

COLUMBUS COUNTY BOARD OF COMMISSIONERS**January 05, 2009****5:00 P.M. Workshop****6:30 P.M. Regular Session**

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

COMMISSIONERS PRESENT:

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

APPOINTEES PRESENT:

William S. Clark, **County Manager**
 Steven W. Fowler, **County Attorney**
 June B. Hall, **Clerk to Board**
 Bobbie Faircloth, **Deputy Finance Officer**

OTHERS in ATTENDANCE:

Hugh Whalen, Environmental Credit Corporation
 Kipling Godwin, Project Manager
 Marilyn Meares, RC&D

5:00 P.M.:

Landfill Methane Gas Project Workshop: The purpose of this Workshop is to review and discuss the operations of the Landfill Methane Gas Project.

WORKSHOP CALLED to ORDER:

At 5:00 P.M., Chairman Prevatte called the Landfill Methane Gas Project Workshop to order, and stated the purpose of this Workshop is to discuss the proposal for the Landfill Methane Gas Project, and requested Steven W. Fowler, County Attorney, to read the Rules of Procedure pertaining to workshops. Mr. Fowler stated the following:

1. As a review of the rules adopted by this Board in February, 2008, that is Public Address at Public Hearings, not workshops;
2. This is more informal and a collection of information only; **and**
3. No final decision will be made.

Mr. Fowler requested the following information, as printed in the Open Meetings and Local Governments in North Carolina Brochure, under #21, to be entered into the Board Minutes:

Workshop meetings normally differ from regular Board meetings in two respects:

- a. The meeting is to inform the Board and permit discussion - no final action is taken; **and**
- b. The procedures are less formal than at a regular meeting, but such meetings are part of the decision-making process; deliberations are going on. Therefore they constitute "official meetings".

Chairman Prevatte delivered the following synopsis of the Landfill Methane Gas Project:

1. We have been looking at this project for a few years which has resulted in a proposal that has been presented to us by Environmental Credit Corporation approximately six (6) months ago;
2. This proposal is the end result of a Landfill Gas Task Force and also a cooperative effort by Appalachian State University who received a grant to have project managers for potentially five (5) counties in North Carolina;
3. Appalachian State University hired Kipling Godwin to help research the possibilities and probabilities of some type of collection system at the Landfill;
4. At the December 01, 2008 Meeting, the Board was updated and informed that we were in the process of negotiating a contract with Environmental Credit Corporation;
5. Since December 01, 2008, we have had two (2) teleconference calls which involved Hugh Whalen, Environmental Credit Corporation, William S. Clark, County Manager, Steven W. Fowler, County Attorney, and myself;
6. The purpose of the calls was to look at the contract that was presented to us and make sure that this was a County contract, as well as a ECC contract, and correct anything that not legal according to our information;

7. Basically speaking, if there is methane gas at the Landfill, test wells will be drilled, and if it is determined that there is a sufficient amount of methane gas, then ECC is prepared to enter into a contract with Columbus County for the selling of carbon credits;
8. ECC is concerned with the methane gas as it comes up from the ground and flows through a meter, only;
9. ECC is concerned with recapturing the dollar amount they are willing to invest, giving us a small proration until all of their capital costs are recouped;
10. Appalachian State University has provided some scenarios as to what we could possibly see for the County; **and**
11. This will be a ten (10) year contract with a renewal for five (5) years after that.

Kipling Godwin, Project Manager, stated the following:

1. A lot of other counties are looking at this operation;
2. It will grow in prominence as time goes by;
3. Columbus County and four (4) other counties are beneficiaries of this grant funding that Appalachian State University received because they had identified our sites because they were closed and the gas is escaping;
4. We think that sixty (60%) percent of the gas at the Landfill is methane gas which is a good high number and there is a good potential there;
5. Columbus County Landfill is the smallest landfill that Environmental Credit Corporation has worked with and is working with;
6. This is the first step in a multi-step process; **and**
7. We would like to see the gas being used in multiple ways and not flared.

Chairman Prevatte stated the following additional information:

1. Brunswick Electric has expressed a desire to purchase this gas for the generation of electricity;
2. In an overview, this project would be similar to an oil field where you would have several wells and those wells would be interconnected with some type of PVC piping for collection; **and**
3. The County's responsibility would be minor maintenance checks, and ECC has guaranteed if a major problem occurred, they would be here very soon.

Private Citizen in audience: Is this a local firm? Kipling Godwin replied stating no, and they had sent out fifteen (15) Request for Proposals, and only received a few replies with only one (1) company in Mathews, North Carolina that was only interested in installing a collection system and flaring the gas.

Commissioner McKenzie: It was my understating the purpose of the grant money received from Appalachian State University was for the testing of the gas at the Landfill. Mr. Godwin replied stating the following:

1. Appalachian State University used the grant money to hire him as project manager;
2. A testing firm was hired out of Raleigh to test the Landfill for gas and they found good quality gas with a predicted twenty (20) year good production;
4. Many other things;
5. That particular testing is not sufficient for what ECC needs to tell them what they need to do; **and**
6. The next step is to do the test wells once the contract has been approved and signed.

Commissioner Byrd: stated the problem I have with the contract is in **14.4 Governing Law and Venue** in which it states **“This Agreement will be governed by, and construed in accordance with, the laws of the State of New York”**. If Columbus County should encounter problems, the county should not have to bear the expense of traveling to New York to defend, when we have Federal Courts here in Wilmington and Raleigh, which is a lot closer.

Chairman Prevatte: stated the following:

1. All of the remaining Board members concur with Commissioner Byrd on this particular part of the contract;
2. The Board requested Steven W. Fowler, County Attorney, to contact the Institute of Government to see if this was a valid contract with a governmental entity;
3. We received some information today from the Institute of Government;
4. This will be the first contract that Mr. Whalen has had with a governmental entity in North Carolina, but he has contracts in other states **and**
5. I am requesting that our County Attorney report the information that he received today.

Steven W. Fowler: stated the following:

1. I have provided to you a copy of North Carolina General Statute § 22B-2 and § 22B-3 which reads as follows:

§ 22B-2. Contracts to improve real property

A provision in any contract, subcontract, or purchase order for the **improvement of real property** in this State, **or the providing of materials therefor**, is void and against public policy if it makes the contract, subcontract, or purchase order subject to the laws of another state, or provides that the exclusive forum for any litigation, arbitration, or other dispute resolution process is located in another state.

§ 22B-3. Contracts with forum selection provisions

Except as otherwise provided in this section, any provision in a contract entered into in North Carolina that requires the prosecution of any action or the arbitration of any dispute that arises from the contract to be instituted or heard in another state is against public policy and is void and unenforceable. This prohibition shall not apply to non-consumer loan transactions or to any action or arbitration of a dispute that is commenced in another state pursuant to a forum selection provision with the consent of all parties to the contract at the time that the dispute arises.

2. Mr. Whalen has been good to work with, and I have only spoken to him and not with his attorney;
3. This might be something the Board might want to consider and Mr. Whalen would want to review this with his attorney.

Chairman Prevatte requested Mr. Whalen to address this issue. Mr. Whalen stated the following:

1. I will address this for a short period of time and go over who we are and what we do;
2. If this is the case, then it would not matter as to what state it is in, and I will get our attorney to check into this, because it is valid that you would bring it up;
3. We do not have any contracts in North Carolina with any governmental entity, but we have three (3) contracts in North Carolina, with a non-profit and two (2) private companies;
4. We have over sixty (60) contracts in the United States, in over twenty-three (23) states;
5. We have projects in Brazil, Mexico, China, as well as our largest share holder is an European carbon company listed on the London Stock Exchange;
6. We are based in Ithaca, New York, but our CEO's are affiliated with Cornell;
7. We have offices in State College, Pennsylvania; Houston, Texas; Seattle Washington; and Chicago, Illinois;
8. As a company, we started with agriculture, and we have been around for five (5) years;
9. We have a large number of agricultural projects, in fact the most in the United States;
10. We then moved into biofuels, landfills and composting and forestry;
11. As a company, we have approximately twenty (20) employees;
12. The chairman of our company is on the Board of the Chicago Climate Exchange, and is the offset committee chairman;
13. We do a lot of lobbying in Washington, DC;
14. In 2009, we will most likely see a lot of development in this area;
15. We are working with a lot of landfills in the United States;
16. Basically, we are proposing that we invest our capital into the project, and that is like an oil field in which essentially there is gas down there but we need to get it into a form that is meaningful and that means aggregating it to a point source where Brunswick Electric could use it, and they would pay to use it;
17. As a company, we focus on environmental assets, which means, for us, carbon credits, and we don't care about the electricity or whatever you choose to do with it, so, for you, if you contracted with Brunswick Electric, that would be great for you;
18. We will take care of major maintenance;
19. The testing that we are proposing will be between forty-eight (48) hours and seven(7) days;
20. We will drill wells to depth, and that means to the bottom of the landfill;
21. After the tests have been completed, we will evaluate if whether this is a go or a no go, and that decision is made basically if there is enough gas for us to make money on this project;
22. Once that decision is made, we would go through the entire installation of the gas collection system and that will probably involve between eight to twelve (8 - 12) wells, with a diameter of probably around this amount and we are looking at to depth;

23. We will put casing around those wells and hook them up with PVC pipe and essentially attach them to a blower, and attach this to a continuous gas analyzer which is a sixty thousand and 00/100 (\$60,000.00) dollars piece of equipment that we are purchasing, and then attach that to a flare;
24. At that point, all the gas that you are sucking through that blower goes through that meter and it gets metered so you can tell how much gas flowed through there, and you can also tell, because it went through the continuous gas analyzer what the concentration of methane is;
25. This is important because we get paid according to the amount of methane going through there and the percent of methane the gas is;
26. A carbon credit is one (1) ton of carbon dioxide, and we anticipate that this project could produce between fifteen to twenty-three thousand (15,000 - 23,000) carbon credits, and that is a very wild estimate;
27. The entire project could cost between two hundred fifty thousand to four hundred thousand (\$250,000.00 to \$400,000.00) dollars; **and**
28. In North Carolina, energy companies are anxious to get hold of Renewable Energy Certificates.

Chairman Prevatte: Is there any way this contract could be changed to read North Carolina law in lieu of New York Law? Mr. Whalen replied stating the following:

1. It may be this document is not pursuant to this particular landfill, and there may be ways around it, but this will be up to our attorney;
2. We will not change the reading to North Carolina Law;
3. We now have over sixty (60) agreements, and hope to continuously grow, and they are all in New York law;
4. It would not be good for the company if we changed to each state's law; **and**
5. We are excited about this contract, but this is not something we are not going to budge on.

Marilyn Meares (RC&D) stated the following:

1. The fact the company is not in litigation with any of their contracts is important;
2. If the Landfill is deemed to be real property, then your hands will be tied; **and**
3. The company is planning to invest a large amount of money which could mean additional revenue for Columbus County.

Chairman Prevatte: stated that in discussions with Mr. Whalen, he has informed me this matter needed to be placed back on the Agenda due to the fact this project was being backed by several backers and we have to make a report to them by the 10th of January, and they may pull their backing.

Commissioner Gore: I do not see how we can go against North Carolina law.

Kipling Godwin: The determination needs to be made if this is indeed an improvement of real property, and if it is, then you could not enter into this contract.

Hugh Whalen: stated the following:

1. We need to check with our attorneys; **and**
2. If it turns out that this is a trumping clause, then obviously it gets turned into North Carolina State Law, or we could consider keeping it like it is with this a trumping clause, regardless of what is in the contract, or we could go our separate ways.

Commissioner Byrd: How much time do you think you need to get an answer to this? Mr. Whalen replied stating I will need five (5) working days.

Commissioner Bullard: There are some questions about how you are going to pay Columbus County for the carbon credits. Mr. Whalen replied stating in cash to the account specified, within a certain amount of days, with a guaranteed minimum amount of three thousand and 00/100 (\$3,000.00) dollars.

Commissioner Bullard: It puts the County responsible for all the permits and environmental issues.

Commissioner Gore: If Columbus County purchases the system at the end of the Agreement, who gets the carbon credits? Mr. Whalen replied stating Columbus County.

Commissioner Gore: Under Section 3.6 Cooperation, it stated that Columbus County, will, at

ECC's reasonable request cooperate with and assist ECC, both during and after the term of this Agreement. What does this mean? Mr. Whalen replied stating it may take as long as three (3) months for them to get the carbon credits due them, and this will allow for that time period.

Commissioner Gore: Are we going to have to put in any additional monitoring wells or monitoring equipment, at county expense? Mr. Whalen replied stating no, we put in all monitoring equipment, all wells and all equipment necessary to collect carbon credits from this project. The County's only responsibility will be listed in Exhibit "J", as follows:

Exhibit J - Division of Responsibilities

Columbus County responsibilities will include, but not be limited to the following items. This list may be Amended by ECC upon notice to Columbus County.

Columbus County GCCS Responsibilities:

J.1 Project site surfaces shall be prepared to allow property installation of the Landfill GCCS and will include, but not be limited to mowing of the areas to be worked on, road preparation allowing access of drilling and other installation equipment to proposed well sites and clearing of an area for the blower and flare system.

J.2 A secure storage site for project materials shall be provided by the Columbus County prior to the start of construction activities.

J.3 Columbus County shall be responsible for the provision of an appropriate electricity line to the site. This electrical line will be provided for the term of this agreement.

J.4 The Columbus County shall be responsible for disposal of refuse generated during the term of the contact, including all well drilling and equipment installation activities.

J.5 Columbus County will be responsible for ongoing costs of supplying electricity to the site as needed to operate the project facility and generate ERs.

J.6 The Columbus County shall be responsible for the ongoing storage, removal and treatment of the condensate created by the Landfill BCCS.

J.7 Landfill leachate collection and disposal if required.

7.8 Landfill gas migration monitoring and reporting to the state or local authorities.

Daily Operational Maintenance:

J.9 Routine monitoring of the gas collection system, monitoring systems, and flare shall be conducted by the Columbus County. Routine monitoring shall include, but not be limited to a regular inspection of gas wells and collection piping, manual recording of gas flow and other measured parameters, and verification of flare operation. Columbus County will use best efforts to promptly report major maintenance issues identified to ECC.

Commissioner Bullard: I would like to ask our County Attorney if there are any areas of the contract that you are concerned with.

Steven W. Fowler: stated the following:

1. Chairman Prevatte, Mr. Clark and I have gone over a lot of my initial concerns and Mr. Whalen has addressed them, along with the staff members; **and**
2. The main things that I am concerned with are as follows:
 - a. The County's responsibilities and the County's pay, and in Section 7.2, the contract states the County will receive a minimum of three thousand and 00/100 (\$3,000.00 dollars);
 - b. Section 3.4: ER Credits - Columbus County acknowledges and agrees that as the sole and exclusive power of such Credits, Columbus County will not assign any interest in, or rights to, the Credits other than as contemplated by this Agreement.
 - c. Section 3.5 Appointment of ECC as Agent; Assignment - Columbus County hereby appoints ECC as Columbus County's sole agent for purposes of interacting with the Exchange with respect to the Credits and the issuance of Carbon Financial

- Instruments based on those Credits as contemplated by Section 7 of this Agreement.
- d. Cost of Permits: if I understand correctly, Leroy does not know exactly how much these permits will cost and if we can get all the ones we need. Mr. Whalen replied stating ECC will initially help get the necessary permits, and after that the County will be responsible for getting them; **and**
- e. Section 13.2 Termination for Cause, (b) (ii)..

Commissioner Gore: how expensive will it be to supply the necessary electricity to the site and the storage of the documents? Mr. Whalen replied stating the cost of electricity should be minimal and the document storage will be minimal.

Kipling Godwin: Is this a workable contract if the State of New York could be changed to the State of North Carolina?

After additional discussion, the following information was voiced:

- 1. There are some inequities in the contract;
- 2. ECC is investing large amounts of capital in the project;
- 3. Columbus County does not have a walk-away clause within the contract; **and**
- 4. No Board member is willing to allow the contract to be governed by the State of New York.

WORKSHOP CLOSED:

At 6:17 P.M., Chairman Prevatte declared the Workshop closed.

**6:30 P.M.
REGULAR SESSION**

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

At 6:30 P.M., Chairman James E. Prevatte called the January 05, 2009 Columbus County Board of Commissioners Meeting, Regular Session, to order. The invocation was delivered by Commissioner Amon E. McKenzie. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Vice Chairman Ricky Bullard.

Agenda Item #4: PRESENTATION - RETIREMENT PLAQUE TO HARRIETT W. COUNCIL:

Chairman Prevatte presented the following retirement plaque to Harriett W. Council.

PRESENTED TO

HARRIETT W. COUNCIL

IN GRATEFUL APPRECIATION
FOR YOUR DEDICATION AND LOYALTY
TO
COLUMBUS COUNTY HEALTH DEPARTMENT

06-09-1986 - 12-31-2008

COLUMBUS COUNTY BOARD OF COMMISSIONERS

Chairman Prevatte and each individual County Commissioner thanked Ms. Council for her many years of work. Ms. Council stated it had been a pleasure.

Agenda Item #5: PRESENTATION - CERTIFICATES of APPRECIATION to BICENTENNIAL COMMITTEE MEMBERS and the QUARTER (1/4 ¢) CENT SALES TAX COMMITTEE MEMBERS:

Chairman Prevatte presented Certificates of Appreciation to the following members of the Bicentennial Committee and the Quarter (1/4 ¢) Cent Sales Tax Committee:

Bicentennial Committee:

1. **The Honorable Kandance Whitehead**
2. **Wanda Davis**
3. **Anita Adams**
4. **Pearl Freidman**
5. **Cindy Jacobs**
6. **John A. McNeil, Sr.**
- 7.. **Esther Collier**
8. **Letha Ward**
9. **Bobby Worley**
10. **Nancy Sigmon**
11. **Kelly Jones**
12. **Doris S. Dees**
13. **Harry Warren**
14. **Rhonda Billeaud**

Quarter (1/4 ¢) Cent Sales Tax Committee:

1. **Julie Strickland**
2. **Peggy Gerald**
3. **Timothy Lance**
4. **The Honorable Carlton Prince**
5. **Gene McNeil**
6. **Dan Strickland**
- 7.. **The Honorable Brian Edwards**
8. **Wilson Spaulding**
9. **Beverlee Nance**
10. **E. Raymond Shaw**

Chairman Prevatte thanked each member for their time and dedication to these committees, and each Board member thanked the members.

Agenda Item #6: BOARD MINUTES APPROVAL:

Commissioner Norris made a motion to approve the December 01, 2008 Regular Session Board Meeting Minutes, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

Agenda Item #7: PUBLIC INPUT:

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

1. **Evelyn Troy (Dream Center):** stated the following:
 - A. This is Financial Wellness Month and the kickoff for our free income tax sites;
 - B. The Internal Revenue Service reports that Columbus County citizens have unclaimed Earned Income Tax Credits (EITC) exceeding two million (\$2,000,00.00) dollars annually;
 - C. The reason why low income families do not claim these credits is due to them not being aware of their eligibility, and fall prey to Refund Anticipation Loans that require high interest;
 - D. The low income families can receive free income tax preparation and can receive their refund within (10) working days;
 - E. We have three (3) sites available for the free income tax preparation as follows:
 - (1) Family champions - starting January 16, 2009, from 9:00 A.M. until 4:00 P.M., daily;
 - (2) Columbus County Department of Social Services on Tuesdays and Thursday, from 9:00 A.M. until 3:00 P.M.; **and**
 - (3) The Dream Center, by appointment.
2. **Carol Caldwell:** stated the following:
 - A. Ms. Evelyn Troy and community leaders in five (5) counties, Bladen Columbus, Hoke, Scotland and Robeson Counties, got together and formed an alliance to promote entrepreneurialship within our regions, to be known as The Southeast Entrepreneurial Alliance;
 - B. In November, Ms. Troy and I attended the opening session of the Alliance, with

- government officials, educators, business and industry leaders, persons from the faith based community and non-profits present;
 - C. Entrepreneurialship can help Columbus County educationally, governmentally and socially;
 - D. We invite you to learn more about SEA at a meeting with Kim Pevia, Regional Director of the SEA, at the North Carolina Museum of Forestry on January 29, 2009, from 1:00 P.M. until 3:00 P.M.
3. **Robert Adams (private citizen):** stated the following:
- A. I would like to speak on Agenda Item #17;
 - B. This issue was discussed with both parties being present;
 - C. I urge the Commissioners to pay this debt with the lottery funds; **and**
 - D. I am tired of being taxed.
4. **Jim Nance (private citizen):** stated the following:
- A. I would like to discuss the Noise Ordinance and the Sheriff;
 - B. I have been told this information from 2006 has resurfaced;
 - C. The proposed revised Columbus County Noise Ordinance has been okayed by the District Attorney’s Office and is legal to be enforced;
 - D. If a decimal reader is necessary, then you only need to purchase one (1);
 - E. The reason that I complain about this noise is there is a jut joint approximately one hundred fifty (150) yards away from my bedroom window and the noise they make can be heard two (2) miles away.
 - F. It is time for you gentleman to do something and correct this situation;
 - G. Only one (1) side of my arrest story is being heard by the News Reporter;
 - H. I was informed the Noise Ordinance was not enforceable, but to prove my point, I created excessive noise and was arrested;
 - I. Due to my arrest, I now have a Class III Misdemeanor on my record;
 - J. The reason the Noise Ordinance is not being enforced is due to hunting dogs; **and**
 - J. It is time for this matter to have some clarification.

Agenda Item #8: SFR 2007 SINGLE FAMILY REHABILITATION PROGRAM - APPROVAL to ACCEPT LOW BIDDER and AWARD CASES 5R, 6 AND 7:

Warren Wooten, The Wooten Company, requested Board approval to accept the low bidder and award Cases 5R, 6 and 7, for the SFR 2007 Single Family Rehabilitation Program, from the following bid tabulation.

BID TABULATION SUMMARY

TIME: 2:00 P.M.
DATE: December 04, 2008
LOCATION: Columbus County Manager’s Office

CONTRACTOR	CASE # 5R	CASE # 6	CASE # 7
Robert Strickland	43,273	36,837	42,765
Ralph’s Mobile Home Repairs	62,980	40,250	53,520
Todd Assoc.	53,730	32,051	44,523
David Revels	41,380	41,805	41,000
D & A	49,225	43,775	NB

This is to notify of the bids opened and read aloud at the time, date and location shown above. The Locality will award the contract based on the contractor qualifications, cost estimate and contractor scheduling.

Witnessed By: /s/ **NATALIE CARROLL** Opened By: /s/ **W. WOOTEN**

- In Warren Wooten’s stead, William S. Clark, County Manager, stated the following:
1. These bids were opened on December 04, 2008;

2. From the Bid Tabulation Summary, it is apparent who the low bidders are; **and**
3. Mr. Warren is requesting Board approval so he can begin the work.

Commissioner McKenzie made a motion to approve the low bidders and award Cases 5R, 6 and 7 for the SFR 2007 Single Family Rehabilitation Program, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #9: LANDFILL METHANE GAS PROJECT - UPDATE:

Hugh Whalen, Environmental Credit Corporation, and Kipling Godwin, Project Manager, will update the Board on the status of the Landfill Gas Project, and possible approval of the Landfill Gas Collection and Control Services Agreement. (This matter was tabled at the November 03, 2008 Meeting and the December 01, 2008 Meeting.)

Commissioner McKenzie made a motion to table this matter until the January 20, 2009 Board Meeting, seconded by Commissioner Russ. The motion unanimously passed.

Agenda Item #10: CRIMINAL JUSTICE PARTNERSHIP PROGRAM - REQUEST FOR BUDGET MODIFICATION and ANNUAL REPORT:

Katherine Horne, Chair of CJPP Advisory Board, requested Board approval for a budget modification for the CJPP Grant.

Ms. Horne stated the following:

1. We have received an additional two thousand, four hundred thirty-eight and 00/100 (\$2,438.00) dollars for Offender Services, which brings our total budget to eighty-nine thousand, eleven and 00/100 (\$89,011.00) dollars;
2. We need Board approval to accept these additional funds; **and**
3. I would like to present the following Annual Report for Judicial District 13 that we submit to the State:
 - In the statistical data that I have provided to you, I am proud to say that Columbus County collected more Restitution fees than Bladen and Brunswick County added together, and I could not say that last year; **and**
 - Each year an officer is nominated for the "Officer of the Year", and this year one of our own was nominated, namely Intensive Surveillance Officer Eric Lammonds.

Commissioner Norris made a motion to approve the budget modification and accept the Annual Report, seconded by Commissioner McKenzie. The motion unanimously passed.

Agenda Item #11: AGING - APPROVAL of TITTLE III-D and SENIOR CENTER OUTREACH PROPOSALS SFY 08/09:

Ed Worley, Aging Director, requested Board approval of the following proposals for the Title III-D and Senior Center Outreach Proposals for 2008/2009.

1. **Medication Title III-D Health Promotion:**

\$4,900.00		
<u> 543.00 </u>	-	COG formula divided by .90
\$5,445.00		
2. **Medication III-D Medication Management:**

\$1,718.00		
<u> 191.00 </u>	-	10% Match
\$1,909.00		
3. **Senior Center Outreach Funding:**

\$1,471.00		
<u> 491.00 </u>	-	COG Formula divided by .75 (25% Match)
\$1,962.00		

Commissioner Norris made a motion to approve the Tittle III-D and Senior Center Outreach Proposals SFY 08/09, as listed above, seconded by Commissioner McKenzie. The motion unanimously passed.

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Agenda Item #12: SHERIFF - APPROVAL and ADOPTION of RESOLUTION ADOPTING a POLICY for MUTUAL ASSISTANCE with OTHER LAW ENFORCEMENT AGENCIES:

Sheriff Batten requested Board approval and adoption of a Resolution that will permit the Sheriff's Department to enter into mutual assistance agreements with other law enforcement agencies.

Major Lewis Hatcher stated Sheriff Batten was unable to attend this Board Meeting and has requested this matter be tabled until January 20, 2009.

Commissioner Norris made a motion to table this Agenda item until January 20, 2009, seconded by Commissioner Gore. The motion unanimously passed.

Agenda Item #13: GOVERNING BODY - BOARD DIRECTION on PROPOSED LEGISLATIVE GOALS:

Chairman Prevatte, voting delegate for the Legislative Goals Conference, would like direction from the Board on the Proposed Legislative Goals.

Chairman Prevatte stated the Proposed Legislative Goals have been distributed to each Board member, and I would like for you to review them closely and advise me of any action you would like to recommend.

Agenda Item #14: LEGAL AND PROFESSIONAL - DEPARTMENTAL UPDATE:

- Steve Fowler, County Attorney, delivered the following Departmental Update to the Board.
1. We have been involved in the Emergency Services Contract;
 2. We have worked on multiple documents for William S. Clark's, County Manager, Office;
 3. The Rules of Procedure for the Columbus County Board of Commissioners were compiled by this office;
 4. Collected data for the re-districting workshop;
 5. Helped formulate and participated in the Quarter Cent Sales Tax Committee;
 6. We have been working with Economic Development on the Two-County Industrial Park;
 7. Worked with the Voluntary Agricultural Districts;
 8. Working with ECC contract;
 9. Help prepare the CHAF Policies and Procedures;
 10. Presently working on easements for Columbus County Water and Sewer District IV;
 11. Worked with Board of Elections; **and**
 12. I would like to thank everyone for their kindness in working with my office.

Agenda Item #15: ADMINISTRATION - REDUCTIONS to BUDGET ALLOCATIONS:

William S. Clark, County Manager, presented the following recommended proposed budget reductions to the Board for approval.

1. Reduce expenditures by 2.5% for the remainder of the current fiscal year.
2. There will be a freeze on all Capital Outlay purchases.
3. There will be a hiring freeze on all new positions. Vacancies in critical positions must be approved by the County Manager.
4. Out-of-state travel is frozen.
5. All non-essential (elective) travel is frozen.

Commissioner Gore made a motion to approve the recommendations of the County Manager with the exception of increasing the percentage from two and one-half (2 ½%) percent to five (5%) percent, seconded by Commissioner Byrd.

Commissioner McKenzie made a substitute motion to approve the recommendations of the County Manager in their entirety, seconded by Commissioner Russ.

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

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

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

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

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

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

Agenda Item #16: GOVERNING BODY - APPOINTMENT of LEGISLATIVE LIAISON for 2009-2010 LEGISLATIVE BIENNIUM:

The North Carolina Association of County Commissioners requested the Board to appoint a legislative liaison for the 2009-2010 Legislative Biennium.

Commissioner Gore made a motion to appoint Chairman James E. Prevatte as the Legislative Liaison for the 2009-2010- Legislative Biennium, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #17: ADMINISTRATION - UPDATE on WILLIAMS TOWNSHIP SCHOOL DEBT SERVICE OBLIGATION:

Steve Fowler, County Attorney, William S. Clark, County Manager, and Chairman Prevatte delivered the following update to the Board on the Debt Service Obligation for Williams Township School.

1. A decision was made in 2006 to use lottery funds to pay the debt service obligation on Williams Township School;
2. According to the applicable General Statute, any debt incurred after 2003, could be retired with lottery funds;
3. In accordance with our County Attorney, this Board was legal in making this obligation;
5. The Columbus County School Board has requested that Columbus County not take the lottery funds to pay this debt service;
6. Columbus County has recommended that if lottery funds were not used for this debt service, the necessary funds would be taken out of the budget allocation;
7. We have met with the Columbus County School Board, but did not reach a total resolution to this matter.

After discussion was conducted, it was the general consensus of the Board for this information to be compiled in a letter to Dr. Dan Strickland.

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

At 7:45 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 #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

December 01, 2008 **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 #1 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 7:46 P.M., Commissioner Norris 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 Commissioner Russ. The motion unanimously passed.

Agenda Item #19: APPOINTMENTS - COMMITTEE/BOARDS:

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

COMMITTEE	ZONE/ EB	PERSON(S)	EXPIR. DATE	BOARD ACTION
E-911 Oversight Committee	III IV	Ervin R. Jacobs Alton C. Edwards	12/2008 12/2008	Hold Re-Appoint
Board of Health (Columbus County)	IV	C.L. "Buddy" Tate, Jr.	12-31-2008	Re-Appoint
Home and Community Care Block Grant for Aging Services Advisory Council	II	Sue Bell	06-30-2010	Appoint
Parks and Recreation Advisory Board	III IV	Fannie Walden Samuel Formyduval	12/2008 12/2008	Appoint Appoint
Planning Board	II	Haywood Corbett	09/30/2009	Appoint
Travel and Tourism Board	II III IV	Greg Parker Ernestine Keaton Nancy Sigmon	12/2008 12/2008 12/2008	Re-Appoint Appoint Re-Appoint
Whiteville Planning and Zoning Board	EB	Tom Ray (Deceased)	08/01/2010	Hold
Nursing/Adult Care Home Joint Community Advisory Comm	EB	Donnie Inge Deborah Inge	01-05-2010	Appoint Appoint

Agenda Item #20: CONSENT AGENDA ITEMS:

A. Budget Amendments:

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

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditures	48-4955-598040	Farmers Market	24,622
	10-9800-598040	Transfer to Farmers Market	24,622
Revenue	10-3991-499115	Various Fund Balance Appropriated	24,622
	48-3494-439920	Farmers Market	24,622
Expenditure	68-4520-558100	Non-Capitalized Items	10,000
Revenue	68-3452-498020	Transfer from CCT Reserves	10,000
Expenditures	27-4980-531100	Travel	12,000
	27-4980-519001	Contracted Services	52,000
	27-4980-526000	Office Supplies	500.00
	27-4980-532101	Postage	500.00
	27-4980-537000	Advertising	5,000
Revenue	27-3480-480010	Golden Leaf Grant	70,000
Expenditures	10-4313-519001	Contract Services	1,438
	10-4313-530001	Operation	300
	10-4313-531100	Travel	700

Revenue	10-3413-430020	NC Corr-Crim Justice Grant	2,438
Expenditures	68-4520-55010	Buy Used Mini Van	18,000
	68-4520-550010	Letter (Signage) on Van	400
Revenue	68-3452-498020	CCT Reserve Fund	18,400
Expenditures	10-5302-519912	Day Care Smart Start	122,052
	10-5301-533001	CP&L Energy	280
	10-5301-549986	Crisis Intervention	103,633
Revenue	10-3530-430090	Day Care	122,052
	10-3530-430076	CP&L Energy	280
	10-3530-430068	Crisis Intervention	103,633

B. Tax Refunds and Releases:

Commissioner Gore made a motion to approve the following Tax Refunds and Releases, seconded by Vice Chairman Bullard. The motion unanimously passed.

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):
January 05, 2009**

Refunds Name: Childress, Joanna Amount: \$44.42
 Value: \$5,450.00 Year 008 Account # 13-03525 Bill # 52562 Total \$258.08
 Refund the value of a mobile home, the Klondyke Fire (3.82), Columbus Rescue (1.09) and W2 (3.82). Home is double listed in the name of Torie Brown. Refund should be in the name of Torie Brown.
 5374 Andrew Jackson Hwy SW Chadbourn NC 28431

Refunds Name: Ransom, Tiffany Amount: \$0.00
 Value: \$0.00 Year 007 Account # 16-00451 Bill # 69905 Total \$193.00
 Refund the user fee that was paid on a vacant house with no trash can. Check should be payable to customer and Columbus County Tax Office. Check will be applied to delinquent tax.
 83 Ransom Ln Clarkton NC 28433

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office)
January 05, 2009**

Refunds Name: Brown, Russell Amount: \$0.00
 Value: \$0.00 Year 004 Account # 12-03980 Bill # 87500 Total \$177.00
 Refund one of two user fees. There is only one trash can here. Check should be payable to customer and tax office.
 13469 Haynes Lennon Hwy Evergreen NC 28438

Refunds Name: Brown, Russell Amount: \$0.00
 Value: \$0.00 Year 006 Account # 12-03980 Bill # 21995 Total \$193.00
 Refund one of two user fees. There is only one trash can here. Check should be payable to customer and tax office.
 13469 Haynes Lennon Hwy. Evegreen NC 28438

Refunds Name: Brown, Russell Amount: \$0.00
 Value: \$0.00 Year 007 Account # 12-03980 Bill # 41992 Total \$193.00
 Refund one of two user fees. There is only one trash can here. Check should be payable to customer and taxoffice.
 13469 Haynes Lennon Hwy. Evergreen NC 28438

Refunds Name: Columbus County Hospital Amount: \$2,167.90
 Value: \$266,000.00 Year 008 Account # 02-51730 Bill # 53376 Total \$2,221.10
 Refund property value and Whiteville Rescue. Property is tax exempt.
 500 Jefferson St. Whiteville NC 28472

TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):

895

January 05, 2009

Release the Property Value in the name of Lennon, Sherwood Amount: \$515.08
Value: \$63,200.00 Year: 2008 Account # 12-15920 Bill # 9193 Total \$621.96
Release the value of a house, the Evergreen Fire (50.00) Columbus Rescue (12.64) and W2 (44.24). House sold at county tax foreclosure. House is very poor condition. Sale did not exceed taxes due.

Release the Property Value in the name of Rose, William Amount: \$14.04
Value: \$1,800.00 Year: 2004 Account # 01-03449 Bill # 5357 Total \$192.66
Release the value of a house, the Brunswick Fire (1.26) and Whiteville Rescue (.36). The house was torn down prior to 2004.

Release the Property Value in the name of Rose, William Amount: \$13.14
Value: \$1,800.00 Year: 2005 Account # 01-03449 Bill # 9468 Total \$191.76
Release the value of a house, the Brunswick Fire (1.26) and Whiteville Rescue (.36) House was torn down prior to 2004.

Release the Property Value in the name of Rose, William Amount: \$13.77
Value: \$1,800.00 Year: 2006 Account # 01-03449 Bill # 0740 Total \$208.39
Release the value of a house, the Brunswick Fire (1.26) and Whiteville Rescue (.36). The house was torn down prior to 2004.

Release the Property Value in the name of Rose, William Amount: \$14.67
Value: \$1,800.00 Year: 2007 Account # 01-03449 Bill # 1223 Total \$209.29
Release the value of a house, the Brunswick Fire (1.26) and Whiteville Rescue (.36). The house was torn down prior to 2004.

Release the Property Value in the name of Rose, William Amount: \$14.67
Value: \$1,800.00 Year: 2008 Account # 01-03449 Bill # 9566 Total \$216.29
Release the value of a house, the Brunswick Fire (1.26) and Whiteville Rescue (.36). The house was torn down prior to 2004.

Release the Property Value in the name of Smith, Lois Amount: \$25.43
Value: \$3,120.00 Year: 2008 Account # 04-02131 Bill # 2027 Total \$230.71
Release the value of a mobile home, the Buckhead Fire (1.87) and Columbus Rescue (.62). The home is double listed in the name of Frances Baldwin.

Release the Property Value in the name of Strickland, Darrell Amount: \$246.13
Value: \$30,200.00 Year: 2008 Account # 09-29641 Bill # 4815 Total \$470.29
Release the value of a mobile home, the Williams Fire (18.12) and Columbus Rescue (6.04). The home is double listed in the name of Paul Ray Best.

Release the User Fee in the name of Byrd, Gwyn Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 08-02649 Bill # 1014 Total \$200.00
Release the user fee on a house that is vacant and has no trash can.

Release the User Fee in the name of Covington, Mary Amount: \$0.00
Value: \$0.00 Year: 2004 Account # 01-17700 Bill # 1203 Total \$87.00
Release the user fee. House is vacant and has no trash can.

Release the User Fee in the name of Covington, Mary Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 01-17700 Bill # 3779 Total \$113.00
Release the user fee. The house is vacant and has no trash can.

Release the User Fee in the name of Covington, Mary Amount: \$0.00
Value: \$0.00 Year: 2007 Account # 01-17700 Bill # 5902 Total \$106.00
Release the user fee. House is vacant and has no trash can.

Release the User Fee in the name of Covington, Mary Amount: \$0.00
Value: \$0.00 Year: 2005 Account # 01-17700 Bill # 5039 Total \$90.48
Release the user fee. House is vacant and has no trash can.

Release the User Fee in the name of Covington, Mary Amount: \$0.00
Value: \$0.00 Year: 2006 Account # 01-17700 Bill # 5885 Total \$106.00

Release the user fee. House is vacant and has no trash can.

Release the User Fee	in the name of Hodge, Jo Anne	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 06-19260 Bill # 4930	Total	\$100.00

Release a portion of the user fee. Mobile home did not have the trash can for a whole year.

Release the User Fee	in the name of Inman, Neil	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 01-46058 Bill # 5904	Total	\$200.00

Release the user fee on a house that is vacant and has no trash can.

Release the User Fee	in the name of Lennon, Sherwood	Amount:	\$0.00
Value:	\$0.00 Year: 2002 Account # 12-15920 Bill # 8490	Total	\$144.51

Release the user fee. House sold at county tax foreclosure. House vacant and unlivable.

Release the User Fee	in the name of Lennon, Sherwood	Amount:	\$0.00
Value:	\$0.00 Year: 2003 Account # 12-15920 Bill # 9455	Total	\$176.87

Release the user fee. House sold at a county tax foreclosure. House unlivable and had no trash can.

Release the User Fee	in the name of Lennon, Sherwood	Amount:	\$0.00
Value:	\$0.00 Year: 2004 Account # 12-15920 Bill # 715	Total	\$114.32

Release the user fee and W2. The house was sold at county tax foreclosure. House unlivable with no trash can.

Release the User Fee	in the name of Lennon, Sherwood	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 12-15920 Bill # 680	Total	\$121.83

Release the user fee. House sold at county tax foreclosure. House unlivable with no trash can.

Release the User Fee	in the name of McCumbee, Gary	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 03-01948 Bill # 1408	Total	\$200.00

Release the user fee. House vacant and trash can picked up in 2004.

Release the User Fee	in the name of McMillan, Zander	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 01-57140 Bill # 2034	Total	\$200.00

Release the user fee. House is vacant and has no trash can.

Release the User Fee	in the name of Missionary Baptist Church	Amount:	\$0.00
Value:	\$0.00 Year: 2004 Account # 18-00136 Bill # 7693	Total	\$177.00

Release the user fee that is double listed in the name of Mill Branch Missionary Baptist Church.

Release the User Fee	in the name of Missionary Baptist Church	Amount:	\$0.00
Value:	\$0.00 Year: 2007 Account # 18-00136 Bill # 3705	Total	\$193.00

Release the user fee that is double listed in the name of Mill Branch Missionary Baptist Church.

Release the User Fee	in the name of Missionary Baptist Church	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 18-00136 Bill # 2039	Total	\$200.00

Release the user fee that is double listed in the name of Mill Branch Missionary Baptist Church.

Release the User Fee	in the name of Missionary Baptist Church	Amount:	\$0.00
Value:	\$0.00 Year: 1999 Account # 18-00136 Bill # 9491	Total	\$100.00

Release the user fee that is double listed in the name of Mill Branch Missionary Baptist Church.

Release the User Fee	in the name of Missionary Baptist Church	Amount:	\$0.00
Value:	\$0.00 Year: 2001 Account # 18-00136 Bill # 3787	Total	\$165.00

Release the user fee that is double listed in the name of Mill Branch Missionary Baptist Church.

Release the User Fee	in the name of Missionary Baptist Church	Amount:	\$0.00
Value:	\$0.00 Year: 2002 Account # 18-00136 Bill # 320	Total	\$177.00

Release the user fee that is double listed in the name of Mill Branch Missionary Baptist Church.

Release the User Fee	in the name of Missionary Baptist Church	Amount:	\$0.00
Value:	\$0.00 Year: 2003 Account # 18-00136 Bill # 1386	Total	\$177.00

Release the user fee that is double listed in the name of Mill Branch Missionary Baptist Church.

Release the User Fee	in the name of Missionary Baptist Church	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 18-00136 Bill # 1869	Total	\$177.00

Release the user fee that is double listed in the name of Mill Branch Missionary Baptist Church.

Release the User Fee	in the name of Osbourne, John A.	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 13-31520 Bill # 5601	Total	\$113.00

Release one of two user fees. There is only one trash can here.

Release the User Fee	in the name of Phillips, Glenda	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 05-05406 Bill # 6405	Total	\$200.00

Release the user fee. House is vacant and trash can picked up in 2007.

Release the User Fee	in the name of Phillips, Tracy	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 09-23638 Bill # 6431	Total	\$200.00

Release the user fee. House is vacant and trash can picked up in 2006.

Release the User Fee	in the name of Powell, Robert L.	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 15-30620 Bill # 7280	Total	\$200.00

Release the user fee. Mobile home is vacant and has no trash can.

Release the User Fee	in the name of Ransom, Tiffany	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 16-00451 Bill # 8201	Total	\$33.34

Release a portion of the user fee. Trash can was delivered in March of 2008.

Release the User Fee	in the name of Sibbett, John	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 01-82943 Bill # 1322	Total	\$200.00

Release the user fee. House is vacant and has no trash can.

Release the User Fee	in the name of Simmons, Eugene	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 15-03926 Bill # 1428	Total	\$200.00

Release the user fee. House is vacant and has no trash can.

Release the User Fee	in the name of Sinkler, Lennon	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 11-24560 Bill # 1838	Total	\$200.00

Release the user fee. House vacant, unlivable and has no trash can.

Release the User Fee	in the name of Smith, Christopher	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 01-84664 Bill # 2140	Total	\$200.00

Release the user fee. House is vacant and has no trash can.

Release the User Fee	in the name of Smith, J. Ezell	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 04-14720 Bill # 2362	Total	\$200.00

Release the user fee. House vacant with no trash can.

Release the User Fee	in the name of Spaulding, Willie	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 08-17868 Bill # 3491	Total	\$66.68

Release a portion of the user fee. Did not have the trash can for a full year.

Release the User Fee	in the name of Thomas, C. Franky	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 15-03345 Bill # 5850	Total	\$200.00

Release the user fee. Shop is vacant and has no trash can.

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office);
January 05, 2009**

Release the Property Value	in the name of Covington, Mary Lou	Amount:	\$31.97
Value:	\$4,600.00 Year: 1998 Account # 01-17680 Bill # 4418	Total	\$32.89

Release the property value and the Whiteville Resuce for 1998. This year should have dropped off system. Account over 10 years old.

Release the Property Value	in the name of Ward, Rex	Amount:	\$271.56
Value:	\$37,200.00 Year: 2005 Account # 03-03630 Bill # 8311	Total	\$456.00

Release the value of a mobile home and the Columbus Rescue. The home is double listed in the name of H. Elbert and Marie Ward.

Release the Property Value	in the name of Ward, Rex	Amount:	\$303.18
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Value: \$37,200.00 Year: 2008 Account # 03-03630 Bill # 8604 Total \$510.62
 Release the value of a mobile home and the Columbus Rescue. The home is double listed in the name of H. Elbert and Marie Ward.

Release the Property Value in the name of Ward, Rex Amount: \$303.18
 Value: \$37,200.00 Year: 2007 Account # 03-03630 Bill # 0262 Total \$503.62
 Release the value of a mobile home and the Columbus Rescue. The home is double listed in the name of H. Elbert and Marie Ward.

Release the Property Value in the name of Ward, Rex Amount: \$284.58
 Value: \$37,200.00 Year: 2006 Account # 03-03630 Bill # 9687 Total \$485.02
 Release the value of a mobile home and the Columbus Rescue fee. The home is in the name of H. Elbert and Marie Ward.

Release the Property Value in the name of Weatherford, Dewey Amount: \$310.44
 Value: \$39,800.00 Year: 2001 Account # 02-03500 Bill # 9438 Total \$483.40
 Release the value of a double wide home and the Columbus Rescue fee. The home was repossessed in 1995.

Release the Property Value in the name of Weatherford, Dewey Amount: \$286.56
 Value: \$39,800.00 Year: 2000 Account # 02-03500 Bill # 8420 Total \$411.56
 Release the value of a double wide that was repossessed in 1995.

Release the Property Value in the name of Weatherford, Dewey Amount: \$310.44
 Value: \$39,800.00 Year: 2002 Account # 02-03500 Bill # 7645 Total \$495.40
 Release the value of a double wide and the Columbus Rescue. The home was repossessed in 1995.

Release the Property Value in the name of Weatherford, Dewey Amount: \$310.44
 Value: \$39,800.00 Year: 2003 Account # 02-03500 Bill # 8423 Total \$495.40
 Release the value of a double wide and the Columbus Rescue. The home was repossessed in 1995.

Release the Property Value in the name of Weatherford, Dewey Amount: \$310.44
 Value: \$39,800.00 Year: 2004 Account # 02-03500 Bill # 4751 Total \$495.40
 Release the value of a double wide and the Columbus Rescue. The home was repossessed in 1995.

Release the Property Value in the name of Weatherford, Dewey Amount: \$270.10
 Value: \$37,000.00 Year: 2005 Account # 02-03500 Bill # 8941 Total \$454.50
 Release the value of a double wide and the Columbus Rescue. The home was repossessed in 1995.

Release the Property Value in the name of Weatherford, Dewey Amount: \$283.05
 Value: \$37,000.00 Year: 2006 Account # 02-03500 Bill # 0330 Total \$483.45
 Release the value of a double wide and the Columbus Rescue. The home was repossessed in 1995.

Release the Property Value in the name of Weatherford, Dewey Amount: \$301.55
 Value: \$37,000.00 Year: 2007 Account # 02-03500 Bill # 0907 Total \$501.95
 Release the value of a double wide home and the Columbus Rescue. The home was repossessed in 1995.

Release the Property Value in the name of Weatherford, Dewey Amount: \$301.55
 Value: \$37,000.00 Year: 2008 Account # 02-03500 Bill # 9256 Total \$508.95
 Release the value of a double wide and the Columbus Rescue. The home was repossessed in 1995.

Release the Property Value in the name of Weatherford, Dewey Amount: \$276.61
 Value: \$39,800.00 Year: 1999 Account # 02-03500 Bill # 6616 Total \$376.61
 Release the value of a double wide that was repossessed in 1995.

Release the Property Value in the name of Wooten, William Heirs Amount: \$7.80
 Value: \$1,000.00 Year: 2001 Account # 12-322560 Bill # 1419 Total \$13.00
 Release the property value, the Evergreen Fire (5.00) and Columbus Rescue (.20). The property is double listed in the name of Deborah Gainey.

Release the Property Value in the name of Wooten, William Heirs Amount: \$7.80
 Value: \$1,000.00 Year: 2002 Account # 12-32560 Bill # 9639 Total \$13.00
 Release the property value, the Evergreen Fire (5.00) and Columbus Rescue (.20). The property is double listed in the name of Deborah Gainey.

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Release the Property Value in the name of Wooten, William Heirs Amount: \$8.15
Value: \$1,000.00 Year: 2007 Account # 12-32560 Bill # 2971 Total \$14.25
Release the property value, the Evergreen Fire (5.00), Columbus Rescue (.20) and W2 (.90). The property is double listed in the name of Deborah Gainey.

Release the Property Value in the name of Wooten, William Heirs Amount: \$7.65
Value: \$1,000.00 Year: 2006 Account # 12-32560 Bill # 2374 Total \$13.75
Release the property value, the Evergreen Fire (5.00), Columbus Rescue (.20) and W2 (.90)

Release the Property Value in the name of Wooten, William Heirs Amount: \$7.80
Value: \$1,000.00 Year: 2004 Account # 122-32560 Bill # 6749 Total \$14.50
Release the property value, the Evergreen Fire (5.00), Columbus Rescue (.20) and W2 (1.50). The property is double listed in the name of Deborah Gainey.

Release the Property Value in the name of Wooten, William Heirs Amount: \$7.80
Value: \$1,000.00 Year: 2003 Account # 12-32560 Bill # 0435 Total \$13.00
Release the property value, the Evergreen Fire (5.00) and Columbus Rescue (.20). The property is double listed in the name of Deborah Gainey.

Release the Property Value in the name of Wooten, William Heirs Amount: \$6.95
Value: \$1,000.00 Year: 1999 Account # 12-32560 Bill # 8540 Total \$11.95
Release the property value and the Evergreen Fire. The property is double listed in the name of Deborah Gainey.

Release the Property Value in the name of Wooten, William Heirs Amount: \$7.20
Value: \$1,000.00 Year: 2000 Account # 12-32560 Bill # 0349 Total \$12.20
Release the property value and the Evergreen Fire. The property is double listed in the name of Deborah Gainey.

Release the Property Value in the name of Wooten, William Heirs Amount: \$7.30
Value: \$1,000.00 Year: 2005 Account # 12-32560 Bill # 0953 Total \$13.40
Release the property value, the Evergreen Fire (5.00), the Columbus Rescue (.20) and W2 (.90).

Release the Release in the name of Sutton, Walter Amount: \$317.55
Value: \$43,500.00 Year: 2005 Account # 01-02545 Bill # 5272 Total \$533.70
Release the value of a double wide, the Brunswick Fire (30.45) and Whiteville Rescue (8.70). The home was repossessed in 2004.

Release the User Fee in the name of Andrews, Barry Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 11-03028 Bill # 5720 Total \$200.00
Release the user fee. House burned and trash can picked up.

Release the User Fee in the name of Bowen, Elra Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 15-00746 Bill # 8741 Total \$200.00
Release the user fee. House vacant, unlivable and has no trash can.

Release the User Fee in the name of Bright, Bobby Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 11-03800 Bill # 9101 Total \$200.00
Release the user fee. House is vacant and trash can picked up in 2004.

Release the User Fee in the name of Brown, Daniel Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 04-00628 Bill # 9461 Total \$87.00
Release a portion of the user fee. House is inside the Town of Bolton.

Release the User Fee in the name of Brown, Daniel Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 04-01682 Bill # 9462 Total \$609.00
Release a portion of seven user fees. Home's are inside the Town of Bolton.

Release the User Fee in the name of Carroll, Thomas Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 15-05739 Bill # 1767 Total \$800.00
Release all user fees. These are storage buildings. No trash cans here.

Release the User Fee in the name of Collins, Bobby Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 01-15983 Bill # 3306 Total \$200.00
Release user fee. Customer using a commercial hauler.

Release the User Fee in the name of Collins, Bobby	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 01-15983 Bill # 3307	Total	\$200.00
Release user fee. Customer is using a commercial hauler.		
Release the User Fee in the name of Cook, Linda N.	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 15-09943 Bill # 3546	Total	\$200.00
Release the user fee. House is vacant and unlivable.		
Release the User Fee in the name of Daniels, Barbara	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 01-03890 Bill # 4540	Total	\$200.00
Release the user fee. House is vacant and trash can picked up in 2005.		
Release the User Fee in the name of Dudley, Elisha	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 11-08140 Bill # 5650	Total	\$200.00
Release the user fee. House vacant and can removed.		
Release the User Fee in the name of Enzor, Charles	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 10-04460 Bill # 6795	Total	\$200.00
Release the user fee. House is vacant and has no trash can.		
Release the User Fee in the name of Faulk, Travis	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 07-04708 Bill # 0865	Total	\$193.00
Release user fee. There is no trash can here.		
Release the User Fee in the name of Garcia, Roberto	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 01-30286 Bill # 9392	Total	\$200.00
Release the user fee. House is vacant and has no trash can.		
Release the User Fee in the name of Gloria's Country Time Grill	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 07-00950 Bill # 0122	Total	\$200.00
Release the user fee on business that has closed and does not have a trash can.		
Release the User Fee in the name of Gore, Mariam	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 09-11565 Bill # 0960	Total	\$200.00
Release one of two user fees. Mobile home is vacant and has no trash can.		
Release the User Fee in the name of Hardin, Wayland	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 12-10920 Bill # 2895	Total	\$200.00
Release the user fee. House is vacant and does not have a trash can.		
Release the User Fee in the name of Hardin, Wayland	Amount:	\$0.00
Value: \$0.00 Year: 2007 Account # 12-10920 Bill # 4933	Total	\$193.00
Release the user fee. House is vacant and does not have a trash can.		
Release the User Fee in the name of Hardin, Wayland	Amount:	\$0.00
Value: \$0.00 Year: 2006 Account # 12-10920 Bill # 4711	Total	\$193.00
Release the user fee. House vacant and does not have a trash can.		
Release the User Fee in the name of Harrelson, Georgia	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 15-02519 Bill # 3126	Total	\$150.03
Release a portion of the user fee. Customer did not have the trash can for a full year.		
Release the User Fee in the name of Kono, Larry	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 03-12640 Bill # 8311	Total	\$200.00
Release user fee. House is vacant and does not have a trash can.		
Release the User Fee in the name of Kramer, Frank	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 04-09875 Bill # 8336	Total	\$113.00
Release the user fee. House is vacant and does not have a trash can.		
Release the User Fee in the name of Lawrence Investment Property	Amount:	\$0.00
Value: \$0.00 Year: 2008 Account # 01-00273 Bill # 8685	Total	\$200.00
Release user fee. Store is vacant and has no trash can.		

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Release the User Fee	in the name of Malpass, Winfred	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 15-01919 Bill # 0624	Total	\$116.69
Release a portion of the user fee. Customer did not have the trash can for a full year.			
Release the User Fee	in the name of Nobles, David G.	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 13-29620 Bill # 4878	Total	\$200.00
Release the user fee. House is vacant and does not have a trash can.			
Release the User Fee	in the name of Norris, Annette	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 06-01402 Bill # 5083	Total	\$66.68
Release a portion of the user fee. Did not have the trash can for a full year.			
Release the User Fee	in the name of Pentecostal Freewill Baptist Ch.	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 18-03941 Bill # 2294	Total	\$133.36
Release a portion of the user fee. Customer did not have the trash can for a full year.			
Release the User Fee	in the name of Ray, Ervin	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 09-03564 Bill # 8268	Total	\$66.68
Release a portion of the user fee. Did not have the trash can for a full year.			
Release the User Fee	in the name of Rivenbark, Abner	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 07-14077 Bill # 9061	Total	\$200.00
Release the user fee. House is vacant and does not have a trash can.			
Release the User Fee	in the name of Robinson, Elman	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 05-05860 Bill # 9199	Total	\$116.69
Release a portion of the user fee. Customer did not have the trash can for a full year.			
Release the User Fee	in the name of Simmons, Joseph	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 09-26520 Bill # 1493	Total	\$200.00
Release the user fee. House is vacant and does not have a trash can.			
Release the User Fee	in the name of Soles, Lorena	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 13-00346 Bill # 3041	Total	\$200.00
Release one of two user fees. There is only one trash can here.			
Release the User Fee	in the name of Sutton, Walter	Amount:	\$332.78
Value:	\$43,500.00 Year: 2006 Account # 01-02545 Bill # 6588	Total	\$564.93
Release the value of a double wide, the Brunswick Fire (30.45) and Whiteville Rescue (8.70). The home was repossessed in 2004.			
Release the User Fee	in the name of Sutton, Walter	Amount:	\$354.53
Value:	\$43,500.00 Year: 2007 Account # 01-02545 Bill # 7116	Total	\$586.68
Release the value of a double wide, the Brunswick Fire (30.45) and Whiteville Rescue (8.70). The home was repossessed in 2004.			
Release the User Fee	in the name of Sutton, Walter	Amount:	\$354.53
Value:	\$43,500.00 Year: 2008 Account # 01-02545 Bill # 5426	Total	\$593.68
Release the value of a double wide, the Brunswick Fire (30.45) and Whiteville Rescue (8.70). The home was repossessed in 2004.			
Release the User Fee	in the name of Ward, Isaac	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 03-26930 Bill # 8352	Total	\$200.00
Release the user fee. House is vacant and does not have a trash can.			
Release the User Fee	in the name of Watkins, Linda	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 15-03724 Bill # 8904	Total	\$200.00
Release the user fee. Customer has a commercial hauler.			
Release the User Fee	in the name of Watts, Clara	Amount:	\$0.00
Value:	\$0.00 Year: 2008 Account # 03-28327 Bill # 8998	Total	\$200.00
Release the user fee. House is vacant and has no trash can. Can picked up in 2004.			
Release the User Fee	in the name of Watts, David	Amount:	\$0.00

Value: \$0.00 Year: 2008 Account # 02-03040 Bill # 9006 Total \$200.00
Release one of two user fees. There is only one trash can here.

Release the User Fee in the name of Williams, Marian Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 10-18560 Bill # 0342 Total \$113.00
Release the user fee on a house that is vacant and does not have a trash can.

Release the User Fee in the name of Williams, Wade Amount: \$0.00
Value: \$0.00 Year: 2008 Account # 09-33713 Bill # 0473 Total \$200.00
Release the user fee. House is vacant and does not have a trash can.

Agenda Item #21: COMMENTS:

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

B. Board of Commissioners:

1. **Commissioner McKenzie:** stated that he is requesting that Gail Edwards look for available grants to extend the water lines in Columbus County Water and Sewer Districts II and III.
2. **Vice Chairman Bullard:** stated the following:
 - a. The Administrative staff needs to check to see if there are any grants available that would help pay the debt service in Columbus County Water and Sewer Districts II and III; **and**
 - b. I would like for the County Attorney to check and see if it is legal for Columbus County to add these same taxes to the vehicles in Water Districts II and III.
3. **Commissioner Russ:** During the Christmas parades, I noticed low participation, and I think it is very important that we, as a Board, attend these events in totality.
4. **Commissioner Byrd:** I would like to introduce Randolph Keaton that needs a Letter of Support approved by the Board. Mr. Keaton stated the following:
 - a. We are asking for a letter of support for the upcoming Youth Build grant funded through the Department of Labor;
 - b. The objective of the grant is to provide disenfranchised youth with employment, small business development, educational, life skills, leadership, mentoring and supportive services/counseling, construction and graduate resources;
 - c. The grant is due on January 15, 2009, and will be for young adults ages 16-24; **and**
 - d. We are asking for other letters of support from different agencies.

MOTION:

Commissioner Norris made a motion to approve a letter of support for the Youth Build Grant, as requested by Randolph Keaton, seconded by Commissioner Byrd.

After discussion was conducted relative to the fact that a Columbus County governmental agency may have applied for this same grant and that would benefit more people, and that only one (1) agency could apply for the same grant, Vice Chairman Bullard made a motion to table this matter until the next Board Meeting, seconded by Commissioner Gore.

After additional discussion was conducted, Commissioner Norris amended his original motion to approve the letter of support for the Youth Build Grant, contingent on the fact that no governmental agency in Columbus County had applied for this grant, and Commissioner Byrd amended his second.

Vice Chairman Bullard withdrew his substitute motion, and Commissioner Gore withdrew his second to the substitute motion.

The amended original motion unanimously passed.

- 5. **Chairman Prevatte:** stated the following:
 - a. We will have group and individual pictures taken at the January 20, 2009 Board Meeting;
 - b. I am requesting that a letter or a resolution be prepared reflecting that this Board does not support the proposed mileage tax on vehicles; **and**
 - c. I would like for the re-districting issue to be placed on the January 20, 2009 Agenda for the decision of this Board.

C. **County Manager (William S. Clark):** stated the Personnel Committee is going through the Columbus County Personnel Policy line by line, we are making progress, and we should have a recommendation to the Board in March.

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

At 8:15 P.M., Commissioner McKenzie made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 143-318.11 (6), seconded by Commissioner Norris. The motion unanimously passed. Chairman Prevatte announced there would be a ten (10) minute recess.

Agenda Item #22: CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (6):

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 8:55 P.M., Commissioner McKenzie made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Gore. The motion unanimously passed.

GENERAL ACCOUNT of JANUARY 05, 2009 CLOSED SESSION MEETING:

Chairman Prevatte stated Steven W. Fowler, Columbus County Attorney, would read the General Account of the January 05, 2009 Closed Session Meeting. Mr. Fowler read the following:

FIRST PERSONNEL ISSUE: Commissioner McKenzie made a motion to approve the recommendation that was made by William S. Clark, County Manager, seconded by Commissioner Norris, and approved by the Board.

SECOND PERSONNEL ISSUE: Commissioner McKenzie made a motion to approve the recommendation that was made by William S. Clark, County Manager, seconded by Commissioner Gore, and approved by the Board.

THIRD PERSONNEL ISSUE: The Board did an evaluation of the County Attorney, the County Clerk and the County Tax Administrator. Commissioner Gore made a motion to approve this General Account, seconded by Commissioner Norris, and approved by the Board.

PERSONNEL- APPOINTMENT of BOBBIE FAIRCLOTH as COLUMBUS COUNTY FINANCE OFFICER:

Commissioner McKenzie made a motion, based on the recommendation of William S. Clark County Manager, to appoint Bobbie Faircloth as the Columbus County Finance Officer, to be effective as of February 01, 2009, at the annual salary of sixty-two thousand, five hundred and 00/100 (\$62,500.00) dollars, seconded by Commissioner Norris.

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

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

Nay Vote Explanation by Commissioner Byrd: I have just voted to cut expenditures for the remainder of this fiscal year, and, in good faith, I cannot vote for this additional expenditure.

The motion passes on a six (6) to one (1) vote.

PERSONNEL - APPOINTMENT of JEREMY JERNIGAN as COLUMBUS COUNTY EMERGENCY SERVICES DIRECTOR:

Commissioner McKenzie made a motion to appoint Jeremy Jernigan as the Columbus County Emergency Services Director, at the starting salary of fifty-five thousand and 00/100 (\$55,000.00) dollars annually, to be effective as of February 01, 2009, seconded by Commissioner Gore. The motion unanimously passed.

Agenda Item #23: ADJOURNMENT:

At 9:01 P.M., Commissioner Russ made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman

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

Monday, January 05, 2009

7:45 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**
Steven W. Fowler, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Faircloth, **Deputy Finance Officer**

MEETING CALLED TO ORDER:

At 7:45 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 #18: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

December 01, 2008 **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 December 01, 2008 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting Minutes, seconded by Commissioner Norris. The motion unanimously passed.

ADJOURNMENT:

At 7:46 P.M., Vice Chairman Bullard made a motion to adjourn, seconded by Commissioner Byrd. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman

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Giles E. (Buddy) Byrd
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APPOINTEES PRESENT:

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Steven W. Fowler, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Faircloth, **Deputy Finance Officer**

MEETING CALLED TO ORDER:

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ADJOURNMENT:

At 7:46 P.M., Vice Chairman Bullard made a motion to adjourn, seconded by Commissioner Byrd. 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
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APPOINTEES PRESENT:

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Steven W. Fowler, **County Attorney**
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MEETING CALLED TO ORDER:

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ADJOURNMENT:

At 7:46 P.M., Vice Chairman Bullard made a motion to adjourn, seconded by Commissioner Byrd. The motion unanimously passed.

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JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman

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ADJOURNMENT:

At 7:46 P.M., Vice Chairman Bullard made a motion to adjourn, seconded by Commissioner Byrd. The motion unanimously passed.

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