

COLUMBUS COUNTY BOARD OF COMMISSIONERS

Monday, January 03, 2011

6:30 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 the purpose of conducting a Public Hearing and their regularly scheduled meeting on the first Monday.

COMMISSIONERS PRESENT:

Giles E. Byrd **Chairman**
 Amon E. McKenzie, **Vice Chairman**
 James E. Prevatte
 P. Edwin Russ
 Lynwood Norris
 Ricky Bullard
 Charles T. McDowell

APPOINTEES PRESENT:

William S. Clark, **County Manager**
 Mike Stephens, **County Attorney**
 June B. Hall, **Clerk to Board**
 Bobbie Faircloth, **Finance Officer**

6:00 P.M.

PUBLIC HEARING - Expenditures of Secondary Road Improvement Funds: the purpose of this Public Hearing is to receive comments from all interested County residents relative to these **expenditures**.

PUBLIC HEARING CALLED to ORDER:

At 6:01 P.M., Chairman Giles E. Byrd called the Public Hearing to order, and stated the purpose of the Public Hearing is to receive comments from all interested County residents relative to the expenditures of the Secondary Road Improvement Funds. Chairman Byrd requested Mike Stephens, County Attorney, to orally read the Policy on Comments at Public Hearings. Mr. Stephens orally read the policy in its entirety.

PRESENTATION by DREW COX:

H.L. "Drew" Cox, District Engineer, North Carolina Department of Transportation, delivered the following presentation to the Board.

1. We are here tonight to present the following annual Secondary Road Improvement Program for Columbus County, and this is for the fiscal year 2010 - 2011.
2. You have copies of the Secondary Roads Improvement Program, which is as follows:

**2010-2011
 North Carolina Department of Transportation
 Secondary Roads Improvement Program
 Columbus County
 January 3, 2011**

| FY 2010-2011 ALLOCATION | AMOUNT |
|-------------------------|-----------------------|
| Highway Fund | \$897,036.45 |
| Trust Fund | \$1,297,070.62 |
| TOTAL: | \$2,194,107.07 |

PAVING UNPAVED ROADS:

Subdivision Roads

| MAP # | SR# | LENGTH (Miles) | NAME and DESCRIPTION | ESTIMATED COST |
|-------|------|----------------|---|----------------|
| 1 | 1940 | 0.60 | River Road from NC 905 to End of Maintenance (Grade, Drain, Base and Pave) | \$300,000.00 |

| MAP # | SR# | LENGTH (Miles) | NAME and DESCRIPTION | ESTIMATED COST |
|-------|------|----------------|---|----------------|
| 2 | 1458 | 0.34 | Saw Mill Lane from SR 1428 to End of Maintenance (Grade, Drain, Base and Pave) | \$75,000.00 |
| 3 | 1214 | 0.32 | Cardinal Lane from SR 1167 to End of Maintenance (Grade, Drain, Base and Pave) | \$75,000.00 |
| 4 | 1766 | 0.23 | Pine Lane from SR 1765 to End of Maintenance (Grade, Drain, Base and Pave) | \$75,000.00 |

TOTAL MILES: 1.49

Subtotal: \$525,000.00

Rural Roads

| MAP # | SR# | LENGTH (Miles) | NAME and DESCRIPTION | ESTIMATED COST |
|-------|------|----------------|--|----------------|
| 5 | 1556 | 0.75 | Krissy Prease Road from SR 1552 to End of Maintenance (Grade, Drain, Base and Pave) | \$450,000.00 |
| 6 | 1736 | 1.40 | Chester Farley Road from End of Pavement to NC 214 (Grade, Drain, Base and Pave) -Partially funded- | \$10,000.00 |
| 7 | 1800 | 1.00 | Blacksmith Road from SR 1801 to SR 1802 (Grade, Drain, Base and Pave) | \$275,000.00 |
| 8 | 1146 | 0.40 | Ed Ward Road from SR 1141 to End of Maintenance (Grade, Drain, Base and Pave) -Partially Funded- | \$10,000.00 |

TOTAL MILES: 3.55

Subtotal: \$745,000.00

- **In the event that any roads in priority have to be placed on the “Hold List” due to unavailable right-of-way or environmental review, or if additional funding becomes available, funds will be applied to the roads listed in priority order in the paving alternate list.**

MAINTENANCE OPERATIONS:

| | |
|---|--------------|
| Maintenance fund allocation used to supplement the maintenance budget for activities such as: shoulder repair, spot stabilization, pipe replacement, safety projects, industrial access, etc. | \$190,000.00 |
| Pavement Overlays to support Planned Maintenance Operations | \$550,000.00 |
| Joint Sealing to support Planned Maintenance Operations | \$110,000.00 |

Subtotal: \$850,000.00

RESERVE for CONTINGENCIES:

Funds reserved for surveying, right-of-way acquisition, continuation down the priority paving list, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc.

Subtotal: \$74,107.07

GRAND TOTAL:

\$2,194,107.07

NOTE: This Program is subject to availability of funding, right-of-way, and environmental review.

3. If this is in agreement with the Board of Commissioners, we are asking for a concurring Resolution.

COMMENTS/QUESTIONS:

Chairman Byrd asked if any of the Board members had any questions and/or comments. The following questions were asked.

Commissioner Bullard: Will these roads be up for paving this year, and when will they be paved?

Drew Cox: Yessir. If all of the right-of-ways have been obtained, they will be under construction, hopefully later this spring. Some of these roads are still in right-of-way, and will not be under construction this coming year.

Chairman Byrd: On SR 1736 and SR 1146, only \$10,000.00 have been allocated, and this amount of money will not entail much.

Drew Cox: We do not have the right-of-ways yet, and basically what I did, I set up partial funding on that to allow us to start surveys and secure right-of-ways.

Chairman Byrd: On the road leading off of Old Lake Road into Bladen County, Bladen County has paved right up to it, what is the status of this road?

Drew Cox: This is Sasspan Road, and we have attempted to obtain the right-of-ways, and we have not been successful.

Chairman Byrd: I have set down and spoken with the one (1) property owner who would not sign the right-of-way, and she has now agreed to sign it if I would go with Mr. Moore to obtain her signature.

Drew Cox: I will be glad to get this set up, and have the road re-opened for paving.

Vice Chairman McKenzie: Do you still have that ranking of the roads to be paved?

Drew Cox: We operate off of a priority list which is generated by a computer based on need.

Vice Chairman McKenzie: What is the status of Benton Road, and what additional information do we need?

Drew Cox: We have sent the agreement back to Ms. Dees, and have not been able to make contact with her.

After discussion was conducted, it was the understanding that Commissioner McKenzie would set up a meeting with Drew Cox and Ms. Dees.

Commissioner Norris: Off of Wright Road, there is a road approximately one to two (1/10 - 2/10) of a mile long, and South Carolina has paved up to this road. What is the status of this road?

Drew Cox: That is Oakdale Road, #1142, and it is number 14 on the Priority List. It is not up for paving yet, but it is close.

Commissioner Prevatte: Commissioner McKenzie and myself are receiving calls about the condition of McQueen Road, #1548. There are children and elderly people living on this road, a school bus travels this road, and it is very slippery.

Drew Cox: Ms. Malone has contacted me several times about the condition of this road. We did a four (4") stabilization on this road, and it did help tremendously, but due to the snow that we experienced, it has resulted in pockets. If this road makes it into the top ten (10) roads to be paved, it will not fall out.

Chairman Byrd: Do you know how many miles of dirt road we have in Columbus County?

Drew Cox: We now have eighty (80) miles of dirt roads in Columbus County.

Chairman Byrd: Close to Macy King Road that has been paved recently, there is a road approximately two-tenths (2/10) of a mile long with 2 houses on it, and what is the status of this road ever being paved?

Drew Cox: If the road is classified as a subdivision road, it would have to have at least two (2) houses for every one-tenth (1/10) mile, which would equate to four (4) houses, and if it is classified as a rural road, it would have to have at least five (5) houses.

Commissioner McKenzie: What is the status of McCallister Road? The business owners have completed all the changes they were aware of that needed to be done, and thought was necessary.

Drew Cox: replied to the question, stating the following:

- this is an old subdivision road;
- the business owners did do cleaning and clearing with respect to a forty (40') foot right-of-way;
- the right-of-way is not sufficient;
- the right-of-way is too narrow and we are never committed to building a road on a forty (40') foot right-of-way; **and**
- if a road was built, it would have to be with a curb and gutter which would practically butt up to the structures and would entail a private source of funding to accompany the funding that we could provide.

After additional discussion was conducted, it was established that Commissioner McKenzie and Drew Cox would schedule a meeting to look at this road.

Commissioner McDowell: As a point of information, could you tell me the progress and where we are at with Hoover Ray Road and Chair Factory Road?

Drew Cox: On Hoover Ray Road, we have finally been able to secure the needed right-of-ways, by modifying the right-of-ways. The agreements have been recorded, and we have scheduled that for an environmental review, and from that point, we will go forward with beginning the road design. It is set up, and it is funded, and we will work that into our work plan, and will probably not see construction before July, 2011.

On Chair Factory Road, we have signed Heartbeat Bridge Road, and this will be an expensive project. All of the agreements have been signed, but I don't know if they have been certified and recorded yet, but they are the process.

Commissioner McKenzie: I would like to thank you Mr. Cox for what you have done with the cleaning of the shoulders, keeping the water off of the roads, and keeping the limbs cut back. We are very aware of your limited funds.

Chairman Byrd stated there were two (2) Public Comment Cards received and the following spoke:

Maurice (David) Stevens, 935 Chester Farley Road, Lake Waccamaw, NC 28450: stated the following:

1. One-half (1/2) way down this road, there is only room for one (1) vehicle, and if you meet another vehicle, one (1) of the vehicles is forced to back out;
2. This road never dries out;
3. Top Tobacco has expanded on one (1) end of this road, and they have employees that travel this road at a high rate of speed;
4. Law Enforcement officers cannot man this road because we don't have speed limit signs; **and**
5. The best way to know the condition of this road is to go and look at it.

William Samuel Black, 895 Chester Farley Road, Lake Waccamaw, NC 28450: stated the following:

1. I would like to reiterate everything that has been stated by Mr. Stevens;
2. I think we are on the top ten (10) list; **and**
3. We realize that the economy is bad and funds are very limited, but if we could get a little help from Mr. Cox in getting some of the water off of the road until it can be paved, it would be greatly appreciated.

PUBLIC HEARING CLOSED:

At 6:34 P.M., Commissioner McKenzie made a motion to close the Public Hearing, second by Commissioner Norris. The motion unanimously passed.

6:30 P.M.

PUBLIC HEARING - Proposed Abandoned Structure Ordinance: the purpose of this Public hearing is to notify citizens of the contents, and to receive oral or written comments.

PUBLIC HEARING CALLED to ORDER:

At 6:35 P.M., Chairman Byrd called the Public Hearing to order and stated the purpose of this Public Hearing is to notify the citizens of the contents and to receive oral or written comments. Chairman Byrd requested that Mike Stephens, County Attorney, orally read the Policy on Comments at Public Hearings. Mr. Stephens orally read the policy in its entirety.

COMMENTS:

Chairman Byrd asked if there were any oral or written comments to be heard. The following person spoke.

Jim Nance, 209 Dudney Lane, Chadbourn, NC 28431: stated the following:

1. The County should not be trying to regulate what somebody else owns;
2. I think this is wrong; **and**
3. The citizens should be left alone.

PUBLIC HEARING CLOSED:

At 6:39 P.M., Commissioner Russ made a motion to close the Public Hearing, second by Commissioner Norris. The motion unanimously passed.

6:39 P.M.

REGULAR SESSION

Agenda Items #1, #2 and #3: **MEETING CALLED to ORDER, INVOCATION and PLEDGE of ALLEGIANCE:**

At 6:39 P.M., Chairman Giles E. Byrd called the January 03, 2011 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Commissioner Charles T. McDowell. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America, which was led by Commissioner James E. Prevatte.

Agenda Item #4: **PRESENTATION - RETIREMENT PLAQUES:**

Chairman Byrd presented the following retirement plaques.

PRESENTED TO

MABLE C. CRIBB

IN GRATEFUL APPRECIATION

*FOR YOUR DEDICATION AND LOYALTY
TO*

COLUMBUS COUNTY SOCIAL SERVICES DEPARTMENT

01-01-1979 - 11-30-2010

** * * * **

COLUMBUS COUNTY BOARD OF COMMISSIONERS

PRESENTED TO

LINDA BRULET

IN GRATEFUL APPRECIATION

FOR YOUR DEDICATION AND LOYALTY
TO
COLUMBUS COUNTY COOPERATIVE EXTENSION DEPARTMENT

09-01-1976 - 12-31-2010

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COLUMBUS COUNTY BOARD OF COMMISSIONERS

Agenda Item #5: BOARD MINUTES APPROVAL:

Vice Chairman McKenzie made a motion to approve the following Board Meeting Minutes, second by Commissioner Russ. The motion unanimously passed.

- A. December 06, 2010 Public Utilities Workshop;
- B. December 06, 2010 Regular Session Board Meeting Minutes; **and**
- C. December 14, 2010 Board Meeting.

Agenda Item #6: PUBLIC INPUT:

Chairman Byrd opened the floor for public input. The following spoke.

1. **Jim Nance, 209 Dudney Lane, Chadbourn, NC 28431:** stated the following:
 - A. Due to the powers to be at the time, Columbus County is still in the Nineteenth Century;
 - B. This bears down to where I was living - I was threatened, humiliated, my animals were brutally killed;
 - C. A Deputy Sheriff informed me that I could not even use the road to come in and out of the place I was living;
 - D. I have had the dog catcher over there to tell me don't catch my dogs and destroy them in the pound because my dogs aren't bothering anybody;
 - E. It got so bad that I sold out and left before I did loose my cool and hurt somebody;
 - F. It is my belief that several of the elected officials in Columbus County are crooked; **and**
 - G. Due to all of these events that have happened, and the fact I could not get anything done legally about them, I am now homeless.
2. **Noah David Long, 2313 Joe Brown Highway, Chadbourn, NC 28431:** stated the following:
 - A. I am pleased to report to the Board of County Commissioners that working with the Columbus County Solid Waste Department's efforts in E-Waste Recycling has resulted in a 42,646 pounds reduction in solid waste for the year 2010;
 - B. This amount is small compared to the total tonnage of the solid waste, however, when buried, e-waste can release toxic materials in the soil, per the North Carolina General Statutes;
 - C. I would like to commend the Board of Commissioners, as well as the Columbus County Solid Waste Department, specifically Kip McClary, for their cooperation in responsible recycling;
 - D. I would like to continue to provide free E-Waste Re-Cycling collection service to Columbus County for 2011, and hopefully I can remove even more;
 - E. Since I started the E-Waste Recycling in July, 2008 until now, I have removed a total of over 60,000 pounds from the solid waste stream;
 - F. My efforts prove that a local private enterprise can successfully work with local government and reduce the solid waste stream of toxic materials, thereby bettering our environment and saving us money;
 - G. In the interest of reducing our solid waste disposal fees even more, I encourage the Board of Commissioners to create a regional committee as soon as possible; **and**
 - H. With the solid waste price tag escalating, it would be in Columbus County's best

interest to create a recycling committee.

Agenda Item #7: RESOLUTION - 2010-2011 SECONDARY ROADS IMPROVEMENT PROGRAM CONCURRING RESOLUTION:

Drew Cox, District Engineer, North Carolina Department of Transportation, requested Board approval and adoption of the following 2010-11 Secondary Road Improvement Program Concurring Resolution. (The required Public Hearing was conducted on this date prior to this meeting.)

**2010-11 SECONDARY ROADS IMPROVEMENT PROGRAM
CONCURRING RESOLUTION**

WHEREAS, the Columbus County Board of Commissioners met with officials of the North Carolina Department of Transportation at a Public Hearing on January 03, 2011; **and**

WHEREAS, the purpose of this meeting was to present to the public the proposed Secondary Roads Improvement Program for Columbus County for Fiscal Year 2010-2011 from the Department of Transportation as follows:

| ANTICIPATED ALLOCATION | AMOUNT |
|-------------------------------|-----------------------|
| Highway Fund | \$897,036.45 |
| Trust Fund | \$1,297,070.62 |
| TOTAL: | \$2,194,107.07 |

PAVING UNPAVED ROADS:

Subdivision Roads

| MA P # | SR# | LENGTH (Miles) | NAME and DESCRIPTION | ESTIMATED COST |
|---------------|------------|-----------------------|---|-----------------------|
| 1 | 1940 | 0.60 | River Road from NC 905 to End of Maintenance (Grade, Drain, Base and Pave) | \$300,000.00 |
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TOTAL MILES: 1.49

Subtotal: \$525,000.00

Rural Roads

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TOTAL MILES: 3.55

Subtotal: \$745,000.00

- In the event that any roads in priority have to be placed on the “Hold List” due to unavailable right-of-way or environmental review, or if additional funding becomes available, funds will be applied to the roads listed in priority order in the paving alternate list.

MAINTENANCE OPERATIONS:

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| Maintenance fund allocation used to supplement the maintenance budget for activities such as: shoulder repair, spot stabilization, pipe replacement, safety projects, industrial access, etc. | \$190,000.00 |
| Pavement Overlays to support Planned Maintenance Operations | \$550,000.00 |
| Joint Sealing to support Planned Maintenance Operations | \$110,000.00 |

Subtotal: \$850,000.00

RESERVE for CONTINGENCIES:

Funds reserved for surveying, right-of-way acquisition, continuation down the priority paving list, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc.

Subtotal: \$74,107.07

GRAND TOTAL:

\$2,194,107.07

NOTE: This Program is subject to availability of funding, right-of-way, and environmental review.

THEREFORE, BE IT RESOLVED, that the Columbus County Board of Commissioners does hereby concur with the 2010-2011 Secondary Roads Construction Program for Fiscal Year 2010-2011 as prioritized by the State as enumerated above.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
 /s/ **GILES E. BYRD, Chairman**

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

Commissioner Norris made a motion to approve the 2010-11 Secondary Roads Improvement Program Concurring Resolution, second by Commissioner Prevatte. The motion unanimously passed.

Agenda Item #8: PLANNING - APPROVAL and ADOPTION of the ABANDONED STRUCTURE ORDINANCE:

Al Leonard, Chairman of the Columbus County Planning Board, requested Board approval and adoption of the following Abandoned Structure Ordinance, on the first reading.

**ABANDONED STRUCTURE ORDINANCE
 OF
 COLUMBUS COUNTY, NORTH CAROLINA**

Section 500 - General Requirements

Section 500.1 Authority

Columbus County hereby exercises its authority to enact Abandoned Structure regulations pursuant to N.C.G.S 153A-12, 121,123 &140; 160A-443.

Section 500.2 Jurisdiction

The jurisdiction of this Ordinance shall be described as any part of Columbus County not within the corporate limits or the extra territorial jurisdiction of any municipality. However, this ordinance

shall not apply to any structure used or previously used for agricultural purposes other than residential. In addition, the Governing Board of any municipality may by resolution permit this Ordinance to be applicable within the municipality. If it does so the municipality shall give written notice to the county of its withdrawal of such permission. Thirty (30) days after the day the county receives the notice this Ordinance ceases to be applicable within the municipality.

Section 500.3 Short Title

This ordinance shall be known as the Abandoned Structure Ordinance of Columbus County, North Carolina, and may be cited as the Abandoned Structure Ordinance.

Section 501. Purpose

The purpose of this ordinance is to promote the public safety, health, and welfare of the citizens of Columbus County through the regulation of abandoned structures in the county. All abandoned structures defined herein are hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare, and safety of the residents of Columbus County. This ordinance is adopted pursuant to the authority contained in N.C.G.S. 153A-12, 121,123 &140; 160A-443.

Section 502. Definitions

The following words, terms, and phrases shall have the following meanings when used in this ordinance:

Abandoned Structure: For the purposes of this Ordinance, abandoned structures shall be defined in two (2) categories, one related to manufactured homes and the other related to all other building structures except those identified as exempt in Section 500.2 of this Ordinance.

 Manufactured Home: A manufactured home shall be considered an abandoned structure if it is in a wrecked, scrapped, disassembled, unusable, cannibalized, burnt, or inoperable (not connected to an approved sewer system) condition and not occupied and is found to be a nuisance because it creates or fosters one (1) or more of the following conditions:

1. A breeding ground or harbor for mosquitoes, other insects, rats, or other pests;
2. A point of heavy growth of weeds or other noxious vegetation over eight (8") inches in height;
3. The collection of pools or ponds of water;
4. Concentrated quantities of gasoline, oil, or other flammable or explosive materials;
5. A source of danger for children because of the possibility of entrapment or injury from exposed sharp surfaces of metal, glass, or other rigid materials;
6. A source of danger from the home, or parts thereof, falling or turning over;
7. An accumulation of garbage, food waste, or any other rotten or putrefied matter of any kind;
8. Accumulation of sewage or animal waste;
9. Concentrated quantities of hazardous materials;
10. The presence of dead animals; **or**
11. Any manufactured home specifically declared a public health and safety hazard by the Board of Commissioners.

 Building Structure: A building structure shall be considered an abandoned structure if it is unoccupied and damaged or in disrepair to the point of being condemnable as defined in the most current edition of the North Carolina State Building Code (International Building Code with NC Amendments) as related to being structurally unsound, unable to support the design loads as determined by the Columbus County Building Official and is found to be a nuisance because it creates or fosters one (1) or more of the following conditions:

1. A breeding ground or harbor for mosquitoes, other insects, rats, or other pests;
2. A point of heavy growth of weeds or other noxious vegetation over eight (8") inches in height;
3. The collection of pools or ponds of water;
4. Concentrated quantities of gasoline, oil, or other flammable or explosive materials;
5. A source of danger for children because of the possibility of entrapment or injury from exposed sharp surfaces of metal, glass, or other rigid materials;
6. A source of danger from the building structure, or parts thereof, falling or turning over;

7. An accumulation of garbage, food waste, or any other rotten or putrefied matter of any kind;
8. Accumulation of sewage or animal waste;
9. Concentrated quantities of hazardous materials;
10. The presence of dead animals; **or**
11. Any building structure specifically declared a public health and safety hazard by the Board of Commissioners.

Manufactured homes that are abandoned as defined herein shall be considered personal property and, if previously characterized as real property for tax or other purposes, shall forfeit that characterization.

Manufactured Home: A structure, transportable in one or more sections, which in the traveling mode whose body is 8 feet or more in width or 40 feet or more in length, or when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. Such term shall include any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Department of Housing and Urban Development (HUD) and complies with the standards established under that Federal agency. For purposes of this ordinance, “manufactured home” includes both factory-built single-family structures built to meet standards established under The National Manufactured Housing Construction and Safety Standards Act of 1974 and mobile homes built prior to the effective date of those standards (June 15, 1976). The Federal Standards became effective on June 15, 1976, and all homes with a date of manufacture on or after this date were required to have a HUD label indicating compliance with the standards.

Section 503. Regulated Activities

Section 503.1 Administration

- A. The Columbus County Planning Department and Columbus County Building Inspections Department are jointly and mutually responsible for the administration and enforcement of this ordinance.
- B. The county may secure, make safe, remove, store, and dispose of abandoned structures in compliance with this ordinance and applicable state laws.
- C. Nothing in this ordinance shall be construed to limit the legal authority or powers of officers or the employees of the county or state in enforcing other laws or in otherwise carrying out their duties with regard to abandoned manufactured homes.

Section 503.2 Abandoned manufactured homes unlawful; removal authorized

- A. It shall be unlawful for the registered owner or persons entitled to the possession of an abandoned manufactured home, or for the registered owner, lessee, or occupant of the real property upon which an abandoned manufactured home is located, to cause or allow a manufactured home to be an abandoned manufactured home.
- B. If, following the second notice required by Section 503.3-G, no action is taken to remove or abate the abandoned structure pursuant to the time limitations period identified in the second notice of violation or following appeal pursuant to this Ordinance, the county may enter the property and remove, abate, or remedy the abandoned structure as provided herein.

Section 503.3 Notice, Hearing, Appeal, Lien on Property

- A. Upon determining that a violation of this ordinance exists, the Planning Director shall issue a written notice, in accordance with Section 504 of this Ordinance, to:
 - (1) the registered owner or person(s) entitled to possession of the abandoned structure;
 - (2) the registered owner, lessee, or person(s) entitled to the land on which the abandoned structure is located; **and**
 - (3) the occupant of the abandoned structure.
- B. The notice shall be provided by hand delivery, service of process, or certified mail.

- C. The notice shall:
- (1) identify the property and describe the abandoned structure located thereon to be removed, abated, or remedied;
 - (2) direct that the abandoned structure be removed, abated, or remedied;
 - (3) advise that the property must comply within one hundred eighty (180) days;
 - (4) state that the county may enter the property to remove, abate, or remedy the abandoned structure if appropriate action is not taken during the time period provided;
 - (5) state that the costs incurred by the county to remove, abate, or remedy the abandoned structure, if not paid by the violator(s), shall be a lien upon the abandoned structure, the abandoned structure owner's real or personal property upon which it is located and shall be collectable as unpaid taxes; **and**
 - (6) notify the violator(s) of a right to appeal the basis of the notice to the Columbus County Planning Board, provided the appeal is made within fifteen (15) calendar days of receipt of the notice.
 - (7) If the owner of the real property on which the abandoned structure is located can demonstrate that the cost of removal, abatement or remediation would create an undue financial hardship, the county may assume responsibility for removal of the abandoned structure by a licensed and/or bonded contractor.
- D. If the name or whereabouts of the owner, tenant, possessor, or occupant cannot, after due diligence, be discovered, the notice shall, in addition to the above, include the date, time, and location for a hearing before the Planning Board on the matter. The notice shall be considered properly and adequately served if a copy thereof is conspicuously posted on the property in question at least ten (10) days prior to the hearing and a notice of the hearing is published in a newspaper having general circulation in the county at least once not later than (1) one week prior to the hearing.
- E. The owner, tenant, possessor, occupant, or agent of the owner may appeal a notice by the Planning Director for decision by the Planning Board. The owner or his/her agent may either rely on written materials or appear before the Planning Board for a hearing at which he/she shall be heard in person or by counsel and may present arguments and evidence pertaining to the matter. The only issues for appeal are:
- (1) whether the person is actually entitled to the notice; **or**
 - (2) whether the action or condition that serves as the basis of the notice is dangerous or prejudicial to public health or safety. The fact that an owner did not bring the manufactured home to the property or does not have a possessory interest in the condition creating the abandoned structure is not a defense.
- F. The Planning Board shall within thirty (30) days of the date of the hearing or the date of the written appeal if a hearing is not requested, issue an order either canceling the notice or directing the violator(s) to remove, abate, or remedy the identified structure. The owner, tenant, possessor, or occupant may appeal decisions of the Planning Board to the Columbus County Board of Commissioners within fifteen (15) days of the decision.
- G. If the property is not removed, abated or remedied within one hundred eighty (180) days of the initial notice and an appeal has not been filed, the Planning director shall issue a second notice. The notice shall:
- (1) identify the property and describe the abandoned structure located thereon to be removed, abated or remedied;
 - (2) direct that the abandoned structure be removed, abated or remedied;
 - (3) advise that the property must comply by a specific date, such date not to be less than ten (10) days nor more than one hundred eighty (180) days from date of the second notice;
 - (4) state that the county may enter the property to remove, abate, or remedy the abandoned structure if appropriate action is not taken before the date provided;
 - (5) state that the cost incurred by the county to remove, abate, or remedy the abandoned structure, if not paid by the violator(s) and any unpaid civil penalties, shall be a lien upon the abandoned structure, the abandoned structure owners real or personal property upon which it is located and shall be collectable as unpaid taxes;
 - (6) advise that civil penalties, in accordance with Section 505-.1-A, are being accessed daily as of the date of the second notice; **and**

- (7) advise that in addition to any and remedies above, the Columbus County Board of Commissioners may request criminal penalties in accordance with Section 505.1-C.
- H. If the property is not removed, abated or remedied before the date provided in the second notice, the Planning Director shall present the case to the Planning Board with a recommendation of action based on severity, location and available resources. The Planning Board shall then direct the Planning Director of their desired action. The Planning Board shall base their recommendation on a point system identified in this Ordinance as “**Attachment A**”. If the action requires the utilization of county resources, the Planning Director shall prepare and present a Resolution to the Board of Commissioners for their consideration and adoption. The Board of Commissioners shall consider the recommendation(s) of the Planning Board, the structure’s score as related to Attachment A and available resources, but is not obligated to adopt the Resolution.
- I. Any person who removes an abandoned structure pursuant to this Ordinance shall not be held liable for damages for the removal of the abandoned structure to the owner, lien holder, or other person legally entitled to the possession of the abandoned structure removed; however, any person who intentionally or negligently inflicts injury upon any person or real property in the removal of such abandoned structure, may be held liable for damages.

Section 504. Enforcement

- A. Enforcement of this Ordinance shall rest with those governmental agencies and personnel authorized to exercise police powers to include the Director of the Columbus County Planning Department and the Director of the Columbus County Building Inspections Department.
- B. The provisions of this Ordinance shall be enforced by the inspection of property and by observation of persons who are engaged in or responsible for a violation of an action or condition that is prejudicial to public health or safety. Enforcement personnel are empowered to issue citations, warning citations, or letters of warning when any of the provisions of this Ordinance have been violated. Citations shall be delivered by enforcement officials in person to the alleged violator or delivered by registered mail return receipt requested to the person so charged. Any citation of violation so delivered or mailed shall direct the alleged violator to appear in district court on or before a specific day or hour named in the citation. The period so specified shall not be less than seventy-two (72) hours after its delivery to the violator.
- C. Where enforcement personnel determine that a violation is a first offense for the person charged, a written letter or warning citation shall be issued. Such warning letter or warning citation shall state therein the nature of the violation, the corrective measures to be taken, and the time and date when corrections are to be completed. Failure to comply with the corrective measures stated in such warning notices shall be just cause for enforcement personnel to issue a citation for violation of this Ordinance.
- D. The Columbus County Planning Director shall cause all citation forms to be serially numbered and accounted for. The Columbus County Auditor or his representative may periodically inspect these records to determine the disposition of the forms and shall report the result of such inspection to the Columbus County Manager. For the purpose of this inspection, the Columbus County Auditor shall have access to all necessary records and files.

Section 505. Penalties

Section 505.1 Penalties

- A. **Civil penalty:** The County may assess a civil penalty twenty-five and 00/100 (\$25.00) dollars, which amount may be recovered by the county in a civil action in the nature of a debt. Each day in which the violation occurs, or continues, shall constitute a separate offense. No civil penalty shall be assessed prior to notice of violation by citation or letter.
- B. **Injunction and order of abatement:** The provisions of this Ordinance may be enforced by injunction and order of abatement.

C. **Criminal penalties:** In addition to other remedies cited in this Ordinance, any person violating the provisions of this Ordinance shall be guilty of a Class 3 Misdemeanor and shall be subject to fines in accordance with GS 14-4. A fine of not more than one hundred and 00/100 (\$100.00) dollars for the first offense, two hundred and 00/100 (\$200.00) dollars for the second offense, and five hundred and 00/100 (\$500.00) dollars for each subsequent offense, is hereby established. Each day in which the violation occurs or continues shall constitute a separate offense.

Section 505.2 Ordinance Cumulative

Procedures set forth in this ordinance shall be in addition to any other remedies that may exist under law or ordinance for the abatement of public nuisances or for the removal of abandoned structures.

Section 506 - Administration

Section 506.1 Severability

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, the declaration shall not affect the validity of this Ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

Section 506.2 Conflict with Other Laws

Wherever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted statutes, rules, regulations or ordinances, the most restrictive or that imposing higher standards shall govern.

Section 506.3 Effective Date

This Ordinance shall take effect and be in force this the 4th day of January, 2011.

APPROVED and **ADOPTED** this the 3rd day of January, 2011.

COLUMBUS COUNTY BOARD OF COMMISSIONERS
/s/ **GILES E. BYRD, Chairman**

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

ATTACHMENT A
ABANDONED STRUCTURE PRIORITIZATION RANKING

| CONDITION | POINTS |
|---|---------------|
| Structurally unsound (walls, roof, or flooring) | 10 |
| Unsecured (windows, doors not locked/boarded) | 8 |
| Located on a road designated as an "Entrance Corridor" | 7 |
| Located within 500' of an occupied building | 4 |
| Located within 1,000' of an education/ religious facility | 3 |
| Unightly (littered with excessive junk, debris, graffiti or vegetation) | 2 |

Commissioner McKenzie made a motion to approve and adopt the Abandoned Structure Ordinance of Columbus County, North Carolina, on its first reading, second by Commissioner Russ. The motion unanimously passed.

Agenda Item #9: PRESENTATION - PETITION REQUESTING STOP LIGHT:

Melody Wagoner, private citizen, presented a petition, with two thousand, three hundred (2,300) signatures, requesting a stop light be installed at the intersection of Highway 11 and Highway 87.

Ms. Wagoner stated the following:

1. This petition contains two thousand, three hundred (2,300) signatures of citizens who are requesting that a stop light be installed at this intersection;
2. Many wrecks are happening with fatalities,
3. The log trucks having trouble getting on Highway 87 and they slow down, thus resulting in other vehicles running into them;
4. There is constant tire squealing at this intersection; **and**
5. We are requesting that a stop light be installed to prevent these wrecks from happening and save the lives of those that are utilizing this intersection.

Drew Cox, District Engineer, North Carolina Department of Transportation, stated the following:

1. I have talked to Lee Jernigan;
2. We have had investigations here;
3. There was an investigation to determine if the intersection warranted any action last January;
4. Area traffic engineers reviewed this back in the summer;
5. We will be glad to look at this again;
6. Anytime there is an issue of safety, that is top priority for us;
7. What we encourage you to do is to take the petition under the Columbus County Commissioners' signature and request investigation;
8. We have conducted investigations on our own;
9. We will be glad to look at this situation again;
10. Ultimately, the Highway 87 Project is funded, and that has been forwarded to the Draft TIP;
11. Hopefully, you would have a very permanent fix to that situation when that project is constructed;
12. You have that gap in the meantime; **and**
13. We will be glad to take another look at this situation, and see if anything can be done to improve safety.

Commissioner Prevatte made a motion to send a letter to the North Carolina Department of Transportation requesting that an investigation and study be performed at the intersection of Highway 11 and Highway 87, second by Vice Chairman McKenzie. The motion unanimously passed. Mr. Cox stated to send the letter to him and he would forward the letter to the proper person.

Agenda Item #10: AIRPORT - DEPARTMENTAL UPDATE:

Phil Edwards, Columbus County Airport Manager, delivered the following departmental update to the Board.

1. We have had a very good year at Columbus County Airport;
2. Completed the safety project for Runway 24, looks great and meets all FAA safety requirements and is serving us well;
3. Working on the permitting to start the Parallel Taxi-Way, which will be an added safety measure and a big asset;
4. The new fuel system is up and running well, have two (2), twelve thousand (12,000) gallon tanks, which allows us to be competitive in our fuel pricing;
5. Forty-two (42) young people were able to take their first airplane flight on May 22, 2010 at our Airport, free of charge;
6. We have been fortunate to have steady operations ongoing in spite of the economy and increasing fuel prices;
7. There have been approximately seven thousand, five hundred (7,500) operations since our last update, and over ten thousand (10,000) pilots and passengers have landed at Columbus County Airport;
8. There were animal rescue flights, angel flights, law enforcement and medical flights in addition to the regular general aviation flights; **and**
9. We are proud of the progress that has been made at the Airport due to the support of our county officials, the Airport Authority and the good citizens of Columbus County.

Agenda Item #11: URGENT REPAIR PROGRAM (URP) - APPROVAL to MOVE FORWARD with LOWEST BIDDER:

William S. Clark, County Manager, requested Board approval to move forward with the

lowest responsible bidder from the following Bid Review and Recommendation of Award for the Columbus County Urgent Repair Program URP1004.

Hobbs, Upchurch & Associates, P.A.
Community Development Office
1580 Yadkin College Road • Lexington, NC 27295

December 20, 2010

Natalie Carroll
 Special Projects Coordinator
 Columbus County Administration
 111 Washington Street
 Whiteville, NC 28472

RE: Bid Review and Recommendation of Award
 Columbus County Urgent Repair Program
 URPI004

Dear Natalie Carroll,

On December 16, 2010 at 2:00 p.m., the County received bid packages on 14 homes in regards to the Urgent Repair Program.

As part of our responsibility to the North Carolina Housing Finance Agency and in addition to the creation of work write-ups for the bid packages, a cost estimate is also prepared. Program guidelines limit the costs per home not to exceed \$5,000. I have reviewed the bids received and also recalculated the cost estimates. To follow is my recommendation of awards to the lowest responsible bidder as it relates to each home:

Charles Benton: Lowest Bidder -Te South Home Improvements, Inc. \$4,700
 Cost Estimate -\$4,724

Dorothy Cokey: Lowest Bidder -Capps Builders, LLC \$3,785
 Cost Estimate -\$4,386

Elmer Evans: Lowest Bidder -AD&L Construction \$5,750
 Cost Estimate -\$5,096

Recommend that the award be made not to exceed \$5,000. We will work with the low bidder to negotiate a price not to exceed the \$5,000 maximum allowed amount.

Elouise Jones: Lowest Bidder -AD&L Construction \$6,350
 Cost Estimate -\$4,903

Recommend that the award be made not to exceed \$5,000. We will work with the low bidder to negotiate a price not to exceed the \$5,000 maximum allowed amount.

Elzenia Lennon: Lowest Bidder -Capps Builders, LLC \$4,385
 Cost Estimate -\$5,042

George Mitchell: Lowest Bidder -Jeremy Reece \$2,861
 Cost Estimate -\$4,667

Second Lowest Bidder -Te South Home Improvements, Inc. \$4,750

Recommendation is that the award be made to the Second Lowest Bidder (Te South Home Improvements, Inc.). The lowest bidder (Jeremy Reece) was outside the 15% threshold and therefore can not be accepted.

Lula Baldwin: Lowest Bidder -Jeremy Reece \$4,100
 Cost Estimate -\$4,755

- Mary Stephens: Lowest Bidder -Capps Builders, LLC \$3,705
Cost Estimate -\$4,346
- Pearlie McMillian: Lowest Bidder -AD& L Construction \$4,400
Cost Estimate -\$4,114
- Rudolph Walls: Lowest Bidder -Jeremy Reece \$4,665
Cost Estimate -\$5,033
- Rosa Lee: Lowest Bidder -AD&L Construction \$4,800
Cost Estimate -\$5,082
- Ruther Livingston: Lowest Bidder -Capps Builders, LLC \$5,243
Cost Estimate -\$4,978

Recommend that the award be made not to exceed \$5,000. We will work with the low bidder to negotiate a price not to exceed the \$5,000 maximum allowed amount.

- Shirlie Mae Evans: Lowest Bidder -Jeremy Reece \$4,410
Cost Estimate -\$4,975
- Virginia Lee: Lowest Bidder -AD&L Construction \$2,550
Cost Estimate -\$2,970

We look forward to a successful award and commencement of this project. Please feel free to contact me at 336 239-0125 should you have any questions.

Sincerely,
Michael S. Walser
Project Administrator

Vice Chairman McKenzie made a motion to approve moving forward with the lowest responsible bidder for the Urgent Repair Program (URP), second by Commissioner Norris. The motion unanimously passed.

Agenda Item #12: GOVERNING BODY - VOTING DELEGATE for LEGISLATIVE GOALS CONFERENCE:

Chairman Byrd requested the appointment of a voting delegate for the Legislative Goals Conference on January 20-21, 2011.

Commissioner Norris made a motion to appoint Vice Chairman Amon E. McKenzie as the voting delegate for the Legislative Goals Conference on January 20-21, 2011, second by Commissioner Russ. The motion unanimously passed.

Agenda Item #13: APPOINTMENTS - BOARD:

June B. Hall, Clerk to the Board, requested the following appointments be made to the following board.

| COMMITTEE | ZONE | PERSON(S) | EXPIR. DATE | BOARD ACTION |
|--------------------------|------|-----------------|-------------|--------------|
| Travel and Tourism Board | VI | Marilyn M. Ward | 12-2010 | HOLD |
| | VII | Johnny Edge | 12-2010 | HOLD |

RECESS REGULAR SESSION and enter into COMBINATION MEETING of COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V BOARD MEETING

At ;6:57 P.M., Commissioner Russ made a motion to recess Regular Session and enter into a **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, second by Commissioner Prevatte. The motion unanimously passed.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

December 06, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

This information will be recorded in Minute Book Number 1 for each Water District, respectively.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL to MOVE FORWARD on FINAL EIGHT (8) CONNECTIONS of CDBG HOUSE INFRASTRUCTURE HOOKUP GRANT:

Kip McClary, Public Utilities Director, requested Board approval to move forward with the final eight (8) connections for the amount of \$11,892.00, for the CDBG House Infrastructure Hookup Grant.

This information will be recorded in Minute Book Number 1 for each Water District, respectively.

Agenda Item #16: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AMENDMENT NUMBER I to the UNIFORM RULES for all WATER DISTRICTS and RETAIL WATER FACILITIES OPERATED by COLUMBUS COUNTY PUBLIC UTILITIES:

Kip McClary, Public Utilities Director, requested consideration of and possible approval of Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities. (This will be the first reading.)

This information will be recorded in Minute Book Number 1 for each Water District, respectively.

Agenda Item #17: COLUMBUS COUNTY WATER and SEWER DISTRICT IV - DECLARATION of COMPLETION of PROJECT and AUTHORIZE RETURN of DEPOSITS:

Kip McClary, Public Utilities Director, requested the Board to declare Columbus County Water and Sewer District IV complete, and authorize the return of the tap fees and security deposits to customers that could not be served.

This information will be recorded in Minute Book Number 1 for Columbus County Water and Sewer District IV.

ADJOURN COMBINATION MEETING of COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III IV and V BOARD MEETING and resume REGULAR SESSION

At 7:03 P.M., Commissioner Norris made a motion to adjourn the **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V, and resume Regular Session, second by Commissioner Bullard. The motion unanimously passed.

Agenda Item #18: CONSENT AGENDA ITEMS:

A. Budget Amendments:

Commissioner Prevatte made a motion to approve the following Budget Amendments, second by Commissioner Russ. The motion unanimously passed.

| TYPE | ACCOUNT | DETAILS | AMOUNT |
|-------------|----------------|--------------|--------|
| Expenditure | 10-5198-512100 | FLU Salaries | 25,000 |

| | | | |
|--------------------|-----------------|---|-----------|
| | 10-5198-512700 | FLU Longevity | 500 |
| | 10-5198-518100 | FLU FICA | 2,500 |
| | 10-5198-518200 | FLU Retirement | 2,500 |
| | 10-5198-518300 | FLU Insurance | 5,000 |
| | 10-5198-523900 | FLU Drugs and Medical | 5,000 |
| | 10-5198-526000 | FLU Office Supplies | 2,500 |
| | 10-5198-526001 | FLU Dept Supplies | 13,500 |
| | 10-5198-519101 | FLU Contracted Services | 20,000 |
| | 10-5198-532101 | FLU Postage | 500 |
| | 10-5198-543000 | FLU Rental Equipment | 3,000 |
| Revenue | 10-3514-430185 | FLU State Grant | 80,000 |
| Expenditure | 10-5303-560155 | Food and Nutrition Contingency Funding | 97,720 |
| Revenue | 10-3531-432500 | Food and Nutrition AFFA | 97,720 |
| Expenditure | 10-5301-549986 | Crisis Intervention | 206,079 |
| | 10-5301-533001 | CP&L Energy | (984.52) |
| | 10-5304-540050 | TANF Job Boost | 79,200 |
| Revenue | 10-3530-430068 | Crisis Intervention | 206,079 |
| | 10-3530-4530076 | CP&L Energy | (984.52) |
| | 10-3530-432510 | TANF Job Boost | 79,200 |
| Expenditure | 14-4311-550001 | Other Capital Outlay | 2,900 |
| | 14-4311-550001 | Other Capital Outlay | 3,703 |
| Revenue | 14-3431-499101 | Fund Balance Appropriated | 6,603 |
| Expenditure | 10-9800-598005 | Transfer to Debt Service | 453,077 |
| | 10-9999-999999 | Contingency | (233,434) |
| | 30-9830-820030 | Repayment of Lottery Funds to Treasurer | 233,434 |
| Revenue | 10-3991-499101 | Fund Balance Appropriated | 219,643 |
| | 30-3983-498001 | Transfer from General Fund | 453,077 |
| | 30-3983-430149 | Lottery Funds Debt Service | (219,643) |

B. Tax Refunds and Releases:

Commissioner Norris made a motion to approve the following Tax Refunds and Releases, second by Vice Chairman McKenzie. The motion unanimously passed.

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):
January 03, 2011**

Refunds Name: Sibbett, Peggy D.(Marcus) Amount: \$0.00
Value: \$0.00 Year 009 Account # 01-01806 Bill # 49720 Total \$255.00
Refund user fee on mobile home. Sold to Lisa Spivey in 2005 double listed act#13-00428.
8646 Seven Creeks Hwy Nakina NC 28455

Refunds Name: Noble, Woodrow Baird & Earlene Amount: \$0.00
Value: \$0.00 Year 010 Account # 13-29301 Bill # 55033 Total \$215.00
Refund user fee. Can picked up Jan 2010. Mobile home is vacant.
P.O. Box 361 Chadbourn NC 28431

Refunds Name: Carolina Affordable Homes Inc. Amount: \$0.00
 Value: \$0.00 Year 010 Account # 01-04198 Bill # 31403 Total \$3,840.00
 Refund user fee. Uses a commercial hauler.
 P.O. Box 3626 Wilmington NC 28406

Refunds Name: Malpass, Jesse Lee Amount: \$0.00
 Value: \$0.00 Year 7-10 Account # 15-01514 Bill # 99999 Total \$603.00
 Refund user fee for years 2007,2008 and 2009. House burned in 2006.
 2845 Livingston Chapel Rd Delco NC 28436

Refunds Name: Hayes, Freddy Leroy Amount: \$0.00
 Value: \$0.00 Year 009 Account # 09-01939 Bill # 31651 Total \$210.00
 Refund user fee. Mobile home is vacant. Can picked up 1-7-2008.
 3809 Vesta Drive Raleigh NC 27603

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):
 January 03, 2011**

Release the Property Value in the name of Brown, Lefefia Amount: \$1,098.81
 Value: \$71,300.00 Year: 04-06 Account # 4-02104 Bill # 9999 Total \$1,743.73
 Release value of dwelling for years 2004, 2005, 2006. Foreclosure sale did not bring enough. Release Bolton
 Fire(145.82), release Columbus Rescue(39.10)

Release the Property Value in the name of Calloway, Jennifer Amount: \$295.98
 Value: \$19,090.00 Year: 05-06 Account # 01-05853 Bill # 9999 Total \$511.90
 Release user fee yrs. 2005 & 2006. Mobile home moved to Bladen County. Release Whiteville Rescue(7.93),

Release the Property Value in the name of Sibbett, Peggy D. (Marcus) Amount: \$415.59
 Value: \$11,020.00 Year: 06-10 Account # 01-01806 Bill # 99999 Total \$1,395.59
 Release value of mobile home. Sold to Lisa Spivey in 2005. Double listed Act#13-00428. Release Brunswick
 Fire(36.32), release Columbus Rescue(10.38)

Release the User Fee in the name of Barfield, Anita W. & Donna Mack Amount: \$0.00
 Value: \$0.00 Year: 2010 Account # 01-03000 Bill # 6170 Total \$215.00
 Release user fee. Dwelling is vacant.

Release the User Fee in the name of Blackman, Johnny A & Rita N Amount: \$0.00
 Value: \$0.00 Year: 2010 Account # 3-00442 Bill # 7836 Total \$215.00
 Release user fee. Uses a commercial hauler.

Release the User Fee in the name of Bright, James Allen & Mildred R. Amount: \$0.00
 Value: \$0.00 Year: 2010 Account # 11-03820 Bill # 9999 Total \$430.00
 Release user fee Prop#020211 & 090683. Dwellings are vacant.

Release the User Fee in the name of Cam Brent, Inc. & Sea Mountain Management, Amount: \$0.00
 Value: \$0.00 Year: 2010 Account # 11-01060 Bill # 1018 Total \$215.00
 Release user fee. Dwelling is vacant.

Release the User Fee in the name of Gore, Wade M. & Faye W Amount: \$0.00
 Value: \$0.00 Year: 2010 Account # 7-07600 Bill # 1040 Total \$197.12
 Release portion of user fee. Dwelling vacant 11 months. Can delivered 12-2010.

Release the User Fee in the name of Grainger, Nell Soles (Heirs) Amount: \$0.00
 Value: \$0.00 Year: 2010 Account # 6-16340 Bill # 1582 Total \$128.00
 Release user fee. Dwelling is vacant.

Release the User Fee in the name of Hayes, Freddy Leroy Amount: \$0.00
 Value: \$0.00 Year: 2010 Account # 09-01939 Bill # 3386 Total \$215.00
 Release user fee. Mobile home is vacant. Can picked up 1/7/2008.

Release the User Fee in the name of Last Chance RV Park Amount: \$0.00
 Value: \$0.00 Year: 2010 Account # 11-03654 Bill # 8698 Total \$215.00
 Release user fee. Uses a commercial hauler.

| | | | |
|--|---|---------|----------|
| Release the User Fee | in the name of Lawrence, James Edward (III) | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 1-51432 Bill # 8730 | Total | \$128.00 |
| Release user fee. Dwelling is vacant. | | | |
| | | | |
| Release the User Fee | in the name of Lawrence, James Edward (III) | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 1-02378 Bill # 8728 | Total | \$128.00 |
| Release user fee. Dwelling is vacant. | | | |
| | | | |
| Release the User Fee | in the name of Mitchell, James R. & Roberta | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 8-12800 Bill # 3603 | Total | \$215.00 |
| Release user fee. Dwelling is vacant. | | | |
| | | | |
| Release the User Fee | in the name of Moore, Robert Levern | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 1-02373 Bill # 4047 | Total | \$215.00 |
| Release user fee. Dwelling is vacant. | | | |
| | | | |
| Release the User Fee | in the name of Peterson, D J & Joyce | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 15-05122 Bill # 6582 | Total | \$215.00 |
| Release user fee. Dwelling is vacant. | | | |
| | | | |
| Release the User Fee | in the name of Robinson, David W. & Joyce M | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 8-15837 Bill # 9580 | Total | \$215.00 |
| Release user fee. Dwelling is vacant. Can picked up 2/2010. | | | |
| | | | |
| Release the User Fee | in the name of Sellars, Thomas | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 4-03446 Bill # 0825 | Total | \$128.00 |
| Release user fee. New dwelling incomplete. | | | |
| | | | |
| Release the User Fee | in the name of Serafin, Wladyslaw & Maria & Piotr A | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 1-04097 Bill # 1110 | Total | \$215.00 |
| Release user fee. Dwelling is vacant. | | | |
| | | | |
| Release the User Fee | in the name of Smith, James C. (Heirs) | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2007 Account # 1-85300 Bill # 3985 | Total | \$106.00 |
| Release user fee. House condemned and vacant since 1999. | | | |
| | | | |
| Release the User Fee | in the name of Ward, Sheila W (ETAL) | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 2-04931 Bill # 9146 | Total | \$215.00 |
| Release user fee. Dwelling is vacant. | | | |
| | | | |
| Release the User Fee | in the name of Williams, Gregory | Amount: | \$0.00 |
| Value: | \$0.00 Year: 09-10 Account # 12-29188 Bill # 9999 | Total | \$425.00 |
| Release user fee yrs 2009 and 2010. Mobile home is vacant. | | | |
| | | | |
| Release the User Fee | in the name of Wilson, Herbert T. (Heirs) | Amount: | \$0.00 |
| Value: | \$0.00 Year: 2010 Account # 10-18860 Bill # 1503 | Total | \$215.00 |
| Release one of two user fees. Old house on property is vacant and does not have a can. | | | |

Agenda Item #19: COMMENTS:

Chairman Byrd opened the floor for comments. The following spoke.

A. Department Heads:

1. **Gary Lanier, Economic Development Director:** I am requesting that we go into a Closed Session at the end of the meeting to discuss an Economic Development project.
2. **Gerald Fogle, Social Services Director:** I appreciate the Christmas bonus and all that you do.
3. **Sheriff Christopher Batten:** I appreciate the Christmas bonus and all the work you do for the County.

4. **Dalton Dockery, Cooperative Extension Director:** I appreciate the Christmas Bonus and all that you do for the County employees.

B. Board of Commissioners:

1. **Commissioner McKenzie:** stated the following:
- A. I would like to thank the retirees for all the work they performed for Columbus County, and their accomplishments and wish them a happy retirement;
 - B. I would like to thank all the employees who attended the Employee Appreciation Christmas Dinner; **and**
 - C. I would like for all of the Board members to get excited about the water districts.

2. **Commissioner Norris:** Who is responsible for the replacement of the road signs that have been torn down within Columbus County?

After a brief discussion was conducted relative to location and color, William S. Clark, County Manager, stated to contact him as to the location of these signs and he would follow up on this.

3. **Commissioner McDowell:** stated the following:
- A. Nicole Cartrette done an excellent job in The News Reporter that concerns me dealing with the Rural Water Association of Chadbourn;
 - B. Most of the telephone calls that I have received so far has been dealing with the controversy between Columbus County and the Chadbourn Rural Water Association;
 - C. Anything that we, as Board members, can do, or any of the citizens can do to bring this to a resolution would be beneficial to everyone;
 - D. I received a telephone call relative to a lady being hit in a parking lot on Christmas Eve at Lake Waccamaw, the Lake Waccamaw Police Officer who responded did not have a drug kit, he then contacted the Sheriff's Department and was informed they did not have a drug kit;
 - E. I would like to know the procedure for an event of this nature; **and**
 - F. Do we willingly loan these kits, and did not have a kit at this time?

Sheriff Batten replied stating the following:

- 1. The patrol officers typically won't have the kit for detecting any kind of powder residue or anything else as far as it being a controlled substance;
- 2. Usually, the narcotic officers have these kits and they are not on duty twenty-four (24) hours a day, but they are on call;
- 3. Any type of pedestrian intervention with an automobile is usually the police department or highway patrol;
- 4. We don't investigate wrecks, and that is considered an accident when it is in a public vehicle area such as a parking lot or on the highway, but we do assist;
- 5. Those kits are very expensive and we don't issue them out to all of the officers; **and**
- 6. When it is a serious drug violation, the patrol officer knows to call a narcotics officer that is on call.

4. **Commissioner Bullard:** stated the following:
- A. In the Information section of the Board Packet, there is a letter from Waste Management stating they would investigate savings if the County Convenience Centers were contracted. Are they contracted?; Kip McClary, Solid Waste Director, replied stating no.
 - B. The Convenience Center on the end of Highway 242 needs to be relocated;
 - C. Does the contract with Waste Management come up in 2012, and do we need to notify them one (1) year ahead if we want to make any changes?; William S. Clark, County Manager, replied stating the contract was coming up for renewal in 2012, and we do need to notify them one (1) year ahead of any changes that we would like to make.
 - D. What is the status of the time clocks?; **and** William S. Clark, County Manager, replied stating they were working on

them.

Bobbie Faircloth, Finance Director, replied stating the deadline had been changed from January 01, 2011 to April 01, 2011.

E. Why was the Closed Session not announced earlier on the Agenda?

5. **Commissioner Russ:** stated the following:

- A. The Columbus County Health Department is holding a Columbus County Biggest Loser Competition which will start on January 20, 2011 and end on February 18, 2011;
- B. The entry fee for this competition will be five and 00/100 (\$5.00) dollars, and whoever loses the most weight will win the jackpot amount;
- C. I would like for this Board to start a program of their own with an entry fee of ten and 00/100 (\$10.00) dollars; **and**
- D. On the matter of the lady being hit at Lake Waccamaw, the Highway Patrol was notified and they had a kit.

C. **County Manager (William S. Clark):** I had one (1) issue with personnel and since we were going into Closed Session, I thought I would bring the matter up.

RECESS REGULAR SESSION and enter into CLOSED SESSION in ACCORDANCE with N.C.G.S. §318.11 (4) ECONOMIC DEVELOPMENT and (6) PERSONNEL:

At 7:24 P.M., Commissioner Prevatte made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. §318.11 (4) Economic Development and (6) Personnel, second by Commissioner McDowell. The motion unanimously passed.

OTHER:

CLOSED SESSION in ACCORDANCE with N.C.G.S. §318.11 (4) ECONOMIC DEVELOPMENT and (6) PERSONNEL:

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 8:55 P.M., Commissioner Prevatte made a motion to adjourn Closed Session and resume Regular Session, second by Commissioner Russ. The motion unanimously passed.

READING and APPROVAL of CLOSED SESSION GENERAL ACCOUNT:

Chairman Byrd requested Mike Stephens, County Attorney, to orally read the Closed Session General Account. Mr. Stephens orally read the following:

- “1. *As far as going into Closed Session for Economic Development related issues, the Economic Development Director discussed matters related to potential locations for businesses in Columbus County; and*
- 2. *Related to the personnel issue, the County Manager discussed with the Board of Commissioners the conditions of the initial employment of a prospective Columbus County Planner.”*

Vice Chairman McKenzie made a motion to approve the Closed Session General Account, second by Commissioner Norris. The motion unanimously passed.

Agenda Item #20: ADJOURNMENT:

At 8:57 P.M., Commissioner Bullard made a motion to adjourn, second by Vice Chairman McKenzie. The motion unanimously passed.

APPROVED:

COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING

Monday, January 03, 2011

6:57 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, to act as the Columbus County Water and Sewer District I Board.

COMMISSIONERS PRESENT:

Giles E. Byrd,, **Chairman**
 Amon E. McKenzie, **Vice Chairman**
 James Prevatte
 P. Edwin Russ
 Lynwood Norris
 Ricky Bullard
 Charles T. McDowell

APPOINTEES PRESENT:

William S. Clark, **County Manager**
 Mike Stephens, **County Attorney**
 June B. Hall, **Clerk to Board**
 Bobbie Haircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 6:57 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

December 06, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (5 sets)

Commissioner Prevatte made a motion to approve the December 06, 2010 Columbus County Water and Sewer District I Board Meeting Minutes, as recorded, second by Commissioner Russ. The motion unanimously passed.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL to MOVE FORWARD on FINAL EIGHT (8) CONNECTIONS of CDBG HOUSE INFRASTRUCTURE HOOKUP GRANT:

Kip McClary, Public Utilities Director, requested Board approval to move forward with the final eight (8) connections for the amount of \$11,892.00, for the CDBG House Infrastructure Hookup Grant.

Mr. McClary stated the following:

1. We are up against a deadline;
2. This will complete this project for this year, bringing the total number of houses to twenty-five (25);

- 3. We will be expending approximately forty-five thousand and 00/100 (\$45,000.00) dollars with this approval; **and**
- 4. We will be de-obligating approximately thirty thousand and 00/100 (\$30,000.00) dollars of these funds due to the lack of interest in this project.

Commissioner McKenzie made a motion to approve moving forward with the last eight (8) connections for the amount of eleven thousand, eight hundred ninety-two and 00/100 (\$11,892.00) dollars, for the CDBG House Infrastructure Hookup Grant, second by Commissioner Norris. The motion unanimously passed.

Agenda Item #16: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AMENDMENT NUMBER I to the UNIFORM RULES for all WATER DISTRICTS and RETAIL WATER FACILITIES OPERATED by COLUMBUS COUNTY PUBLIC UTILITIES:

Kip McClary, Public Utilities Director, requested consideration of and possible approval of Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities. (This will be the first reading.)

Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities

Amendment I

Section 26. Billing and Collecting

- (E) Bills are due when rendered and considered late 15 days from “Date Bill Mailed.” A late fee of \$5.00 will be charged if payment of water bill is not received by 5:00 P.M. on “Due Date”. If the bill is not paid by the last working business day of the month the account becomes delinquent and a \$30.00 delinquent penalty is charged. Service may be discontinued by the district if the bill is not paid by the last working business day of the month. If the bill is not paid in full by the end of ninety days the district will initiate legal procedures to collect the amount due.

Section 28. Termination Clause

By requesting water service and payment of a connection fee, the recipient of the water service hereby understands and agrees to pay a minimum monthly water bill if not connected to the system and using water sixty days after such is made available to the dwelling. If connected to the system, the recipient is responsible for the minimum bill plus usage.

The customer will be responsible to pay the bill for a minimum of five years from the date the first bill is assessed. Customers wishing to disconnect from the system after the five year period may do so by paying a \$250.00 disconnect fee.

Tenants of rental property may disconnect from the system by paying the bill owed in full plus a \$25.00 disconnect fee.

The owner of the rental property will be responsible for the bill when the property is not occupied by a tenant. The owner of the rental property may disconnect the property from the system after the five year period by paying a \$250.00 disconnect fee.

Properties connected to the system prior to the use of the water service application in 2003 are exempt from the 5 year obligation.

Approved and Adopted this ____ day of _____, 2011.

Columbus County Board of Commissioners

/s/ **GILES E. BYRD, Chairman**

/s/ **JUNE B. HALL, Clerk to Board**

Commissioner Prevatte made a motion to approve Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, on its first reading, second by Commissioner Norris. The motion unanimously passed.

ADJOURNMENT:

At 7:03 P.M., Commissioner Norris made a motion to adjourn, second by Commissioner Bullard. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

GILES E. BYRD, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING**

Monday, January 03, 2011

6:57 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, to act as the Columbus County Water and Sewer District II Board.

COMMISSIONERS PRESENT:

Giles E. Byrd,, **Chairman**
Amon E. McKenzie, **Vice Chairman**
James Prevatte
P. Edwin Russ
Lynwood Norris
Ricky Bullard
Charles T. McDowell

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Haircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 6:57 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

December 06, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Prevatte made a motion to approve the December 06, 2010 Columbus County Water and Sewer District II Board Meeting Minutes, as recorded, second by Commissioner Russ. The motion unanimously passed.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL to MOVE FORWARD on FINAL EIGHT (8) CONNECTIONS of CDBG HOUSE INFRASTRUCTURE HOOKUP GRANT:

Kip McClary, Public Utilities Director, requested Board approval to move forward with the final eight (8) connections for the amount of \$11,892.00, for the CDBG House Infrastructure Hookup Grant.

Mr. McClary stated the following:

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1. We are up against a deadline;
2. This will complete this project for this year, bringing the total number of houses to twenty-five (25);
3. We will be expending approximately forty-five thousand and 00/100 (\$45,000.00) dollars with this approval; **and**
4. We will be de-obligating approximately thirty thousand and 00/100 (\$30,000.00) dollars of these funds due to the lack of interest in this project.

Commissioner McKenzie made a motion to approve moving forward with the last eight (8) connections for the amount of eleven thousand, eight hundred ninety-two and 00/100 (\$11,892.00) dollars, for the CDBG House Infrastructure Hookup Grant, second by Commissioner Norris. The motion unanimously passed.

Agenda Item #16: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AMENDMENT NUMBER I to the UNIFORM RULES for all WATER DISTRICTS and RETAIL WATER FACILITIES OPERATED by COLUMBUS COUNTY PUBLIC UTILITIES:

Kip McClary, Public Utilities Director, requested consideration of and possible approval of Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities. (This will be the first reading.)

Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities

Amendment I

Section 26. Billing and Collecting

- (E) Bills are due when rendered and considered late 15 days from "Date Bill Mailed." A late fee of \$5.00 will be charged if payment of water bill is not received by 5:00 P.M. on "Due Date". If the bill is not paid by the last working business day of the month the account becomes delinquent and a \$30.00 delinquent penalty is charged. Service may be discontinued by the district if the bill is not paid by the last working business day of the month. If the bill is not paid in full by the end of ninety days the district will initiate legal procedures to collect the amount due.

Section 28. Termination Clause

By requesting water service and payment of a connection fee, the recipient of the water service hereby understands and agrees to pay a minimum monthly water bill if not connected to the system and using water sixty days after such is made available to the dwelling. If connected to the system, the recipient is responsible for the minimum bill plus usage.

The customer will be responsible to pay the bill for a minimum of five years from the date the first bill is assessed. Customers wishing to disconnect from the system after the five year period may do

so by paying a \$250.00 disconnect fee.

Tenants of rental property may disconnect from the system by paying the bill owed in full plus a \$25.00 disconnect fee.

The owner of the rental property will be responsible for the bill when the property is not occupied by a tenant. The owner of the rental property may disconnect the property from the system after the five year period by paying a \$250.00 disconnect fee.

Properties connected to the system prior to the use of the water service application in 2003 are exempt from the 5 year obligation.

Approved and Adopted this 18th day of January, 2011.

Columbus County Board of Commissioners

/s/ **Giles E. Byrd, Chairman**

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

Commissioner Prevatte made a motion to approve Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, on its first reading, second by Commissioner Norris. The motion unanimously passed.

OTHER:

AUTHORIZATION to MOVE FORWARD with OBTAINING PERMIT:

Kip McClary, Public Utilities Director, requested authorization from the Board to move forward with obtaining a permit to interconnect the Chadbourn Rural Water System to Columbus County Water and Sewer District II.

Mr. McClary stated the following:

1. This is the permit to authorize the interconnection between the Chadbourn Rural Water System and Columbus County Water and Sewer District II;
2. The deadline expires on January 14, 2011;
3. We would like to move forward with obtaining this permit; **and**
4. This is the permit for the interconnection only, and this is not the construction permit.

Commissioner Prevatte made a motion to authorize Kip McClary, Public Utilities Director, to move forward with obtaining the permit for the interconnection of the Chadbourn Rural Water System and Columbus County Water and Sewer District II, second by Vice Chairman McKenzie. The motion unanimously passed.

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ADJOURNMENT:

At 7:03 P.M., Commissioner Norris made a motion to adjourn, second by Commissioner Bullard. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

GILES E. BYRD, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING
Monday, January 03, 2011
6:57 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, to act as the Columbus County Water and Sewer District III Board.

COMMISSIONERS PRESENT:

Giles E. Byrd,, **Chairman**
Amon E. McKenzie, **Vice Chairman**
James Prevatte
P. Edwin Russ
Lynwood Norris
Ricky Bullard
Charles T. McDowell

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Haircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 6:57 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

December 06, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Prevatte made a motion to approve the December 06, 2010 Columbus County Water and Sewer District III Board Meeting Minutes, as recorded, second by Commissioner Russ. The motion unanimously passed.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL to MOVE FORWARD on FINAL EIGHT (8) CONNECTIONS of CDBG HOUSE INFRASTRUCTURE HOOKUP GRANT:

Kip McClary, Public Utilities Director, requested Board approval to move forward with the final eight (8) connections for the amount of \$11,892.00, for the CDBG House Infrastructure Hookup Grant.

Mr. McClary stated the following:

1. We are up against a deadline;

- 2. This will complete this project for this year, bringing the total number of houses to twenty-five (25);
- 3. We will be expending approximately forty-five thousand and 00/100 (\$45,000.00) dollars with this approval; **and**
- 4. We will be de-obligating approximately thirty thousand and 00/100 (\$30,000.00) dollars of these funds due to the lack of interest in this project.

Commissioner McKenzie made a motion to approve moving forward with the last eight (8) connections for the amount of eleven thousand, eight hundred ninety-two and 00/100 (\$11,892.00) dollars, for the CDBG House Infrastructure Hookup Grant, second by Commissioner Norris. The motion unanimously passed.

Agenda Item #16: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AMENDMENT NUMBER I to the UNIFORM RULES for all WATER DISTRICTS and RETAIL WATER FACILITIES OPERATED by COLUMBUS COUNTY PUBLIC UTILITIES:

Kip McClary, Public Utilities Director, requested consideration of and possible approval of Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities. (This will be the first reading.)

Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities

Amendment I

Section 26. Billing and Collecting

- (E) Bills are due when rendered and considered late 15 days from “Date Bill Mailed.” A late fee of \$5.00 will be charged if payment of water bill is not received by 5:00 P.M. on “Due Date”. If the bill is not paid by the last working business day of the month the account becomes delinquent and a \$30.00 delinquent penalty is charged. Service may be discontinued by the district if the bill is not paid by the last working business day of the month. If the bill is not paid in full by the end of ninety days the district will initiate legal procedures to collect the amount due.

Section 28. Termination Clause

By requesting water service and payment of a connection fee, the recipient of the water service hereby understands and agrees to pay a minimum monthly water bill if not connected to the system and using water sixty days after such is made available to the dwelling. If connected to the system, the recipient is responsible for the minimum bill plus usage.

The customer will be responsible to pay the bill for a minimum of five years from the date the first bill is assessed. Customers wishing to disconnect from the system after the five year period may do so by paying a \$250.00 disconnect fee.

Tenants of rental property may disconnect from the system by paying the bill owed in full plus a \$25.00 disconnect fee.

The owner of the rental property will be responsible for the bill when the property is not occupied by a tenant. The owner of the rental property may disconnect the property from the system after the five year period by paying a \$250.00 disconnect fee.

Properties connected to the system prior to the use of the water service application in 2003 are exempt from the 5 year obligation.

Approved and Adopted this 18th day of January, 2011.

Columbus County Board of Commissioners

/s/ **Giles E. Byrd, Chairman**

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

Commissioner Prevatte made a motion to approve Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, on its first reading, second by Commissioner Norris. The motion unanimously passed.

ADJOURNMENT:

At 7:03 P.M., Commissioner Norris made a motion to adjourn, second by Commissioner Bullard. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

GILES E. BYRD, Chairman

**COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING**

Monday, January 03, 2011

6:57 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, to act as the Columbus County Water and Sewer District IV Board.

COMMISSIONERS PRESENT:

Giles E. Byrd,, **Chairman**
Amon E. McKenzie, **Vice Chairman**
James Prevatte
P. Edwin Russ
Lynwood Norris
Ricky Bullard
Charles T. McDowell

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Haircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 6:57 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

December 06, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Prevatte made a motion to approve the December 06, 2010 Columbus County Water and Sewer District IV Board Meeting Minutes, as recorded, second by Commissioner Russ. The motion unanimously passed.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL to MOVE FORWARD on FINAL EIGHT (8) CONNECTIONS of CDBG HOUSE INFRASTRUCTURE HOOKUP GRANT:

Kip McClary, Public Utilities Director, requested Board approval to move forward with the final eight (8) connections for the amount of \$11,892.00, for the CDBG House Infrastructure Hookup Grant.

Mr. McClary stated the following:

1. We are up against a deadline;

2. This will complete this project for this year, bringing the total number of houses to twenty-five (25);
3. We will be expending approximately forty-five thousand and 00/100 (\$45,000.00) dollars with this approval; **and**
4. We will be de-obligating approximately thirty thousand and 00/100 (\$30,000.00) dollars of these funds due to the lack of interest in this project.

Commissioner McKenzie made a motion to approve moving forward with the last eight (8) connections for the amount of eleven thousand, eight hundred ninety-two and 00/100 (\$11,892.00) dollars, for the CDBG House Infrastructure Hookup Grant, second by Commissioner Norris. The motion unanimously passed.

Agenda Item #16: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AMENDMENT NUMBER I to the UNIFORM RULES for all WATER DISTRICTS and RETAIL WATER FACILITIES OPERATED by COLUMBUS COUNTY PUBLIC UTILITIES:

Kip McClary, Public Utilities Director, requested consideration of and possible approval of Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities. (This will be the first reading.)

Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities

Amendment I

Section 26. Billing and Collecting

- (E) Bills are due when rendered and considered late 15 days from “Date Bill Mailed.” A late fee of \$5.00 will be charged if payment of water bill is not received by 5:00 P.M. on “Due Date”. If the bill is not paid by the last working business day of the month the account becomes delinquent and a \$30.00 delinquent penalty is charged. Service may be discontinued by the district if the bill is not paid by the last working business day of the month. If the bill is not paid in full by the end of ninety days the district will initiate legal procedures to collect the amount due.

Section 28. Termination Clause

By requesting water service and payment of a connection fee, the recipient of the water service hereby understands and agrees to pay a minimum monthly water bill if not connected to the system and using water sixty days after such is made available to the dwelling. If connected to the system, the recipient is responsible for the minimum bill plus usage.

The customer will be responsible to pay the bill for a minimum of five years from the date the first bill is assessed. Customers wishing to disconnect from the system after the five year period may do so by paying a \$250.00 disconnect fee.

Tenants of rental property may disconnect from the system by paying the bill owed in full plus a \$25.00 disconnect fee.

The owner of the rental property will be responsible for the bill when the property is not occupied by a tenant. The owner of the rental property may disconnect the property from the system after the five year period by paying a \$250.00 disconnect fee.

Properties connected to the system prior to the use of the water service application in 2003 are exempt from the 5 year obligation.

Approved and Adopted this 18th day of January, 2011.

Columbus County Board of Commissioners

/s/ **Giles E. Byrd, Chairman**

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

Commissioner Prevatte made a motion to approve Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, on its first reading, second by Commissioner Norris. The motion unanimously passed.

**Agenda Item #17: COLUMBUS COUNTY WATER and SEWER DISTRICT IV -
DECLARATION of COMPLETION of PROJECT and AUTHORIZE
RETURN of DEPOSITS:**

Kip McClary, Public Utilities Director, requested the Board to declare Columbus County Water and Sewer District IV complete, and authorize the return of the tap fees and security deposits to customers that could not be served.

Mr. McClary stated the following:

1. Columbus County Water and Sewer District IV is now complete;
2. We were able to hook on five hundred ninety-nine (599) new customers as a result of our construction there;
3. The first bills were sent out on November 02, 2010;
4. We need to declare the project complete so that we can set a date and time to start refunding the tap fees and deposits to those customers that we could not provide water to; **and**
5. I would like for the completion of this project to be as of tonight.

Commissioner McKenzie made a motion to declare Columbus County Water and Sewer District IV as complete, and authorize the return of the tap fees and deposits to the customers who could not be served, second by Commissioner Prevatte. The motion unanimously passed.

ADJOURNMENT:

At 7:03 P.M., Commissioner Norris made a motion to adjourn, second by Commissioner Bullard. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

GILES E. BYRD, Chairman

COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V
COMBINATION BOARD MEETING
Monday, January 03, 2011
6:57 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, to act as the Columbus County Water and Sewer District V Board.

COMMISSIONERS PRESENT:

Giles E. Byrd,, **Chairman**
Amon E. McKenzie, **Vice Chairman**
James Prevatte
P. Edwin Russ
Lynwood Norris
Ricky Bullard
Charles T. McDowell

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**
Bobbie Haircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 6:57 P.M., Chairman Byrd called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board meeting to order.

Agenda Item #14: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

December 06, 2010 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Commissioner Prevatte made a motion to approve the December 06, 2010 Columbus County Water and Sewer District V Board Meeting Minutes, as recorded, second by Commissioner Russ. The motion unanimously passed.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL to MOVE FORWARD on FINAL EIGHT (8) CONNECTIONS of CDBG HOUSE INFRASTRUCTURE HOOKUP GRANT:

Kip McClary, Public Utilities Director, requested Board approval to move forward with the final eight (8) connections for the amount of \$11,892.00, for the CDBG House Infrastructure Hookup Grant.

Mr. McClary stated the following:

1. We are up against a deadline;

- 2. This will complete this project for this year, bringing the total number of houses to twenty-five (25);
- 3. We will be expending approximately forty-five thousand and 00/100 (\$45,000.00) dollars with this approval; **and**
- 4. We will be de-obligating approximately thirty thousand and 00/100 (\$30,000.00) dollars of these funds due to the lack of interest in this project.

Commissioner McKenzie made a motion to approve moving forward with the last eight (8) connections for the amount of eleven thousand, eight hundred ninety-two and 00/100 (\$11,892.00) dollars, for the CDBG House Infrastructure Hookup Grant, second by Commissioner Norris. The motion unanimously passed.

Agenda Item #16: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of AMENDMENT NUMBER I to the UNIFORM RULES for all WATER DISTRICTS and RETAIL WATER FACILITIES OPERATED by COLUMBUS COUNTY PUBLIC UTILITIES:

Kip McClary, Public Utilities Director, requested consideration of and possible approval of Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities. (This will be the first reading.)

Uniform Rules for All Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities

Amendment I

Section 26. Billing and Collecting

- (E) Bills are due when rendered and considered late 15 days from “Date Bill Mailed.” A late fee of \$5.00 will be charged if payment of water bill is not received by 5:00 P.M. on “Due Date”. If the bill is not paid by the last working business day of the month the account becomes delinquent and a \$30.00 delinquent penalty is charged. Service may be discontinued by the district if the bill is not paid by the last working business day of the month. If the bill is not paid in full by the end of ninety days the district will initiate legal procedures to collect the amount due.

Section 28. Termination Clause

By requesting water service and payment of a connection fee, the recipient of the water service hereby understands and agrees to pay a minimum monthly water bill if not connected to the system and using water sixty days after such is made available to the dwelling. If connected to the system, the recipient is responsible for the minimum bill plus usage.

The customer will be responsible to pay the bill for a minimum of five years from the date the first bill is assessed. Customers wishing to disconnect from the system after the five year period may do so by paying a \$250.00 disconnect fee.

Tenants of rental property may disconnect from the system by paying the bill owed in full plus a \$25.00 disconnect fee.

The owner of the rental property will be responsible for the bill when the property is not occupied by a tenant. The owner of the rental property may disconnect the property from the system after the five year period by paying a \$250.00 disconnect fee.

Properties connected to the system prior to the use of the water service application in 2003 are exempt from the 5 year obligation.

Approved and Adopted this 18th day of January, 2011.

Columbus County Board of Commissioners

/s/ **Giles E. Byrd, Chairman**

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

Commissioner Prevatte made a motion to approve Amendment Number I to the Uniform Rules for all Water Districts and Retail Water Facilities Operated by Columbus County Public Utilities, on its first reading, second by Commissioner Norris. The motion unanimously passed.

ADJOURNMENT:

At 7:03 P.M., Commissioner Norris made a motion to adjourn, second by Commissioner Bullard. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

GILES E. BYRD, Chairman