

COLUMBUS COUNTY BOARD OF COMMISSIONERS
Monday, November 4, 2002
7:30 P.M.

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

COMMISSIONERS PRESENT:

Amon E. McKenzie, **Chairman**
 C.E. "Gene" Wilson, **Vice Chairman**
 Spruell R. Britt
 David L. Dutton, Jr.
 Sammie Jacobs
 Bill Memory
 Lynwood Norris

APPOINTEES PRESENT:

Billy Joe Farmer, **County Administrator**
 James E. Hill, Jr., **County Attorney**
 Darren L. Currie, **Assistant County Administrator**
 June B. Hall, **Clerk to Board**

MEETING CALLED TO ORDER:

At 7:30 P.M., Chairman McKenzie called the meeting to order. The invocation was delivered by Commissioner Randy Britt. Everyone in attendance stood and pledged allegiance to the Flag of the United States of America.

BOARD MINUTES APPROVAL:

Commissioner Norris made a motion for the October 21, 2002 Minutes to be approved as recorded, seconded by Commissioner Dutton. The motion so carried.

CONSENT AGENDA ITEM:

Commissioner Jacobs made a motion for the following Consent Agenda Item to be approved, seconded by Commissioner Norris. The motion so carried.

Budget Amendment:

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-620-6000	Special Programs	\$400.00
Revenue	10-335-0000	Miscellaneous Revenue	\$400.00

CHAF PROGRAM UPDATE:

Floyd Adams, The Adams Company, Incorporated, presented the following update on the Columbus County CHAF Program.

Columbus County Summary Sheet

CHAF Program

				<u>Previous</u>	
				<u>10-21-02</u>	
TOTAL HOUSES				491	
Houses Inspected				491	
Replacement			288		288
Repair			203		203

Repair Work			203		
Work Write-up	0				0
Bids Complete, Not Awarded	0				0
Board Awarded, No Construction	65				75
Title Opinion NOT Requested		2			
Waiting on Title Opinion		21			
Waiting on Prom. Note/D.O.T.		10			
Waiting on Contractor		32			
Under Construction	32				31
Complete	106				97
Replacement Work			288		
Work Write-up	2				3
Board Awarded, No Construction	96				100
Title Opinion NOT Requested		20			
Waiting on Title Opinion		47			
N.O.E. Not Sent		12			
Waiting on Client		17			
Under Construction	70				70
Complete	120				116
Not Visited				0	0
Legal Work					
Total Titles NOT Requested			22		22
Total Titles Requested			469		469
Titles Requested, Not Complete			68		74
Preliminary Title Complete			58		69
Prom. Note/Deed of Trust Requested, Not Signed			61		56
Prom. Note/Deed of Trust Recorded			282		270

Commissioner Memory asked Mr. Floyd how the contractors' performance was doing. He replied stating they were working good and we still have some title issues we are working with and if we could get everyone some work that didn't have anything to do that would be good.

Commissioner Wilson asked Mr. Floyd about the houses that are under construction and if he knew how many would be completed by the end of the year. He replied all thirty-two (32) would be finished by the end of the year.

Chairman McKenzie asked Mr. Floyd Adams the status of the legal issues that were of concern. Mr. Adams replied stating we have some attorneys who are fairly active and we are discussing with one attorney the possibility of having a full-time paralegal on board just for this purpose with additional compensation for him. The attorney seemed to be interested but has not brought a paralegal on board as of yet.

Floyd Adams presented the Board with the Columbus County Scattered Site Ranking Summary listing nineteen (19) houses. He stated these houses were ranked in severity of repair order. They would start with number one and proceed down the list as far as the amount of money would allow. This list will be on file in the Administration Office.

COMMITTEE APPOINTMENTS:

Katherine Horne, Chairperson of the Criminal Justice Partnership Advisory Board requested the Board to make the following four (4) reappointments and one (1) appointment to this Board:

Reappointments:

- 1 Vickie Pait, Victim Services Program
- 2 Evelyn Troy, Substance Abuse Program
- 3 Don W. Viets, Jr., Criminal Defense Attorney
- 4 C.R. Ward, Member at Large.

Appointment:

- 1 Randy Cartrette, District Attorney's Office Representative

Commissioner Wilson made a motion to approve these reappointments and the appointment, seconded by Commissioner Norris. The motion so carried.

FIRE MARSHAL UPDATE:

Jerry Avery, Columbus County Fire Marshal, presented the following information to the Board as an update.

1. The school inspections will be conducted in November and in March;
2. The business inspections form is changing format; **and**
3. We have investigated five (5) arson-related cases and I understand that Columbus County has a big fire problem.

AMENDMENT to the COLUMBUS COUNTY FLOOD DAMAGE PREVENTION ORDINANCE:

Billy Joe Farmer, Columbus County Administrator, requested the Board approve the revised National Flood Insurance Flood Prevention Ordinance inclusive of the North Carolina Model Flood Damage Prevention Ordinance Changes to Incorporate Requirements of Session Law 2000-150, Senate Bill 1341, An Act to Prevent Inappropriate Development in the One Hundred-Year Floodplain and to Reduce Flood Hazards. In addition, recommendation to cover costs of independent engineering, if needed, by James E. Hill, Jr., Columbus County Attorney. The Ordinance reads as follows.

NATIONAL FLOOD INSURANCE

FLOOD DAMAGE PREVENTION ORDINANCE

Regular Phase

Underline (double)	=	Additions/replacements
As is	=	No Changes

ARTICLE 1: STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.

SECTION A. STATUTORY AUTHORIZATION.

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160 of the North Carolina Statutes, delegated the responsibility to local government units to adopt regulations designated to promote the public health, safety, and general welfare of its citizenry. Therefore, the Board of Commissioners of Columbus County, North Carolina does ordain as follows:

SECTION B. FINDINGS OF FACT.

- (1) The flood hazard areas of Columbus County are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) The flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed, or otherwise unprotected from flood damages.

SECTION C. STATEMENT OF PURPOSE.

It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- (4) Control filling, grading, dredging, and other development which may increase erosion or flood damage; and
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

SECTION D. OBJECTIVES.

The objectives of this ordinance are:

- (1) To protect human life and health;
- (2) To minimize expenditures of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in floodplains;
- (6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas; and
- (7) To insure that potential home buyers are notified that property is in a flood area.

ARTICLE 2. DEFINITIONS:

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

“**Appeal**” means a request from a review of the local administrator’s interpretation of any provision of this ordinance.

“**Addition (to an existing building)**” means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load—bearing walls is new construction.

“**Area of shallow flooding**” means a designated AO or VO Zone on community’s Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

“**Area of special flood hazard**” is the land in the floodplains within a community subject to a one percent or greater chance of being equaled or exceeded in any given year.

“**Base flood**” means the flood having a one percent chance of being equaled or exceeded in any given year.

“**Basement**” means that lowest level or story which has its floor subgrade on all sides.

“Breakaway wall” means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system. A breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. A wall with loading resistance of more than 20 pounds per square foot requires a professional engineer or architect’s certificate.

“Building” means any structure built for support, shelter, or enclosure for any occupancy or storage.

“Chemical Storage Facility” means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical reactive products.

“Development” means any man-made change to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or material.

“Elevated building” means a non—basement building (a) built, in the case of a building in Zones A1-A30, AE, A, A99, AO, AH, B, C, or X to have the top of the elevated floor, or in the case of a building in Zones V1-V30, VE, or V to have the bottom of the lowest horizontal structural member of the elevated floor above the ground by means of pilings, columns (posts and piers), shear walls parallel to the flow of water and (b) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In the case of Zones A1-A30, AE, A, A99, AO, AH, B, C and X, “elevated building” also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-V30, VE, or V, “elevated building” also includes a building otherwise meeting the definition of “elevated building”, even though the area below is enclosed by means of breakaway walls if the breakaway walls meet the standards of Article 5, Section B(5) of this ordinance.

“Existing manufactured home park or manufactured home subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this ordinance.

“Expansion to an existing manufactured home park or subdivision” means the preparation of the additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs).

“Flood” or **“flooding”** means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; and,
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

“Flood Hazard Boundary Map (FHBM)” means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of Special flood hazard have been defined as Zone A.

“Flood Insurance Rate Map (FIRM)” means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

“Flood Insurance Study” is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

“Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

“Floor” means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

“Functionally dependent facility” means a facility, which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking, or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

“Hazardous waste Management facility” means a facility that manages materials, which have been declared by the United States Environmental Protection Agency (EPA) to be toxic, corrosive, ignitable or chemically reactive.

“Highest Adjacent Grade” means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

“Historic Structure” means any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a State inventory of historic places; (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (1) by an approved state program as determined by the Secretary of Interior, or (2) directly by the Secretary of Interior in states without approved programs.

“Levee” means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

“Lowest Floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, useable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building’s lowest floor provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle”.

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Mean Sea Level” means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

“National Geodetic Vertical Datum (NGVD)” as corrected in 1929 is a vertical control used as a reference for establishing within the floodplain.

“New construction” means structures for which the “start of construction” commenced on or after the effective date of this ordinance and includes any subsequent improvements to such structure.

“New manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after the effective date of this ordinance.

“Nonconforming building or use” means any legally existing building or use which fails to comply with the provisions of the Ordinance.

“Recreational vehicle” means a vehicle which is: (a) built on single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

“Remedy a violation” means to bring the structure or other development into compliance with State or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

“Salvage Yard” means property used for the storage, collection, and/or recycling of any type of equipment whatsoever, whether industrial or non-commercial, and including but not limited to vehicles, appliances and related machinery.

“Start of construction” (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97—348), include substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction or columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

“Structure” means, for floodplains management purposes, a walled and roofed building, a manufactured home, including a gas or liquid storage tank, or other man-made facilities or infrastructures that are principally above ground.

“Solid Waste Disposal Facility” means any facility involved in the storage or disposal of non-liquid, non-soluble materials ranging from municipal garbage to industrial wastes that contain complex and sometimes hazardous substances. Solid waste also includes sewage sludge, agricultural refuse, demolition wastes, mining, and liquids and gases stored in containers.

“Substantial Damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. See definition of “substantial improvement”.

“Substantial improvement” means any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvements. This term includes structures, which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

- (1) any project of improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) any alteration of a historic structure, provided that the alteration will not preclude the structure’s continued designation as a historic structure.

“Substantially improved existing manufactured home park or subdivision” means where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction, or improvement commenced.

“Variance” is a grant of relief to a person from the requirements of this ordinance, which permits construction in a manner otherwise prohibited, by this ordinance where specific enforcement would result in unnecessary hardship.

“Violation” means the failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the

elevation certificate, other certification, or other evidence of compliance required in Articles 4 and 5 is presumed to be in violation until such time as that documentation is provided.

ARTICLE 3. GENERAL PROVISIONS.

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES.

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of Columbus County.

SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.

The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Rate Maps, dated June 3, 1991, with accompanying maps and other supporting data, and any revision thereto are adopted by reference and declared to be a part of this ordinance.

SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT.

A Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities.

SECTION D. COMPLIANCE.

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance conflicts or overlaps, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION.

In the interpretation and application of this ordinance all provisions shall be (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION G. WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Columbus County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

SECTION H. PENALTIES FOR VIOLATION.

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50 or imprisoned for not more than 30 days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Board of Commissioners from taking such other lawful action as is necessary to prevent or remedy any violation.

ARTICLE 4. ADMINISTRATION.

SECTION A. DESIGNATION OF LOCAL ADMINISTRATOR.

The County Administrator is hereby appointed to administer and implement the provisions of this ordinance.

SECTION B. DEVELOPMENT PERMIT AND CERTIFICATION REQUIREMENTS.

Application for a Development Permit shall be made to the local administrator on forms furnished by him or her prior to any development activities. The Development Permit may include, but not be limited to, plans in duplicate drawn to scale showing: the nature, location, dimensions, and elevations on the area in question; existing or proposed structures; and the location of fill materials, storage areas, and drainage facilities. Specifically, the following information is required:

- (1) Where base flood elevation data is provided in accordance with Article 4, Section C(10), the application for a Development Permit within the Zone A on the Flood Insurance Rate Map shall show:
 - (a) the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures, and
 - (b) if the structure has been flood proofed in accordance with Article 5, Section B(2), the elevation (in relation to mean sea level) to which the structure was flood proofed.
- (2) Where the base flood elevation data is not provided, the application for a development permit must show construction of the lowest floor at least 2 feet above the highest adjacent grade.
- (3) Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood carrying capacity on the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation.
- (4) When a structure is flood proofed, the applicant shall provide a certificate from a registered professional engineer or architect that the non-residential flood proofed structure meets the flood proofing criteria in Article 5, Section B(2).
- (5) A floor elevation or flood proofing certification is required after the lowest floor is completed. Within twenty-one (21) calendar days of establishment of the lowest flood elevation, or flood proofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the local administrator a certification of the elevation of the lowest floor, or flood proofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood proofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work done within the twenty-one (21) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The local administrator shall review the floor elevation survey data submitted. The permit holder immediately and prior to further progressive work being permitted to proceed shall correct deficiencies detected by such review. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

SECTION C: DUTIES AND RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR.

Duties of the local administrator shall include, but not be limited to:

- (1) Review all development permits to assure that the requirements of this ordinance have been satisfied.
- (2) Advise permittee that additional Federal or State permits may be required, and if specific Federal or State permits are known, require that copies of such permits be provided and maintained on file with the development permit.
- (3) Notify adjacent communities and the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- (5) Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of Article 5 are met.

- (6) Obtain actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Article 4, Section B(5).
- (7) Obtain the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood proofed, in accordance with Article 4, Section B(5).
- (8) When flood proofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with Article 5, Section B(2).
- (9) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- (10) When base flood elevation data or floodway data has not been provided in accordance with Article 3, Section B, obtain, review, and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, including data developed pursuant to Article 5, Section D (4), in order to administer the provisions of this ordinance.
- (11) Make on-site inspections of projects in accordance with Article 4, Section B.
- (12) Serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in accordance with Article 4, Section D.
- (13) Maintain all records pertaining to the administration of this ordinance and make these records available for public inspection.
- (14) Annexation. Provide the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program with two (2) copies of the maps delineating new corporate limits within six months from date of annexation or change in corporate boundaries.

SECTION D. ADMINISTRATIVE PROCEDURES.

- (1) **Inspections of Work in Progress:** As the work pursuant to a permit progresses, the local administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the administrator has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.
- (2) **Stop-Work Orders:** Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (3) **Revocation of Permits:** The local administrator may revoke and require the return of the development permit by notifying the permit holder in writing stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- (4) **Periodic Inspections:** The local administrator and each member of his inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (5) **Violations to be Corrected:** When the local administrator finds violations of applicable State and local laws, it shall be his duty to notify the owner or occupant of the building of the

violation. The owner or occupant shall immediately remedy each of the violations of law in the property he owns.

- (6) **Actions in Event of Failure to Take Corrective Action:** If the owner of a building or property shall fail to take prompt corrective action, the administrator shall give him written notice, by certified or registered mail to his last known address or by personal service:
- (a) that the building or property is in violation of the Flood Damage Prevention Ordinance;
 - (b) that a hearing will be held before the local administrator at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - (c) that following the hearing, the local administrator may issue such order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.
- (7) **Order to Take Corrective Action:** If, upon a hearing held pursuant to the notice prescribed above, the administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he shall make an order in writing to the owner, requiring the owner to remedy the violation within such period, not less than 60 days, the administrator may prescribe; provided that where the administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.
- (8) **Appeal:** Any owner who has received an order to take corrective action may appeal from the order to the local elected governing body by giving notice of appeal in writing to the administrator and the clerk within 10 days following issuance of the final order. In the absence of an appeal, the order of the administration shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (9) **Failure to Comply with Order:** If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the governing body following an appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

SECTION E. VARIANCE PROCEDURES.

- (1) The Board of Commissioners, as established by Columbus County, shall hear and decide requests for variances from the requirements of this ordinance. **Notice for any request shall be published at the direction of the County's Chief Executive Officer once a week for two (2) consecutive calendar weeks prior to any hearing of the issue. The notice shall be published for the first time not less than ten (10) nor more than twenty-five (25) days before the time fixed for a public hearing. The adoption or rejection of any request for variance shall occur after the conclusion of the public hearing and at the next regularly scheduled meeting of the Board of Commissioners. This regularly scheduled meeting may, but not required, to be on same date as the public hearing. The cost of publication shall be paid by the applicant to Columbus County prior to the publication.**
- (2) Any person aggrieved by the decision of the appeal board or any taxpayer may appeal such decision to the Court, as provided in Chapter 7A of the North Carolina General Statutes.
- (3) Variances may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (4) In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
- (a) the danger that materials may be swept onto other lands resulting in injury to others;
 - (b) the danger to life and property due to flooding or erosion damage;
 - (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

- (d) the importance of the services provided by the proposed facility to the community;
 - (e) the necessity to the facility of a waterfront location, where applicable;
 - (f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (g) the compatibility of the proposed use with existing and anticipated development;
 - (h) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (j) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable at the site; and,
 - (k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- (5) Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (6) Variances shall not be issued within any designated floodway, if any increase in flood levels during the base flood discharge would result.
- (7) Conditions for Variances:
- (a) Variances may not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
 - (b) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (c) Variances shall only be issued upon (i) a showing of good and sufficient cause; (ii), a determination that failure to grant the variance would result in exceptional hardship; and, (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - (d) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Such notification shall be maintained with a record of all variance actions.
 - (e) The local administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.
- (8) A variance may be issued for solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in areas of special flood hazard provided that all of the following criteria apply:**
- (a) The use serves a critical need in the community.**
 - (b) No feasible location exists for the use outside the area of special flood hazard.**
 - (c) The lowest floor of any structure is elevated above the base flood elevation or is designed to be watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.**
 - (d) The use complies with all other applicable laws and regulations.**
 - (e) The Columbus County Board of Commissioners, through its' Administration Department, has notified the Secretary of the North Carolina Department of Crime Control and Public Safety of its intention to grant a variance at least thirty (30) days prior to granting the variance.**

Should the Board of Commissioners of Columbus County determine that Columbus County should employ a professional advisor to assist the Board of Commissioners prior to any hearing and determination of any request for variance concerning subsections (a) thru (e) above, then the applicant shall advance the cost of this projected professional advisor fees at the time of the submission of the application for a variance. No application shall be considered without the payment of this cost.

ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION.

SECTION A. GENERAL STANDARDS

In all areas of special flood hazard the following provisions are required:

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure;
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- (3) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages;
- (4) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- (8) Any alteration, repair, reconstruction, or improvements to a structure, which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance;
- (9) Non-Conforming Buildings or Uses: Non-conforming buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this ordinance. Provided, however, nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the Floodway Zone, provided that the bulk of the building or structure below base flood elevation in the Floodway Zone is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance; and
- (10) **Construction of new solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted in areas of special flood hazard. A structure or tank for chemical fuel or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in an area of special flood hazard only if the structure or tank is either elevated above base flood elevation or designed to be watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.**

SECTION B. SPECIFIC STANDARDS.

In all areas of special flood hazard where base flood elevation data has been provided, as set forth in Article 3, Section B, or Article 4, Section C(10), the following provisions are required:

- (1) **Residential Construction.** New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor, including basement, elevated no lower than two (2) feet above the base flood elevation. Should solid foundation

perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided.

- (2) **Non-Residential Construction.** New construction or substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes) shall have the lowest floor, including basement, elevated no lower than two (2) feet above the level of the base flood elevation. Structures located in A zones may be flood proofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Article 4, Section B(5).
- (3) **Manufactured Homes:**
- (a) Manufactured homes that are placed or substantially improved on sites (i) outside a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision or, (iv) in an existing manufactured home park or subdivision, on which a manufactured home has incurred "substantial damage" as the result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than 2 feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- (b) Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the provisions of Article 5, Section B(3a) of this ordinance must be elevated so that the lowest floor of the manufactured home is elevated no lower than 2 feet above the base flood elevation, and be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement.
- (c) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse, or lateral movement in accordance with the Regulations for Mobile Homes and Modular Housing adopted by the Commissioner of Insurance pursuant to NCGS 143.143.15. Additionally, when the elevation would be met by an elevation of the chassis at least 36 inches or less above the grade at the sight, the chassis shall be supported by reinforced piers or other foundation elements of at least equivalent strength. When the elevation of the chassis is above 36 inches in height an engineering certification is required.
- (d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the local administrator and the local Emergency Management Coordinator.
- (4) **Recreational Vehicles:** A recreational vehicle is ready for highway use if it is on wheels or jacking system, is attached to the site only by quick—disconnect type utilities and security devices, and has no permanently attached additions. Recreation vehicles placed on sites shall either:
- (a) be on site for fewer than 180 consecutive days;
- (b) be fully licensed and ready for highway use; or
- (c) meet the requirements of Article 4, Section B and Article 5, Sections A and B(3)
- (5) **Elevated Buildings:** New construction or substantial improvements of elevated buildings that include fully enclosed areas that are usable solely for the parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to preclude finished living space and be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters.
- (a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

- (i) provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (ii) The bottom of all openings shall be no higher than one foot above grade; and
 - (iii) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of flood waters in both directions.
- (b) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
- (c) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas.
- (6) **Temporary Structures.** Prior to the issuance of a development permit, for a temporary structure, the following requirements must be met:
- (a) All applicants must submit to the local administrator a plan for the removal of such structure(s) in the event of a hurricane or flash flood notification. The plan must include the following information:
 - (i) the name, address and phone number of the individual responsible for the removal of the temporary structure;
 - (ii) the time frame prior to the event at which a structure will be removed;
 - (iii) a copy of the contract or other suitable instrument with a trucking company to ensure the availability of removal equipment when needed; and
 - (iv) designation, accompanied by documentation, of a location outside the floodplains to which the temporary structure will be moved.
 - (b) The above information shall be submitted in writing to the local administrator for review and written approval.
- (7) **Accessory Structure.** When accessory structure (sheds, detached garages, etc.) with a value of \$3,000 or less, are to be placed in the floodplain the following criteria shall be met:
- (a) Accessory structures shall not be used for human habitation;
 - (b) Accessory structures shall be designed to have low flood damage potential;
 - (c) Accessory structures shall be firmly anchored in accordance with Article 5, Section A(1); and
 - (d) Service facilities such as electrical and heating equipment shall be elevated in accordance with Article 5, Section A(4).
- (8) **Floodways.** Located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of flood waters, which carry debris and potential projectiles, and has erosion potential. The following provisions shall apply within such areas:
- (a) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in increase in the flood levels during the occurrence of the base flood. Such certification and technical data should be presented to the local administrator.

- (b) If Article 5, Section B(6a) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.
- (c) No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and the elevation standards of Article 5, Section B(3) are met.

SECTION C. STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND/OR FLOODWAYS.

Located within the areas of special flood hazard established in Article 3, Section B, are small streams where no base flood data has been provided or where no floodways have been identified. The following provisions apply within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of the stream bank equal to 2 times the width of the stream at the top of the bank or twenty feet each side from top of bank, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) If Article 5, Section C(1) is satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within such areas shall comply with all applicable flood hazard ordinance provisions of Article 5 and shall be elevated or flood proofed in accordance with elevations established in accordance with Article 4, Section C(10). When base flood elevation data is not available from a Federal State, or other source, the lowest floor, including basement, shall be elevated at least two (2) feet above the highest adjacent grade.

SECTION D. STANDARDS FOR SUBDIVISION PROPOSALS.

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and,
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development, which is greater than the lesser of fifty lots or five acres.

SECTION E. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES).

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. The following provisions shall apply within such areas:

- (1) All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement, shall be elevated at least two (2) feet above the highest adjacent grade.
- (2) All new construction and substantial improvements of non-residential structures shall:
 - (a) have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement, shall be elevated at least two (2) feet above the highest adjacent grade; or,

- (b) be completely flood proofed together with attendant utility and sanitary facilities to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

ARTICLE XI: EFFECTIVE DATE

This Ordinance shall take effect and be in force on November 5, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

AMON E. MCKENZIE, Chairman

ATTESTED BY:

JUNE B. HALL, Clerk to Board

~~Adopted on: June 3, 1999~~

~~BY: /s/ Lynwood Norris~~

~~/s/ Ed Worley~~

~~/s/ Junior Dew~~

~~/s/ Mike Richardson~~

~~/s/ Samuel C. Koonce~~

~~Certified by: /s/ Ida L. Smith~~

~~Date: June 3, 1991~~

(SEAL)

~~The above ordinance was passed by the Board of County Commissioners on June 3, 1991, upon motion by Commissioner Dew seconded by Commissioner Koonce and passed unanimously.~~

Commissioner Memory requested to go on record that he was supporting this revision only because the State has advised we have to do this and the Board has seen fit to follow the advice of legal counsel.

Commissioner Wilson made a motion to approve and adopt, seconded by Commissioner Memory. The motion so carried.

FEASIBILITY STUDY for MERGER of SCHOOL ADMINISTRATIVE UNITS by RESOLUTION:

Billy Joe Farmer, Columbus County Administrator, is requesting Board approval of the following Resolution.

**RESOLUTION by the
COLUMBUS COUNTY BOARD of COMMISSIONERS
to STUDY the FEASIBILITY of COLUMBUS COUNTY SCHOOLS
ADMINISTRATIVE UNITS MERGER**

WHEREAS, Columbus County is committed to continuing to enhance the educational opportunities of the county's children; **and**

WHEREAS, funds to provide county services have been effectively decreasing each fiscal year; **and**

WHEREAS, Columbus County must constantly strive to find ways to increase the efficiency of the services it provides; **and**

WHEREAS, it has been brought to the attention of the Board of Commissioners of Columbus County that merger of school administrative units within the county could increase the efficiency of the schools' operations.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Columbus County, acting pursuant to the provisions of North Carolina General Statute 115C-68.1, that staff are hereby directed to collect data on the feasibility of the merger of school administrative units in Columbus County, with a focus on financial efficiency and quality of service, and provide the results of such to the Board of Commissioners at the earliest date feasible.

ADOPTED this the 4th day of November, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ Amon E. McKenzie, Chairman

ATTESTED BY:

/s/ June B. Hall, Clerk to Board

Chairman McKenzie stated that if anyone in the audience had anything they would like to say to please stand and state their name. The responses were as follows.

Terry Carroll (Chairperson, Whiteville City Board of Education):

1. I am presently serving as the Chairman of the Board. I feel public education is the biggest threat in Columbus County. With the existing two (2) school systems you have now, you are getting the biggest bang for the buck.
2. The ABC's of education are as follows:
 - a. Accountability
 - b. Basics; **and**
 - c. Control (you have to carry out the very act of educating our children).
3. Four (4) out of the five (5) of the schools in our system accomplished the expected growth.
4. There may be two (2) major problems countywide if the two (2) school systems merge and they are as follows:
 - a. Hispanic Population; **and**
 - b. Communities in Schools (program in which people volunteer their service free of charge).
5. We want to empower our people which means to get them involved and allow them to make decisions.
6. The Arts Program that our school system offers entails music, dance and overall development of the total child.
7. I firmly believe control produces passion and in turn, passion produces results.
8. Our school system cost one hundred forty-four and 00/100 (\$144.00) less per student than the County school system.
9. We are a no-nonsense school board.
10. In our present school system, we have two thousand eight hundred (2,800) students and three hundred plus (100±) employees.
11. There are two (2) adages I firmly believe in and they are:
 - a. Bigger is better; **and**
 - b. If it's not broke, don't fix it.

12. In closing, I would like to ask each and everyone of the people to proceed wisely in making this decision and whatever the decision may be to always place the children as the top priority.

Dr. Danny McPherson (Superintendent, Whiteville City Schools):

Dr. McPherson stated according to autonomy, if the merger should occur, it would jeopardize what we have now and jeopardize our system. I would like to hand out copies of a booklet entitled "Heavy Meddle" which is relative to school mergers for your information. I would also like to hand out an invitation to each of you to a community celebration spotlighting our students, employees and community on Thursday, November 21, 2002 at 7:00 P.M. in the Bowers Auditorium.

Robert Adams (private citizen from the Western Prong Area):

I am a resident from the Western Prong area of Columbus County. I am familiar with the two (2) school systems in Columbus County. In my dealings with the school systems, I have discovered there are some flaws within. There is nothing wrong with doing a study. It is a very wise decision. If there is a bad employee in either school system, they need to be removed and replaced with a more genuine and qualified person.

Andy Anderson (former Whiteville School Board Member):

I believe the merger of the two (2) school systems would result in a much larger school setting where children would not receive the individual attention they are receiving now. I do not want our school children to become a statistic. I highly value individual attention.

Commissioner Gene Wilson:

There are only seventeen (17) counties in the State of North Carolina that have split school systems. With the Medicaid costs rising and the increased demand on the County Budget, Columbus County cannot afford to continue financing two (2) separate school systems. If this feasibility study shows a significant cost savings, while maintaining the same quality or better quality for our school children, it would be very wise for us to proceed with this merger.

Steve Smith:

I would like to request a Public Hearing be scheduled on this matter before any definite decisions are made to include anyone who would like to attend.

Chairman McKenzie asked for a motion on this action. Commissioner Wilson made a motion to approve the feasibility study for the merger of the school administrative units by Resolution, seconded by Commissioner Britt. A roll call was taken resulting in six (6) yeas and one (1) nay. The motion so carried. Commissioner Britt stated this feasibility study should be conducted with the full involvement of both school Boards. Commissioner Jacobs stated this feasibility study should be conducted with the involvement of the educators.

Commissioner Memory read the following two (2) paragraphs orally from Page 10 of a photocopied brochure handed out by Dr. Danny McPherson entitled "Heavy Meddle".

- 4 There are a variety of alternatives to consolidation (such as the voluntary sharing of resources across district lines, or the expansion of services provided through the DPI's regional education centers - that can expand educational opportunities and enhance cost-effectiveness - without abolishing existing units.
- 5 Most important, organizational issues like merger are very rarely the key to enhancing the quality and efficiency of public education. Occasionally, making schools and school districts bigger (or smaller) is helpful, but more often it is merely a diversion away from the greater task of finding new ways to positively influence the lives of children and to increase the effectiveness of those who work in their service.

UTILITIES SUPERVISOR:

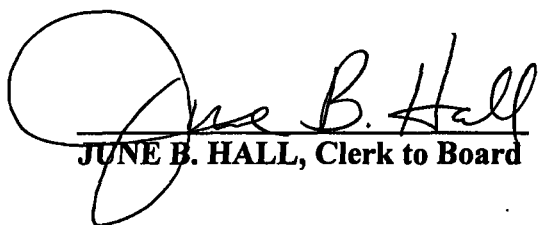
Billy Joe Farmer, Columbus County Administrator, is requesting the Board approve reclassification of the Public Utilities Director to that of Public Utilities Supervisor in an effort to match the current needs of the Columbus County Public Utilities Department with the logistical realities of recruitment at this time. Commissioner Jacobs made a motion to approve, seconded by Commissioner Britt. The motion so carried.

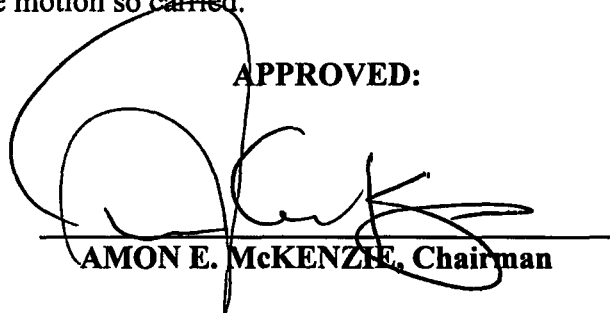
OTHER:

Chairman McKenzie stated he wanted all the retirees who are eligible to receive plaques at the next scheduled meeting.

ADJOURNMENT:

At 8:37 P.M., there being no further business, Commissioner Jacobs made a motion to adjourn, seconded by Commissioner Dutton. The motion so carried.

APPROVED:

JUNE B. HALL, Clerk to Board

AMON E. MCKENZIE, Chairman