

COLUMBUS COUNTY BOARD OF COMMISSIONERS**Monday, December 2, 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**

OATHS OF OFFICE - NEWLY ELECTED OFFICIALS

At 7:30 P.M. the Oath of Office was administered to the following newly elected Commissioner by the Honorable D. Jack Hooks, Jr., Resident Superior Court Judge, Thirteenth Judicial District as follows:

December 2, 2002

**NORTH CAROLINA
 COUNTY OF COLUMBUS**

OATH OF OFFICE

"I, KIPLING GODWIN, do solemnly and sincerely swear or affirm that I will support the Constitution of the United States of America; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the United States, to the best of my knowledge and ability, and that I will faithfully discharge the duties of my office as a member of the Board of Columbus County Commissioners, so help me God."

**/s/ KIPLING GODWIN, District VI
 COUNTY COMMISSIONER**

Sworn to or affirmed before me this 2nd day of December, 2002.

**/s/ D. JACK HOOKS, JR.
 RESIDENT SUPERIOR COURT JUDGE
 Thirteenth Judicial District**

ATTESTED BY:

/s/ JUNE B. HALL, Clerk to Board

December 2, 2002

**NORTH CAROLINA
 COUNTY OF COLUMBUS**

OATH OF OFFICE

"I, (Commissioner's name), do solemnly and sincerely swear or affirm that I will support the Constitution of the United States of America; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the United States, to the best of my knowledge and ability, and that I will faithfully discharge the duties of my office as a member of the Board of Columbus County Commissioners, so help me God."

/s/ DAVID L. DUTTON, JR., District VII
COUNTY COMMISSIONER

/s/ AMON E. McKENZIE, District I
COUNTY COMMISSIONER

Sworn to or affirmed before me this 2nd day of December, 2002.

/s/ D. JACK HOOKS, JR.
/s/ RESIDENT SUPERIOR COURT JUDGE
Thirteenth Judicial District

ATTESTED BY:
/s/ JUNE B. HALL, Clerk to Board

PLAQUE OF APPRECIATION - BILLY JOE FARMER

Outgoing Chairman Amon E. McKenzie presented the following Plaque of Appreciation to Columbus County Administrator Billy Joe Farmer.

Presented To

BILLY JOE FARMER

THIS THE 18TH DAY OF NOVEMBER, 2002

IN GRATEFUL APPRECIATION FOR YOUR

EXPERTISE AND SUPPORT

DURING THE BUDGET PROCESS

FISCAL YEAR

2002 - 2003

**COLUMBUS COUNTY
BOARD OF COMMISSIONERS**

REGULAR SCHEDULED MEETING CALLED TO ORDER:

At 7:33 P.M., Chairman McKenzie called the regular scheduled meeting to order. The invocation was delivered by Commissioner Memory.

APPOINTMENT of CHAIRMAN and VICE-CHAIRMAN:

James E. Hill, Jr., Columbus County Attorney, presided as Acting Chairman to transact the appointments of Chairman and Vice Chairman for the upcoming year. Acting Chairman Hill briefed the Board on the procedure for selecting the Chairman and Vice Chairman and then opened the floor for nominations.

Commissioner McKenzie nominated Commissioner C.E. Wilson as Chairman and Commissioner William E. (Bill) Memory as Vice Chairman.

There being no further nominations, a motion was made by Commissioner McKenzie to appoint Commissioner C.E. Wilson as Chairman and Commissioner William E. (Bill) Memory as Vice Chairman, seconded by Commissioner Dutton to close nominations. The motion so carried unanimously.

The vote was unanimous to appoint Commissioner C.E. Wilson as Chairman and Commissioner William E. (Bill) Memory as Vice Chairman.

Acting Chairman Hill announced that Commissioner C.E. Wilson was appointed as Chairman and Commissioner William E. Memory (Bill) as Vice Chairman by acclamation.

Chairman C.E. Wilson and Vice Chairman William E. (Bill) Memory are authorized to sign all documents and instruments on behalf of Columbus County. A Signatory Resolution is on file in the office of the Clerk to the Board.

PLAQUE OF APPRECIATION - OUTGOING CHAIRMAN AMON E. McKENZIE:

Chairman Wilson presented the following Plaque of Appreciation to outgoing Chairman McKenzie.

PRESENTED TO:

AMON E. McKENZIE

**** * * * ****

THIS THE 2ND DAY OF DECEMBER 2002

in GRATEFUL APPRECIATION of YOUR DEVOTED LEADERSHIP

as CHAIRMAN to the BOARD OF COUNTY COMMISSIONERS

12-03-2001 - 12-02-2002

**** * * * ****

COLUMBUS COUNTY BOARD OF COMMISSIONERS

BOARD MINUTES APPROVAL:

A motion was made by Commissioner Memory, seconded by Commissioner McKenzie to approve the November 18, 2002 minutes as recorded. The motion so carried.

CONSENT AGENDA ITEMS:

Budget Amendment:

Commissioner Memory made a motion to approve the following Budget Amendment, seconded by Commissioner McKenzie. The motion so carried.

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-604-1100	Communications and Postage	\$3,495
	10-604-3200	Printing and Binding	\$1,000
	10-604-3300	Service Related Supplies	\$8,235.00
Revenue	10-336-1000	Columbus County Partnership for Children/ Breast-feeding Grant	\$12,730

Commissioner Jacobs made a motion to approve the following Tax Refunds and Tax Releases, seconded by Commissioner Norris. The motion so carried.

TAX REFUNDS (as submitted to Administration from the Tax Office):

December 2, 2002

Request a refund in the name of Hinson, Lisa N. & Jody, 986 Homer Nance Rd., Evergreen,, NC 28438. Refund the value of a double wide that is double listed in the name of Samuel Izzo, in Bladen County. Amount \$264.02, Value \$23,600.00, Year 1998, Account # 12-12103, Bill # 53634.

Request a refund in the name of Hinson, Lisa N. & Jody, 986 Homer Nance Rd., Evergreen,, NC 28438. Refund the value of a double wide home that is double listed in the name of Samuel Izzo, in Bladen County. Amount \$264.02, Value \$23,600.00, Year 1999, Account # 12-12103, Bill # 15521.

Request a refund in the name of Hinson, Lisa N. & Jody, 986 Homer Nance Rd., Evergreen,, NC 28438. Refund the value of a double wide home that is double listed in the name of Samuel Izzo in Bladen County. Amount \$454.92, Value \$23,600.00, Year 2000, Account # 12-12103, Bill # 96654.

Request a refund in the name of Hinson, Lisa N. & Jody, 986 Homer Nance Rd., Evergreen,, NC 28438. Refund the value of a double wide home and the Columbus County Rescue fee. Home is double listed in the name of Samuel Izzo in Bladen County. Amount \$349.80, Value \$23,600.00, Year 2001, Account # 12-12103, Bill # 97045.

**TAX RELEASES (as submitted to Administration from the Tax Office):
December 2, 2002**

Release the Property Value in the name of Clewis, Danny. Release the value of a mobile home and the Columbus County Rescue fee. Home is double listed in the name of J.C. Cook. Amount \$168.60, Value \$11,700.00, Year 2001, Account # 13-00918, Bill # 86221.

Release the Property Value in the name of Baldwin, Joyce. Release the value of a mobile home, the Whiteville Rescue fee (.48) and the Welches Creek Fire fee (1.92). Home was junked in 1995. Amount \$200.28, Value \$2,405.00, Year 2002, Account # 01-02289, Bill # 57865.

Release the Property Value in the name of Bass, Holland C.. Release late list fee that was added in error. Amount \$0.48, Value \$0.00, Year 2002, Account # 01-03487, Bill # 58419.

Release the Property Value in the name of Bellamy, Eloise. Release a portion of the property value, a portion of the Klondyke fire fee (10.57), a portion of the Columbus Rescue fee (3.02). Customer failed to receive the senior citizens exemption. Amount \$131.37, Value \$15,100.00, Year 2002, Account # 13-01840, Bill # 58882.

Release the Property Value in the name of Boswell, Alice. Release a portion of the property value, a portion of the Cerro Gordo fire fee (1.60), a portion of the Columbus Rescue fee (.32). Corrected land breakdown. Amount \$14.40, Value \$1,600.00, Year 2002, Account # 16-01320, Bill # 59999.

Release the Property Value in the name of Clewis, Danny. Release the value of a mobile home that is double listed in the name of J.C. Cook. Amount \$149.24, Value \$11,700.00, Year 2000, Account # 13-00918, Bill # 86060.

Release the Property Value in the name of Clewis, Danny. Release the value of a mobile home and the Columbus Rescue fee. Home is double listed in the name of J.C. Cook. Amount \$180.60, Value \$11,700.00, Year 2002, Account # 13-00918, Bill # 63780.

Release the Property Value in the name of Deese, Dexter. Release the value of a mobile home that was destroyed by a storm in 1996. Amount \$93.50, Value \$1,580.00, Year 1996, Account # 13-10349, Bill # 61863.

Release the Property Value in the name of Deese, Dexter. Release the value of a mobile home that was destroyed by a storm in 1996. Amount \$125.45, Value \$3,330.00, Year 1997, Account # 13-10349, Bill # 61864.

Release the Property Value in the name of Deese, Dexter. Release the value of a mobile home that destroyed by a storm in 1996. Amount \$122.70, Value \$2,970.00, Year 1998, Account # 13-10349, Bill # 45530.

Release the Property Value in the name of Deese, Dexter. Release the value of a mobile home that

was destroyed by a storm in 1996. Amount \$81.71, Value \$2,840.00, Year 1999, Account # 13-10349, Bill # 7193.

Release the Property Value in the name of Deese, Dexter. Release the value of a mobile home that was destroyed by a storm in 1996. Amount \$89.76, Value \$3,126.00, Year 2000, Account # 13-10349, Bill # 88166.

Release the Property Value in the name of North Carolina RSA #9 Inc.. Release the equipment value that is double listed in the name of US Cellular. Amount \$743.13, Value \$95,273.00, Year 2002, Account # 12-00909, Bill # 84543.

Release the Property Value in the name of Clewis, Danny. Release the value of a mobile home that is double listed in the name of J.C. Cook. Amount \$141.32, Value \$11,700.00, Year 1999, Account # 13-00918, Bill # 5121.

Release the Property Value in the name of Deese, Dexter. Release the value of a mobile home and the Columbus Rescue fee. Home was destroyed by a storm in 1996. Amount \$101.82, Value \$3,048.00, Year 2001, Account # 13-10349, Bill # 88370.

Release the Property Value in the name of Thompson, Joseph E.. Release the late list fee that was added in error. Amount \$2.51, Value \$0.00, Year 2002, Account # 12-01959, Bill # 61085.

Release the Property Value in the name of Phillips, Magnolia. Release the value of a house and the Columbus County Rescue fee. House was torn down in 2001. Amount \$163.80, Value \$9,600.00, Year 2002, Account # 08-14940, Bill # 85429.

Release the Property Value in the name of Thompson, Joseph E.. Release the late list fee that was added in error. Amount \$5.00, Value \$0.00, Year 2002, Account # 12-01959, Bill # 61086.

Release the Property Value in the name of Hinson, Lisa. Release the value of a double wide and the Columbus Rescue fee. Home is double listed in the name of Samuel Izzo in Bladen County. Amount \$365.80, Value \$23,600.00, Year 2002, Account # 12-12103, Bill # 74844.

Release the Property Value in the name of Hammond, Christopher. Release the value of a boat and the Columbus Rescue fee. Boat was sold in 2000. Amount \$12.32, Value \$1,400.00, Year 2002, Account # 01-05808, Bill # 72872.

Release the Property Value in the name of Hammond, Christopher. Release the value of a boat and the Columbus Rescue fee. Boat sold in 2000. Amount \$12.32, Value \$1,400.00, Year 2001, Account # 01-05808, Bill # 95133.

Release the Property Value in the name of Fields, Derrick. Release a portion of the property value and a portion of the Acme Delco Fire fee (5.52) and a portion of the Columbus Rescue fee (.92). Property double listed in the name of Darie Webb. Amount \$42.32, Value \$4,600.00, Year 2002, Account # 15-13593, Bill # 68232.

Release the Property Value in the name of Evans, Lee Roy. Release a portion of the property value and a portion of the Old Dock Fire fee (.48) and a portion of the Columbus Rescue fee (.12). Small portion of property is double listed in the name of Elwood Herring. Amount \$5.28, Value \$600.00, Year 2002, Account # 03-06680, Bill # 67726.

Release the Property Value in the name of Deese, Dexter. Release the value of a mobile home and the Columbus Rescue fee. Home was destroyed by a storm in 1996. 12/02/02 Amount \$112.17, Value \$2,860.00, Year 2002, Account # 13-10349, Bill # 65975.

Release the User Fee in the name of Parker, David. User fee double listed in the name of David A. & Sharon K. Parker. Amount \$165.00, Value \$0.00, Year 2001, Account # 15-28998, Bill # 7021.

Release the User Fee in the name of Gore, Albert. No trash can at garage. Amount \$177.00, Value \$0.00, Year 2002, Account # 07-05500, Bill # 70863.

Release the User Fee in the name of Long, John D.. No trash can at this address. Amount \$177.00,

Value \$0.00, Year 2002, Account # 07-10760, Bill # 79598.

Release the User Fee in the name of Long, Gervais. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 07-02853, Bill # 79523.

Release the User Fee in the name of Lennon, Isadora. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 14-08840, Bill # 78823.

Release the User Fee in the name of Jolly, William. Customer using a commercial hauler. Amount \$177.00, Value \$0.00, Year 2002, Account # 03-04148, Bill # 77108.

Release the User Fee in the name of Noble, W.B.. Release a portion of the user fee. Did not have the trash can for a full year. Amount \$88.50, Value \$0.00, Year 2002, Account # 13-29301, Bill # 84014.

Release the User Fee in the name of Gore, Albert. No trash can at garage. Amount \$165.00, Value \$0.00, Year 2001, Account # 07-05500, Bill # 93158.

Release the User Fee in the name of Gore, Albert. No trash can at garage. Amount \$125.00, Value \$0.00, Year 2000, Account # 07-05500, Bill # 92863.

Release the User Fee in the name of Faulk, Danny R.. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 12-01345, Bill # 68011.

Release the User Fee in the name of Edmund, Charles E.. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 12-06693, Bill # 66938.

Release the User Fee in the name of Braswell, Percy E.. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 03-01843, Bill # 60315.

Release the User Fee in the name of Parker, David. User fee double listed in the name of David A. & Sharon K. Parker. Amount \$177.00, Value \$0.00, Year 2002, Account # 15-28998, Bill # 84949.

Release the User Fee in the name of Strickland, Julie. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 09-03601, Bill # 93567.

Release the User Fee in the name of Clarida, James C.. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 07-01940, Bill # 63632.

Release the User Fee in the name of Rotruck, Anne. House is vacant. No trash can. Amount \$177.00, Value \$0.00, Year 2002, Account # 01-00614, Bill # 88406.

Release the User Fee in the name of Thompson, Shelby. House is used as storage. Amount \$87.00, Value \$0.00, Year 2002, Account # 0194780, Bill # 94738.

Release the User Fee in the name of Skipper, Lloyd. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 03-22081, Bill # 90494.

Release the User Fee in the name of Strickland, Betty. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 12-00457, Bill # 93359.

Release the User Fee in the name of Boykin, Bernice. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 15-03860, Bill # 60207.

Release the User Fee in the name of Smith, Walter. No dwellings on this property. Amount \$354.00, Value \$0.00, Year 2002, Account # 11-25323, Bill # 91440.

Release the User Fee in the name of Stocks, Donald. Release a portion of the user fee. Did not have the trash can for a full year. Amount \$14.75, Value \$0.00, Year 2002, Account # 07-01430, Bill # 93212.

Release the User Fee in the name of Simmons, Barbara. House is vacant. Amount \$177.00, Value

\$0.00, Year 2002, Account # 01-83240, Bill # 89995.

Release the User Fee in the name of Phillips, Magnolia. House vacant. Amount \$36.00, Value \$0.00, Year 1995, Account # 08-14940, Bill # 14600.

Release the User Fee in the name of Phillips, Magnolia. House is vacant. Amount \$75.00, Value \$0.00, Year 2001, Account # 08-14940, Bill # 7489.

Release the User Fee in the name of Phillips, Magnolia. House is vacant. Amount \$75.00, Value \$0.00, Year 2000, Account # 08-14940, Bill # 6808.

Release the User Fee in the name of Phillips, Magnolia. House is vacant. Amount \$75.00, Value \$0.00, Year 1999, Account # 08-14940, Bill # 25359.

Release the User Fee in the name of Phillips, Magnolia. House is vacant. Amount \$60.00, Value \$0.00, Year 1998, Account # 08-14940, Bill # 63081.

Release the User Fee in the name of Phillips, Magnolia. House is vacant. Amount \$60.00, Value \$0.00, Year 1997, Account # 08-14940, Bill # 58071.

Release the User Fee in the name of Phillips, Magnolia. House is vacant. Amount \$36.00, Value \$0.00, Year 1996, Account # 08-14940, Bill # 59874.

Release the User Fee in the name of Simmons, Danny. House is vacant. Amount \$177.00, Value \$0.00, Year 2002, Account # 03-21240, Bill # 90029.

BONDS (SURETY) - EXAMINATION and APPROVAL:

Commissioner McKenzie made a motion to approve the following Surety Bonds as listed, seconded by Commissioner Dutton. The motion so carried.

NAME	TITLE	BOND AMOUNT	EXPIRATION DATE
Gayle Godwin	Finance Officer	\$100,000	Indefinite
Christopher Lee Batten	Sheriff	\$50,000	12-02-2006
Richard Jerome Gore	Tax Administrator	\$25,000	Indefinite
Shirley J. Settlemyre	Deputy Tax Administrator	\$25,000	Indefinite
Brenda Strickland	HUD Director	\$25,000	Indefinite
Linwood Cartrette	Coroner	\$15,000	12-06-2003
William H. Hannah, Sr.	Assistant Coroner	\$15,000	12-06-2003
Kandance Whitehead	Register of Deeds	\$10,000	12-04-2004

COLUMBUS COUNTY CHAF PROGRAM 2000 - AMENDMENT NUMBER 2:

Commissioner Jacobs made a motion to approve the following Grant Project Ordinance Amendment Number 2 for the Columbus County CHAF Program 2000, seconded by Commissioner Norris. The motion so carried.

**GRANT PROJECT ORDINANCE AMENDMENT NO. 2
2000 CHAF PROGRAM
COUNTY OF COLUMBUS**

Be it ordained by the Columbus County Board of Commissioners that, Section 3 and Section 4 of the Grant Project Ordinance for the 2000 Columbus County CHAF Program adopted on December 4, 2000 and including any subsequent amendments be hereby amended as follows:

Section 3. The following revenues are anticipated to be available to complete this project:

Crisis Housing Assistance Funds	\$25,333,467.00
TOTAL:	\$25,333,467.00

Section 4. The following amounts are appropriated for the project:

B-1 Aid to Local Governments	\$ 377,710.00
R-1 Rehabilitation	\$ 9,779,340.00
R-1 Replacement	\$11,875,556.00
R-1 Service Delivery	\$ 2,706,861.00
S-1 Relocation	\$ 528,000.00
S-1 Service Delivery	\$ 66,000.00
TOTAL:	\$25,333,467.00

All other conditions and terms associated with the original Ordinance shall not be affected or changed.

Ordinance Amendment adopted this the 2nd day of December, 2002.

/s/ C.E. Wilson, Chairman

ATTEST:

/s/ June B. Hall, Clerk to the Board

CCITS/COMPUTRONIX:

This matter was announced by Chairman Wilson for discussion and no party was in attendance. Commissioner Jacobs made a motion that the matter be tabled until further date, seconded by Commissioner Dutton. The motion so carried.

AGING - SENIOR CENTER GRANT FUNDING:

Ed Worley, Director of Columbus County Department of Aging, requested Board approval of receiving funding for the following grants with a ten (10%) percent County match:

A. Senior Center General Purpose Funding:		
\$1,471.00 + \$164.00 County Match	=	\$ 1,635.00
 B. Senior Center General Purpose Funding:		
\$33,071.00 + \$3,673.00 County Match	=	\$36,744.00
 TOTAL GRANT FUNDING:		\$38,379.00

Commissioner Norris made a motion to approve, seconded by Commissioner McKenzie. The motion so carried.

ADOPTION of the COLUMBUS COUNTY EMS PLAN:

Dr. Fred Obrecht requested the Board to approve and adopt the Columbus County Emergency Medical Services (EMS) System Plan. He stated the following information:

1. During the 2001 session of the General Assembly, two (2) bills passed which affect the statewide EMS Program (HB452 and HB 453). These laws consolidate all rulemaking authority for EMS under the North Carolina Medical Care Commission (MCC).
2. G.S. 143-517 clarifies that each county has the authority and responsibility to "ensure that emergency medical services are provided to its citizens".
3. The Columbus County EMS Plan is divided into seven (7) sections:

Section I System Overview
 Section II Communications
 Section III Medical Oversight
 Section IV Vehicles, Equipment, Supplies
 Section V Personnel
 Section VI Data Collection
 Section VII Education

Commissioner Memory asked Dr. Obrecht if this plan was a guideline for everyone affiliated with this type of serve to use. Dr. Obrecht replied with a yes.

Commissioner Godwin requested Dr. Obrecht to submit a list of all the volunteers who assisted in preparing this plan to Chairman Wilson and he, in turn, would send a letter of thanks to each one. Chairman Wilson stated this matter would be taken under advisement.

Commissioner McKenzie made a motion to approve and adopt the Columbus County Emergency Medical Services (EMS) System Plan, seconded by Commissioner Norris. The motion so carried. A copy of this plan will be on file in the Office of the Clerk to the Board.

APPROVAL of LEASE AGREEMENT with USDA, NATURAL RESOURCES CONSERVATION SERVICE:

Donna Register, Director of Soil and Water Conservation, is requesting Board approval of this Lease Agreement. She informed the Board this is an annual agreement which entails the rent for the space in the building they occupy. Commissioner McKenzie made a motion to approve, seconded by Commissioner Jacobs. The motion so carried. A copy of this plan will be on file in the Office of the Clerk to the Board.

DSS - APPROVAL of ASSISTANT FINANCE OFFICERS:

Larry Moore, Interim Director of Social Services, is requesting Board approval of the appointment of Mona Batten and Becky Williamson as Assistant Finance Officers to replace Joyce Clark and Roxanne Coleman. This is for the purpose of signing checks for the Department of Social Services Trust Account only. Commissioner Dutton made a motion to approve, seconded by Commissioner Norris. The motion so carried.

ANIMAL CONTROL - APPROVAL of AMENDMENTS to the ANIMAL CONTROL ORDINANCE:

Billy Joe Farmer, County Administrator, is requesting approval of the following Animal Control Ordinance with amendments.

**COLUMBUS COUNTY
 ANIMAL CONTROL ORDINANCE**

Strike through	=	Delete or Rescind
Underline (double)	=	Additions/replacements
As is	=	No Changes

Section 1: Definitions

Animal - Every living creature, domestic or non-domestic, but does not include humans.

Animal Shelter - Any premises designated by the Columbus County Board of Commissioners for the purpose of impounding and caring for the animals.

At Large - An animal shall be deemed to be at large when it is off the physical property of its owner or keeper and not under physical restraint.

Commercial Animal Establishment – Any pet shop, grooming shop, auction, riding school or stable.

Board of Health – Columbus County Board of Health.

Health Director – Health Director of the Columbus County Health Department/Columbus County Board of Commissioners.

Dangerous dog means:

- (1) A dog that without provocation has killed or inflicted severe injury on a person; or
- (2) Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.

Owner's real property means: any real property owned or leased by the owner of the dog, but does not include any public right-of-way or a common area of a condominium, apartment complex or townhouse development.

Exposed to Rabies - An animal shall be deemed to have been exposed to rabies if it has been bitten by, or been in the presence of, any animal known or suspected to have been.

Grooming Shop - Any establishment, whether operated separately or in connection with another business enterprise, which provides hair and nail clipping, bathing, or any other cosmetic services for animals.

Impoundment – Any animal in custody of a person or animal shelter duly authorized by the Columbus County Commissioners.

Keeper – A person having custody of an animal or who keeps or harbors an animal or who knowingly permits an animal to remain on or about any premises occupied or controlled by such person.

Kennel - Any premises wherein a person boards, lets for hire, trains for a fee, breeds, buys or sells dogs or cats. This shall not include the ownership of dogs which are part of the household or which are maintained adjoining a private residence for hunting, tracking practice, exhibition, or the guarding or protection of the owner's property when no more than five (5) dogs per year are sold by such owner.

Nuisance- An animal or group of animals shall be considered a nuisance if it:

- A. Damages, soils, or defiles private or public property;
- B. Interferes with, molests, or attacks persons or other animals,
- C. Is repeatedly at large;
- D. Causes unsanitary, dangerous, or offensive conditions including fouling of the air by odors;
- E. Chases, snaps at or harasses, or impedes pedestrians, bicyclists, or vehicles;
- F. By virtue of number or type is offensive or dangerous to the public health, safety or welfare;
- G. Is diseased or dangerous to the public health.

Owner- A person having the right of property in an animal.

Person - Any individual, corporation, partnership, organization, or institution commonly recognized by law as a unit.

Pet - Any animal kept for pleasure rather than utility.

Pet Shop - Any commercial establishment whether operated separately or in connection with another business enterprise, except for a licensed kennel, that buys, sells or boards any species of animal.

Potentially dangerous dog mean a dog that:

- (1) Inflicted a bite on a person that resulted in broken bones or broken skin or required cosmetic surgery or hospitalization
- (2) Killed or inflicted severe injury upon a domestic animal when not on the owner's real property: or
- (3) Approached a person when not on the owner's property in a vicious or terrorizing manner in an apparent attitude of attack.

Severe injury means any physical injury that results in broken bones or lacerations or requires cosmetic surgery or hospitalization, the cost of such medical treatment exceeding \$100.00

Exclusions:

The provisions of this article do not apply to:

- (1) A dog being used by a law enforcement officer to carry out the law enforcement officer's official duties;
- (2) A dog where the injury or damage inflicted by the dog was sustained by a domestic animal while the dog was working as a lawful hunting dog, herding dog or predator control dog on the property of or under the control of its owner or keeper, and the damage or injury was to a species or type of domestic animal appropriate to the work of the dog; or
- (3) A dog where the injury was inflicted by the dog was sustained by a person who, at the time of the injury, was committing a willful trespass or other tort; was tormenting, abusing or assaulting the dog; or had tormented, abused or assaulted the dog; or was committing or attempting to commit a crime.

Riding School or Stable – Any place that has available for hire, boarding and/or riding instruction any horse, pony, donkey, or burro.

Restraint - Any animal shall be considered under restraint if it is within the real property limits of its owner, or secured by a leash or lead, or confined.

Security Dog – A dog that is trained or conditioned to attack or otherwise respond aggressively, but only upon command from a handler either off or on lead.

Stray - Any domestic animal not wearing a tag and collar.

~~Suspected of having Rabies – An animal that is unvaccinated against rabies or has bitten a person.~~

Suspected of having Rabies – An animal that has bitten a person will be confined for ten (10) days according to state statutes regarding rabies bites.

Veterinary Hospital – Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

Vicious Animal – An animal that constitutes a physical threat to humans or other domestic animals.

Section II: Agency Authority and Responsibility

Authority is hereby granted to Columbus County Board of Commissioners establish and maintain an animal control program, to employ animal control officers and such other employees as shall be determined necessary, and to appoint and compensate animal control officers and such other employees in accordance with policies of Columbus County. The employees of the animal control program shall:

- A. The Board of Health having the responsibility along with law enforcement agencies to enforce all ordinances of Columbus County pertaining to animals and shall cooperate with all law enforcement officers within Columbus County in fulfilling this duty.

- B. Enforce and carry out all laws of North Carolina and ordinances of Columbus County pertaining to rabies control.
- C. Be responsible for the investigation of all reported animal bites, for the quarantine of any dog or cat involved and suspected of having rabies, for a period of not less than ten (10) days, and for reporting to the Health Director as soon as practical the occurrence of any such animal bite and the condition of any quarantined animal.
- D. Be responsible for the operation of the animal shelter.
- E. Be responsible for the seizure and impoundment, where deemed necessary, of any dog or other animal in Columbus County involved in a violation of this or any other ordinance or state law.
- F. Investigate cruelty or abuse with regard to animals.
- G. Make such canvasses of the county, including the homes in the county, as necessary for the purpose of ascertaining compliance with the ordinance or state statute.
- H. Keep, or cause to be kept, accurate and detailed records of:
 1. Seizure, impoundment, and disposition of all animals coming into the custody of the animal control programs.
 2. Bite cases, violations and complaints, and investigation, of it.
 3. All monies belonging to Columbus County which were derived from fees, penalties, license tags, sales of animals, or other sources.
 4. Any other matters deemed necessary by the Health Directors and County Manager/Administrator.
- I. Be empowered to issue notice of violations of this ordinance in such form as the Columbus County Commissioners and Health Director deemed necessary.

J. Animal Control Officers:

Animal Control officers shall not be authorized to carry on their person any firearms of any kind unless otherwise authorized by the Animal Control Director. Animal Control Officers may store at the animal shelter or carry in departmental vehicles firearms approved for use and use such firearms when necessary to enforce sections of this chapter or under applicable laws for the control of wild, dangerous, vicious or diseased animals.

K. Advisory Committee:

An advisory committee is created to advise the Board of Commissioners and the animal control director with respect to animal control matters. The advisory committee shall be composed of members appointed by the Board of Commissioners and shall serve at the pleasure of the Board. Members will include but are not limited to interested citizens and persons representing animal care, welfare or similar organizations.

Section III: Cruelty to Animals

- A. It shall be unlawful for any person to molest, torture, torment, deprive of necessary sustenance, cruelly beat, needlessly mutilate or kill, wound, injure, poison abandon or subject to conditions detrimental to its health or general

welfare any animal, or to cause or procure such action. The words "torture" and "torment" shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is construed to prohibit lawful taking of animals under the jurisdiction and regulation of the Animal Control officers or persons duly authorized by the County Commissioners or Veterinarians from destroying dangerous, unwanted, or injured animals in scientific research.

- B. It shall be unlawful for any owner or keeper to fail to provide his animal or animals with proper shelter and protection from the weather, sufficient and wholesome food and water to keep his animal or animals in good health and comfort, the opportunity for vigorous daily exercise, veterinary care when needed to prevent suffering, and humane care and treatment.
- C. It shall be unlawful for any person to sell or offer for sale, barter, or give away within the county baby chickens, baby ducklings, or other fowl under six (6) weeks of age or rabbits under eight (8) weeks of age as pets, toys, premiums, or novelties; provided, however, that this section shall not be construed to prohibit the sale or display of such baby chickens, ducklings or other fowl, or such rabbits in proper facilities by breeders, or stores engaged in the business of selling for purposes other than for pet or novelties.
- D. It shall be unlawful to color, dye stain or otherwise change the natural color of baby chickens or other fowl or rabbits.
- E. It shall be unlawful for any person to tether any fowl.

SECTION IV. ANIMALS CREATING NUISANCE PROHIBITED

- A. It shall be unlawful for an owner or keeper to permit an animal or animals to create a nuisance, or to maintain a nuisance created by an animal or animals.
- B. Compliance shall be required as follows:
 - (1) When an animal control officer, law enforcement officer, or person duly authorized by the Columbus County Commissioners serve a violation, the owner or keeper will be provided written notice of such violation and be given 48 hours from time of notification to abate the nuisance.
 - (2) Upon receipt of a written detailed and signed complaint being made to the Columbus County Animal Control Officer by any person or persons that any other person is maintaining a nuisance as defined in this ordinance, the Columbus County Animal Control Officer shall cause the owner or keeper of the animal or animals in question to be notified that a complaint has been received, and shall cause the situation complained of to be investigated and a report and findings thereon to be reduced to writing.
 - (3) If the written findings indicated that the complaint is justified, the Columbus County Commissioners or duly authorized by the Commissioners, shall cause the owner or keeper of the animal(s) in questions to be so notified in writing, and ordered to abate such nuisance with forty-eight (48) hours by whatever means necessary.
 - (4) In the event the owner or keeper of the animal(s) is unknown and cannot be ascertained, the notice and order, along with a general description of the animal(s) be posted for forty-eight (48) hours at the animal shelter and the county courthouse.
- C. It shall be unlawful for a person to fail or refuse to abate the nuisance Required by this ordinance.

SECTION V. NOISEY ANIMALS

~~It shall be unlawful for any person to own, keep or have within the county an animal that habitually or repeatedly makes noises or other sounds that tend to annoy, disturb or frighten its citizens.~~

SECTION V: LURING, ENTICING, SEIZING, MOLESTING OR TEASING AN ANIMAL.

It shall be unlawful of any person to entice or lure any animal out of an enclosure or off the property of its owner or keeper, or to seize, molest or tease any animal while the animal is held or controlled by its owner or keeper or while the animal is on the property of its owner or keeper.

SECTION VI: COMPLIANCE WITH STATE RABIES LAW-SUPPLEMENTAL TO STATE RABIES LAWS

- A. It shall be unlawful for any animal owner or other person to fail to comply person to fail to comply with the state and county laws relating to the control of rabies.
- B. It is the purpose of this ordinance to supplement the state laws by providing a procedure for the enforcement of state laws relating to rabies control, in addition to the criminal penalties provided by state law.

SECTION VII: VACCINATION OF DOGS, CATS AND OTHER PETS

- A. It shall be unlawful for an owner or keeper to fail to provide current vaccination against rabies (hydrophobia) for any dog or cat four (4) months or older. Should it be deemed necessary by the Health Director or the Board of County Commissioners that other pets be vaccinated in order to prevent a threatened epidemic or to control an existing epidemic, it shall be unlawful for an owner or keeper to fail to provide current vaccination against
- B. A rabies vaccination shall be deemed "current" for a dog and cat if two vaccinations have been given one year apart and booster doses of rabies vaccine administered every 3 years thereafter.
- C. All antirabic vaccine shall be administered by a licensed veterinarian.

SECTION VIII: VACCINATION TAG AND CERTIFICATE

- A. Upon complying with the provisions of Section IX of this ordinance, there shall be issued to the owner or keeper of the dog or cat vaccinated a rabies tag, stamped with a number and the year for which issued, and a rabies vaccination certificate.
- B. It shall be unlawful for any dog owner or keeper to fail to provide the dog or cat with a collar or harness to which a current rabies tag issued under this section is securely attached. The collar or harness, with attached tag, must be worn at all times.
- C. In addition to all other penalties as prescribed by law, a dog or cat is subject to impoundment in accordance with the provisions of this ordinance if the dog or cat is found not to be wearing a currently valid rabies tag.
- D. It shall be unlawful for any person to sue for any animal a rabies vaccination tag for an animal other than the one using the tag.
- E. All dogs or cats shipped or otherwise brought into this county, except for exhibition purposes where the dogs or cats are confined and not permitted to

run at large, shall be securely confined and vaccinated within one week after entry, and shall remain confined for two additional weeks after vaccination unless accompanied by a certificate issued by a licensed veterinarian showing that said dog or cat is apparently free from rabies and has not been exposed to same and that said dog or cat has received a proper dose of rabies vaccine not more than six months prior to the date of issuing the certificate.

SECTION IX: NOTICE TO HEALTH DIRECTOR WHEN PERSON BITTEN:
CONFINEMENT OF ANIMAL

- A. When a person has been bitten by an animal having rabies or suspected of having rabies, it shall be the duty of such person, or his parent or guardian if such person is a minor, and the person owning such animal or having the same in his possession or under his control; to notify the Health Director or person duly authorized by the Health Director and give their names and addresses; or under his control shall immediately securely confine the animal for ten (10) days at the expense of the owner in such place as may be designated by the Health Director. It shall be the duty of every physician, after his first professional attendance upon a person bitten by any animal having rabies or suspected of having rabies, to report to the Health Director the name, age, and sex of the person bitten, and precise location of the bite wound, within twenty-four (24) hours after first having knowledge that the person was bitten. If the owner of or a person who has in his possession or under his control an animal having rabies or suspected of having rabies refuses to confine the animal as required by this ordinance or by G.S. 106-378, the Health Director or designee may order seizure of the animal and its confinement for ten (10) days in such place as the Health Director or designee deems appropriate.
- B. Law enforcement agencies investigating animal bites, shall report such bites immediately to the Health Director or person duly authorized by the Health Director and give the names and addresses of persons bitten and owner of animal.
- C. Animals confined per "Section A" above shall be confined at the expense of the owner or keeper.
- D. In the case of an animal whose owner or keeper is not known, the animal shall be kept for the supervised confinement period required by this ordinance at the animal shelter.
- E. Badly wounded, diseased, or suffering animals, which are suspected of having rabies may be humanely destroyed immediately and the head forwarded for examination.

SECTION X: DESTRUCTION OR CONFINEMENT OF ANIMAL BITTEN BY A
KNOWN RABID ANIMAL

Animals not vaccinated against rabies, which are bitten, by a known rabid animal shall be immediately destroyed, unless the owner or keeper agrees to strict isolation of the animal at a veterinary hospital for a period of six (6) month at the owner's expense. If the animal has a current rabies vaccination, it shall be revaccinated within 72 hours and returned to the owner or keeper. If the owner or keeper refuses to vaccinate the animal, then a release must be completed and signed by the Animal Control Officer and the owner or keeper of said pet.

SECTION XI: AREA-WIDE EMERGENCY QUARANTINE

- A. When reports indicate a positive diagnosis of rabies to the extent that lives or persons are endangered, the Health Director may declare an area-wide quarantine for such period, as he/she deems necessary. Upon invoking of such emergency quarantine, no dogs or cats may be taken or shipped from the county without written permission of the Health Director, law enforcement officer or persons duly authorized by the Health Director may seize and impound any dog or cat found running at large in the county.

During the quarantine period the Health Director shall be empowered to provide for a program of mass immunization by the establishment of temporary emergency rabies facilities strategically located throughout the county.

- B. In the event there are additional positive cases of rabies occurring during the period of quarantine, such period of quarantine may be extended at the discretion of the Health Director.

SECTION XII: POST MORTEM DIAGNOSIS

- A. If an animal dies under observation for rabies, the head of such animal shall be submitted to the District Health Department for shipment to the laboratory section of the North Carolina Division of Health Services for rabies diagnosis.
- B. The carcass of any animal suspected of dying of rabies shall be surrendered to the Health Department Animal Control Division. The head of such animal shall be shipped to the laboratory Section of the North Carolina Department of Environment, Health and Natural Resources.

SECTION XIII: UNLAWFUL KILLING OR RELEASING OF CERTAIN ANIMALS:

It shall be unlawful for any person to kill or release any animal under observation for rabies, or any animal under observation for biting a human, or to remove such animal from the county without written permission from the Health Director, or persons duly authorized by the Health Director, may authorize any animal to be killed for rabies diagnosis.

SECTION XIV: FAILURE TO SURRENDER ANIMAL FOR CONFINEMENT OR DESTRUCTION.

It shall be unlawful for any person to fail or refuse to surrender any animal for confinement or destruction as required in this ordinance, when the Health Director makes demand therefore

SECTION XV: IMPOUNDMENT

- A. Any animal, which appears to be lost, stray or unwanted, or not wearing a current valid rabies vaccination tag, as required by the state law of this ordinance, may be seized, impounded, and confined in a humane manner in animal shelter.
- B. Impoundment of such an animal shall not relieve the owner or keeper thereof from any penalty, which may be imposed for violation of this ordinance.

SECTION XVI: NOTICE TO OWNER OR KEEPER

- A. Upon impounding an animal, notice of such impoundment shall be posted for a minimum of seventy-two (72) hours, beginning with the time the animal enters the animal shelter, or until the animal is disposed of. Reasonable effort shall be made to identify the owner or keeper of the conditions whereby the animal may be redeemed.
- B. Such notice shall be prominently displayed on a bulletin board at the animal shelter and the time and place of the taking of such animal, together with the time and place of posting the notice shall be stated therein.

SECTION XVII: REDEMPTION BY OWNER OR KEEPER GENERALLY

- A. The owner or keeper of an animal impounded under this ordinance may redeem the animal and regain possession thereof within seventy-two (72) hours after notice of impoundment is posted as required by this ordinance by paying any applicable fees as determined by the Board of County Commissioners.
- B. No animal owner or keeper may be permitted to adopt his own animal under the

provisions of this ordinance, but he must comply with the provisions of this ordinance in order to reclaim an animal that has been impounded pursuant to state law or this ordinance.

- C. The provisions of this section shall have no application with respect to animal surrendered by the owner or keeper to the Columbus County Animal Shelter for immediate adoption or destruction as provided for in Section XIX.

SECTION XVIII: DESTRUCTION OR ADOPTION OF UNREDEEMED ANIMAL GENERALLY

- A. If an impounded animal is not redeemed by the owner or keeper within the period prescribed in Section XVIII, it may be destroyed in a humane manner or shall become the property of the animal shelter(s) and offered for adoption to a reasonable adult who is willing to comply with this ordinance and policies promulgated by the Columbus County Commissioners.
- B. No animal which has been impounded by reason of its being a stray, unclaimed by its owner or keeper, shall be allowed to be adopted from the animal shelter during a period of emergency rabies quarantine invoked pursuant to this ordinance, except by special authorization of the Health Director.

SECTION XIX: PROCEDURE WITH RESPECT TO REDEMPTION OR ADOPTION OF UNVACCINATED DOG OR CAT

- A. Unless proof of a current rabies vaccination can be furnished, every person who either adopts or redeems a dog/cat at the animal shelter will be given a "proof of rabies vaccination notice" at the time for the redemption or adoption. This notice will be stamped with a date stating the maximum time limit allowed to take the dog/cat to the veterinarian of such person's choice for rabies vaccination. The time limit for dogs/cats four (4) months and older will be twenty-four (24) hours. For puppies/kittens under four (4) months, the time limit will vary according to their age.
- B. The "proof of rabies vaccination notice" will be completed by the veterinarian and returned to the shelter by the animal owner or keeper.
- C. Payment for rabies vaccination provided for in this section will be the responsibility of the person redeeming or adopting the animal.

SECTION XX: IMMEDIATE PLACEMENT FOR ADOPTION OR DESTRUCTION OF OWNER SURRENDERED ANIMALS

- A. Any animal surrendered by its owner to the Animal control Division of Columbus County may be immediately placed for adoption or humanely destroyed by the Animal Control Division when:
 - (1) The owner directs in writing that the animal be placed for adoption or humanely destroyed; and
 - (2) The owner affirmatively represents in writing the he/she is in fact the legal owner of said animal;
 - (3) The owner agrees that he/she will indemnify and hold the Animal Control Division/Columbus County harmless from any loss or damage it may sustain, including attorney's fees, by reason of the destruction or placement for adoption of said animal; and
 - (4) The owner transfers ownership of said animal to the Animal Control Division and releases Columbus County from any and all future claims with respect to the said animal.
- B. Upon receiving said assurance, the Animal Control Division may rely on the same

and place said animal for adoption, or destroy said animal, as it sees fit. The waiting periods provided in Section XXII-XXIII (Section 22-23) shall not apply to immediate adoption or destruction as provided for in this section.

SECTION XXI: DESTRUCTION OF WOUNDED, DISEASED, OR UNWEANED ANIMALS

Notwithstanding any other provision of this ordinance, any animal seized and impounded which is badly wounded, diseased (not a rabies suspect), or unweaned and has no identification shall be destroyed immediately in a humane manner, if the animal has identification, the Animal Control Division shall attempt to notify the owner or keeper before disposing of such animal. If the owner or keeper cannot be reached readily, and the animal is suffering, the Animal control Division may destroy the animal at its discretion in a humane manner.

SECTION XXII: DESTRUCTION OF ANIMALS THAT CANNOT BE SEIZED BY REASONABLE MEANS.

Notwithstanding any other provision of this ordinance, an animal, which cannot be seized by reasonable means, may be humanely destroyed by order of the Health Director or person duly authorized by the Health Director.

SECTION XXIII: INJURING ANIMALS, NOTICE REQUIRED

It shall be unlawful for any person injuring an animal to fail to notify immediately the owner or keeper of said animal, or an animal control agency, or a local humane society.

SECTION XXIV: KEEPING STRAY ANIMALS: REQUIREMENTS, FAILURE TO SURRENDER

- A. It shall be unlawful for any person in the county knowingly and intentionally to harbor, feed, keep in possession by confinement, or otherwise allow to remain on his property any animal which does not belong to him, unless he has, within seventy-two (72) hours from the time such animal came into his/her possession, notified the Animal Control Division or person duly authorized by the Columbus County Commissioners. Upon receiving such notice, the Animal Control Division or person duly authorized by the Board of Columbus County Commissioners shall take such animal and place it in the animal shelter and deal with it as provided by the Columbus County Policy.
- B. It shall be unlawful for any person to refuse to surrender any such stray animal to the Animal control Division or person duly authorized by the Columbus County Commissioners upon demand.

SECTION XXV: DANGEROUS DOG/POTENTIALLY DANGEROUS DOG

The following words, terms and phrases, when used in the section shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dangerous dog means:

- (1) A dog that without provocation has killed or inflicted severe injury on a person; or
- (2) Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.

Owner's real property means any real property owned or leased by the owner of the dog, but does not include any public right-of-way or a common area of a condominium, apartment complex or townhouse development.

Potentially dangerous dog mean a dog that:

- (1) Inflicted a bite on a person that resulted in broken bones or broken skin or required cosmetic surgery or hospitalization
- (2) Killed or inflicted severe injury upon a domestic animal when not on the owner's real property; or
- (3) Approached a person when not on the owner's property in a vicious or terrorizing manner in an apparent attitude of attack.

Severe injury means any physical injury that results in broken bones or lacerations or requires cosmetic surgery or hospitalization, the cost of such medical treatment exceeding \$100.00

Exclusions:

The provisions of this article do not apply to:

- (A) A dog being used by a law enforcement officer to carry out the law enforcement officer's official duties;
 - (B) A dog where the injury or damage inflicted by the dog was sustained by a domestic animal while the dog was working as a lawful hunting dog, herding dog or predator control dog on the property of or under the control of its owner or keeper, and the damage or injury was to a species or type of domestic animal appropriate to the work of the dog; or;
 - (C) A dog where the injury was inflicted by the dog was sustained by a person who, at the time of the injury, was committing a willful trespass or other tort; was tormenting, abusing or assaulting the dog; or had tormented, abused or assaulted the dog; or was committing or attempting to commit a crime.
- (A) Procedure
Upon determination by the Animal Control Officer that an animal is dangerous or potentially dangerous, the owner or keeper has the right to appeal within 24 hours to a panel of two people appointed by the Board of Commissioners. When making the determination that a dog is a dangerous dog or a potentially dangerous dog, animal control services must notify the owner in writing, giving the reasons before the dog may be considered dangerous or potentially dangerous under this section. The committee shall consider any written response by the owner to the written notification. If there is a split decision, the chairman of the board of commissioners or his designee will make the final determination. Once a decision has been made, the owner must provide animal control with a current address where the dog will be housed, notify animal control within 48 hours of any change in address of the owner or the dangerous dog, and follow all state laws and county ordinances dealing with dangerous or potentially dangerous dogs until all appeals have been exhausted and a final decision rendered or no appeal is requested; and the decision if final.

B. PRECAUTIONS AGAINST ATTACKS BY DANGEROUS OR POTENTIALLY DANGEROUS DOGS

If so ordered in the determination made pursuant to previous section, it is unlawful for an owner to:

- (1) Leave a dangerous dog or potentially dangerous dog unattended on the owner's real property unless the dog is confined indoors, in a securely enclosed and padlocked pen, with a concrete bottom or a bottom to prevent escape and a secure top, along with the posting of the premises with four (4) clearly visible warning signs adequate to inform the public, including children, of the presence of a dangerous dog, and strategically placed on the property as designated by the appropriate county authority. The owner or keeper shall have 72 hours to prepare such area to enclose

the animal. Chaining or tying does not meet the requirements of this ordinance.

(2) Permit a dangerous dog or potentially dangerous dog to go beyond the owner's real property unless the owner or guardian has the dog leashed and the leash in hand and the dog muzzled or otherwise securely restrained and muzzled.

(3) Even in the presence of an owner or others, permit a dangerous dog or potentially dangerous dog on the owner's property, not confined in a secured enclosure, to be without a muzzle.

C. In this section determination, the committee appointed by the Board of Commissioners may waive any of the measures included in this section, or other similar measures or conditions may be substituted in their place.

(1) Within 72 hours after a dangerous dog or potentially dangerous dog the owner must affix a tag to the collar of the dog as directed by the Animal Control Officer.

(2) If the owner of a dangerous or potentially dangerous dog transfers ownership or possession of the dog to another person, the owner shall provide written notice within 48 hours to:

(a) The authority that made the determination under this section, stating the name and address of the new owner or possessor of the dog; and

(b) The person taking ownership or possession of the dog, specifying the dog's dangerous behavior and the authority's determination.

(3) The person taking ownership of the dog shall notify animal control services within 48 hours of the dog's change of address and their knowledge of the committee's determination.

(4) Violation of this section is a misdemeanor punishable by a fine not to exceed \$500.00 or imprisonment for not more than 30 days or both.

D. VIOLATION OF CONDITIONS; EUTHANIZATION.

Animal control services may take possession of any dog concerning which it has cause to believe an owner has violated section C. For this purpose, the requirement for sufficient cause shall be satisfied if an officer observes the violation or if the animal control department receives verbal or written complaints from a citizen(s). An owner who violated Section C in a willful or grossly negligent manner may be found by the Animal Control Director to have forfeited all rights of ownership of the dog; and upon a final determination of such violation, the dog may be humanely euthanized by Animal Control. The committee appointed by the Board of Commissioners shall hear any appeal within 72 hours to determine whether the owner's violation was willful or grossly negligent; and the committee or board must notify the owner in writing, giving the reasons for the determination, before the dog may be euthanized.

E. LIABILITY FOR INJURY TO LIVESTOCK OR FOWLS

If any dog, not being at the time on the premises of the owner or person having charge thereof, shall kill any livestock or fowls, the owner or person having such dog in charge shall be liable for damages sustained by the injury, killings, or maiming of any livestock, and cost of suit. (G.S. 67-1)

F. FAILING TO KILL A MAD DOG

If the owner of any dog shall know, or have good reason to believe, that his dog, or any dog belonging to any person under his control, has been bitten by a mad dog, and shall neglect or refuse immediately to kill the same, he shall forfeit and

pay the sum of fifty dollars (\$50) to him who will sue therefore; and the offender shall be liable to pay all damages which may be sustained by anyone, in his property or person, by the bite of any such dog, and shall be guilty of a Class 3 misdemeanor. (G.S. 67-4)

G. MAD DOGS, DOGS KILLING SHEEP, ETC., MAY BE KILLED

(1) Any person may kill any mad dog, and also any dog if he is killing sheep, cattle, hogs, goats, or poultry. (G.S. 67-14).

(2) Any person may kill any dog that has been determined dangerous or potential dangerous by the Animal Control Officer if the dog is own his/her property and unrestrained.

SECTION XXVI: SECURITY DOGS – PERMIT REQUIRED

- A. It shall be unlawful to keep, maintain, or use any dog in the county for the purpose of protecting any commercially or industrially used property or person on such property unless a permit for the same shall have been obtained from the Animal Control Division in accordance with the provisions of this section and unless such permit shall remain unsuspended and unrevoked.
- B. It shall be unlawful to keep, maintain or use any patrol or sentry dog in the county for the purpose of protecting any residentially used property or person on such property unless a permit for the same shall have been obtained from the Animal Control Division in accordance with the provisions of this section and unless such permit shall remain unsuspended and unrevoked.
- C. The Columbus County Board of Health/County Commissioners shall promulgate regulations and applicable fee schedule for the issuance of permits and shall include requirements for humane care of all security dogs and for the compliance with this provision of this ordinance and applicable laws, regulations from time to time as deemed desirable for public health and welfare for the protection of security dogs.
- D. The Animal Control Division may revoke any permit if the person holding the permit refuses or fails to comply with this ordinance, the regulations promulgated by the Columbus County Board of Health/Commissioners, or any law governing the protection and keeping of animals.

SECTION XXVII: NON-DOMESTIC ANIMALS-PROHIBITED

No person shall possess or harbor any non-domestic animal/animals which are dangerous to persons or property or which have the potential of being dangerous to persons or property. This section shall not apply to bonafide circuses, petting zoos, and other traveling commercial exhibitions of limited duration. Ownership must register with N.C. Wildlife Department or proper agent.

SECTION XXVIII: COLLECTING DOGS/CATS FOR RESALE-PERMIT REQUIRED

- A. It shall be unlawful for any person to collect any dog/cat for the purpose of resale unless a permit for the same shall have been obtained from the Animal Control Division in accordance with the provisions of this section and unless such permit shall remain unsuspended and unrevoked.

This EXCLUDES Hunting Dogs. Permit Fee: \$500.00

- B. The Columbus County Board of Commissioners shall promulgate regulations and applicable fee schedule for the issuance of permits and shall include requirements for humane care and transportation of all dogs/cats for the compliance with the provisions of this ordinance and applicable laws. The Columbus County Commissioners may amend such regulations from time to time as deemed

desirable for public health and welfare and for the protection of collected dogs/cats.

- C. The Animal Control Division may revoke any permit if the person holding the permit refuses or fails to comply with this ordinance, the regulations promulgated by the Columbus County Board of Commissioners, or any law governing the protection and keeping of animals.

SECTION XXIX: INTERFERENCE WITH ENFORCEMENT

It shall be unlawful for any person to interfere with, hinder, or molest the employee of the Animal Control Division or persons in the custody of such persons, except as otherwise specifically provided.

SECTION XXX: PENALTY FOR VIOLATION

- A. The violation of any provision of this ordinance shall be a misdemeanor and any person convicted of such violation shall be punishable as provided in G.S. 14-4. Each day's violation of this ordinance is a separate offense. Payment of a fine imposed in criminal proceedings pursuant to this subsection does not relieve a person of his liability for taxes or fees imposed under this ordinance.
- B. In addition, enforcement of this ordinance may be by appropriate equitable remedy, injunction or order of abatement issuing from a court or competent jurisdiction pursuant to G.S. 153A-123 (d) and (e).
- C. In addition to and not in lieu of the criminal penalties and other sanctions provided in this ordinance may also subject the offender to the civil penalties hereinafter set forth.
- i. Such civil penalties may be recovered by Columbus County in a civil action in the nature of debt or may be collected in such other amounts as prescribed herein within the prescribed time following the issuance of notice for such violation.
 - ii. Such notice shall, among other things:
 1. State upon its face the amount of the penalty if such penalty were paid within 12 hours from and after the issuance of the notice and the late fee (\$1.00). If paid more than 72 hours after its issuance.
 2. Notify such offender that a failure to pay the penalty within the prescribed time shall subject such offender to a civil action in the nature of debt for the stated penalty plus an additional penalty in the amount of twenty-five dollars (\$25.00), together with the cost of the action to be taxed by the Court.
 3. Further provide that such offender may answer the said notice by mailing said notice, and stated penalty to the Animal Control Division and its mailing address, and that upon payment, such case or claim and right of action by Columbus County will be deemed comprised and settled.
 4. State that such penalties must be paid within 72 hours from issuance of such notice. Such notice shall further state that if such notice of violation is not paid within said 72 hour period, court action by the filling of a civil complaint for collection of such penalty may be taken.
 - iii. The Animal Control Division is authorized to accept such

payments in full and final settlement of the claim or claims, right or rights of action, which Columbus County may have to enforce such penalty by civil action in the nature of debt. Acceptance of such penalty shall be deemed a full and final release of any and all such claims, or rights of action arising out of such contended violation or violations.

- iv. The civil penalty for violation of this ordinance is twenty-five dollars (\$25.00). Said penalty shall be paid within 72 hours from and after the issuance of the notice referred to above.
- v. The notice of violation referred to herein may be delivered to the person violation the provisions of this ordinance in person, or may be mailed to said person at his last know address.
- vi. In addition to the penalty prescribed in subsection (4) above, a one-dollar (\$1.00) penalty shall be imposed in all those cases in which the above penalty has not been paid within the authorized 72-hour period. Should it become necessary to institute a Civil action to collect any penalty hereunder, and then the violation shall also be subject to an additional penalty of \$25.00.
- vii. All penalties paid to the Animal Control Division or as may be recovered in a civil action in the nature of debt as herein provided shall be paid into the General fund of Columbus County

SECTION XXXI: ADOPTION OF CERTAIN ANIMALS

A responsible adult, upon application, vaccination when necessary and payment of the established fees, may adopt animals owned by the Animal Shelter as a pet as follows:

- (1) Generally the adoption fee for dogs shall be five dollars (\$5.00) and the adoption fee for cats shall be two dollars (\$2.00). An additional fee of two dollars (\$2.00) per day for dogs and fifty cents (\$.050) per day for cats will be charged for each day of keeping the animal in the animal shelter including the date of impoundment, but not the date of adoption. In so case shall the total cost of adoption, adoption fee plus per day fee exceed fifteen dollars (\$15.00) for a dog. In addition if the animal does not have a valid rabies vaccination, upon the adoption of the animal the person shall pay for the cost of rabies vaccination and received it from local veterinarian.
- (2) Puppies/kittens four (4) months or younger may be adopted at a rate of five dollars (\$5.00) per puppy and two dollars (\$2.00) per kitten, but no daily fee should be charged. At such time these puppies/kittens are eligible for rabies vaccination it shall be the duty of the owner to have these animals vaccinated. At the time for adoption, the Animal Control Supervisor will issue a card to that owner to be returned upon the animal receiving the required vaccination.
- (3) The Columbus County Commissioners and Animal Control shall determine animals other than dogs/cats that should require impoundment a redemption fee. Unclaimed animals shall be auctioned after five (5) days.

REDEMPTION FEES:

The following fees shall be charged for redemption of animals impounded under the provisions of this chapter:

	Dogs	Cats
FIRST IMPOUNDMENT	\$ 0.00	\$ 0.00
SECOND IMPOUNDMENT	\$ 5.00	\$ 2.00
THIRD IMPOUNDMENT	\$25.00	\$ 8.00
FOURTH IMPOUNDMENT AND SUBSEQUENT IMPOUNDMENT WITHIN A ONE-YEAR PERIOD	\$50.00	\$25.00

An additional fee of three dollars (\$3.00) per day for dogs and one dollar (\$1.00) per day for cats will be charged each day of keeping the animal in the animal shelter, including the date of impoundment, but does not have a valid rabies vaccination an additional fee will be charged to cover the cost of the rabies vaccination and any county tax that may be due. Euthanization of dogs/cats upon owners request will be three dollars (\$3.00). Other fees- *see attached fee schedule.

ANIMALS SHELTER CANNOT CARE FOR:

The Animal Control Supervisor is authorized to obtain suitable board, maintenance and care for any impounded animal (domestic livestock) from any available source, which the animal shelter is not equipped to care for. The owner of the animal impounded and cared for under this section may redeem the animal within five (5) days, upon the payment of all costs of maintenance, transportation and care, plus the regular redemption fees provided in Section 1-3 – 46. If not redeemed, the animal shall be sold for fair market value and a report of the sale shall be duly reported to the Finance officer, or disposed of in any manner not inconsistent with the provisions of the General Statutes of the State.

AN ANIMAL HELD FOR OBSERVATION OR RABIES:

Animals may be held for observation to determine if the animal is rabid. If at the end of the ten-day holding period, the animal shows no sign of being rabid, the owner may redeem the animal at the animal shelter upon payment of the required redemption fee required in this article, plus any other fee provided for in this article. If at the end of the ten-day observation period the animal shows no signs of being rabid and the owner of the animal does not redeem this animal at the animal shelter within ~~five days~~ 72 hours, this animal shall become the property of the county and shall be adopted or disposed of at the discretion of the Animal Control Supervisor.

UNCLAIMED ANIMALS:

Animals unclaimed by their owners are to be destroyed in a humane manner under the direct supervision of the Animal Control Supervisor or adopted by a responsible person.

OBSTRUCTING, INTERFERING WITH IMPOUNDMENT PROCEDURES.

It shall be unlawful for any person to obstruct or interfere in any manner with the restraint, capture, transportation or impoundment of any dog or other animal found to be in violation of any provision of this chapter. In addition, it shall be unlawful for any person to release or attempt to release any dog or other animal that has been impounded except as provided in this chapter.

ANIMAL RELEASED BY OWNER TO ANIMAL SHELTER

A person who is the owner of any animal may release the animal into the custody and control of an Animal Control Officer or may deliver the animal to the animal shelter. However, upon transfer of custody the animal is eligible for immediate adoption or euthanasia.

SECTION XXXII.

EFFECTIVE DATE

This ordinance shall be effective January 1, 2003.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ C.E. "GENE" WILSON, Chairman

ATTEST:
/s/ June B. Hall, Clerk to Board

~~SECTION XXXII: EFFECTIVE DATE~~

~~This ordinance shall be effective ninety- (90) days after its adoption on January 22, 1991. Effective Date: April 22, 1991.~~

~~/s/ Lynwood Norris
Lynwood Norris, Chairman
Columbus County Board of Commissioners~~

ATTEST:

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

The above Ordinance was passed by the Columbus County Board Of Commissioners on January 22, 1991, upon motion by Commissioner Junior Dew, seconded by Commissioner Samuels G. Koonce and passed unanimously, and recorded in the minutes of said meeting in Minute Book 21, Page 123-132.

Commissioner McKenzie made a motion to approve, seconded by Commissioner Norris. The motion so carried.

Jim Nance, private citizen asked the following question, "How do you plan to handle this?"

Commissioner Memory replied stating that a copy of this Ordinance could be obtained from the Administration Office at any time during regular business hours.

SOLID WASTE - REQUEST for VARIANCE by RIEGEL RIDGE L.L.C.:

Billy Joe Farmer, County Administrator, is requesting direction to staff regarding collection of data to support a decision by the Board, and a decision as to whether the Board will invoke its right to require Riegel Ridge L.L.C. to pay any cost associated with such. A public hearing needs to be set for this matter.

Commissioner McKenzie asked if the Board would be handling these requests on a case by case basis. James E. Hill, Jr., County Attorney, replied with a yes.

Commissioner Memory suggested to ask for an independent study to be done.

Commissioner Jacobs made a motion to proceed to set a public hearing and utilize the data we had collected over the past seven to eight (7-8) years, seconded by Commissioner McKenzie.

Commissioner Godwin suggested the Board table the original motion and made a motion to postpone the public hearing until FEMA releases the flood maps they are working on. It is believed there is no acreage of Riegel Ridge L.L.C. located within the Flood Plain.

Greg Peverall, representative of Riegel Ridge L.L. C., stated that based on a study they done, it shows the footprint of Riegel Ridge L.L.C. is in the Flood Plain.

Commissioner Godwin made a substitute motion to table the original motion and second made until FEMA has released the floodmaps they are working on, seconded by Commissioner Memory. The following vote was taken on the substitute motion: 2 yeas and 5 nays.

The original motion had the following vote by the Board: 5 yeas and 2 nays. The original motion so carried.

Commissioner McKenzie made a motion to set a Public Hearing on January 20, 2003 at 6:30 P.M., in the County Commissioners' Chambers in the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, NC 28472, seconded by

Commissioner Jacobs. The motion so carried.

James E. Hill, Jr., County Attorney, advised the Board that January 20, 2003 was a legal holiday and the Public Hearing would need to be scheduled on January 21, 2003. The Board concurred to set the Public Hearing on January 21, 2003, at 6:30 P.M.

BUILDING INSPECTIONS - APPROVAL of REVISIONS to NEWLY ADOPTED BUILDING FEE SCHEDULE:

Billy Joe Farmer, County Administrator, is requesting Board approval of revisions to the newly adopted Building Fee Schedule as follows:

**COLUMBUS COUNTY INSPECTIONS DEPARTMENT
FEE SCHEDULE**

Building Permits

Residential

Stick Built (4 trips) based on \$50.00 per square foot heated floor space.

Heated Floor Space

- Base Fee- \$150
\$4.00 per \$1,000 over \$50,000

Unheated Floor Space:

- Storage Building (above 200 sq. ft.) \$100 base fee up to 500 sq.ft.
\$5 per 100 over 500 sq. ft.
- Garage \$75 base fee up to 500 sq.ft.
\$5 per 100 over 500 sq.ft.
- Porches and Decks \$50 base fee up to 400 sq.ft.
\$5 per 100 over 400 sq.ft.

Mobile/Modular Homes (marriage wall inspection required) (3 trips)

- SW Mobile Home Set-up & footings \$100
- DW Mobile Home Set-up & footings \$150
- Modular Home \$150

Miscellaneous (2 trips)

- Buildings moved onto lots \$100
(Residential)
- Plus Plumbing and HVAC \$25 each
- Addition to buildings (for habitat) \$75 Base fee plus \$4.00 per
100 sq.ft. over 500 sq. ft.

Commercial

Unheated and Heated Floor Space (4 trips)

- Based on \$20/ square foot for **unheated** floor space
- Based on \$40/ square foot for **heated** floor space
- Base Fee \$150
\$4 per \$1,000 over \$50,000

Plumbing

- 0-12 fixtures \$10/ fixture **Residential (2 trips)**
- 13 & up \$120 + \$2 per fixture
- Minimum fee for plumbing \$40

- 0-12 fixtures \$10/ fixture **Commercial (2 trips)**

- 13 & up \$120 + \$5 per fixture

Electrical

Residential (New Construction) (2 trips)

- 0-200 amps \$70
- 201-400 amps \$110
- >400 amps \$130+ \$.30 per amp

Commercial (New Construction) (2 trips)

- 0-200 amps \$90
- 201-400 amps \$130
- >400 amps \$70 + \$.50 per amp

Service Upgrade (New Service) (1 trip)

- 0-200 amps \$50
- 201-400 amps \$70
- 400 & up \$70 + \$.30 per amp over 400

Wiring for Additions and Renovations with No Upgrades (1 trip)

- 20 outlets \$30
- > 20 outlets \$40

Electrical Verification of Existing Service

- Residential \$30
- Commercial \$30
- Temporary Pole \$30

Mechanical

Heat and Air (2 trips)

- Up to 1,000 sq. ft. \$60
- > 1,000 sq. ft. \$60 + \$30 per 500 sq. ft.
- Unit Change Out(with no additional duct work) No fee

Miscellaneous Permits

- Insulation \$30
- Swimming Pool \$100
- Reinspection Fee \$30
- Signs & Billboards (up to \$25,000) \$75
- >\$25,000 \$150
- Towers (up to \$50,000) \$150
- >\$50,000 \$150 + \$5 per \$1,000 in valuation
- All Additional Inspections \$30

Adopted this the 2nd day of December 2002 and effective January 1, 2003.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ C. E. WILSON, Chairman

ATTESTED:

/s/ JUNE B. HALL, Clerk to Board

**PROPOSED CAPITAL IMPROVEMENT PLAN for PROPOSED WATER SYSTEM by
RESOLUTION (APPROVAL and ADOPTION):**

Billy Joe Farmer, County Administrator, is requesting approval and adoption of this plan, by Resolution, which will, if accepted, enable the eastern end of the county to have water and further promote economic growth. The Resolution is as follows:

**RESOLUTION TO ADOPT A 20-YEAR
CAPITAL IMPROVEMENT PROGRAM**

WHEREAS, The Board of Commissioners of the County of Columbus, North Carolina recognizes the importance of a properly operated and maintained system of infrastructure as a vital component to the quality of life for the citizens of the Acme area of Columbus County;

WHEREAS, The Board of Commissioners of the County recognizes the necessity of continually improving, renovating, and upgrading the County's system of infrastructure in order to maintain the operational efficiency of the system and to provide high-quality services to the citizens of the Acme area of Columbus County;

WHEREAS, The Board of Commissioners of the County desires the adoption of this updated 20-year Capital Improvement Program to guide the multi-year forecasting of major capital and infrastructure needs for the Acme area of Columbus County in order to provide for the orderly repair, replacement, and/or acquisition of capital infrastructure needs.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF COLUMBUS:

That the County of Columbus adopts this 20-year Capital Improvement Plan to assist the County in rationally and intelligently planning for the repair, replacement, and/or acquisition of capital items; to assist in financial planning by forecasting capital needs together with future revenues/expenditures; to ensure better coordination, evaluation, and planning of capital needs to better serve the community; and to serve as a decision-making guide for the County to anticipate and meet the long-range capital needs for the County of Columbus in order to better serve the citizens of the Acme area.

Adopted this 2nd day of December, 2002.

/s/ **C. E. WILSON, Chairman**

ATTEST:

/s/ **June B. Hall, Clerk to Board**

Commissioner McKenzie made a motion to approve. Seconded by Commissioner Norris. The motion so carried.

NCACC LEGISLATIVE GOALS CONFERENCE:

Billy Joe Farmer, County Administrator, is requesting determination be made by the Board as to who will be attending this conference, and a voting delegate be chosen. Commissioner Norris made a motion to appoint Chairman Wilson as the voting delegate for Columbus County, seconded by Commissioner Jacobs. The motion so carried. The following Commissioners agreed to attend this conference: Amon E. McKenzie, Sammie Jacobs, Kipling Godwin, Gene Wilson and David L. Dutton, Jr.

SALARY BONUSES and EARLY DISTRIBUTION of EMPLOYEE PAYCHECKS for the MONTH of DECEMBER:

Billy Joe Farmer, County Administrator, is requesting approval of the five hundred and 00/100 (\$500.00) dollars salary bonus for Columbus County employees and the early distribution of employee paychecks for the month of December to be December 20, 2002.

Chairman Wilson asked how the employees would be handled that had been employed less than twelve (12) months.

Commissioner McKenzie made a motion that all Columbus County employees would be entitled to the five hundred and 00/100 (\$500.00) dollars salary bonus if they were beyond their probationary period, seconded by Commissioner Jacobs. The motion so carried.

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**

**Previous
11-15-02**

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	60			60	
Title Opinion NOT Requested		2			2
Waiting on Title Opinion		10			11
Waiting on Prom. Note/D.O.T.		15			18
Waiting on Contractor		33			29
Under Construction	32			32	
Complete	111			111	
Replacement Work			288		
Work Write-up	2			2	
Board Awarded, No Construction	87			91	
Title Opinion NOT Requested		17			18
Waiting on Title Opinion		34			34
N.O.E. Not Sent		14			13
Waiting on Client		22			26
Under Construction	68			75	
Complete	131			120	
Not Visited			0	0	
Legal Work					
Total Titles NOT Requested			19	20	
Total Titles Requested			472	471	
Titles Requested, Not Complete			44	45	
Preliminary Title Complete			76	74	
Prom.. Note/D.O.T. Requested, Not Signed			46	62	
Prom. Note/Deed of Trust Recorded			306	290	

GOVERNING BODY - SIGNATORY RESOLUTION:

Billy Joe Farmer, County Administrator, is requesting approval of the following Resolution:

SIGNATORY RESOLUTION

by the

COLUMBUS COUNTY BOARD OF COMMISSIONERS

WHEREAS, in the execution of business matters and other pertinent transactions pertaining to the operations of local government affairs, it is necessary, and legally required, to have on board a Chairman and Vice Chairman to serve on behalf and in the best interest of the Columbus County Board of Commissioners and the citizens of Columbus County; **and**

WHEREAS, at the first regular scheduled meeting in the month of December, annually,

a Chairman and Vice Chairman is voted on and appointed from the now seven (7) member Columbus County Board of Commissioners; and

WHEREAS, the Chairman and Vice Chairman of the said Columbus County Board of Commissioners have due authority to sign, execute and administer any and all documents on behalf, and in the best interest, of Columbus County.

THEREFORE, BE IT RESOLVED, by popular vote of the seven (7) member Columbus County Board of Commissioners, on the 2nd day of December, 2002, Commissioner C.E. "Gene" Wilson has been duly appointed to serve as Chairman and Commissioner Bill Memory has been duly appointed to serve as Vice Chairman for the Columbus County Board of Commissioners to sign, execute and administer any and all documents necessary in the normal operation of business and related affairs for the Columbus County Board of Commissioners and the citizens of Columbus County. The aforementioned will serve in these capacities until the first regular scheduled meeting in December, 2003.

ADOPTED this the 2nd day of December, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ "GENE" WILSON, Chairman

ATTESTED BY:
/s/ JUNE B. HALL, Clerk to Board

Commissioner McKenzie made a motion to approve, seconded by Commissioner Jacobs. The motion so carried.

RESOLUTION - MEETING CANCELLATION APPROVAL:

Billy Joe Farmer, County Administrator, is requesting approval of 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 2nd day of December, 2002, to adopt the following Resolution.

WITNESSETH:

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

WHEREAS, the Board of County Commissioners of Columbus County, North Carolina, is desirous of cancelling the meeting scheduled for the third Monday in December, only.

BE IT, THEREFORE, RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY, North Carolina, pursuant to N.C.G.S. 153A-40, to cancel the regular meeting of the said Board scheduled for December 16, 2002, be, and the same is hereby canceled, and the next regularly scheduled meeting of the said Board shall be in the Columbus County Commissioners' Chambers, Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina, on Monday, January 6, 2002.

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 forwarded to all of the news media who has requested notice.

ADOPTED this the 2nd day of December, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ C.E. "GENE" WILSON, Chairman

ATTESTED BY:
/s/ JUNE B. HALL, Clerk to Board

Commissioner McKenzie made a motion to approve, seconded by Commissioner Jacobs. The motion so carried.

COMMITTEE APPOINTMENTS/REAPPOINTMENT and APPROVALS:

Committee appointments, reappointments and approvals of appointments were executed as listed below.

<u>ZONE</u>	<u>NAME</u>	<u>EXP. DATE</u>	<u>APPOINTMENTS</u>
1. <u>CERRO GORDO PLANNING AND ZONING BOARD:</u>			
Extra Territorial	Raymond Gowans	01-03-03	Reappointed
2. <u>FAIR BLUFF BOARD OF ADJUSTMENTS:</u>			
Extra Territorial	L.G. Lawson	01-03	Reappointed
3. <u>COLUMBUS COUNTY HEALTH BOARD:</u>			
IV	Buddy Tate Jr.	12-31-02	Hold Off
II	Darryl Diefes	12-31-02	Reappointed
4. <u>NURSING/ADULT CARE HOME JOINT ADVISORY COMMITTEE:</u>			
All	Reba Bowen	10-16-02	Reappointed
All	Betty Ann Paige	11-03-02	Reappointed
Commissioner Dutton made a motion to reappoint, seconded by Commissioner Norris. The motion so carried.			
5. <u>PARKS AND RECREATION ADVISORY BOARD:</u>			
I	Clarence Williams	12-31-02	Reappointed
II	Lloyd Lennon Jr.	12-31-02	Reappointed
III	Michael Graham	12-31-02	Paula Jacobs
IV	Gary Smith	12-31-02	Hold Off
V	Greg Cox	12-31-02	Reappointed
VI	Jack Meares	12-31-02	Rudy Cartrette
VII	Ricky Ward	12-31-02	Reappointed
6. <u>SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION:</u>			
All	Randy Britt	12-20-02	Kipling Godwin
Commissioner McKenzie made a motion to appoint Commissioner Kipling Godwin, seconded by Commissioner Dutton. The motion so carried.			
7. <u>SOUTHEASTERN REGIONAL MENTAL HEALTH:</u>			
All	William "Bill" Herring	11-30-02	Hold Off

Chairman Wilson suggested the Board hold off on making this appointment due to the

reorganization. Commissioner Jacobs made a motion to hold off on the appointment, seconded by Commissioner Godwin. The motion so carried.

8. **TRAVEL AND TOURISM BOARD:**

I	Evelyn Anderson	12-02	Reappointed
VI	Stacey King	12-02	Reappointed
VII	Rhonda Dutton	12-02	Reappointed
Board Approval	Bill Thompson	12-01	Reappointed

Commissioner Jacobs made a motion to reappoint Bill Thompson as the Board Approval, seconded by Commissioner Dutton. The motion so carried.

9. **VEHICLE REVIEW COMMITTEE:**

All	Vance T. Maultsby	02-01-02	Robert White
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Commissioner McKenzie made a motion to appoint Robert White, seconded by Commissioner Jacobs. The motion so carried.

WHITEVILLE ZONING BOARD OF ADJUSTMENTS:

All	George Inman	07-31-02	Reappointed
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Commissioner Dutton made a motion to reappoint George Inman, seconded by Commissioner Norris. The motion so carried.

RECESS REGULAR SESSION and enter into COLUMBUS COUNTY DISTRICT III WATER and SEWER AUTHORITY BOARD MEETING

At 8:33 P.M., Commissioner Memory made a motion to recess Regular Session and enter a Columbus County District III Water and Sewer Authority Board Meeting, seconded by Commissioner Norris. The motion so carried.

Change Order Number 4 Approval:

Billy Joe Farmer, County Administrator, is requesting approval of Change Order Number 4 in the amount of eight thousand three hundred twenty-nine and 00/100 (\$8,329.00) dollars for an emergency generator with Ashley Electric.

Commissioner Norris made a motion to approve, seconded by Commissioner Memory. The motion so carried.

Commissioner Memory asked "When do we anticipate getting water in District III?" Billy Joe Farmer, County Administrator replied stating that it would be anytime now. We are presently in a waiting mode for final authorization to be received.

ADJOURN COLUMBUS COUNTY DISTRICT III WATER and SEWER AUTHORITY BOARD MEETING and resume REGULAR SESSION:

At 8:35 P.M., Commissioner Memory made a motion to adjourn Columbus County District III Water and Sewer Authority Board Meeting and resume Regular Session, seconded by Commissioner Dutton. The motion so carried.

RECESS REGULAR SESSION and enter into CLOSED SESSION:

At 8:39 P.M., Commissioner Jacobs made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. §143-318.11, seconded by Commissioner Norris. The motion so carried.

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 8:45 P.M., Commissioner Memory made a motion to adjourn Closed Session and resume Regular Session, seconded by Commissioner Norris. The motion so carried.

OTHER:

Chairman Wilson asked if anyone in the audience would like to say anything or share any information with the Board.

Special Judgeship Request

Robert Adams, private citizen, addressed the Board regarding the results of the General Election held in November, 2002. He requested the Board of Commissioners approach the Governor of North Carolina and our local representatives, by Resolution and letter, that Resident Superior Court Judge D. Jack Hooks, Jr., who lost the General Election by a slim margin, be appointed in a special judgeship position.

Commissioner McKenzie made a motion to take this matter under advisement, seconded by Commissioner Norris. The motion so carried.

By a general consensus, the Board of Commissioners adopted the following Resolution:

SPECIAL JUDGSHIP RESOLUTION

by the

COLUMBUS COUNTY COMMISSIONERS

WHEREAS, the County of Columbus has the distinguished honor of a native citizen namely D. Jack Hooks, Jr. who has chosen to reside within and contribute greatly to the growth and operations of the County; **and**

WHEREAS, the said native citizen has served in the capacity of Judgeship for a period of seventeen (17) years. He was first appointed to the bench in 1985 as a District Court Judge and in 1993, he was appointed as Resident Superior Court Judge, and is presently serving in said position; **and**

WHEREAS, in the November 2002 General Election, D. Jack Hooks, Jr. was defeated by a slim margin, which, in itself demonstrates strong qualities in all three (3) candidates who were in the race; **and**

WHEREAS, it is our understanding that the Special Superior Court Judge position will be made vacant by Special Superior Court Judge Ola M. Lewis as of January 1, 2003; **and**

WHEREAS, based on the impeccable reputation that has been earned and established by Judge Hooks, and the many attributes he has afforded to Columbus County and the surrounding counties, we, as a Board, firmly believe he would serve in this vacant position well and contribute to all counties involved, and statewide; **and**

WHEREAS, if the appointment is not made for Resident Superior Court Judge D. Jack Hooks, Jr. to serve as Special Superior Court Judge, there is a substantial reason for the creation of another position to accommodate his many talents.

NOW, THEREFORE, BE IT RESOLVED, we, the Columbus County Board of Commissioners requests Resident Superior Court Judge D. Jack Hooks, Jr. be appointed to the position of Special Superior Court Judge, or a special position be made available to capitalize on his many talents.

ADOPTED this the 2nd day of December, 2002.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ C. E. WILSON, Chairman

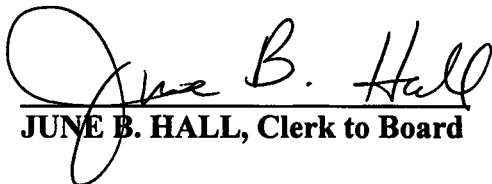
ATTESTED:

/s/ JUNE B. HALL, Clerk to Board

ADJOURNMENT:

There being no further business, at 9:19 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Norris. The motion so carried.

APPROVED:



JUNE B. HALL, Clerk to Board



C.E. Wilson, Chairman