

The Honorable Columbus County Board of Commissioners met in their said office at 8:00 A.M., Monday, May 4, 1992, it being the first Monday.

BOARD MEMBERS PRESENT:

Ed Worley, Chairman

Junior Dew, Vice Chairman

Lynwood Norris

Samuel G. Koonce

Mike Richardson

James E. Hill, Jr., Attorney

Roy L. Lowe, Administrator

Ida L. Smith, Clerk to Board

Chairman Worley called the meeting to order and the Reverend Wade Fowler gave the invocation.

APPROVAL OF MINUTES

A motion was made by Commissioner Norris, seconded by Commissioner Koonce and passed unanimously to approve the minutes of the April 20, 1992, Board meeting as recorded.

FIRE AND RESCUE - RADIO APPROVAL FOR WHITE MARSH/WELCHES CREEK

The Chairman stated that a letter had been received from the White Marsh /Welches Creek Volunteer Fire Department requesting the Board to purchase a radio to be installed on a new pumper tanker they had purchased. The following bids were received for the Board's consideration:

Broadcast and Communication Company	\$ 861.00
P.O. Box 454	
Lumberton, NC 28358	
Communication Specialists, Inc.	\$ 960.00
3330 Wrightsville Avenue	
Wilmington, NC 28403	
Piedmont Communications Co., Inc.	\$1,378.00
1519 Camden Avenue	
Durham, NC 27704	

A motion was made by Commissioner Richardson, seconded by Commissioner Norris and passed unanimously to award the White Marsh/Welches Creek Volunteer Fire Department the sum of ONE THOUSAND, FORTY-FIVE DOLLARS (\$1,045.00 in accordance with the policy adopted 11-19-90) toward the purchase of a radio of their choice to be installed on the newly purchased equipment with the purchase to be coordinated by the Columbus County Fire Marshal. The appropriation will be made for Non-Departmental Contingency (10-660-9999) in the amount of \$1,045.00 to be expended in Special Appropriations (10-690-9501) Radio for White Marsh/Welches Creek Volunteer Fire Department.

APPOINTMENT - FIRE PREVENTION OFFICER

A motion was made by Commissioner Koonce, seconded by Commissioner Richardson and passed unanimously to appoint Jimmy Jackson, Fire Marshal, to serve as the Columbus County Fire Prevention Officer.

APPOINTMENT - AMERICANS WITH DISABILITIES COORDINATOR/911 PROJECT DIRECTOR

A motion was made by Commissioner Richardson, seconded by Commissioner Koonce and passed unanimously to appoint John Moore, Jr., Emergency Management Director, to serve as coordinator of Americans with Disabilities, and the County Safety Committee to carry out the functions of ADA. Further, appointed Mr. Moore to serve as the Project Director for the Columbus County 9-1-1 Program.

CABLE FRANCHISE AGREEMENT TABLED

A motion was made by Commissioner Koonce, seconded by Commissioner Dew and passed unanimously to table the request from Time Warner Entertainment Company to construct and operate a cable television system in Columbus County for Whiteville, Chadbourn and Fair Bluff until the county can be considered in its entirety. Further, advised the Administrator to contact other cable companies operating within the county to see if they are interested.

ORDINANCE (NOISE) - ADOPTED

A motion was made by Commissioner Dew, seconded by Commissioner Norris and passed unanimously to adopt the following Noise Ordinance:

COLUMBUS COUNTY, NORTH CAROLINA

AN ORDINANCE PROHIBITING UNNECESSARY NOISES

OFFENSES AND MISCELLANEOUS PROVISIONS

BE IT UNANIMOUSLY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY AS FOLLOWS:

(a) Subject to the provisions of this ordinance, the creation of any unreasonable loud, disturbing and unnecessary noise in Columbus County and outside the corporate limits of any town is hereby prohibited and unlawful. Noise of such character, intensity, and duration as to be detrimental to the life or health of any individual is hereby prohibited. It shall be unlawful for any person to make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which annoys, disrupts, injures, or endangers the health, safety, comfort, and welfare of other citizens within the County of Columbus and outside of any corporate limits.

(b) The following acts are declared to be loud, disruptive, and unnecessary noises in violation of this ordinance, but such enumeration shall not be deemed to be exclusive, and the acts herein enumerated are found to be annoying to the public and contrary to the health, safety, comfort, and welfare of the people and each is declared to a nuisance:

(1) Blowing horns. The sounding of any horn or signal device on any

automobile, motor vehicle, motorcycle, or other vehicle on any street or public highway of the County of Columbus except as a danger sounding device only; the creation by means of signaling device of any unnecessary loud or harsh sound; the sounding of such device for any unnecessary or unreasonable period of time; the use of a horn, whistle, or other device operated by engine exhaust; the use of such signaling device when the traffic for any reason held up or not flowing in a normal manner;

- (2) Yelling, shouting, hooting. Whistling or singing on the public street or highways, or public vehicular area, between the hours of 11:00 o'clock p.m. and 7:00 o'clock a.m. or at any other time or place so as to annoy or disrupt the quiet, comfort, or repose of any person in any office, dwelling, hotel or other type of residence, or any of the persons in the said vicinity of those locations.
- (3) Defect in vehicle or load. The use of any automobile, motorcycle, or other vehicles so out of repair, so loaded, or in such a manner as to create a loud or unreasonable grating, grinding, rattling, or other noise.
- (4) Excessive noises near churches. The creation of any excessive noise on any street or public highway adjacent to any church which disturbs or unreasonably interferes with the working of the institution or the conducting of the religious activities contained therein.
- (5) Radios or phonographs, etc. The using, operating or permitted to be played or used or operated any radio or television, received set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disrupt the peace, quiet or comfort of the neighboring inhabitants or at any time louder volume that is necessary for the convenient hearing of the persons who are in the room, vehicle, or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of such set, instrument, phonograph, machine, or devise between the hours of 11:00 o'clock p.m.. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- (6) Live music, jukeboxes and similar musical instrument: It shall be unlawful for any person or group of persons to play musical instruments, either individually or as a live band, or to play or permit to be played, in any place of business or amusement hall in the County of Columbus, any jukeboxes or similar musical instruments in

violation of any of the following regulations:

- a. No musical instrument or live band shall be played under any conditions between the hours of 1:00 o'clock a.m. and 7:00 a.m. and no musical instrument shall be played under any condition at any time when the volume of such instrument is sufficient to disrupt the public.
 - b. Jukeboxes and similar musical instruments shall be allowed to play seven (7) days per week between the hours of 7:00 o'clock a.m. and 1:00 o'clock a.m. in enclosed buildings only.
 - c. All persons keeping or maintaining a jukebox or similar musical instrument in the place of business or amusement hall in the County of Columbus shall keep the volume of such instrument turned down at all times, so that the sound of the said instrument shall not disrupt the public.
- (7) The provisions of this section shall not apply to public schools, official school functions or present churches, to warning signals required by law for vehicles on highways, streets, or railroads, or to whistles at mills or factories, or to policemen, firemen or other public officials while in performance of their official duties or to anyone responding to public emergencies or protecting the public safety.
- (8) Pets. The keeping of any animal or bird, which, by causing frequent or long continued noise, shall disturb the comfort, or repose of any person in the vicinity.
- (9) Loudspeakers or magnifier: It shall be unlawful for any person to speak into a loudspeaker or magnifier when such loudspeaker or magnifier is so adjusted that the volume of the magnifier or speaker is extended to extend audibly in excess of 150 feet from the person speaking.
- (10) Any person violating the provisions of this ordinance, upon conviction, shall be guilty of a general misdemeanor and shall be fined not in excess of Fifty (\$50.00) Dollars and/or imprisoned not exceeding thirty (30) days.

This ordinance shall be in full force and effect from and after its adoption.

ADOPTED this the 4th day of May, 1992.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

BY: /s/ Ed Worley, Chairman

ATTESTED BY:

/s/ Ida L. Smith, Clerk

(County Seal)

CAPE FEAR COUNCIL OF GOVERNMENTS - RECEIPT OF WITHDRAWAL OF ST. HELENA

A motion was made by Commissioner Norris, seconded by Commissioner Dew and passed unanimously to acknowledge receipt of a notice that the Village of St. Helena, Pender County, will withdraw from the Cape Fear Council of Governments.

APPOINTMENTS - SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION

A motion was made by Commissioner Dew, seconded by Commissioner Norris and passed unanimously to reappoint the following persons to serve on the Southeastern Economic Development Commission for four (4) years, with terms expiring, April 1, 1996. William Lee Smith, Whiteville, NC; Roger Gore, Tabor City, NC.

TAX RELEASES & REFUNDS

A motion was made by Commissioner Norris, seconded by Commissioner Koonce and passed unanimously to approve the tax releases and refunds as recommended by the Tax Administrator.

William & Cynthia Brown; personal property double listed to William Wescott Brown on regular listing, account #08-01825. Amount \$62.69, valuation \$7,290, year 1986, account #11-04090.

John Leroy Council; 52.56 acre tract, map N-6-41, deferred taxes were billed through error. Amount \$530.74, valuation \$71,400, years 1989-91, account #11-06920.

Dildra Flowers; mobile home double listed on #01-00408, Carole Allen. Amount \$97.83, valuation \$9,830, year 1991, account #01-26011.

Frederick & Joanne Hinson; overcharged with deferred taxes. Sold only 3.64 acres. Amount \$136.72, valuation \$17,527, year 1991, account #01-41440.

Walter Jones (Heirs) & Ruth George; L-3-62 does not exist. Amount \$107.84, valuation \$12,950, years 1982-91, account #14-08220.

N.I. Singletary, Jr.; property B-2-4-A located inside town limits. Billed with \$30.00 user fees, instead of \$18.00. Amount \$12.00, year 1991, account #10-15505.

Hessie Sutton; W-3-85A property double listed to Reginald Anthony Webb on #15-38157 as W-3-85B. Amount \$58.09, valuation \$7,400, years 1990-91, account #15-35900.

John Riley Webb; property, map BT-2-128, double listed to Joe Ward on #04-16280. See refund for year 1991 (taxes paid). Amount \$112.40, valuation \$14,830, years 1987-90, account #04-16520.

Estelle P. White; received total senior citizens' exemption, including user fees. Amount \$30.00, year 1991, account #12-28620.

Kevin & Sandra Wilson; 1984 Buick not in Columbus County on 1-1-87; listed through error for 1987. Amount \$66.69, valuation \$7,050, year 1987, account #02-08250.

Kathy Sue Benton; 1983 Honda double listed as Kathy B. Coleman on #03-03810. Amount \$57.33, valuation \$6,060, year 1987, account #17-02130.

Frances Brown Edwards; 1980 Ford double listed as Jack and Mary Frances Edwards on account 01-23140. Amount \$10.02, valuation \$1,320, year 1991, account #17-09973.

Judy Watts Fipps; 1984 Chevrolet was wrecked and totalled in 1988. Amount \$265.08, valuation \$8,700, years 1989, 1990, account #17-11053.

Leon Edward Fonvielle, Jr.; 1984 Toyota totalled December, 1985. Amount \$67.17, valuation \$7,100, year 1986, account #17-11440.

J. Guadalupe Calvillo Gomez; migrant worker. Moved away in 1990. Amount \$8.27, valuation \$1,090, year 1991, account #17-13958.

Thelma Lee Grissett; 1977 Mercury repossessed December, 1988. Amount \$107.85, valuation \$1,050, year 1989, account #17-14531.

Connie Walters Haynes; late list penalty already imposed on #17-14727, Tommy T. Haynes. Amount \$100.00, year 1989, account #17-14714.

Haynes Nursery; late list penalty already imposed on #17-14727 of Tommy T. Haynes. Amount \$100.00, year 1989, account #17-14721.

Melissa Ann Henderson; late list penalty imposed through error. Amount \$100.00, year 1988, account #17-17865.

James Lavorne Hewett; 1977 Chevrolet junked prior to 1-1-90 (December of 1989). Amount \$105.39, valuation \$720, year 1990, account #17-17941.

Jeffery William Johnson; (wrong name), Honda listed William Jeffery Johnson on #09-15825. Also Toyota was sold prior to 1-1-87. Amount \$62.15, valuation \$6,570, year 1987, account #17-20923.

Louis McCall; vehicle listed in Bladen County where he resides. Amount \$234.10, valuation \$3,750, years 1987-89, account #17-27308.

Fonda Day McKeithan; 1989 Pontiac listed in Wake County. Amount \$52.76, valuation \$6,950, year 1991, account #17-24654.

Edith Purdie Mack; 1987 Ford double listed on regular listing, account #01-58585. Amount \$31.88, valuation \$4,200, year 1991, account #17-25427.

John Bernon Prince; vehicles double listed on regular listing #09-24330 & Diane P. Barnes. Amount \$52.03, valuation \$5,500, year 1986, account #17-30360.

David Henry Sellers, Jr.; listed in Randolph County since 1987. Amount \$217.48, valuation \$13,740, years 1988, 1991, account #17-32437.

Teresa Lynn Simmons; 1986 Ford listed in Brunswick County. Amount \$158.60, valuation \$9,550, years 1987, 1989, account #1733355 and #1733286.

Wade Young; vehicle listed in Bladen County. Amount \$109.26, valuation \$11,550, year 1986, account #17-42520.

Ordered; that a refund check be issued to Kathy Benton Coleman, Route 1, Box 9-A, Nakina, NC 28455, in the amount of \$30.34, for year 1987. Vehicle listed

to Kathy B. Coleman on #03-03810 and taxes paid. Valuation \$2,350, account #17-07135.

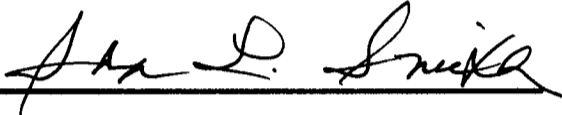
Ordered; that a refund check be issued to Nancy Hill, 4822 Ilex Drive, Wilmington, NC 28412, in the amount of \$88.04, for year 1991. Small house double listed on #01-40624, Randy Hill. Valuation \$12,400, account #01-40583.

Ordered; that a refund check be issued to John Riley Webb, Route 1, Box 274, Bolton, NC 28423, in the amount of \$38.97, for year 1991. BT-2-128 double listed to Joe Ward on BT-2-129, #04-16280. Valuation \$5,020, account #04-16520.

ADJOURNMENT

A motion was made by Commissioner Koonce, seconded by Commissioner Norris and passed unanimously to adjourn the meeting at 8:15 A.M.

APPROVED:



Clerk to Board



Chairman