

August 20, 2007

A regular meeting of the Bladen County Board of Commissioners was held in the Commissioners Room of the Courthouse at 6:30 p.m. with the following members present:

Margaret Lewis-Moore, Chairperson
Billy Ray Pait
Lewis Tatum
Delilah B. Blanks
Larry Smith
W.D. Neill, Jr.
James G. Smith
Greg Taylor
Charles Ray Peterson

Attorney: Wes Johnson, Johnson Law Firm

Chairperson Moore called the meeting to order. Commissioner Billy Ray Pait provided the invocation and County Manager Greg Martin led the Pledge of Allegiance.

Item 1. CONSENT ITEMS:

A motion was made by Billy Ray Pait, seconded by Commissioner Delilah Blanks and approved to adopt the following Consent Items:

- A. Approve Minutes: August 6, 2007 (Regular Session)
- B. Approve Agenda
- C. Approve Budget Amendments

	Increase	Decrease
<u>Social Services</u>		
Exp. 146100.635 WF Demonstration Grant	\$59,664.00	
Rev. 143550.040 WF Demonstration Grant	\$59,664.00	
<u>Social Services</u>		
Exp. 146100.451 Cont. Ser./Domestic Violence		\$2,097.00
Rev. 143550.032 Domestic Violence/TANF		\$2,097.00
<u>Motor Pool</u>		
Exp. 105010.310 Vehicle Parts/Supplies	\$9,629.00	
Rev. 103190.010 Miscellaneous Revenue	\$9,629.00	
<u>Economic Development</u>		
Exp. 307200.744 Principle-Debt Service		\$113,047.00
Exp. 307200.745 Interest		\$21,065.00
Exp. Special Appropriations	\$134,112.00	
<u>Social Services</u>		
Exp. 146100.651 Energy Neighbor Fund	\$135.00	
Rev. 143530.031 Energy Neighbor Fund	\$135.00	
<u>Social Services</u>		
Exp. 146100.650 Crisis Intervention	\$22,026.00	
Rev. 143530.220 DSS Crisis INT./F/S	\$22,026.00	
<u>JCPC-Strategies for Success</u>		
Exp. 106805.321 JCPC-Strategies for Success	\$49,334.00	
Rev. 103230.024 JCPC-Strategies for Success	\$49,334.00	
<u>JCPC-Court Psychology</u>		
Exp. 106805.311 JCPC-Court Psychology	\$4,950.00	
Rev. 103230.020 JCPC-Court Psychology	\$4,950.00	

August 20, 2007

JCPC-Extension Office

Exp. 106805.300 JCPC-Extension Office \$335.00
Rev. 103230.022 JCPC-Extension Office \$335.00

Bladen's Bloomin' Agri-Industrial, Inc.

Exp. 307200.920 Rental Income to
Bladen's Bloomin' Agri-Industrial, Inc. \$206,224.13
Rev. 303420.020 DOT/DMV/Telecom Rent \$206,224.13

Library

Exp. 106700.330 Supplies \$125.00
Rev. 1031490.010 NC Library Association \$125.00

Administration

Exp. 106800.540 Insurance & Bonds \$42,874.42
Rev. 103730.010 Fm Workers Compensation Fund \$42,874.42

Workers Compensation

Exp. 136800.540 Workers Compensation \$42,874.42
Rev. 133190.010 Miscellaneous Revenue \$42,874.42

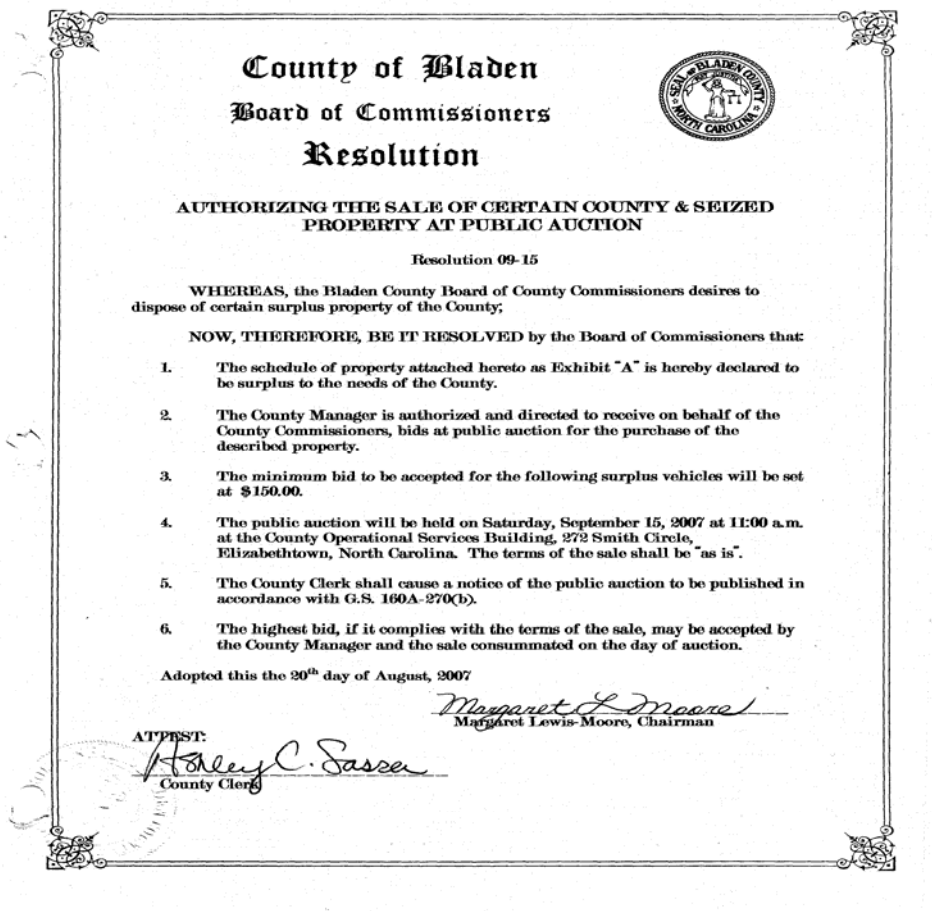
D. Approve County Attorney Invoices

- Job Link Leases \$565.00
- August Retainer \$300.00

E. Approve Tax Refunds/Releases for July: Docket # _____

F. Approve Run-Out Claims Administration Agreement with NCACC

G. Approve Resolution regarding Surplus Property Auction



H. Appoint Ashley C. Sasser as Clerk to the Board of Commissioners.

August 20, 2007

**Item 2. ADMINISTER OATH OF OFFICE TO CLERK TO THE BOARD
(Niki Dennis, Clerk of Superior Court)**

Bladen County Board of Commissioners

Clerk to the Board

OATH

I, Ashley C. Sasser, do solemnly swear that I will support the Constitution of the United States, so help me God.


I, Ashley C. Sasser, do further solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are, or may be established for the government thereof; and that I will endeavor to support; maintain and defend the Constitution of North Carolina, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, Ashley C. Sasser, do further swear that I will well and truly execute the duties of the office of Clerk to the Board of Bladen County Commissioners according to the best of my skill and ability, and according to law; so help me God.

This the 20th day of August, 2007.


Ashley C. Sasser

Sworn to and subscribed before me, this the 20th day of Aug, 2007.


Niki S. Dennis
Clerk of Superior Court
Bladen County, North Carolina

Item 3. MATTERS OF INTEREST TO COMMISSIONERS

- Commissioner Neill inquired about the Animal Control Board. He wanted to know if they were still meeting and when they would have another meeting.
- Commissioner Neill expressed a concern about the letter from Johnson Law Firm regarding the City of Wilmington's application for municipal waste water to be applied to the land throughout Bladen County.
- Commissioner Neill expressed a genuine concern about Lock and Dams #2 and #3. He is worried if they are removed, there will not be adequate surface water supply in Bladen County.
- Commissioner Neill expressed a concern with Youth Gangs committing crimes against elderly. He said he would like to set-up a Juvenile Program to teach discipline, to help lower the crime rate among our Youth, and to help lower the school drop out rate.
- Commissioner Larry Smith expressed a concern for the water supply if Locks and Dams #2 and #3 are removed. He stated that the water level is already low and he is concerned with the effect of removing the Locks and Dams
- Commissioner Peterson expressed how pleased he was with the positive outcomes he was observing at the Negotiation Meetings concerning the Hospital Affiliation Process with Cape Fear Valley Health System.
- Commissioner Peterson asked Mr. Martin if he had checked into the possibility of giving a property tax break to farmers. Mr. Martin recommended that a committee of Board members address this issue with the Economic Development Director, Chuck Heustess.
- Commissioner Tatum asked about the Budget impact related to State Medicaid Relief. Mr. Martin responded to Commissioner Tatum by explaining that staff is reviewing State projections.
- Commissioner Moore thanked the Board for all of their support at the NCACC conference in her election to the NCACC Board of Directors. She then complimented the board on being so verbal and involved in the activities at the State and National Conferences.

Item 4. INDIVIDUALS/DELEGATIONS WISHING TO ADDRESS COMMISSIONERS:

- Mr. Jerry Graham expressed interest in obtaining County Water on Hwy 87 near Bladen Springs Road.

August 20, 2007

- Commissioner Peterson asked Hobbs, Upchurch and Associates to consider adding Jerry Graham's road to the map. Hobbs, Upchurch and Associates agreed to reevaluate the map of the proposed water project and see if Mr. Jerry Graham's area could be included in the map.

Item 5. BLADEN COUNTY WATER DISTRICT

A motion was made by Commissioner Larry Smith, seconded by Commissioner Neill, and approved to enter into session as the Bladen County Water District Board of Directors.

A. Review Proposed Phase III Water Project

- Hobbs, Upchurch, and Associates presented the Phase III Water Project to the Board of Commissioners showing the map of the projected water lines and roads to be included.
- The Commissioners expressed immediate interest in the South Phase of the project, which would provide water to communities south of the Cape Fear River.
- HUA explained that the South Phase would include 45 new water lines and a new water tower to the county.
- The project will require an estimated increase of \$1.75 per month for existing customers.
- Commissioner Larry Smith expressed concern regarding the proposed North Phase.

B. Consider Authorizing Application for Federal Funding

- Hobbs, Upchurch, and Associates explained the cost for each water project as follows:
 - Phase III-A South Expansion \$4,989,000
 - Phase III-B North Expansion \$6,981,000
 - Phase III Entire Project \$12,089,000
- HUA pointed out that authorization to move forward with the application process for funding the project did not mean that anything was set in stone. HUA further stated that anything can be added or deleted from the project.
- The Board members informed HUA that they would only be interested in the Phase III-A South Expansion Project at this time and that they would like to move forward with the application process for federal funding of \$4,989,000.

A motion was made by Commissioner Peterson, seconded by Commissioner Neill, and approved to authorize the Phase III Water Project-South application process for federal funding.

A motion was made by Commissioner Blanks, seconded by Commissioner Neill, and approved to enter into session as the Bladen County Board of Commissioners.

Item 6. FINANCE (*Lisa Coleman, Director*)

Consider the following Installment-Purchase Documents:

A. Declaration of Official Intent to Reimburse

August 20, 2007

**BLADEN COUNTY, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

This declaration (the "Declaration") is made pursuant to the requirements of the United States Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of Bladen County, North Carolina (the "Issuer") with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the "Expenditures") for the purchase of one ambulance (the "Project").
2. **Plan of Finance.** The Issuer intends to finance the costs of the Project with the proceeds of debt to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.
3. **Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$395,778.70.
4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this 20th day of August, 2007.

SEAL

By: Ashley C. Sasser Clerk to the Board of Commissioners
Bladen County, North Carolina

By: Margaret Moore Chairperson, Board of Commissioners
Bladen County, North Carolina

B. Resolution Approving Financing Terms

Resolution Approving Financing Terms

WHEREAS: Bladen County, North Carolina (the "County") has previously determined to undertake several projects for defibrillators, AS400 upgrade, and patrol vehicles, and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through First Citizens Bank, in accordance with the proposal dated August 16. The amount financed shall not exceed \$395,778.70, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.68%, and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as First Citizens Bank may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. All prior actions of the County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Adopted this 20th day of August, 2007

Ashley C. Sasser Clerk to the Board of Commissioners

Robert J. Watt County Manager

SEAL

C. Installment Purchase Contract

16.9. Execution in Counterparts—This Contract may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed as of the day and year first above written.

County of Bladen, North Carolina

By: Margaret Moore
Title: Chairperson, Board of Commissioners

(SEAL)
Attest: Ashley C. Sasser
Title: Clerk to the Board

FIRST-CITIZENS BANK & TRUST COMPANY

By: _____
Title: _____

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

Borrower Finance Director

Borrower's Address:
County of Bladen
PO Box 265
Elizabethtown NC 28337
Attn: Lisa Coleman, Finance Officer

Bank's Address:
First-Citizens Bank & Trust Company
Leasing Department
PO Box 29519
Raleigh, North Carolina 27626-0519
Attn: Robert J. Watt

- Mrs. Coleman requested that the commissioners approve and sign the Installment Purchase Contract.

August 20, 2007

A motion was made by Commissioner James G. Smith, seconded by Commissioner Larry Smith, and approved to authorize all of the Installment-Purchase related documents.

Item 7. COUNTY MANAGER (*Greg Martin*)

- County Manager Greg Martin reminded the Board that the next meeting will be held on Tuesday, September 4, 2007 due to the Labor Day Holiday.

Calendar Update: Mr. Martin reviewed the following upcoming calendar events:

August 28, 2007	-Hospital Board of Trustees Meeting @ 6:00 p.m.
August 28, 2007	-MCAB Meeting, Lu-Mil @ 7:00 p.m.
September 3, 2007	-Labor Day
September 4, 2007	-Board of Commissioners Meeting @ 6:30 p.m.
September 5, 2007	-DADS Meeting @ 11:00 a.m.
September 17, 2007	-Board of Commissioners Meeting @ 6:30 p.m.
September 25, 2007	-Hospital Board of Trustees Meeting @ 6:00 p.m.

A motion was made by Commissioner Blanks, seconded by Commissioner Larry Smith, and approved to adjourn at 7:42 p.m.

Margaret Lewis-Moore, Chairperson

ATTEST:

Ashley C. Sasser, Clerk