**  
June B. Hall, **Clerk to Board**  
Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:13 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #19: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 21, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner McKenzie made a motion to approve the June 21, 2010 Columbus County Water and Sewer District III Board Meeting Minutes, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 7:14 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**



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

**Tuesday, July 06, 2010**

**7:13 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District IV Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
Mike Stephens, **County Attorney**  
June B. Hall, **Clerk to Board**  
Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:13 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #19: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 21, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner McKenzie made a motion to approve the June 21, 2010 Columbus County Water and Sewer District IV Board Meeting Minutes, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 7:14 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V**  
**COMBINATION BOARD MEETING**  
**Tuesday, July 06, 2010**  
**7:13 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District V Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
 Mike Stephens, **County Attorney**  
 June B. Hall, **Clerk to Board**  
 Bobbie Faircloth, **Finance Officer**

**MEETING CALLED TO ORDER:**

At 7:13 P.M., Chairman Russ called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

**Agenda Item #19:** **COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

June 21, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner McKenzie made a motion to approve the June 21, 2010 Columbus County Water and Sewer District V Board Meeting Minutes, as recorded, seconded by Vice Chairman Byrd. The motion unanimously passed.

**ADJOURNMENT:**

At 7:14 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Vice Chairman Byrd. The motion unanimously passed.

**APPROVED:**

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

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**P. EDWIN RUSS, Chairman**