

COLUMBUS COUNTY
BOARD OF COMMISSIONERS

MINUTES

The Honorable Board of Columbus County Commissioners met in their said office at 111 Washington Street, Whiteville, NC at 8:00 A.M., May 5, 1997, for the regularly scheduled Board Meeting, it being the first Monday.

BOARD MEMBERS PRESENT:

C.W. Williams, Chairman

Lynwood Norris, Vice Chairman

Spruell Randolph Britt

David L. Dutton, Jr.

A. Dial Gray, III

Sammie Jacobs

C.E. Wilson



James E. Hill, Jr., Attorney

Dempsey B. Herring
Administrator

Ida L. Smith, Clerk to Board

PUBLIC HEARING - MANUFACTURED/MOBILE HOME PARK ORDINANCE

At 8:00 A.M., Chairman Williams called the Public Hearing to order and stated that the purpose for the hearing is to receive citizens' views and comments regarding the Adoption and Enactment of a Manufactured/Mobile Home Park Ordinance.

The Chairman requested anyone wishing to speak in regards to the public hearing to be recognized by stating their name.

The following persons made comments and asked questions concerning the adoption and enactment of the Manufactured/Mobile Home Park Ordinance.

Alfred Hooks

Ferrell Jones

Adam Rooks

Harold Thompson

There were no more comments.

PUBLIC HEARING CLOSED

At 8:30 A.M., a motion was made by Commissioner Williams, seconded by Commissioner Jacobs and passed unanimously to close the Public Hearing.

REGULAR SESSION COMMENCED

The meeting was called to order by Chairman C.W. Williams and the invocation was given by Ed Worley, Aging Director.

BOARD MINUTES APPROVAL

A motion was made by Commissioner Norris, seconded by Commissioner Dutton and passed unanimously to approve the Board Minutes for the April 21, 1997 Meeting as recorded.

CONSENT AGENDA ITEMS

A motion was made by Commissioner Jacobs, seconded by Commissioner Norris and passed unanimously to approve the Consent Agenda Items as follows.

Tax Releases:

Juanita N. Edwards: Double-wide mobile home sold and rebilled to Lovanda S. Hyatt on account #06-19934. Amount \$134.22, valuation \$8,650, year 1996, account #06-08857.

Ladies Only: Equipment (tanning beds) sold in 1993 to Movie Max in Bladen County. Amount \$70.85, valuation \$8,369, years 1994-95, account #01-50836.

Harry A. Simmons, Jr.: L-12-64, house vacant. Amount \$120.00, years 1995-96, account #03-20765.

Cape Fear Farm Credit ACA: I-8-97B sold in 1992 per Deed Book 430-188. Rebilled to Jeffrey Arp for 1993 on #01-00973. Amount \$363.60, valuation \$41,700, year 1993, account #01-12388.

Doris Billings: Mobile home (1986 14x70), not in Fair Bluff Township.

Rebilled in South Williams Township on #16-00553, Doris Billings & Renea & Aaron Haney, years 1992, 95 and 96. Amount \$276.86, valuation \$21,370, years 1992, 95 and 96, account #10-00988.

William Howard & Fannie L. Chestnut: Mobile home double-listed on #11-05900 to William & Fannie Chestnut. Amount \$6.23, valuation \$650, year 1996, account #01-14340.

Rueben Dantzler: Double-wide mobile home (1991 24x44) double-listed to Tyrah Williams on account #13-44217. Amount \$174.63, valuation \$12,660, year 1996, account #13-09707.

Ordered: That a refund check be issued to Jimmy Parker, 1334 S. Madison Street, Whiteville, NC 28472 (property listed to David T. Barnes) in the amount of \$766.00 for years 1992-96. WH-5-152, 100 x 150 double-listed and included on map WH-5-150 & 151 of Leslie Newsome on account #01-65527. Size of lot (map WH-5-152) corrected to 250 x 130. Valuation \$422,700, account #01-03180.

Ordered: That a refund check be issued to Lawrence A. & Alice W. Enzor, 6000 Cherry Grove Road, Cerro Gordo, NC 28430, in the amount of \$349.97, for year 1996. Farming equipment billed incorrectly with a valuation of \$65,982 instead of \$21,994. Clerical error. All taxes paid 1/31/96 (½ interest only). Valuation \$43,988, account #16-04140.

Ordered: That a refund check be issued to Lawrence Dwayne Enzor, 6360 Cherry Grove Road, Cerro Gordo, NC 28430, in the amount of \$349.97, for year 1996. Farming equipment billed incorrectly with a valuation of \$65,982 instead of \$21,994. Clerical error. All taxes paid 1/31/96 (½ interest only). Valuation \$43,988, account #16-04144.

Budget Amendment:

Accept 10-335-0000 State Miscellaneous Revenue (Emergency Management for Computer)	\$2,700.00
Expend 10-535-7400 Capital Outlay	\$2,700.00

PROCLAMATION - INFORMATION AND REFERRAL AWARENESS WEEK

A motion was made by Commissioner Jacobs, seconded by Commissioner Gray and passed unanimously to adopt the following Proclamation:

**INFORMATION and REFERRAL AWARENESS WEEK
1997
BY the COLUMBUS COUNTY BOARD of COMMISSIONERS
a PROCLAMATION**

WHEREAS, information and referral agencies work to affirm the dignity, self-worth and independence of individuals by facilitating their decisions and actions, tapping their experiences, skill and knowledge and enabling their continued contribution to the community; and

WHEREAS, information and referral agencies function as a point of entry, helping individuals to help themselves and each other, and offering service or access to community services as needed; and

WHEREAS, special recognition should be given to information and referral agencies and their role in serving individuals throughout the County of Columbus; and

WHEREAS, information and referral agencies in our communities serve as a viable commitment to the citizens of Columbus County.

NOW, THEREFORE, WE, THE COLUMBUS COUNTY BOARD OF COMMISSIONERS do hereby proclaim May 11-17, 1997, as “**INFORMATION AND REFERRAL AWARENESS WEEK**” in Columbus County, and commend this observance to our citizens.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ C.W. WILLIAMS, Chairman

ATTESTED BY:

/s/ IDA L. SMITH, Clerk to Board

**AGREEMENT - (SOIL & WATER CONSERVATION) STREAM DEBRIS
REMOVAL AND DISPOSAL**

A motion was made by Commissioner Dutton, seconded by Commissioner

Norris and passed unanimously to approve the following Agreement as presented by Donna Register, Soil and Water Conservationist District Conservationist.

PROJECT AGREEMENT

THIS AGREEMENT, made this 5th day of May, 1997, by and between the Columbus County Board of Commissioners, hereinafter referred to as the Sponsors; and the Natural Resources Conservation Service, United States Department of Agriculture, called NRCS.

WITNESSETH THAT:

WHEREAS, under the provisions of Section 216 of Public Law 81-516, Emergency Watershed Protection Program, and Title IV of the Agricultural Credit Act of 1978, Public Law 95-334, NRCS is authorized to assist the Sponsors in relieving hazards created by natural disasters that cause a sudden impairment of a watershed.

NOW, THEREFORE, in consideration of the premises and of the several promises to be faithfully performed by the parties hereto as set forth, the Sponsors and NRCS do hereby agree as follows:

A. It is agreed that the following described work is to be constructed at an estimated cost of \$38,137.50.

Stream debris removal and disposal in the Lumber River, Waccamaw River and Cape Fear River Watersheds, Site Nos. 59 through 74 and 88 through 91 of Columbus County, North Carolina.

B. The Sponsors will:

1. Provide 25 percent of the cost of constructing the works of improvement described in Section A. This cost to the Sponsors is estimated to be \$9,534.37.
2. Provide certification that real property rights have been obtained for installation of works of improvement. Certification will be provided on Form SCS-ADS-78, Assurances Relating to Real Property Acquisition, as amended.
3. Accept all financial and other responsibility for excess costs resulting from their failure to obtain, or their delay in obtaining, adequate land and water rights, permits, and licenses needed for the works of improvement described in Section A.
4. Comply with the requirements of the Special Provisions which are included in Attachment A to this Agreement. If applicable complete the "Clean Air and Water Certification," included in Attachment A.
5. Designate an individual to serve as liaison between the Sponsors and NRCS,

listing his or her duties, responsibilities, and authorities. Furnish such information in writing to NRCS.

6. Review and approve the final drawings and specifications for the works of improvement described in Section A.
7. Reimburse NRCS its share of the cost for constructing the works of improvement as hereinafter provided:
 - a. Make payments to NRCS upon receipt of Form SCS-FNM-15, Bill. Billings will be submitted to the Sponsors on a monthly basis, or as progress payments, interest will accrue on the unpaid amount at a percentage rate based on the current value of funds to the U.S. Treasury for each 30-day period, or portion thereof, that payment is delayed.
8. Upon acceptance of the work by NRCS from the contractor(s), assume responsibility for operation and maintenance, as appropriate, for the works of improvement installed in its area of jurisdiction.

C. NRCS will:

1. Provide 75 percent of the cost of constructing the works of improvement described in Section A. This cost to NRCS is estimated to be \$28,603.13
2. Provide authorized assistance including, but not limited to, obtaining basic information; preparation of contract drawings, designs, and specifications; performance of layout; inspection services; contract administration; and quality assurance during installation of the works of improvement.
3. Contract for construction of the works of improvement described in Section A in accordance with Federal contracting procedures.
4. Make changes in the work described in Section A as mutually agreed upon with the Sponsors, and modify the Contract(s) accordingly.
5. Make progress payments to the Contractor(s) in accordance with contractual requirements. Submit Form SCS-FNM-15, Bill, to the Sponsors for reimbursement to NRCS of the Sponsor's share of the cost of constructing the works of improvement described in Section A.
6. Arrange for and conduct final inspection of the completed works of improvement with the Sponsors to determine whether all the work has been performed in accordance with contractual requirements. Accept work from the Contractor(s) and notify the Sponsors of acceptance.

D. It is mutually agreed that:

1. No member of or delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.
2. Additional funds, properly allocable as construction costs as determined by NRCS, required as a result of a Contractor's claim, are to be provided in the same ratio as construction funds are contributed under the terms of this Agreement.

- 3. The furnishing of financial or other assistance by NRCS is contingent upon the availability of funds appropriated by Congress from which payment may be made and shall not obligate NRCS upon failure of the Congress to so appropriate.
- 4. NRCS may terminate this Agreement in whole or in part when it is determined by NRCS that the Sponsors have failed to comply with any of the conditions of this Agreement. NRCS shall promptly notify the Sponsors in writing of the determination and reasons for the termination, together with the effective date. Payments made by or recoveries made by NRCS under this termination shall be in accord with the legal rights and liabilities of NRCS and the Sponsors.
- 5. This Agreement may be temporarily suspended by NRCS if NRCS determines that corrective action by the Sponsors is needed to meet the provisions of this Agreement when it is evident that a termination is pending.
- 6. The program or activities conducted under this Agreement will be in compliance with the nondiscrimination provisions contained in the Titles VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987 (Public Law 100-259); and other nondiscrimination statutes: namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and the Age Discrimination Act of 1975. They will also be in accordance with regulations of the Secretary of Agriculture (7 CFR-15, Subparts A & B), which provide that no person in the United States shall on the grounds of race, color, national origin, age, sex, religion, marital status or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Agriculture or any agency thereof.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ C.W. Williams, Chairman

This action authorized at an official meeting of the Columbus County Board of Commissioners on the 5th day of May, 1997, at Columbus County, State of North Carolina.

/s/ Ida L. Smith, Clerk to the Board

**UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE**

**BY: _____
Assistant State Conservationist (OPS)**

PROCLAMATION - COLUMBUS COUNTY INDUSTRY APPRECIATION WEEK

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to adopt the following Proclamation:

**A PROCLAMATION RECOGNIZING MAY 26-30 COLUMBUS
COUNTY INDUSTRY APPRECIATION WEEK**

WHEREAS, the industrialization of Columbus County over the past several decades has been highly beneficial to the overall development and growth of the County; and

WHEREAS, this industrialization seen in Columbus County in such industries as textiles, chemical, paper, apparel, wood products, and agri-business have created thousands of jobs and generated hundreds of millions of dollars in the County's economy; and

WHEREAS, today Columbus County is very fortunate to have a diversity of industries that offer employment opportunities in different fields, and which create a progressive standard of living; and

WHEREAS, Columbus County has qualified workers who possess a strong work ethic that has evolved from the County's agricultural heritage. These employees are highly productive in the products they help to create within Columbus County's Industries and workers by proclaiming the week of May 25 - 30, 1997, as Columbus County Industry Appreciation Week.

/s/ C.W. Williams, Chairman
Columbus County Board of Commissioners

ATTEST:

/s/ Ida L. Smith, Clerk to Board

LAW ENFORCEMENT CENTER - APPROVAL TO RENEGOTIATE WITH GRIER-FRIPP ARCHITECTS FOR JAIL DESIGN

A motion was made by Commissioner Norris, seconded by Commissioner Gray and passed unanimously to permit Dempsey B. Herring, Administrator, to renegotiate the proposed Contract for Jail Design Services from Grier-Fripp Architects.

LUMBER RIVER BASIN REGIONAL WASTEWATER FEASIBILITY STUDY

Dempsey B. Herring, Administrator presented the Board with a letter from the Lumber River Council of Governments requesting Columbus County's financial participation in the Lumber River Basin Regional Wastewater Feasibility Study.

A motion was made by Commissioner Norris, seconded by Commissioner Dutton and passed unanimously to contact the towns closest to the Lumber River Basin to see if they are interested in participating in the Lumber River Basin Regional Wastewater Feasibility Study.

SOUTHEASTERN COMMUNITY COLLEGE - STRATEGIC PLANNING

COMMITTEE RECOGNIZED

A motion was made by Commissioner Gray, seconded by Commissioner Britt and passed unanimously to recognize and approve a new Strategic Planning Committee effort for Columbus County by Southeastern Community College at no cost to the County.

The following persons have agreed to serve on the Columbus County Strategic Planning Team: Clara Cartrette, J.B. Evans, Harry Foley, Dempsey Herring, Otis McNeil, Brenda Moore, Beverlee Nance, Tommy Nance, Gene Norton, Dave Potter, Steve Scott, Raymond Shaw, Floyd Shorter, Susan Williamson and Steve Yost.

APPOINTMENT - SOUTHEASTERN COMMUNITY COLLEGE BOARD OF TRUSTEES

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to reappoint Dr. John C. Williams to serve on the Community College Board of Trustees for a four (4) year term, with term expiring June 30, 2001.

FIRE & RESCUE (WHITE MARSH-WELCHES CREEK) - RADIO APPROVAL

Dempsey B. Herring, Administrator, reported that a request for a radio has been received from the White Marsh-Welches Creek Volunteer Fire Department for their newly purchased equipment. The bids received are as follows:

Piedmont Communications	\$771.88
Myrtle Beach Communications	\$866.30
Strand Communications	\$766.45

A motion was made by Commissioner Norris, seconded by Commissioner Dutton and passed unanimously to award the White Marsh-Welches Creek Volunteer Fire Department the radio of their choice which is from Piedmont Communications for a total of \$771.88, less \$38.88 tax, equalling \$733.00, to be installed on the newly purchased equipment with the purchase to be coordinated by the Columbus County Fire Marshal. Also, they approved a budget amendment appropriating funds in the amount of \$733.00 from Non-Departmental Contingency (10-660-9999) to be expended in Special Appropriations (10-690-

9501) Fire and Rescue Department Radios.

COMMUNITY DEVELOPMENT BLOCK GRANT - SCATTERED SITE HOUSING

REHAB PROGRAM

A motion was made by Commissioner Norris, seconded by Commissioner Britt and passed unanimously to approve the following items regarding the Community Development Block Grant Scattered Site Housing Rehab Program:

- a. The Equal Employment and Procurement Plan;
- b. Recipient's Plan to Further Fair Housing; and
- c. Local Economic Benefit for Low and very Low Income Persons Plan for 1997.

A complete set of the above listed documents are on file in the office of the Clerk to the Board.

ORDINANCE - MANUFACTURED/MOBILE HOME PARK

A motion was made by Commissioner Wilson, seconded by Commissioner Gray and passed unanimously to adopt and enact the Manufactured/Mobile Home Park Ordinance effective May 5, 1997, as follows:

MANUFACTURED/MOBILE HOME PARK

ORDINANCE for COLUMBUS COUNTY

ARTICLE I: PURPOSE

The purpose of this Ordinance is to regulate and guide the establishment of manufactured/ mobile home parks in order to promote the public health, safety and general welfare of the citizens of Columbus County, North Carolina. This Ordinance is designed to accomplish the following specific objectives: (a) to further the orderly layout of manufactured/mobile home parks; (b) to secure safety from fire, panic and other danger; (c) to provide adequate light and air; and (d) to ensure that facilities for transportation, parking, water, sewage and recreation are provided for manufactured/mobile home park residents and visitors.

ARTICLE II: JURISDICTION

These regulations shall govern the establishment of each and every new manufactured/mobile home park and the alteration or expansion of existing

manufactured/mobile home parks lying within the jurisdiction of Columbus County.

ARTICLE III: AUTHORITY

Columbus County hereby exercises its authority to adopt and enforce a **Manufactured/ Mobile Home Park Ordinance** pursuant to the authority granted to Columbus County by Chapter 153A of the General Statutes of North Carolina.

ARTICLE IV: SHORT TITLE

This Ordinance shall be known as the **MANUFACTURED/MOBILE HOME PARK, COLUMBUS COUNTY**, and may be cited as the **Mobile Home Park Ordinance**.

ARTICLE V: DEFINITIONS and TERMS

SECTION A: Interpretation of Certain Terms and Words

1. Words used in the present tense include the future tense.
2. Words used in the singular number include the plural and words used in the plural number include the singular.
3. The word "shall" is always mandatory and not merely directory.
4. The word "may" is permissive.
5. The words "used" or "occupied" include the words intended, designed or arranged to be used or occupied.

SECTION B: Definitions

1. **Adjacent**: Having a common border such as a lot line or street right-of-way.
2. **Automobile, Abandoned**: A motor vehicle which is left on private property without the consent of the owner, occupant or lessee of the property.
3. **Automobile, Junked**: A motor vehicle that is (a) partially dismantled or wrecked; or (b) cannot be self-propelled or moved in the manner in which it was originally intended to move; or (c) does not display a current license plate.
4. **Junk**: Any such motor vehicles that are partially dismantled or wrecked and cannot be self-propelled or moved in the manner in which it was originally intended to move, or machinery and/or materials in which no specific or expressly written purpose can

be provided.

5. **Manufactured/Mobile Home:**

A structure that:

- a. consists of a single unit completely assembled at a factory or of two (2) [double-wide] or three (3) [triple-wide] principal components totally assembled at the factory and joined together at the site; and
- b. is designed so that the total structure (or in the case of a double-wide or triple-wide, each component thereof) can be transported on its own chassis; and
- c. is over thirty-two (32) feet long and over eight (8) feet wide; and
- d. is designed to be used for one (1) family, including permanent provisions for living, sleeping, eating, cooking and sanitation; and
- e. is actually being used, or is held ready for use, as a dwelling; and
- f. is not permanently attached to a foundation.

A structure that is otherwise defined herein as a manufactured/mobile home is permanently attached to its foundation if:

- a. the foundation was constructed in such a way or at such expense as to make it unlikely that the manufactured/mobile home placed upon it will later be removed; or
- b. if the mobile home cannot be removed from the foundation without great expense or severe damage to the manufactured/mobile home.

6. **Manufactured/Mobile Home Lot:** A tract of land within a manufactured/mobile home park:

- a. whose boundaries are delineated in accordance with the requirements of this Ordinance; and
- b. that is designed and improved in accordance with the requirements of this Ordinance to accommodate a single manufactured/mobile home.

7. **Manufactured/Mobile Home Space:** A plot of land within a manufactured/mobile home park designed for the accommodation of a single-manufactured/mobile home

in accordance with the requirements set forth in this **Ordinance**.

8. **Operator**: The person who owns or is responsible for the operation of a manufactured/ mobile home park.
9. **Recreation Area or Park**: An area of land and/or water resources that is developed for active and/or passive recreation pursuits with various man-made features that accommodate such activities.
10. **Tie Downs**: Galvanized steel cables or strapping which “tie” a manufactured home and its steel frame to anchors embedded in the ground.
11. **Tract**: A piece of land whose boundaries have been described or delimited by a legal instrument or map recorded in the office of the Register of Deeds.
12. **Variance**: A modification of the terms of this **Ordinance** where, owing to conditions peculiar to the property, a literal enforcement of this **Ordinance** would result in an unnecessary hardship.
13. **Wind Zone II Designation**: Minimum rating designation required for all mobile homes to be set up in Columbus County.
 - a. Wind Zone II: built to withstand one hundred (100) miles per hour winds - 25 PSF.
 - b. Wind Zone II Declaration Sticker: map of United States placed in homes by manufacturer designating Wind Zone placement areas.

SECTION C: Terms

1. **Manufactured/Mobile Home Park**: Any place, area or tract of land maintained for the purpose of renting, leasing or selling for private ownership, a space where three (3) or more manufactured/mobile home trailers or manufactured/mobile home units will be used for human habitation purposes, whether the manufactured/mobile homes are owned by the owner of the manufactured/mobile home park or owned by individual occupants.
2. **Solid Waste**: Garbage, refuse, rubble, trash or other discarded materials resulting from industrial, commercial and agricultural operations, from community activities

and from household use of products and materials, but does not include solids or dissolved materials and domestic sewage or other significant pollutants and water resources such as silt, dissolved or suspended solids and industrial pollutants, dissolved or suspended solids and industrial waste effluents, dissolved materials and irrigation, return flows or other common water pollutants.

3. **Household Solid Waste:** Waste normally generated by households.
4. **Self Contained:** Contained within and becoming a part of the manufactured/mobile home.
5. **Privately-owned Public Water System:** As defined by Article 10, Chapter 130A, Section 313(10) of the General Statutes of North Carolina.
6. **Operating Permit:** The permit issued by the Health Director indicating compliance with health regulations only, and not to be confused with any other permit which may be issued by other agencies having jurisdiction.
7. **Human Habitation:** Use by human beings for any purpose or purposes.
8. **Local Board of Health:** The Columbus County Board of Health.
9. **Person:** Any individual, firm, corporation, association or partnership.
10. **Health Director:** The Columbus County Health Director or his/her authorized representative.
11. **Plumbing Inspector:** The duly appointed inspector having jurisdiction over installation of plumbing in the area in which the manufactured/mobile home park is located.
12. **Building Inspector:** Columbus County Building Inspector or designee.
13. **Planning Board:** The Board appointed by the Columbus County Board of Commissioners to oversee the administration of this Manufactured/Mobile Home Park Ordinance.

ARTICLE VI: Procedure for Securing Approval of Manufactured/Mobile Home Park

SECTION A: Approval Required

No person shall construct or engage in the construction of any manufactured/mobile home park or make any addition or alteration to a manufactured/mobile home park that either alters the number of lots for manufactured/mobile homes within the park or affects the facilities required therein until approval has been granted by the Columbus County Planning Board.

SECTION B: Manufactured/Mobile Home Park Initial Permit Application Procedure

1. Prior to the construction of a manufactured/mobile home park, or the expansion of an existing manufactured/mobile home park, the developer shall make application to the Columbus County Building Inspection Office for a permit to construct or expand such a park. The application shall be accompanied by three (3) copies of the proposed park plan. Such application must be received at least seven (7) working days prior to a regularly scheduled meeting of the Columbus County Planning Board, if the application and proposed park plan are to be reviewed by the Planning Board at that time. These plans will become a permanent part of the records of the County Planning Board.
2. The park plan shall be drawn at a scale no smaller than one (1") inch = one hundred (100') feet and must be drawn by a registered engineer or licensed surveyor and shall include the following:
 - a. The name of the park, the names and addresses of owner or owners, and the designer or surveyor;
 - b. Date, scale and approximate North arrow;
 - c. Boundaries of the tract shown with bearings and distances;
 - d. Site plan showing streets, traffic circulation, walkways, driveways, recreation areas, parking spaces, service buildings, water courses, easements, manufactured/mobile home lots, lot numbers, all structures to be located on the park site and total acreage of the park;
 - e. Vicinity map showing the location of the park and the surrounding land usage;
 - f. Names of adjoining property owners;
 - g. The existing and proposed utility system for surface water drainage, street

lights, water supply and solid waste and sewage disposal facilities;

- h. Certification of approval of water supply system plans by:
 - (i) the Columbus County Health Department for a system with less than fifteen (15) connections; or
 - (ii) the Sanitary Engineering Section, Division of Health Services, North Carolina Department of Human Resources, for a system with fifteen (15) or more connections, including the source of water supply, location and specifications of the water supply and water connection taps.
- i. Certification of approval of sewage collection systems by:
 - (i) the North Carolina Department of Natural and Economic Resources, Division of Environmental Management, for a system with surface discharge of non-domestic liquid waste; or
 - (ii) the Columbus County Health Department for systems with subsurface disposal systems including the location and specifications of septic tanks and sewage disposal facilities.
- j. Certification of solid waste storage, collection and disposal shall be approved by the Columbus County Planning Board.

SECTION C: Disapproval of Plans

Upon written request, from a person whose application for approval of plans and specifications for an existing or a proposed manufactured/mobile home park has been denied, the Local Planning Board shall grant a hearing at which time the person making the request shall be given an opportunity to show cause that such plans and specifications or layout plans should be approved. No such hearing shall be held unless a written request has been filed in the office of Columbus County Building Inspections Office on or before the 10th day from the date of the denial. It will be the duty of the Building Inspector to transmit such request to the Chairman of the Local Planning Board within seven (7) days of its receipt. A hearing will then be held for the denial party within thirty (30) days by the Local Planning Board

upon receipt of the request. Notice of such hearing shall be sent by registered mail ten (10) days prior to the hearing to the denial party.

SECTION D: Variances

The Columbus County Planning Board may grant a variance from the manufactured/mobile home park regulations when, in its opinion, undue hardship may result from strict compliance. In granting any variance, the Planning Board shall make the findings below, taking into account the nature of the proposed manufactured/mobile home park, the existing use of land in the vicinity, the number of persons to reside or work in the proposed park and the probable effect of the park upon traffic conditions in the vicinity. No variance shall be granted unless the Planning Board finds the following fact(s):

- A. There are special circumstances or conditions affecting said property such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his/her land.
- B. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- C. The circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this Ordinance.
- D. The granting of the variance will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated.
- E. The variance does not confer on the applicant special privileges or be in contradiction to other local, state or federal regulations.

ARTICLE VII: Review of the Proposed Manufactured/Mobile Home Park Plan

The Columbus County Building Inspector shall transmit the proposed park plan to the Columbus County Planning Board for review at its next meeting.

- A. The Planning Board shall review the proposed manufactured/mobile home park plan to determine if it is in accordance with the requirements set forth in this Ordinance.

- B. If the Planning Board should disapprove the proposed park plan, the reasons for such action and the recommended changes shall be given to the developer or his/her agent.
- C. After the Planning Board has approved the proposed park plan, one (1) approved copy shall be sent to the Building Inspector and one (1) approved copy shall be given to the developer or his/her agent.

ARTICLE VIII: Issuance of Initial Permit and Business License

- A. After receiving approval of the proposed manufactured/mobile home park plan, the Building Inspector is authorized to issue a letter allowing the construction of the park according to the proposed plan, but shall not be construed to entitle the applicant to offer spaces for rent or lease, or to operate a manufactured/mobile home park.
- B. If construction of the manufactured/mobile home park has not begun within twelve (12) months from the issued date of the initial permit, the Planning Board may grant an extension of the permit when the applicant shows reasonable cause for delay. However, the Planning Board also has the authority to require the proposed park to resubmit their plan.
- C. When the developer has completed the construction of the manufactured/mobile home park, he/she shall apply to the County Inspections Office who shall make an onsite inspection of the park.
 - 1. If the park conforms to the plan approved by the Planning Board and other agencies, the Inspections Office shall issue the developer a business license.
 - 2. If the park does not conform with the approved plan, the Inspections Office shall delay issuance of the business license until it comes into conformity.
- D. The business license issued to the applicant shall constitute the authority to operate the manufactured/mobile home park. The business license shall expire after a two (2) year period and must be renewed to be valid. The Inspections Department has the authority to withhold Certificate of Occupancy Permits for parks without a valid business license.
- E. When a manufactured/mobile home park is to be developed in phases, the proposed

plan may be submitted for the entire development. All sections of a manufactured/mobile home park must meet the requirements of this Ordinance in order for a business license to be issued for any additional phases, then application for a business license may be made for each phase completed.

- F. Upon determination that an existing sanitary sewerage system has a valid operation permit or a valid certificate of completion and is operating properly in a manufactured/mobile home park, the County Health Department shall issue authorization in writing for a manufactured/mobile home to be connected to the existing system and to be occupied.

Notwithstanding the above requirement, an improvement permit is not required for the connection of a manufactured/mobile home to an existing system with a valid operation permit or a valid certificate of completion in a manufactured/mobile home park, (N.C. General Statutes 130A-337 (c)).

- G. All manufactured/mobile home parks in Columbus County shall be inspected by the Columbus County Health Department at least once every two (2) years. The business license of parks with sewerage problems based on current North Carolina sanitation regulations may be revoked upon request from the Columbus County Health Department.
- H. Violation of any of the Ordinance requirements constitutes grounds for refusing to issue a license or renew a license or to revoke an issued license. Operating a manufactured/mobile home park without a valid license is a misdemeanor punishable under the terms of this Ordinance.

ARTICLE IX: Minimum Standards of Design, Construction and Layout

- A. **Minimum Park Size:** Manufactured/mobile home parks created after the adoption of this Ordinance by the Columbus County Board of Commissioners must be a minimum of two (2) acres of contiguous land in total park size and shall contain at least three (3) manufactured home lots/spaces at first occupancy.

Manufactured/mobile home parks developed in phases shall be required to develop a minimum of three (3) lots in the first phase and a minimum of four (4) lots in all

additional phases except where the remaining lots to be developed are less than four (4).

- B. Every manufactured/mobile home park shall be located on a well-drained site and shall be so graded as to prevent the accumulation or ponding of water on the premises.
- C. No manufactured/mobile home park shall be so located that the drainage of the manufactured/mobile home park area will endanger any public or private water supply.
- D. **Flood Hazard:** Manufactured/mobile home parks shall not be located in areas that are susceptible to regular flooding as noted on FEMA Maps. Existing manufactured/mobile home parks located in flood hazard areas shall not be allowed to add additional spaces or manufactured/mobile homes. Manufactured/mobile home parks shall be graded so as to prevent water from ponding or accumulating on the premises.
- E. All new manufactured/mobile home parks or additions to existing manufactured/mobile home parks shall have manufactured/mobile home spaces complying to the following:
 - 1. Where a community or municipal sewage disposal system is used, each manufactured/mobile home space shall not be less than forty (40') feet wide, which shall be open and unobstructed and every manufactured/mobile home shall be located on a manufactured/mobile home space not less than four thousand (4,000') square feet in size.
 - 2. Where individual sewage disposal system is used, each manufactured/mobile home lot shall not be less than sixty (60') feet wide and not less than seven thousand two hundred (7,200') square feet in size or as determined by the Columbus County Health Department for a single-wide unit and no less than nine thousand six hundred (9,600') feet for a double or triple-wide unit.
- F. In all cases, the corners of every manufactured/mobile home space shall be plainly marked by corner markers. The distance between manufactured/mobile homes,

including any enclosed extension thereof, shall not be less than fifteen (15') feet. No manufactured/mobile home shall be located closer than fifteen (15') feet to any property line of the manufactured/mobile home park or to any other structure on the premises and not closer than twenty-five (25') feet to any public street or highway.

- G. Every manufactured/mobile home park shall have at all entrances a clearly visible sign stating the name of the manufactured/mobile home park. Each individual lot shall be visibly numbered.
- H. It is recommended that each manufactured/mobile home park sign be a minimum of three (3') feet high and four (4') feet wide with letter/numbers at least four (4") inches and visible to traffic at entrances. Signs designating lot spaces should be at least six (6") inches by six (6") inches with numbers large enough to be seen by traffic inside the manufactured/mobile home park. Street names must be erected before any homes enter in the parks.
- I. Manufactured/mobile home parks existing on the date of adoption of this Ordinance shall have until January 1, 1998, to comply with the following regulations:
1. Providing street names to parks;
 2. Signage for park;
 3. Solid waste disposal plan;
 4. Register with the Columbus County Tax Office;
 5. Register with the Columbus County Health Department;
 6. Register with the Columbus County Building Inspections Department; and
 7. Obtain a business license to operate.
- J. All manufactured/mobile homes in Columbus County will be a minimum of Wind Zone II Certified as designated by the North Carolina Department of Insurance.
- K. All manufactured/mobile homes will be set up and anchored according to manufacturers' instructions and meet all code requirements.

ARTICLE X: Planting Strip

The manufactured/mobile home park shall have a planting strip not less than ten (10') feet wide adjacent to the park boundary extending along the entire perimeter of the

manufactured/mobile home park. The planting strip shall not be a portion of any manufactured/mobile home space, street or private drive. It shall be planted with evergreen and/or deciduous trees not more than eight (8') feet apart and adequately landscaped with grass and shrubbery in such a manner as to be harmonious with the landscaping and/or the adjacent properties and in keeping with the general character of the surrounding neighborhood. A privacy fence at least six (6') feet in height may meet the buffering requirement in such instances where landscaping is impracticable or in instances where the Planning Board determines that a fence would be the most effective buffer.

All required planting strips must be continually maintained by the owner. Failure to maintain any required planting strip may cause the manufactured/mobile home park's business license to be withheld or revoked.

The buffering requirement may be waived by the Columbus County Planning Board along any boundary which is naturally screened by trees and shrubbery and/or topography.

ARTICLE XI: Non-Residential Uses

No part of any park (no property on the same deed as the manufactured/mobile home park) may be used for non-residential purposes, except uses that are required for the direct servicing and well being of park residents and for the management and maintenance of this park. This section shall not be construed to prohibit the sale of a manufactured/mobile home located on a manufactured/mobile home lot and connected to the pertinent facilities.

ARTICLE XII: Parking

Each manufactured/mobile home park shall provide sufficient parking and maneuvering space so that the parking, loading or maneuvering of a manufactured/mobile home incidental to parking shall not necessitate the use of any public street, sidewalk or right-of-way or any private grounds not part of the manufactured/mobile home park.

Two (2) off-street parking spaces, each with a minimum length of twenty (20') feet and a minimum width of ten (10') feet shall be provided for each manufactured/mobile home lot in the park. The parking spaces shall be constructed with the same material as the interior streets.

ARTICLE XIII: Exterior Lighting

Adequate lights shall be provided to illuminate streets, common driveways, walkways and dead-end streets for the safe movement of vehicles and pedestrians at night. Minimum requirements will be based on 0.4 foot candles per light spaced at a minimum of two hundred (200') feet between lights and nine thousand five hundred (9500) lumens at a twenty-five (25') feet mounting height.

ARTICLE XIV: Interior Street System

SECTION A: Access

All manufactured/mobile home parks shall be provided with a network of streets, roads or driveways that will allow safe and convenient vehicular access to an improved public street from each manufactured/mobile home lot, but no individual manufactured/mobile home within a park may have direct-driveway access to an abutting public street.

The intersection of the public street with the entrance way or private access road to the manufactured/mobile home park shall be designed to facilitate the free movement of traffic on the public street and to minimize the hazards caused by traffic entering or leaving the park development. All driveways shall be hard surfaces and the minimum width of such driveways shall be well marked and lighted in the manufactured/mobile home parks. All manufactured/mobile home lots must enter and exit the park through the use of the interior road network of the park; no direct access to public roads from a lot shall be allowed.

SECTION B: Streets

Through streets connecting two (2) public thoroughfares or extending to adjacent properties shall be built to minimum construction standards required by the North Carolina Department of Transportation for acceptance to the State Highway System. All through streets shall have approval by the North Carolina Department of Transportation. All other streets or roads in the manufactured/mobile home park will be built to minimum standards as set down by the North Carolina Department of Transportation.

ARTICLE XV: Responsibilities and Duties of Park Operators

SECTION A: Manufactured/Mobile Home Park Maintenance

Manufactured/mobile home park operators shall be required to provide adequate supervision to maintain the park in compliance with the requirements of this Ordinance. The manufactured/mobile home park operators shall keep all park-owned facilities, improvements, equipment and all common areas in good repair and maintained in such a manner as to prevent the accumulation of storage of materials which could constitute a fire hazard or would cause insect or rodent breeding and harborage. Abandoned vehicle storage or the accumulation of junk is expressly prohibited in existing and/or new manufactured/mobile home parks. Either item may be cause to revoke a manufactured/mobile home park business license.

SECTION B: Placement and Anchoring

Operators shall be required to supervise the placement of all manufactured/mobile homes to guarantee that they are properly anchored and attached to utilities.

All manufactured/mobile homes within a manufactured/mobile home park shall be properly anchored or provided with tie downs, in accordance with the State of North Carolina Regulations for Manufactured/Mobile Homes. Technical assistance will be provided by the Columbus County Building Inspection Office.

SECTION C: Assist County Tax Administrator

Operators shall be required to comply with North Carolina General Statute 105-316 (a) (1) which requires that as of January 1 of each year, each operator of a park renting lots for three (3) or more manufactured/mobile homes, furnish to the County Tax Supervisor the name of the owner of and a description of each manufactured/mobile home located in the park.

SECTION D: Solid Waste Disposal

The park operator will operate or provide for the operation of a solid waste disposal system, including providing park tenants with appropriate containers. The solid waste disposal system shall consist of dumpsters or container stands with contract pickups. The owner himself/herself, may operate the contract pickup provided he/she signs a notarized

statement saying that he/she will be responsible for the trash collection in the manufactured/mobile home park.

SECTION E: Numbering and Park Signs

The park operator shall be required to provide numbers which are minimum of four (4") inches in size and to supervise the placement of these numbers to clearly identify each manufactured/mobile home lot from the street. These numbers shall be displayed either on each manufactured/mobile home or on a post placed within the lot area.

The park operator shall also be required to provide a park sign which identifies the name of the park and a telephone number at which the park owner or operator may be contacted. These signs must be visible from the road adjacent to the park. The park operator will provide address information to E-911 Addressing Office.

All streets will be named and display a street sign visible from entrance ways.

ARTICLE XVI: MANUFACTURED/MOBILE HOME PARKS DEVELOPED for the PURPOSE of SELLING PARK PROPERTY

SECTION A: Conformance

Developers of manufactured/mobile home parks will conform to all procedures as set down in Articles 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of this Ordinance.

SECTION B: Property Tax/User Fees

The developer or manufactured/mobile home park owner who sells property in said parks on a contract basis is responsible for property tax and all user fees until the deed for the manufactured/mobile home property has been recorded and transferred to the buyer.

SECTION C: Relief of Responsibilities for Developer/Original Owner

When a developer or owner of manufactured/mobile home property sells park property to a responsible buyer, the developer/owner is relieved of certain responsibilities with them being assumed by the buyer. They are as follows:

1. List with Columbus County Tax Office and receive a property identification number;
2. Secure a proper address with the E-911 Office and display proper house numbers;

3. Be responsible for all building permits;
4. Secure all health permits regarding water and sewer; and
5. Be responsible for solid waste disposal.

ARTICLE XVII: Administration

The Columbus County Inspections Department shall administer and enforce this Ordinance. The office may be provided with assistance of such other persons as the Board of Commissioners may direct.

SECTION A: Enforcement

If the Columbus County Inspections Department shall find that any of the provisions of this Ordinance are being violated, it shall notify in writing the person responsible for the violation, specifying the nature of the violation and what corrective measures must be taken. The Inspections Department shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by law to ensure compliance with or to prevent violation of the provisions of this Ordinance.

SECTION B: Fees

The Columbus County Board of Commissioners shall set a fee, payable to the Columbus County Inspections Office, to cover the necessary processing cost of all manufactured/mobile home permits and business licenses. The set fee shall be posted in the Inspections Office.

SECTION C: Penalties

Any person failing to take corrective action within a reasonable time after receiving written notice from the Columbus County Inspections Office; and any person operating a manufactured/mobile home park without a valid business license shall be guilty of a misdemeanor and may be punished by a fine not to exceed two hundred and 00/100 (\$200.00) dollars or imprisonment not to exceed thirty (30) days. Each day such violation shall be permitted to exist shall constitute a separate offense.

SECTION D: Right of Appeal

If any initial permit or business license is denied or revoked, the applicant may appeal the action of the Columbus County Inspections Office to the Planning Board. Beyond the decision of the Planning Board, recourse shall be to the Courts as provided by law.

SECTION E: Amendment

The Columbus County Board of Commissioners may, from time to time, amend the terms of this Ordinance (but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation). If the Planning Board fails to submit a report within thirty (30) days after public hearing by the Columbus County Board of Commissioners, the proposed amendment shall be deemed to have recommended approval by the Planning Board.

No amendment shall be adopted by the Governing Body until they have held a public hearing on the amendment. Notice of the hearing shall be published in a newspaper of general circulation in Columbus County at least once a week for two (2) successive weeks prior to the hearing, the first publication being not less than fifteen (15) days nor more than twenty-five (25) days before the date of the hearing. In computing the 10th day and 25th day periods, the date of publication and the date of the public hearing is to be counted.

ARTICLE XVIII: Utility and Solid Waste Disposal Requirements

SECTION A: Water Supply

Every manufactured/mobile home shall be provided with a supply of water for domestic purposes from a source approved by the Columbus County Health Department.

SECTION B: Sewage Disposal

Every manufactured/mobile home shall be provided with an adequate sewage disposal system by connection to a public sewage system or a septic tank system constructed in compliance with State regulations and approved by the Columbus County Health Department.

SECTION C: Collection and Disposal

All owners, and/or operators of manufactured/mobile home parks shall provide for the collection of solid waste from the containers furnished by owner, and/or operator and the transport of solid waste to certified disposal sites. The owner, and/or operator, shall provide the collection and transport service of solid waste by either contracting with a solid waste

collector doing business in the County or provide the service as a part of the operation of the manufactured/mobile home park.

Owners, and/or operators of manufactured/mobile home parks not currently providing collection and transport service shall have through January 1, 1998 to provide these services.

SECTION D: Garbage Disposal and General Maintenance

All garbage and refuse in every manufactured/mobile home park shall be stored in suitable water-tight and fly-tight metal receptacles, which shall be kept covered with tight-fitting metal covers or other methods approved by the Health Director, where garbage cans are not used. It shall be the duty of the manufactured/mobile home park operator to see that all garbage and refuse are disposed of regularly and in a sanitary manner. It shall also be the manufactured/mobile home park operator's responsibility to see that no materials which attract insects or rodents or which afford harborage for insects or rodents is stored or allowed to remain on the premises. All areas of the premises shall be kept clean and free from weeds or heavy undergrowth.

ARTICLE XIX: EFFECTIVE DATE

This Ordinance shall take effect and be in force on May 5, 1997.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ C.W. WILLIAMS, Chairman

ATTESTED BY:

/s/ IDA L. SMITH, Clerk to Board

(SEAL)

RESOLUTION - CERTIFICATE OF NEED

A motion was made by Commissioner Norris, seconded by Commissioner Dutton and passed unanimously to adopt the following Resolution:

CERTIFICATE OF NEED RESOLUTION

WHEREAS, the Columbus County Board of Commissioners believes that all citizens of the State of North Carolina deserve quality health care; and

WHEREAS, it is further believed that SB1048 - AN ACT TO AMEND THE

CERTIFICATE OF NEED LAW TO CHANGE THE DETERMINATIVE EFFECT OF THE STATE MEDICAL FACILITIES PLAN'S NEED DETERMINATIONS TO PRESUMPTIVE EFFECTS AND TO REQUIRE CONSIDERATION OF ANY SPECIFIC NEED THAT MAY REBUT THE PRESUMPTION AND TO CLARIFY THAT THE STATE MEDICAL FACILITIES PLAN MUST BE ADOPTED AS RULES PURSUANT TO THE NORTH CAROLINA ADMINISTRATIVE PROCEDURE ACT AND MAY BE CHALLENGED IN CONTESTED CASES will result in the development of a two-tiered health care delivery system--one for the rich and one for the poor; and

WHEREAS, it is further believed that the CON discouraged duplication of costly equipment and services by restricting the development of "boutique hospitals," which accept only paying or insured patients for selected procedures and send indigent or critically ill patients to community hospitals; and

WHEREAS, the existing Certificate of Need process ensures the financial health of North Carolinas' communities' health care delivery systems.

NOW, THEREFORE, BE IT RESOLVED that the Columbus County Board of Commissioners strongly opposes SB1048 and requests its legislative delegation to vote against said bill.

BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted to its legislative delegation, the North Carolina Association of County Commissioners, and the other ninety-nine (99) counties in the State of North Carolina.

ADOPTED this 5th day of May, 1997.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ C.W. WILLIAMS, Chairman

ATTESTED BY:

IDA L. SMITH, Clerk to Board

CLOSED SESSION

At 9:05 A.M., a motion was made by Commissioner Norris, seconded by Commissioner Gray and passed unanimously to enter into a closed session in accordance with N.C.G.S. 143.318.11(3) and (4).

REGULAR SESSION RESUMED

At 9:45 A.M., a motion was made by Commissioner Gray, seconded by Commissioner Norris and passed unanimously to adjourn closed session and resume regular session.

No action was taken.

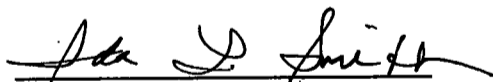
LITTER PATROL - TRANSFER LEWIS THOMPSON 2-3 DAYS PER WEEK

Dempsey B. Herring, Administrator, requested the Board 's permission to transfer Lewis Thompson, Recycling Supervisor, to work 3 - 4 days per week with Litter Patrol as the work load has decreased and will continue decreasing at the Recycling Center.

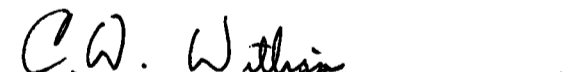
A motion was made by Commissioner Dutton, seconded by Commissioner Norris and passed unanimously to permit the Administrator to transfer Lewis Thompson to the Litter Patrol to assist Chuck Stanley for 2 - 3 days per week.

ADJOURNMENT

A motion was made by Commissioner Jacobs, seconded by Commissioner Wilson and passed unanimously to adjourn the Board Meeting at 9:48 A.M.


Ida L. Smith, Clerk to Board

APPROVED:


C. W. Williams, Chairman