

**COLUMBUS COUNTY**  
**BOARD OF COMMISSIONERS**

**MINUTES**

The Honorable Board of Columbus County Commissioners met in their said office at 112 West Smith Street, Whiteville, NC at 7:00 P.M., February 21, 2000 to hold a Public Hearing for the purpose of discussing the Site Study regarding the proposed Columbus County's Riegel Ridge Landfill and at 7:30 P.M. to hold their regularly scheduled Board Meeting, it being the third Monday.

**BOARD MEMBERS PRESENT:**

Lynwood Norris, Chairman

Spruell Randolph Britt, Vice Chairman

David L. Dutton, Jr. (Arrived at 7:13 P.M.)

A. Dial Gray, III

Sammie Jacobs

Amon E. McKenzie

C.E. Wilson

James E. Hill, Jr., Attorney

Dempsey B. Herring  
County Administrator

Ida L. Smith, Clerk to Board

**7:00 P.M. PUBLIC HEARING - SITE STUDY REGARDING THE PROPOSED  
RIEGEL RIDGE LANDFILL**

Chairman Norris called the Public Meeting to order for the purpose of discussing the Site Study for the proposed Columbus County's Riegel Ridge Landfill.

Dempsey B. Herring, County Administrator, reported five (5) people had signed the roster to address the Board and the Riegel Ridge Landfill officials regarding the proposed Landfill. The following persons commented on the proposed Riegel Ridge Landfill:

1. **Tommy Huffman**, 128 Watertank Road, Delco, NC: Mr. Huffman stated his real concern is wildlife and the impact the Landfill will have on the green swamp and also the 180 feet above ground level mountain of trash that will accumulate. Mr. Huffman stated he and his brother has property adjacent to the International Paper Property where the Regional Landfill will be located and this will encompass the road where they presently have access and ask the Riegel Ridge officials if they would continue to have access to their property. **William "Bill" Dreitzler**, representing Riegel Ridge, assured Mr. Huffman that the Company will provide him with access to his property in writing in the contingency plan.
2. **Becky Westbrook**, 130 Pinecrest Drive, Chadbourn, NC, Environmental Science Technologist, Southeastern Community College: Ms. Westbrook questioned as to what type of waste will be disposed of at Riegel Ridge as she is concerned about the Landfill's effect on the Green Swamp Nature Preserve, a 15,700 acre natural area, which is less than six miles from the landfill? She stated she is very concerned regarding the sensitive species such as the Venus flytrap. **William "Bill" Dreitzler**, representing Riegel Ridge, explained there will be household waste only and should not affect the preserve; an endangered species impact study will be done in May and June, 2000 in the traffic areas of the property.
3. **John Duncan**, 206 E. Lewis Street, Whiteville, NC, Environmental Science Technician Student, Southeastern Community College: Mr. Duncan questioned as to who is financially liable for this operation and does Riegel Ridge have financial assurance for thirty (30) years or will the taxpayers be responsible? Mr. Duncan asked if any studies have been done regarding methane gas collection. **Greg Peverall**, representing Riegel Ridge, reported Columbus County will not be responsible, Riegel Ridge will be fully responsible for the Landfill and

their operation will meet all state requirements regarding all chemicals.

4. **Ivetta Lee**, 609 Dans Avenue, Whiteville, NC, Environmental Science Technician Student, Southeastern Community College: commented that this is a major undertaking for Columbus County to accept unknown trash shipped in from other areas.

**William "Bill" Dreitzler** reported Columbus County will be accepting household garbage from counties within a one-hundred (100) mile radius and a list of specific counties is on file for those who are interested.

5. **Leo Mercer**, 115 Miller Street, Chadbourn, NC, Mayor of Chadbourn, commented on the following items:
  - A. He is for the environment also but the County cannot afford to continue to haul garbage to other counties for disposal;
  - B. The tobacco farmers are suffering due to the decrease in allotments;
  - C. We have had textile industries moving from Columbus County to other countries; and
  - D. The unemployment rate is 10%.

On behalf of the residents of Chadbourn, I am requesting the Board of Commissioners to continue with the Regional Landfill permitting process.

There were no other comments.

#### **PUBLIC MEETING ADJOURNMENT**

A motion was made by Commissioner McKenzie, seconded by Commissioner Britt and passed unanimously to adjourn the Public Meeting at 7:20 P.M.

#### **7:30 P.M. COMMENCEMENT OF REGULARLY SCHEDULED BOARD MEETING**

Chairman Norris called the regularly scheduled Board Meeting to order and Ed Worley, Aging Director, gave the invocation.

#### **SOLID WASTE - RIEGEL RIDGE ENVIRONMENTAL LANDFILL SITE DEVELOPMENT DOCUMENTS APPROVED**

A motion was made by Commissioner Britt, seconded by Commissioner

McKenzie and passed unanimously to approve the site development documents for the Riegel Ridge Environmental Landfill as presented by Riegel Ridge, LCC officials and has been available for public viewing in the Carolyn T. High Memorial Library since January 20, 2000 which will allow Riegel Ridge, LCC officials to submit a formal application to state environmental regulators for their consideration of approval.

#### **BOARD MINUTES APPROVAL**

A motion was made by Commissioner McKenzie, seconded by Commissioner Jacobs and passed unanimously to approve the Board Minutes for February 7, 2000, as recorded.

#### **TAX REFUNDS AND RELEASES**

A motion was made by Commissioner Dutton, seconded by Commissioner Wilson and passed unanimously to approve the tax refunds and releases as recommended by Richard J. Gore, Tax Administrator.

#### **Tax Refunds:**

Request a refund in the name of Anthony Guy & Theresa Buck, 15260 Swamp Fox Hwy. E., Tabor City, N.C. 28463. Charged with user fee but they have a commercial hauler. Amount \$100.00, Value \$N/A, Year 1999, Account #07-00810.

Request a refund in the name of Robert & Lura G. Buck, 14879 Swamp Fox Hwy E., Tabor City, N.C. 28463. Boat overpriced through error. Amount \$30.58, Value \$4000.00, Year 1999, Account #07-01040.

Request a refund in the name of Garrie & Pauline Dennis, P.O. Box 402, Chadbourn, N.C. 28431. Refund portion of user fee and interest that is double listed in the name of Pauline Dennis. Amount \$78.00 (includes 6.66 interest), Value \$N/A, Year 1998, Account #13-10362.

Request a refund for a boat in the name of William David Higgins (Jr.), 411 Slippery Log Rd. Whiteville, N.C. 28472. Did not own a boat 1-1-99. Amount \$26.38, Value \$3,450, Year 1999, Account #01-39571.

Request a refund in the name of Ferrell Jones, Jr., 100 Labon St. Tabor City, N.C. 28463. Paid on boat that he no longer owns. Amount \$51.60, Value \$5,900, Year 1999,

Account #07-48816.

Request a refund in the name of Charles Larry Smith, 273 Smith Horne Lane, Whiteville N.C. 28472. Mobile home priced as real estate instead of personal property. Amount \$142.05, Value \$5,909, Year 1998, Account #01-84620.

Request a refund in the name of George David Strickland, Jr., P.O. Box 21, Fair Bluff, NC 28439. Failed to receive senior citizens exemption. Amount \$139.00, Value \$20,000, Year 1999, Account #10-16340.

**Tax Releases:**

Release the value of a mobile home for the Town of Sandyfield, in the name of Willie A. Robbins. Mobile home outside city limits. Amount \$3.50, Value \$1,000, Year 1999, Account #15-31945.

Release the user fee in the name of Myrtle S. Blackman. Fee double listed in the name of Christine Palmatier. Amount \$100.00, Value \$N/A, Year 1998, Account #03-01300.

Release the user fee in the name of Myrtle S. Blackman. Fee double listed in the name of Christine Palmatier. Amount \$100.00, Value \$N/A, Year 1999, Account #03-01300.

Release the user fee in the name of Diane Davis. Uses a commercial hauler. Amount \$100.00, Value \$N/A, Year 1999, Account #12-06201.

Release the user fee in the name of Grady C. Evans. House is vacant. Amount \$100.00, Value \$N/A, Year 1999, Account #01-25080.

Release the user fee in the name of Clempson Green. House is vacant. Amount \$100.00, Value \$N/A, Year 1999, Account #16-05941.

Release one of three user fees in the name of Wesley Hayes. One mobile home used for storage. Amount \$100.00, Value \$N/A, Year 1999, Account #12-11260.

Release the user fee in the name of Ariel F. Henry. House is vacant. Amount \$100.00, Value \$N/A, Year 1999, Account #15-18069.

Release part of three (3) user fees in the name of Randy Gayle Hill. Property is inside the city limits of Brunswick. Amount \$120.00, Value \$N/A, Year 1999, Account

#01-40640.

Release the user fee in the name of Julie C. Hoffman. There is no trash can here. Amount \$100.00, Value \$N/A, Year 1999, Account #03-11466.

Release a portion of the user fee in the name of Jerry Dean Holland. Property inside city. Amount \$40.00, Value \$N/A, Year 1999, Account #13-00205. Bill #46187.

Release a portion of the user fee in the name of Jerry Dean Holland. Property inside city. Amount \$40.00, Value \$N/A, Year 1999, Account #13-00205. Bill #46188.

Release the user fee in the name of Mattie Leach. House is vacant. Amount \$100.00, Value \$N/A, Year 1999, Account #12-14574.

Release the user fee in the name of Cressie Mills. Fee double listed in the same name in a different township. Amount \$100.00, Value \$N/A, Year 1998, Account #19-00508.

Release the user fee in the name of James D. & Ann L. Myers (Heirs). House is vacant. Amount \$100.00, Value \$N/A, Year 1999, Account #15-28420.

Release the user fee in the name of Monty Dean Norris. No trash can here. Amount \$100.00, Value \$N/A, Year 1999, Account #16-12042.

Release the user fee in the name of Wendy Norris. Did not have mobile home 1-1998 Amount \$100.00, Value \$N/A, Year 1998, Account #06-28413.

Release the user fee in the name of John Andrew Sibbett. House vacant. Amount \$100.00, Value \$N/A, Year 1999, Account #01-82943.

Release the user fee in the name of Thomas Dale Skipper. Did not have trash container during 1998. Amount \$100.00, Value \$N/A, Year 1998, Account #01-84085.

Release the user fee in the name of Iola Smith. Fee double listed in the name of James Gause. Amount \$100.00, Value \$N/A, Year 1999, Account #01-85231.

Release the user fee in the name of Sherry Wise. Fee double listed in the name of Tylon F. Wise, Jr. Amount \$100.00, Value \$N/A, Year 1999, Account #15-39862.

Release the value of a boat in the name of David Neal & Cynthia Renee Allgood. Boat double listed to Frank Stanley. Amount \$70.00, Value \$8,900, Year 1999, Account #01-00586.

Release the value of a double wide in the name of Douglas Lyle & Barbara L. Barnes. Home double listed in the name of Barbara Barnes. Amount \$409.26, Value \$38,900, Year 1999, Account #10-03727.

Release the value of a mobile home in the name of Bernice Bell. Home sold for junk in 1998. Amount \$107.65, Value \$1000, Year 1999, Account #09-02431.

Release the value of a mobile home in the name of Eva Bethea. Billed with two homes and she only has one. Amount \$90.09, Value \$4,330, Year 1999, Account #10-02159.

Release the value of a boat in the name of David James Blackwell. The boat is a one man fishing boat with no motor. Amount \$20.19, Value \$2,640, Year 1999, Account #01-05839.

Release a portion of the boat value in the name of James D. Buffkin, Jr. & Mable. Boat valued too high. Amount \$95.93, Value \$10,700, Year 1999, Account #15-07262.

Release a portion of the boat value in the name of Eddie Joe Bullard. Value too high. Amount \$16.07, Value \$2,102, Year 1999, Account #12-04280.

Release the value of a mobile home in the name of Joseph Anthony Byrd. Home double listed in the same name with a different account number. Amount \$115.62, Value \$1,880, Year 1999, Account #14-02793.

Release the property value in the name of Carlee Carter. Property in Bladen County. Amount \$16.20, Value \$1,800, Year 1996, Account #15-09045.

Release the property value in the name of Carlee Carter. Property in Bladen County. Amount \$21.19, Value \$2,600, Year 1997, Account #15-09045.

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Release the property value in the name of Carlee Carter. Property in Bladen County. Amount \$21.19, Value \$2,600, Year 1999, Account #15-09045.

Release a portion of the house value in the name of Dennis Wade & Kathy Coffey. House is only 50% complete. Amount \$458.25, Value \$47,450, Year 1999, Account #11-06238.

Release the value of a mobile home in the name of Paula Cook. Home double listed in the name of Carlton Long. Amount \$108.53, Value \$1,000, Year 1999, Account #03-04098.

Release the value of a boat in the name of Bronson L. Cribb. Boat destroyed years ago. Amount \$41.28, Value \$5,400, Year 1999, Account #01-05240.

Release a portion of the boat value in the name of Jerry W. Cribb. Boat valued too high. Amount \$32.20, Value \$4,212, Year 1999, Account #01-05361.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$20.40, Value \$3,000, Year 1990, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$9.52, Value \$1,400, Year 1990, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$20.70, Value \$3,000, Year 1991, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$9.66, Value \$1,400, Year 1991, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$20.70, Value \$3,000, Year 1992, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$9.66, Value \$1,400, Year 1992, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$21.60, Value \$3,000, Year 1993, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$10.08, Value \$1,400, Year 1993, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$22.80, Value \$3,000, Year 1994, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$10.64, Value \$1,400, Year 1994, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$23.40, Value \$3,000, Year 1995, Account #08-04620.



Release the property value in the name of Tony Dawson. Property does not exist. Amount \$10.92, Value \$1,400, Year 1995, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$23.40, Value \$3,000, Year 1996, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$10.92, Value \$1,400, Year 1996, Account #08-04620.

Release the property listing in the name of Tony Dawson. Property does not exist. Amount \$20.85, Value \$3,000, Year 1997, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$9.73, Value \$1,400, Year 1997, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$20.85, Value \$3,000, Year 1998, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$9.73, Value \$1,400, Year 1998, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$20.85, Value \$3,000, Year 1999, Account #08-04620.

Release the property value in the name of Tony Dawson. Property does not exist. Amount \$9.73, Value \$1,400, Year 1999, Account #08-04620.

Release the value of a mobile home in the name of Garrie & Pauline Dennis. Home double listed in the name of Pauline Dennis. Amount \$44.40, Value \$1,870, Year 1998, Account #13-10362.

Release a portion of the boat value in the name of Rose Dudley. Boat valued too high. Amount \$30.58, Value \$4,000, Year 1999, Account #03-02306.

Release the value of a mobile home in the name of David Ray Fields. Home in Bladen County. Amount \$107.65, Value \$1,000, Year 1998, Account #12-07720.

Release the value of a mobile home in the name of David Ray Fields. Home in Bladen County. Amount \$107.65, Value \$1,000, Year 1999, Account #12-07720.

Release the value of a mobile home in the name of Teresa Flowers. Home double listed in the name of Glenn R. & Teresa Flowers. Amount \$8.58, Value \$1,000, Year

1996, Account #13-13295.

Release the value of a mobile home in the name of Teresa Flowers. Home double listed in the name of Glenn R. & Teresa Flowers. Amount \$67.65, Value \$1,000, Year 1997, Account #13-13295.

Release the value of a mobile home in the name of Teresa Flowers. Home double listed in the name of Glenn R. & Teresa Flowers. Amount \$67.65, Value \$1,000, Year 1998, Account #13-13295.

Release the value of a mobile home in the name of Teresa Flowers. Home double listed in the name of Glenn R. & Teresa Flowers. Amount \$67.65, Value \$1,000, Year 1999, Account #13-13295.

Release the value of a boat in the name of Bennie W. Graham. Boat sold years ago. Amount \$20.65, Value \$2,700, Year 1999, Account #07-04777.

Release the value of a house in the name of Cary Graham. House burned in 1997. Amount \$168.90, Value \$22,342, Year 1998, Account #08-06963.

Release the value of a house in the name of Cary Graham. House burned in 1997. Amount \$208.72, Value \$14,400, Year 1999, Account #08-06963.

Release the value of a mobile home in the name of Nathaniel Leon Green. Home double listed in the name of Charles Thompson. Amount \$229.10, Value \$14,400, Year 1997, Account #15-16731.

Release the value of a mobile home in the name of Nathaniel Leon Green. Home double listed in the name of Charles Thompson. Amount \$219.96, Value \$13,380, Year 1998, Account #15-16731.

Release the value of a mobile home in the name of Nathaniel Leon Green. Home double listed in the name of Charles Thompson. Amount \$212.07, Value \$12,500, Year 1999, Account #15-16731.

Release a portion of the boat value in the name of William Andrew & Rhonda Hardee. Boat valued too high. Amount \$28.94, Value \$3,310, Year 1999, Account #06-17228.

Release the value of a single wide home in the name of Ronnie Gene Hilburn.

Home was traded for double wide and listed. Amount \$141.51, Value \$17,800, Year 1999, Account #16-08500.

Release the property value in the name of Fred & Josephine Jones. Property does not exist. Amount \$6.80, Value \$800, Year 1995, Account #01-48440.

Release the property value in the name of Fred & Josephine Jones. Property does not exist. Amount \$6.80, Value \$800, Year 1996, Account #01-48440.

Release the property value in the name of Fred & Josephine Jones. Property does not exist. Amount \$6.12, Value \$800, Year 1997, Account #01-48440.

Release the property value in the name of Fred & Josephine Jones. Property does not exist. Amount \$6.12, Value \$800, Year 1998, Account #01-48440.

Release the property value in the name of Fred & Josephine Jones. Property does not exist. Amount \$6.12, Value \$800, Year 1999, Account #01-48440.

Release a portion of the value of a mobile home in the name of Larry & Donnie Jones. Home priced a double wide instead of single wide. Amount \$379.84, Value \$35,200, Year 1999, Account #16-02759.

Release the value of a mobile home in the name of Alice Kartak. Home sold prior to 1-1-99. Amount \$107.65, Value \$1,000, Year 1999, Account #03-12511.

Release the value of a boat in the name of Wesley T. Keaton. Boat listed in Bladen County. Amount \$47.25, Value \$6,180, Year 1999, Account #15-03057.

Release the value of a mobile home in the name of Ed Leach. Home double listed in the name of Elwood & Hazel Leach. Amount \$114.57, Value \$8,485, Year 1996, Account #05-03591.

Release the value of a mobile home in the name of Ed Leach. Home double listed in the name of Elwood and Hazel Leach. Amount \$155.88, Value \$7,309, Year 1997, Account #05-03591.

Release the value of a mobile home in the name of Ed Leach. Home double listed in the name of Elwood and Hazel Leach. Amount \$153.28, Value \$6,970, Year 1998, Account #05-03591.

Release the value of a mobile home in the name of Ed Leach. Home double

listed in the name of Elwood and Hazel Leach. Amount \$151.29, Value \$6,709, Year 1999, Account #05-03591.

Release the value of a mobile home in the name of Buck Long. Home was repossessed prior to 1-1-99. Amount \$340.25, Value \$31,000, Year 1999, Account #03-04345.

Release the value of a mobile home in the name of Carlton Monroe Long. Home double listed in the name of Carlton Long. Amount \$114.38, Value \$5,810, Year 1996, Account #03-13497.

Release the value of a mobile home in the name of Carlton Monroe Long. Home double listed in the name of Carlton Long. Amount \$142.50, Value \$5,560, Year 1997, Account #03-13497.

Release the value of a mobile home in the name of Carlton Monroe Long. Home double listed in the name of Carlton Long. Amount \$140.59, Value \$5,309, Year 1998, Account #03-13497.

Release the value of a mobile home in the name of Carlton Monroe Long. Home double listed in the name of Carlton Long. Amount \$138.92, Value \$5,090, Year 1999, Account #03-13497.

Release the value of a single wide home in the name of Shelton Lowery. Home traded for a double wide and listed. Amount \$208.80, Value \$13,100, Year 1999, Account #04-10661.

Release the value of a boat in the name of John Francis & Ann D. McLaughlin. Did not own this boat 1-1-99. Amount \$73.15, Value \$9,300, Year 1999, Account #01-56700.

Release the value of a single wide home in the name of Robert Lee Murphy. Home traded for double wide and listed. Amount \$108.42, Value \$1,000, Year 1999, Account #01-64374.

Release a portion of the boat value in the name of Richard J. O'Brien. Boat valued too high. Amount \$25.61, Value \$3,350, Year 1999, Account #15-03633.

Release the value of a boat in the name of Douglas W. & Kathy A. Piver. Boat

sold prior to 1-1-99. Amount \$33.83, Value \$4,300, Year 1999, Account #01-70586.

Release the value of a boat in the name of Johnnie E. & Hazel Sellers. Boat junked. Amount \$39.31, Value \$4,672, Year 1999, Account #01-80700.

Release a portion of the boat value in the name of Wade & Bruce J. Simmons. Boat valued too high. Amount \$13.78, Value \$1,660, Year 1999, Account #09-26840.

Release a portion of the value of a mobile home in the name of Charles Larry Smith. Home double listed as real and personal property. Amount \$142.25, Value \$5,909, Year 1999, Account #01-84620.

Release a portion of the boat value in the name of Christopher Matthew & Billie Smith. Boat valued to high. Amount \$26.35, Value \$3,350, Year 1999, Account #01-84680.

Release the value of a boat in the name of Curtis Smith, Jr. Mr. Smith has never owned a boat. Amount \$36.71, Value \$4,801, Year 1999, Account #13-05210.

Release the value of a boat in the name of Diana Clark Smith. Boat is not in Columbus County. Amount \$25.23, Value \$3,300, Year 1999, Account #15-34623.

Release the value of a mobile home in the name of Allen Ray & Rebecca Sue Sneider. Home double listed in the name of Debra Hollis Rogers. Amount \$169.78, Value \$10,040, Year 1999, Account #15-03945.

Release the value of a boat in the name of Southern Auto Sales. Boat not in Columbus County. Amount \$58.87, Value \$7,700, Year 1999, Account #08-00307.

Release the value of a boat in the name of Emory F. Spivey. Boat not in Columbus County. Amount \$24.08, Value \$3,150, Year 1999, Account #06-00527.

Release the value of a boat in the name of Fonzie Spivey. Boat sold prior to 1-1-99. Amount \$51.58, Value \$6,050, Year 1999, Account #03-04717.

Release a portion of the boat value in the name of Richard C. Spivey, Sr. Boat valued too high. Amount \$95.22, Value \$12,108, Year 1999, Account #01-88020.

Release the value of a mobile home in the name of Dennis Eugene Stephens. Home burned prior to 1-1-96. Amount \$9.36, Value \$1,000, Year 1996, Account #09-29339.

Release the value of a mobile home in the name of Dennis Eugene Stephens.

Home burned prior to 1-1-96. Amount \$107.65, Value \$1,000, Year 1997, Account #09-29339.

Release the value of a mobile home in the name of Dennis Eugene Stephens.

Home burned prior to 1-1-96. Amount \$107.65, Value \$1,000, Year 1998, Account #09-29339.

Release the value of a mobile home in the name of Dennis Eugene Stephens.

Home burned prior to 1-1-96. Amount \$108.31, Value \$1,000, Year 1999, Account #09-29339.

Release the value of a boat in the name of Boyd Lee Strickland. Boat sold prior to 1-1-99. Amount \$23.50, Value \$2,686, Year 1999, Account #16-13903.

Release a portion of the boat value in the name of Jackie B. & Martha M. Strickland. Boat valued too high. Amount \$6.29, Value \$800, Year 1999, Account #01-90607.

Release the value of a boat in the name of Julie Michelle Strickland. Boat listed in Bladen County. Amount \$25.23, Value \$3,300, Year 1999, Account #13-04110.

Release the value of a home in the name of Lloyd Strickland. Home double listed in the name of Catherine Strickland. Amount \$494.09, Value \$35,600, Year 1997, Account #16-14840.

Release the value of a home in the name of Lloyd Strickland. Home double listed in the name of Catherine Strickland. Amount \$459.62, Value \$35,600, Year 1998, Account #16-14840.

Release the value of a home in the name of Lloyd Strickland. Home double listed in the name of Catherine Strickland. Amount \$283.02, Value \$35,600, Year 1999, Account #16-14840.

Release the value of a boat in the name of Andy H. & Pat P. Suggs. Boat junked. Amount \$17.73, Value \$2,320, Year 1999, Account #12-27103.

Release the value of a boat in the name of F.H. Swain, Jr. Boat listed in Brunswick County. Amount \$44.43, Value \$5,350, Year 1999, Account #04-15460.

Release the value of a boat in the name of Edward Wesley Teal, Jr. Boat not

in Columbus County. Amount \$61.93, Value \$8,100, Year 1999, Account #01-05355.

Release a portion of the boat value in the name of David Shelton Tedder. Boat valued too high. Amount \$26.76, Value \$3,500, Year 1999, Account #01-05641.

Release the value of a boat in the name of John Elbert Thompson, Jr. Boat sold prior to 1-1-99. Amount \$95.24, Value \$12,457, Year 1999, Account #08-19020.

Release the value of a boat in the name of John Lawrence Thompson. Boat not in Columbus County. Amount \$20.26, Value \$2,650, Year 1999, Account #01-04338.

Release the value of a mobile home in the name of Alexander Tomlin, Jr. Home repossessed prior to 1-1-96. Amount \$109.98, Value \$5,340, Year 1996, Account #01-96116.

Release the value of a mobile home in the name of Alexander Tomlin, Jr. Home repossessed prior to 1-1-96. Amount \$138.92, Value \$5,090, Year 1997, Account #01-96116.

Release the value of a mobile home in the name of Alexander Tomlin, Jr. Home repossessed prior to 1-1-96. Amount \$134.47, Value \$4,509, Year 1998, Account #01-96116.

Release the value of a mobile home in the name of Alexander Tomlin, Jr. Home repossessed prior to 1-1-96. Amount \$133.10, Value \$4,330, Year 1999, Account #01-96116.

Release the value of a boat in the name of James Richard Tompkins. Boat not in Columbus County. Amount \$19.38, Value \$2,535, Year 1999, Account #06-05531.

Release a portion of the property value in the name of Carrie Ann Tripp. Billed with two (2) wells and septic tanks. Amount \$25.02, Value \$3,600, Year 1999, Account #07-50111.

Release a portion of the boat value in the name of Howard & Pat Turbeville. Boat valued too high. Amount \$44.02, Value \$5,300, Year 1999, Account #09-30800.

Release the value of a boat in the name of Harold Andrew Turner, III. Boat listed in Bladen County. Amount \$16.56, Value \$2,166, Year 1999, Account #05-00722.

Release a portion of the boat value in the name of Jimmy H. Turner. Boat

valued too high. Amount \$35.42, Value \$4,050, Year 1999, Account #10-17341.

Release the value of a boat in the name of William H. Turner. Did not own the boat 1-1-99. Amount \$27.91, Value \$3,650, Year 1999, Account #06-00804.

Release a portion of the boat value in the name of William H. & Elizabeth Turner. Boat valued too high. Amount \$33.03, Value \$4,200, Year 1999, Account #01-98183.

Release the property value in the name of Village Motor Sales. Business sold four years ago. Amount \$1.14, Value \$150, Year 1999, Account #06-40484.

Release a portion of the boat value in the name of Bobby D. Ward. Boat valued too high. Amount \$40.30, Value \$4,853, Year 1999, Account #09-31599.

Release the value of a boat in the name of Carl Ward, Jr. Boat not in Columbus County. Amount \$17.59, Value \$2,300, Year 1999, Account #06-04439.

Release the value of a boat in the name of Geraldine Soles Ward. Boat sold prior to 1-1-99. Amount \$18.35, Value \$2,400, Year 1999, Account #09-31990.

Release the value of a boat in the name of Kenneth R. Ward. Boat not in Columbus County. Amount \$23.71, Value \$3,100, Year 1999, Account #06-04618.

Release the property value in the name of Roger Dale Ward. Business double listed in the name of Tyree Upholstery. Amount \$18.81, Value \$2,460, Year 1999, Account #09-00019.

Release the value of a mobile home in the name of Mary Ruth Watts. Home double listed in the name of Bruce & Mary Ruth Watts. Amount \$121.48, Value \$3,090, Year 1999, Account #15-37621.

Release a portion of the boat value in the name of Larry Gene & Lynda H. Whittington. Boat valued too high. Amount \$23.07, Value \$2,672, Year 1999, Account #03-29300.

Release the value of a boat in the name of Judy W. Williams. Boat stolen prior to 1-1-99. Amount \$67.28, Value \$8,800, Year 1999, Account #16-17147.

Release the value of a boat in the name of Eddie M. & Gloria Williamson. Boat sold prior to 1-1-99. Amount \$17.99, Value \$2,286, Year 1999, Account #02-07432.



Release the value of a boat in the name of Wilson Auto Sales. Boat on lot for resale. Amount \$60.40, Value \$7,900, Year 1999, Account #02-04454.

Release the value of a mobile home in the name of Rufus & Mary Lee Wilson. Home double listed in the name of Okenon Graham. Amount \$206.57, Value \$13,940, Year 1999, Account #15-00841.

**AGING - IN-HOME SERVICE ANNUAL REPORT FOR 1999**

Ed Worley, Aging Director, presented the Board with the 1999 In-Home Service Annual Report and gave an overview of the services provided to the citizens of Columbus County.

**AWARD - RETIREMENT PLAQUE**

Chairman Norris presented a "Retirement Plaque" to Geraldine H. Ward as follows:

**PRESENTED TO**

**GERALDINE H. WARD**

\*\*\*\*\*

**IN GRATEFUL APPRECIATION OF YOUR SERVICE AS A**

**MEDICAL LAB TECHNOLOGIST**

**WITH THE COLUMBUS COUNTY HEALTH DEPARTMENT**

**1-1-1964 - 1-31-2000**

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**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION - WATER & SEWER DISTRICT III (RESTRICTION OF FUTURE WATER SERVICE TO PROTECT WETLANDS)**

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

**COLUMBUS COUNTY WATER and SEWER DISTRICT III**

**Restriction on Future Water Service to Protect Wetlands RESOLUTION**

**WHEREAS,** Columbus County is constantly changing with an area of some nine hundred forty-five (945) square miles, with a population of fifty-three thousand (53,000)

persons who desire to live, work and play here; **and**

**WHEREAS**, the Columbus County Water and Sewer District III will not install a new water service or will not agree to otherwise provide water service to any structure, dwelling, building or other improvement which is located in whole or in part within designated wetlands and which is not already existing, established and completed on or before the final completion date and placement in operation of the District III, Phase I water system.

**WHEREAS**, designated wetlands for the District are identified on national Wetlands Inventory maps prepared by the United States Department of Interior, Fish and Wildlife Service. These maps in their most updated form are to be maintained on permanent file at the central office of the water system.

**WHEREAS**, the Columbus County Board of Commissioners is giving high priority to the planning of water supply systems for a better future for Columbus County and its citizens.

**NOW, THEREFORE, BE IT RESOLVED**, that the Columbus County Board of Commissioners endorses the engineered plans for water development in wetland areas as designated and approved by Rural Development Agency and as are denoted on the approved water maps for District III.

**ADOPTED** this 21st day of February, 2000.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

*/s/ Lynwood Norris, Chairman*

**ATTESTED BY:**

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

**RESOLUTION - WATER & SEWER DISTRICT IV (RESTRICTION OF FUTURE WATER SERVICE AND SITE SELECTION TO PROTECT FARMLAND)**

A motion was made by Commissioner McKenzie, seconded by Commissioner Britt and passed unanimously to adopt the following Resolution.

**COLUMBUS COUNTY WATER and SEWER DISTRICT IV**

**Restriction on Future Water Service and**

**Site Selection to Protect Farmland RESOLUTION**

**WHEREAS,** Columbus County is constantly changing with an area of some nine hundred forty-five (945) square miles, with a population of fifty-three thousand (53,000) persons who desire to live, work and play here; **and**

**WHEREAS,** the Columbus County Water District IV will not install future water service to new development that requires larger than normal residential size tap to non-agricultural development proposed to occur on important farmland (as identified on Natural Resource Conservation Service soil classification maps for Columbus County) along surplus capacity water lines except for those previously designated as Growth Corridors. Those lines presently identified as having surplus capacity are those with a diameter of 10-inches located as follows:

- Specified roads within Welches Creek Township;
- Specified roads within Bogue Township; **and**
- Specified roads within Waccamaw Township.

**WHEREAS,** a final decision on whether or not a property proposed to be developed qualifies as important farmland will be made by the local office of the Natural Resources Conservation Service. In future expansions of the water system, this restriction will apply to all 10-inch diameter and larger waterlines that are not in a designated growth corridor unless a hydraulic analysis indicates the line has no surplus capacity. Water taps larger than residential size may be installed at any location for agricultural purposes such as providing water for livestock facilities. Columbus County Water District IV also agrees to select future well, tank, and treatment facility sites so as to minimize conversion of important farmland. The District further agrees that no such sites will be acquired for future phases of the water system without the prior concurrence of Rural Development.

**WHEREAS,** the Columbus County Board of Commissioners is giving high priority to the planning of water supply systems for a better future for Columbus County and its citizens.

**NOW, THEREFORE, BE IT RESOLVED,** that the Columbus County Board of Commissioners hereby restricts the water tap size on waterlines larger than 8-inches in diameter located in Water District IV except in areas designated as growth corridors.

ADOPTED this 21st day of February, 2000.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

**/s/ Lynwood Norris, Chairman**

**ATTESTED BY:**

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

**RESOLUTION - WATER & SEWER DISTRICT IV (RESTRICTION OF FUTURE WATER SERVICE TO PROTECT WETLANDS)**

A motion was made by Commissioner McKenzie, seconded by Commissioner Britt and passed unanimously to adopt the following Resolution.

**COLUMBUS COUNTY WATER and SEWER DISTRICT IV**

**Restriction on Future Water Service to Protect Wetlands**

**RESOLUTION**

**WHEREAS,** Columbus County is constantly changing with an area of some nine hundred forty-five (945) square miles, with a population of fifty-three thousand (53,000) persons who desire to live, work and play here; **and**

**WHEREAS,** the Columbus County Water and Sewer District IV will not install a new water service or will not agree to otherwise provide water service to any structure, dwelling, building or other improvement which is located in whole or in part within designated wetlands and which is not already existing, established and completed on or before the final completion date and placement in operation of the District IV, Phase I water system.

**WHEREAS,** designated wetlands for the District are identified on national Wetlands Inventory maps prepared by the United States Department of Interior, Fish and Wildlife Service. These maps in their most updated form are to be maintained on permanent file at the central office of the water system.

**WHEREAS,** the Columbus County Board of Commissioners is giving high priority to the planning of water supply systems for a better future for Columbus County and its citizens.

**NOW, THEREFORE, BE IT RESOLVED,** that the Columbus County Board of Commissioners endorses the engineered plans for water development in wetland areas as

designated and approved by Rural Development Agency and as are denoted on the approved water maps for District IV.

**ADOPTED** this 21st day of February, 2000.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

**Lynwood Norris, Chairman**

**ATTESTED BY:**

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

**EMERGENCY SERVICES - REQUEST FOR REVISION OF STANDARD OPERATING GUIDES (SOG) NUMBER 59 AND 72 DENIED**

John H. Moore, Jr., Emergency Services Director, has requested by memorandum, a revision to the Standard Operating Guidelines (SOG) Number 59: (Vacation, Holiday, Compensatory and Petty Leave) and Number 72 (Lateness for work) for the 9-1-1 Center.

A motion was made by Commissioner Wilson, seconded by Commissioner McKenzie and passed unanimously to deny Mr. Moore's request for SOG revisions and direct him to use the same guidelines as illustrated in the Columbus County Personnel Administration Policy for all County employees.

**APPOINTMENT - PARKS & RECREATION**

Commissioner C.E. Wilson presented the name of C. Lloyd Lennon, Jr. to be appointed to serve on the Parks and Recreation Advisory Board to fill the unexpired term of Charles Lennon, deceased, with term expiring December 2000.

A motion was made by Commissioner Jacobs, seconded by Commissioner McKenzie and passed unanimously to appoint C. Lloyd Lennon, Jr. to serve on the Parks and Recreation Advisory Board to fill the unexpired term of Charles Lennon, deceased, with term expiring December 2000, to represent Commissioner C.E. Wilson's District II.

**RESOLUTION - CANCELLATION OF BOARD MEETING**

A motion was made by Commissioner Jacobs, seconded by Commissioner McKenzie and passed unanimously to adopt the following Resolution.

**NOTICE and RESOLUTION to CANCEL MEETING**

**of the BOARD of COUNTY COMMISSIONERS**  
**of COLUMBUS COUNTY, NORTH CAROLINA**

The **Board of County Commissioners** of Columbus County, North Carolina, unanimously approved on the 21st of February 2000, to adopt the following **Resolution**.

**W I T N E S S E T H :**

**WHEREAS**, the **Board of County Commissioners** of Columbus County, North Carolina, has presently scheduled meetings at 8:00 A.M. the first Monday and 7:30 P.M. on the third Monday of each month; **and**

**WHEREAS**, the majority of the **Board of County Commissioners** of Columbus County, is planning to attend the National Association of County Commissioners' Legislative Conference from March 3 - 7, 2000; **and**

**WHEREAS**, a majority is needed to form a quorum under North Carolina law.

**BE IT THEREFORE, RESOLVED BY THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY**, North Carolina, pursuant to N.C.G.S. 153A-40, shall cancel the regular meeting of the said Board scheduled for March 6, 2000, and the same is hereby canceled, and the next regularly scheduled meeting of the said Board shall be in the Columbus County Commissioners' Chambers, Courthouse Annex, 112 Smith Street, Whiteville, North Carolina, on Monday, March 20, 2000 at 7:30 P.M.

**BE IT, FURTHER, RESOLVED** by the **Board of County Commissioners** that a copy of this **Resolution** and **Notice** shall be placed on the Courthouse Bulletin Board, as well as mailed to all of the news media who has requested notice.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

/s/ Lynwood Norris, **CHAIRMAN**

ATTESTED BY:

/s/ **Ida L. Smith, CLERK TO BOARD**

**SOIL & WATER CONSERVATION - REPORT ON EMERGENCY WATERSHED PROGRAM**

Donna Register, Soil and Water Conservation, updated the Board on the

Emergency Watershed Program, which is as follows:

1. The first project of the Emergency Watershed Project is the Waccamaw River down to Crusoe and has been let;
2. The next project will be around Lake Waccamaw; and
3. Plans are to complete White Marsh outside of the Whiteville area.

The Board of Commissioners requested Ms. Register to request other areas to be considered for debris removal as follows:

1. Gore Greek, Gore Lake starting at Highway 130 to the Waccamaw River; and
2. Waccamaw River from Crusoe to the South Carolina line.

Chairman Norris requested Ms. Register contact Brunswick County Soil and Water Conservation and request they consider sharing the cost of debris removal of the Waccamaw River as it is the dividing line for Brunswick and Columbus Counties.

#### **ANIMAL CONTROL - REPORT FROM ADVISORY COMMITTEE PRESIDENT**

Cary Harmon, Chairman of the Animal Control Advisory Control Board, updated the Board regarding what the Animal Control Advisory Board is planning to initially focus on the items as follows:

1. Educating pet owners to spay and neuter their animals;
2. Updating the County's Animal Control Ordinance; and
3. The Advisory Control Board will be involved in the planning for a new animal shelter, which could be started as soon as July 2000.

#### **ORDINANCE (AMENDMENT I) - REGULATING MASSEURS, MASSAGE PARLORS, HEALTH SALONS AND CLUBS TABLED**

A motion was made by Commissioner Britt, seconded by Commissioner Wilson and passed unanimously to table the request for an Ordinance Amendment I: Regulating Masseurs, Massage Parlors, Health Salons and Clubs.

#### **BOARD MEETING RECESSED**

At 8:05 P.M., a motion was made by Commissioner McKenzie, seconded by Commissioner Wilson and passed unanimously to recess the Board Meeting for ten (10)

minutes.

**BOARD MEETING RECONVENED**

At 8:15 P.M., a motion was made by Commissioner Gray, seconded by Commissioner Dutton and passed unanimously to reconvene the Board Meeting.

**ORDINANCE (AMENDMENT I) - RESCIND TABLING REGULATING MASSEURS, MASSAGE PARLORS, HEALTH SALONS AND CLUBS**

A motion was made by Commissioner Britt, seconded by Commissioner Wilson and passed unanimously to rescind the motion to table the Ordinance Amendment I: Regulating Masseurs, Massage Parlors, Health Salons and clubs.

**ORDINANCE (AMENDMENT I) - APPROVE REGULATING MASSEURS, MASSAGE PARLORS, HEALTH SALONS AND CLUBS**

A motion was made by Commissioner Britt, seconded by Commissioner Gray and passed unanimously to approve an Ordinance Amendment I: Regulating Masseurs, Massage Parlors, Health Salons and Clubs as follows:

**An ORDINANCE REGULATING MASSEURS, MASSAGE PARLORS, HEALTH SALONS and CLUBS**

**AMENDMENT I**

**Ordinance Book: 1, Pages: 9-15. (Addition to existing Ordinance)**

**ARTICLE VI: SEXUALLY ORIENTED BUSINESSES\***

**6.1 Authority and Jurisdiction**

The provisions of this Article are adopted by the Columbus County Board of Commissioners under authority granted by the General Assembly of the State of North Carolina, in Chapter 153A, Section 135 of the General Statutes. From and after the effective date hereof, this Article shall apply to every building, lot, tract or parcel of land within the county exclusive of the jurisdiction of any incorporated municipality (as herein stated); and all lands under the ownership thereof.

**6.2 Purpose**

For the purpose of promoting the health, safety, morals and general welfare of the citizenry of Columbus County, this Article is adopted by the Board of Commissioners to



regulate adult and sexually oriented businesses, as hereby defined, located in Columbus County. Further, the regulations of this Article have been made with reasonable consideration, among other things, as to the character of the County and its areas and their peculiar suitability for these businesses.

### 6.3 Abrogation

These regulations shall not repeal, impair, abrogate or interfere with any existing easements, covenants, deed restrictions, setback requirements, rules, definitions, regulations previously adopted pursuant to law in any established zoning district in Columbus County. However, where these regulations impose greater restrictions, the provisions of these regulations shall govern.

### 6.4 Definitions

For the purpose of this Article, the following definitions apply:

1. **Adult Arcade:** an establishment where, for any form of consideration, one (1) or more motion picture projectors, slide projectors or similar machines for viewing by five (5) or fewer persons each are used to show films, motion pictures, video cassettes, slides or other photographic reproductions that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas (as defined hereinafter).
2. **Adult Bookstore:** an establishment that has as a substantial portion (over twenty-five (25%) percent of total retail space) of its stock-in-trade and offers for rent or sale, for any consideration, any one (1) or more of the following: (a) books, magazines, periodicals or other printed material, or photographs, films, motion pictures, video cassettes, slides or other visual representations, that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or (b) instruments, devices or paraphernalia that are designed for use in connection with specified sexual activities.
3. **Adult Business:** any business activity, club or other establishment which permits its employees, members, patrons or guests on its premises to exhibit any specified anatomical areas before any other person or persons.

4. **Adult Motion Picture Theater:** an establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion twenty-five (25%) percent of the total presentation time is devoted to the showing of material characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas.

\*Cross references: Sexually explicit material, §8-136 et seq; masseurs, massage parlors and health salons, §8-106 et seq.

5. **Adult Theater:** a theater, concert hall, auditorium or similar establishment characterized by (activities featuring) the exposure of specified anatomical areas or by specified sexual activities.
6. **Massage:** any manipulation of body muscle or tissue by rubbing, stroking, kneading or tapping, by hand or mechanical device.
7. **Massage Business:** any establishment or business wherein massage is practiced, including establishments commonly known as health clubs, physical culture studios, massage studios or massage parlors.
8. **Sexually Oriented Business:** any business activity, club or other establishment, within which the exhibition, showing, rental or sale of materials distinguished or characterized by an emphasis on material depicting, describing or exhibiting specified anatomical areas or relating to specified sexual activities is permitted. Sexually oriented businesses shall include, but are not limited to: adult arcades, adult bookstores, adult motion picture theaters, adult theaters and massage parlors, as defined by this Article.
9. **Specified Anatomical Areas:** less than completely and opaquely covered human genitals, pubic regions, buttocks and female breasts below a point immediately above the top of the areola.
10. **Specified Sexual Activities:**
- (a) Human genitals in a state of sexual stimulation or arousal;
  - (b) Acts of human masturbation, sexual intercourse, sodomy; or
  - (c) Fondling or other exotic touching of human genitals, pubic regions, buttocks

or female breasts.

11. **Total Retail Space:** any space within the structure that is used for the direct sale of merchandise to the public and storage areas for those items.

## 6.5 Scope and Provisions of Article

### A. Adult Business:

- (1) An adult business shall be defined as any business activity, club or other establishment which permits any employee, member, patron or guest on its premises to exhibit any specified anatomical areas before any other person or persons.
- (2) No adult business shall be permitted in any building:
  - a. Located within three thousand (3,000') feet in any direction from a building used as a dwelling.
  - b. Located within three thousand (3,000') feet in any direction from a building in which an adult business or a sexually oriented business is located.
  - c. Located within five thousand (5,000') feet in any direction from a building used as a church, synagogue or other house of worship.
  - d. Located within five thousand (5,000') feet any direction from a building used as a public school or as state licensed day care center.
  - e. Located within five thousand (5,000') feet in any direction from any lot or parcel on which a public playground, public swimming pool, or public park is located.

### B. Sexually Oriented Business

- (1) A sexually oriented business shall be further defined as any business activity, club or other establishment, within which the exhibition, showing, rental or sale of materials distinguished or characterized by an emphasis on material depicting, describing or exhibiting specified anatomical areas or relating to specified sexual activities is permitted. Regulated businesses shall include, but are not limited to: adult arcades, adult bookstores, adult motion picture theaters, adult theaters, massage parlors, as defined in Section 6-4.

- (2) No sexually oriented business shall be permitted in any building:
- a. Located within three thousand (3,000') feet in any direction from a building used as a dwelling.
  - b. Located within three thousand (3,000') feet in any direction from a building in which an adult business or a sexually oriented business is located.
  - c. Located within five thousand (5,000') feet in any direction from a building used as a church, synagogue or other house of worship.
  - d. Located within five thousand (5,000') feet in any direction from a building used as a public school or as a state licensed day care center.
  - e. Located within five thousand (5,000') feet in any direction from any lot or parcel on which a public playground, public swimming pool or public park is located.

**C. Nonconforming Adult Business and Sexually Oriented Adult Business**

An adult business or sexually oriented business lawfully operating on February 21, 2000, that is in violation of this Article shall be deemed a nonconforming use. Any use which is determined to be nonconforming by application of the provisions of this section shall be permitted to continue for a period not to exceed two (2) years. Such nonconforming uses shall not be increased, enlarged, extended or altered, except that the use may be changed to a conforming use. If a nonconforming use is discontinued for a period of one hundred eighty (180) days or more, it may not be reestablished. If two (2) or more adult businesses or sexually oriented adult businesses are within one thousand (1,000') feet of one another and otherwise in a permissible location, the business which was first established and continually operating at its present location shall be considered the conforming use and the later established business(es) shall be considered nonconforming. An adult business or sexually oriented adult business lawfully operating as a conforming use shall not be rendered nonconforming by the subsequent location of a dwelling, church, house of worship, day care center, school, playground, public swimming pool or public park within five thousand (5,000') feet of the adult business or sexually oriented business.

## 6.6 Interpretation of Terms and Definitions

- A. Words used in the present tense include the future tense.
- B. Words used in the singular number include the plural and words used in the plural number include the singular.
- C. The word “**person**” includes an owner, firm, joint venture, association, organization, partnership, corporation, trust and company, as well as an individual.
- D. The word “**owner**” when applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by entirety of the whole or part of such building or land.
- E. The word “**lot**” includes the words “plot” or “parcel”.
- F. The word “**building**” includes the word “structure”.
- G. The word “**shall**” is always mandatory and not merely directory.
- H. The words “**located**”, “**used**” or “**occupied**”, as applied to any land or building, shall be construed to include the words “**intended, arranged or designed to be located, used or occupied**”.
- I. The word “**dwelling**” shall mean a structure or portion thereof which is used exclusively for human habitation.

## 6.7 Severability

It is hereby declared to be the intention of the Board that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Article is declared unconstitutional or invalid by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Article, since the same would have been enacted by the Board of Commissioners without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

## 6.8 Enforcement

- A. Any person who violates this Article shall be guilty of a misdemeanor and upon

conviction shall be punished in accordance with Section 14-4(a) of the North Carolina General Statues.

- B. This Article may be enforced against any person who is in violation by an appropriate equitable remedy issuing from a court of competent jurisdiction as provided for in Section 153A-123(d) of the North Carolina General Statues.
- C. This Article may be enforced against any person who is in violation by injunction and order of abatement as provided for in Section 153A-123(e) of the North Carolina General Statues against any person who is in violation.
- D. Each day's continuing violation of this Article by any person is a separate and distinct offense.
- E. As used herein "person" shall include:
1. The agent in charge of the building, premises, structure or facility.
  2. The owner of the building, premises, structure or facility when such owner knew or reasonably should have known the nature of the business located therein.
  3. The owner of the business or the manager of the business.

**ADOPTED** this the 21st day of February, 2000, to become effective the 21st day of February, 2000.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

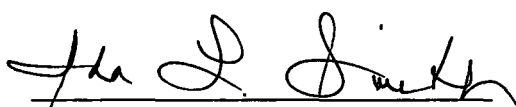
/s/ **LYNWOOD, NORRIS, Chairman**

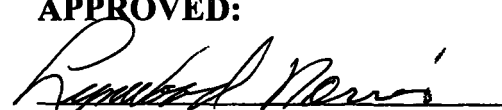
**ATTESTED BY:**

/s/ **IDA L. SMITH, Clerk to Board**

**ADJOURNMENT**

At 8:20 P.M., a motion was made by Commissioner McKenzie, seconded by Commissioner Wilson and passed unanimously to adjourn the Board Meeting.

  
 Ida L. Smith, Clerk to Board

**APPROVED:**  
  
 Lynwood Norris, Chairman