

COLUMBUS COUNTY BOARD OF COMMISSIONERS**Monday, November 07, 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 three (3) Public Hearings 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**

6:30 P.M.**PUBLIC HEARING -**

Adoption of a New County Commissioners Re-Districting Plan:
 the purpose of this Public Hearing is to notify citizens, and to receive oral or written comments.

PUBLIC HEARING OPENED:

At 6:30 P.M., Chairman Byrd opened the Public Hearing for the adoption of a New County Commissioners Re-Districting Plan, and stated the purpose of the Public Hearing is to notify citizens, and to receive oral or written comments.

COMMENTS:

No oral or written comments were received.

PUBLIC HEARING CLOSED:

At 6:31 P.M., Commissioner Norris made a motion to close the Public Hearing, second by Commissioner Russ. The motion unanimously passed.

6:31 P.M.**REGULAR SESSION:****Agenda Items #1, #2 and #3:****MEETING CALLED ro ORDER, INVOCATION and PLEDGE of ALLEGIANCE:**

At 6:31 P.M., Chairman Giles E. Byrd called the November 07, 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: BOARD MINUTES APPROVAL:

Vice Chairman McKenzie made a motion to approve the October 17, 2011 Regular Session Board Meeting Minutes as recorded, second by Commissioner Norris.

Commissioner Prevatte stated there was a discrepancy on Page 438 after the comments made by Ed Worley. He stated that he had made some comments, and requested they be included in the minutes.

Chairman Byrd stated he had made comments at that time also, and requested they be included in the minutes.

Vice Chairman McKenzie amended his motion to approve the October 17, 2011 Regular Session Board Meeting Minutes with the recommended amendments, Commissioner Norris

amended his second. The amended motion unanimously passed.

Agenda Item #5: RE-DISTRICTING PLAN - BOARD APPROVAL of the FOLLOWING for the NEW COMMISSIONER RE-DISTRICTING PLAN:
A. RESOLUTION ADOPTING NEW ELECTION DISTRICT BOUNDARIES;
B. MAP OF PLAN #1a; and
C. PLAN COMPONENTS REPORT.

Adam Mitchell, Tharrington Smith Law Firm, requested Board approval of the following Resolution Adopting New Election District Boundaries, the map of Alternative Plan 1a and the Plan Components Report. A Public Hearing was conducted on this date prior to the meeting.

RESOLUTION ADOPTING NEW ELECTION DISTRICT BOUNDARIES

November 7, 2011

WHEREAS, the Columbus County Board of Commissioners includes seven (7) members elected from districts; **and**

WHEREAS, the seven (7) election districts are subject to the constitutional and statutory requirement of one-person/one-vote; **and**

WHEREAS, the Board of Commissioners has recently received and reviewed the population of the districts as determined by the 2010 federal census; **and**

WHEREAS, the Board of Commissioners has determined that the population of the districts is out of balance and that the boundaries of the districts need to be altered to provide equal representation; **and**

WHEREAS, the Board of Commissioners is authorized and required by North Carolina General Statutes § 153A-22 to revise its district boundaries to correct population imbalances shown by a federal census; **and**

WHEREAS, on September 19, 2011, the Board of Commissioners met in public session to review and consider proposed alternative plans, including Alternative Plan 1a; **and**

WHEREAS, on November 7, 2011, the Board of Commissioners held a public hearing to receive public comment on Alternative Plan 1a, its preferred redistricting plan; **and**

WHEREAS, on November 7, 2011, the Board of Commissioners, meeting in public session, considered and approved the redistricting plan labeled Alternative Plan 1a as the Board's final redistricting plan; **and**

WHEREAS, the redistricting plan considered by the Board of Commissioners and presented in public session would satisfy the requirements of one-person/one-vote.

NOW, THEREFORE, BE IT RESOLVED by the Columbus County Board of Commissioners as follows:

1. The boundaries of the seven (7) districts for election of the Columbus County Board of Commissioners are altered to follow the lines depicted on the attached map entitled Alternative Plan 1a.
2. The attached map has been prepared from United States Census Bureau maps and the boundaries have been drawn to follow census block lines. A list of the census blocks in each district is attached for reference and to resolve any issue that might arise concerning the boundaries of the districts.
3. The new district boundaries shall be used for the next election of Board members and for each subsequent election until the boundaries are altered according to law.
4. A copy of this resolution and the map showing the district boundaries shall be retained in the office of the Clerk to the Board.

5. A certified copy of this resolution shall be provided to the Secretary of State, the Columbus County Register of Deeds, and the Columbus County Board of Elections. In addition, maps and information about the new district boundaries shall be provided to the Columbus County Board of Elections with the request that the board notify residents of Columbus County of changes in the districts in which they vote.

ADOPTED this the 7th day of November 2011.

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

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

Mr. Mitchell stated the following:

1. We had an initial meeting several months back about re-districting in general, legal principles and guidelines;
2. I came back a month later with a plan, Alternative Plan 1, which we discussed at some level of detail;
3. At that second meeting, there were some minor changes that were requested and those were actually made at the meeting, and we named that plan Alternative Plan 1a;
4. We then tentatively set a Public Hearing for November 07, 2011 with the direction that I should work with the Southern Coalition for Social Justice, a group out of Durham that represents a group of African-American citizens that have been involved in litigation down here regarding re-districting;
5. I sent the plan to Anita Earls, the director of the Southern Coalition, probably the day after I was last down here, and she asked for a few weeks to meet with her clients;
6. At some point, in the last couple of weeks, I got an e-mail from Anita Earls stating that her clients had no objection to the plan and that they appreciated our efforts;
7. We then moved forward full speed ahead toward this evening;
8. There is no statutory requirement that you have a public hearing, but I advise all my clients to have one;
9. You did that, and no one came, and I think the record should reflect that the Southern Coalition and that group of folks support this plan, which I think that is important;
10. You are at the point at which you can approve your plan, and let me tell you exactly what it is that you are approving, and then we will talk about the last remaining item after that;
11. There should be three (1) items, hopefully, in the package, as follows:
 - A. A resolution that adopts Alternative Plan 1a which is again that map that we created together the last time I was here, and there have been absolutely no changes since then;
 - B. The second item is a map and it is hard to make out any of the details; **and**
 - C. The third item is something called a Plan Components Report which is not really all that useful of a document for either you or for me, it is a printout of every single census block, which is the smallest geography that the Census Bureau uses to do its mapping, and it tells you exactly which census blocks are in which district. If a question comes up and someone says I don't know what district I am in, the Board of Elections or your County mapping people can look at this Plan Components Report and find them on the map, match them to a census block and answer their question;
12. With a single motion, and all that it needs to be is I make a motion to approve Alternative Plan 1a, that will adopt the Resolution, the map and the Plan Components Report;
13. Since you are not covered by Section 5 of the Voting Rights Act, this plan does not need to be pre-cleared, so it is effective at the time at which you will adopt it;
14. It will take a little while to get the information over to the Board of Elections and have them do what they need to do, but there is no waiting period, there is no pre-clearance;
15. There is one (1) other house-keeping item, since you are under Federal Court Order relating to that litigation that goes way back, we will need to go to Federal Court to get approval;
16. I have not spoken to Anita Earls about this because I don't want to be presumptuous, but it is my expectation that we would sort of do a Consent Motion which makes things much easier because then it is not sort of a disputed thing where a Judge feels like he needs to have a big hearing or a big song and dance, so I expect we would do a joint-Consent Motion to modify the re-districting plan or the like;
17. I would be happy to do that, and I do want to be up-front, it is not included in the sort of standard re-districting package because obviously most clients don't have that requirement;

18. You don't have to tell me now whether you want me to do it or Mr. Stephens to do it or whatever, but that does need to be addressed, and I would imagine that it needs to be addressed very expeditiously if you can, and I don't think it will be contested; **and**
19. I will be happy to answer any questions, or if there aren't any questions, I think it would be entirely appropriate for a motion to be made to adopt Alternative Plan 1a.

Questions / Answers / Comments:

Commissioner Bullard: In the Town of Fair Bluff, I had a lot of my district that ran in the area, and that is being taken away, but yet I have been given some in a total different area. How do you balance that out, taking so much from one (1) area and giving to another area.

Adam Mitchell: I can say a couple of things about that:

1. The boundaries around Fair Bluff were just complicated and sort of ugly for lack of a better term, it was real jagged and slicing and dicing and all sorts of things, and I tried to sort of clean up that area; **and**
2. I can say that this plan, as you know we talked about that, complies with One-Person, One Vote, so I don't exactly know how to answer your question other than to say that if you lost some in one (1) area, you sort of gained the corresponding number of people in a different area to keep within that five (5%) percent, plus or minus, of the ideal variation.

Commissioner Bullard: I understand your answer but I just don't understand why do you take away a whole town and then add back in another totally different area.

Adam Mitchell: Because one of the sort of traditional principles of re-districting is to keep municipalities together when you can and because it was already sort of so cut up and jagged, it was my belief that in an ideal world, it would all be together, and it just worked for me from a number perspective, to move it out of your district as opposed to keeping the whole thing in. I suppose there is another scenario where it could have all been kept it and cut somewhere else, but that is just how it came out the first time I did it.

Commissioner Prevatte: After you were here last time, I done what you said and went to Mr. Stephens' Office and looked at his big map. I was contacted last week by the newspaper, and they said that they had not been able to get a clear map that they could see the differences in the current districts and Alternative Plan 1A enough to let the people know that they were being switched from one district to another district. I know that those were posted in the libraries and the Clerk's Office.

Adam Mitchell: The maps on the wall are the maps you are referring to. The jagged area which was part of Fair Bluff, and it is not here on the new plan. I would even venture to say, but I am not sure, for counties only, there is in the statute of requirement that districts to be contiguous, and it looks at least reasonably possible to me that your old plan was not contiguous because of the way that district sort of swooped over and picked up part of Fair Bluff. Again, it was my goal to sort of clean that up and ensure that you had contiguous districts.

Commissioner Prevatte: I don't have a contiguous district now. With 1a, District II starts and stops, skips a whole area, and then starts again.

Adam Mitchell: I can tell you that it is contiguous. It may not look contiguous and it may not look pretty, but it is contiguous because that is something I always check before I bring a plan, and the software does that. The two (2) things that I do to verify a plan are number 1 - to check for unassigned areas; and you do have two unassigned areas because of the prisons and we have been through that, you got two (2) census blocks that are not assigned, and the other thing that I do is I report on contiguousness, and I am representing to you that the plan is contiguous.

Commissioner Prevatte: Contiguous means that it is continuing. It doesn't start and stop.

Adam Mitchell: Right. It is all attached. It may barely be attached, it may not look lovely, it might not be a square or circle, but it is all attached. There is no portion that is an island. There may be a peninsula, but no islands.

Commissioner Norris made a motion to approve Alternative Plan 1a, second by Vice Chairman McKenzie. The motion unanimously passed.

Agenda Item #6: PUBLIC INPUT:

Chairman Byrd opened the floor for Public Input. The following spoke.

1. **Leomon Owen Floyd, 4018 Smyrna Road, Whiteville, NC 28472:** stated the following:
 - A. My issue is with the mobile home plan;
 - B. I hear you are planning on preventing a mobile home from being installed within 500' of a business;
 - C. The current mobile home plan which I see is also going to affect a lot of retired,

- semi-retired and future retired individuals in this county from renting any of their properties, or maybe even potentially selling off any small parts or parcels of their properties to individuals that intend to install mobile homes on that property;
- D. I don't think it is fair, personally;
 - E. There was an issue that came up in my family recently, one of you know about that;
 - F. There was an attempt to prevent it from being done, and it was done the right way legally;
 - G. I don't think this is a smart move to make;
 - H. I don't know if any of you have mobile home parks, that is really not my issue;
 - I. If you are going to make rules and regulations for us with the mobile home parks, you need to make those rules and you need to enforce the ones you have in place, if you do have any in place;
 - J. There are some mobile home parks in this county that are the next thing to Columbus County Landfill, I know it, you know it, and a lot of other people know it;
 - K. If you are going to make rules and regulations, you need to clean up what we have before you put any more in place; **and**
 - L. I appreciate your time and you listening to me.
2. **Lisha A. Jones, 385 Jones-Edwards Circle, Whiteville, NC 28472:** stated the following:
- A. We, the community, would like to discuss the problem we are having about the road;
 - B. One (1) of the problems that we are having is every time it rains, we, the community have to get together and discuss how much money it will take to fix it;
 - C. Some of the people that are residents are on a fixed income and don't have the money to give;
 - D. The second problem is that the people that want to give but can't because they have to spend money on car repairs such as alignment and balance;
 - E. We, the community have tried to get numerous people to fix the road, but they refuse to do so;
 - F. Some people that live in the community have health problems, such as diabetes and we are worried that if they have to call 911, the rescue will refuse to provide emergency service due to the condition of the road;
 - G. If we could get the road repaired, it could be a possibility that the postal service will deliver the mail to our home, which will be safer so we don't have to go near Highway 130 to check our mail, which is a safety concern;
 - H. We are willing to come together to resolve this matter with the county;
 - I. Every time it rains, the road washes out; **and**
 - J. We have talked to the State to see if they would fix it, but it was going to cost \$90,000.

Chairman Byrd asked how many houses are on the road, and have you petitioned DOT to take it over for maintenance? Ms. Jones replied stating we have, but they are saying there is no money right now.

Chairman Byrd asked where this road ranks on the priority list? Ms. Jones replied stating she did not know.

MOTION:

Commissioner McDowell made a motion to send a letter to the North Carolina Department of Transportation requesting that they look into the problem with Jones-Edwards Circle, second by Commissioner Bullard. The motion unanimously passed.

3. **Robert Eugene Adams, 233 Mt. Calvary Road, Clarkton, NC 28433:** stated the following:
- A. This is going to be one of the hardest subjects I have confronted you with;
 - B. This goes against my grain, taxes;
 - C. North Whiteville Fire Department has had financial problems for a while;
 - D. Their fee system is not sufficient to support the fire department;
 - E. Mike Bartley is a good friend of mine, and you will not find a finer man in the county, or a better friend, I trust him without reservation;
 - F. I don't want to be taxed, I don't want to pay the fee, but when it comes time for the service, people need the service;
 - G. The fire department needs to be able to buy their needed diesel fuel for the fire trucks;

- H. As long as Commissioners Ricky Bullard and James Prevatte are on the Board, I don't have to worry about excessive taxes being placed on the citizens, because they do exactly what we ask them to do when they were elected to keep the tax rate down;
- I. That is not saying what will happen in the future;
- J. I come tonight against my grain because Mike ask me to, and I know it is necessary to ask for this letter for you to consider tonight;
- K. But I am not saying, down the road, if you get a Commissioner on Board like the Commissioners were when this item came before them in the beginning, which was many years ago, the Chairman of the County Commissioners points his finger in a lady's face and tells her if we don't get you now, we will get you later, that is what brought this problem to a head.
- L. I don't think you Board members are of that quality, but we had Commissioners at that time that were;
- M. I would appreciate your consideration on this subject tonight, and as long as we keep those Commissioners on board that don't like taxes either, this can be done;
- N. But I am not saying ten (10) to twenty (20) years down the road, it will not confront you again;
- O. I like the business of auditing the tax dollars, because there have been problems elsewhere; **and**
- P. I would like for you to favorably consider this because Mr. Dewey has not done anything about the fees for the homes, the changes that would bring revenue up where he could survive.

Chairman Byrd: I am having trouble understanding, are you for fees or are you for a tax district?

Robert Adams: I am not for neither one of them, but sometimes it is necessary. The fees are not sufficient, and Mr. Dewey cannot get them changed because the General Assembly will not consider the bill to change the fees. Commissioner Prevatte and Mike Bartley got together and tried to get the fees changed, and upgrade the type of fees that are charged, and increase them slightly so Mike would have the money in his fire department. But he can't get this done. Maybe he can get the other done, or maybe this will provoke him to do the other. That is what I am after, to just provoke him to do the other.

Chairman Byrd: Mike, can you address this on what would have to be done?

Mike Stephens, County Attorney: stated the following:

1. As far as the fee base, that was created by the Legislature, and will have to be abolished by the Legislature;
2. In other words, it is hooked onto a Statute of the law, and you just can't abolish a law, it has to be legislatively done; **and**
3. It can be done, but there again, it has to be done legislatively if you abolish the fee district, and then you can create a tax district.

Chairman Byrd: The way I understood it is, we can do nothing until Raleigh does away with the way it is set up now with the fee district. Then we would come back and have to hold a public hearing.

Mike Stephens: You can create a tax district. There are hoops we have to jump like we did in Brunswick last year. It is just a process you go through, and it is not that complicated, and it can be done.

Robert Adams: Maybe a Resolution of Support will provoke Mr. Dewey into doing something.

Commissioner Prevatte: I just want to comment and clarify some of what Mr. Adams is saying. It is true that Mr. Kimble Brock, Mr. Mike Barley and I did meet with Representative Hill on two (2) different years to try and get fees that were set by the State increased because they had not been increased since their inception. They are paying like fifty and 00/10 (\$50.00) dollars per structure, but the drawback, and the precaution that I have given to them is this - the General Assembly is not going to act on this in November, I am sure. If they wait until May to act on it, and they abolish it, there may not be enough time in there, unless some pre-planning is done, through Jeremy's office to have these hearings set up so that we can consider a tax district before the July 1, 2012 deadline. If we don't make the July 01, 2012 deadline, then Mr. Kimble and Mike are not going to have any revenue coming in for the next year. So, it will have to be done in steps so they are not left out in the cold.

Robert Adams: This Letter of Support or Resolution of Support in forming a tax district might provoke Mr. Dewey into doing the other, and go ahead and get the rates increased so Mike can survive.

Commissioner Prevatte: Mr. Kimble told me Mr. Adams, that he is asking that we abolish the fee district for Evergreen and North Whiteville, abolish it.

ADJUSTMENT OF AGENDA:

Chairman Byrd requested the following adjustments be made to the November 07, 2011 Agenda:

1. Move Agenda Item #18 before Agenda Item #7;
2. Add Mr. Gary Faircloth as Agenda Item 6A; **and**
3. Add a Closed Session at the end of the Agenda in accordance with N.C.G.S. § 143-318.11(3) Attorney-Client Privilege.

MOTION:

Commissioner Bullard made a motion to adjust the November 07, 2011 Agenda as follows:

1. Move Agenda Item #18 before Agenda Item #7;
2. Add Mr. Gary Faircloth as Agenda Item 6A; **and**
3. Add a Closed Session at the end of the Agenda in accordance with N.C.G.S. § 143-318.11(3) Attorney-Client Privilege.

The motion was second by Commissioner Russ. The motion unanimously passed.

Agenda Item #18: SHERIFF - DEPARTMENTAL UPDATE:

The Honorable Christopher Batten, Columbus County Sheriff, delivered the following Departmental Update.

1. **Activity Detail Summary** (by Category) from 01-01-2011 - 10-31-2011 is as follows:

Incidents / Investigations	Number	Arrests
Homicide		10
Murder and None Negligent Manslaughter	4	2
Rape	8	
Robbery	28	35
Aggravated Assault	61	140
Burglary	657	103
Larceny	160	253
Motor Vehicle Theft	121	32
Simple Assault	124	326
Arson	17	2
Forgery - Buying/Receiving	2	
Forgery/Counterfeiting		5
Forgery - Using/Uttering	8	12
Forgery - Undetermined/Not Applicable		1
Counterfeiting - Using	1	
Fraud	93	166
Embezzlement		2
Stolen Property		3

Buying/Receiving Stolen Property	4	3
Selling/Distributing Stolen Property	1	
Possessing/Concealing Stolen Property	13	23
Criminal Damage to Property (Vandalism)	242	98
Weapons Violations		12
Selling/Distributing Weapons	1	
Possessing/Concealing Weapons	45	26
Using Weapons (Illegal Discharge)	7	1
Other Weapons Violations	6	2
Peeping Tom	2	2
Sodomy (Crime Against Nature)	1	
Indecent Exposure	4	1
Incest (Non-Assaultive)	1	
Male Rape	1	
Sexual Assault With an Object	2	
Statutory Rape (Under Age of 12)	1	1
Child Molestation (Non-Assaultive)	3	
All Other Sex Offenses	14	9
Drug Violations	489	436
Non-Support/Non-Payment of Alimony		2
Child Neglect (Non-Assaultive)	3	1
Child Abuse (Non-Assaultive)	5	2
All Other Offenses Against Family	4	5
DWI - Alcohol and/or Drugs	17	74
Liquor Law Violations		1
Possessing/Concealing - Tax Paid Liquor	2	1
All Other Liquor Law Violations	2	3
Disorderly Conduct	11	5
Fighting (Affray)	12	7
Disorderly Conduct - All Other	3	2
Obscene Material/Pornography - All Other	1	
Kidnapping	8	14
Blackmail/Extortion	1	
Bribery	1	
Contempt of Court, Perjury, Court Violations	6	437
Escape From Custody or Resist Arrest	36	39
Parole and Probation Violations	7	69
Trespassing	16	119
City Ordinance Violations		3

All Other Offenses	152	309
All Traffic (except DWI)	46	212
Suicide	10	
Missing Persons	41	
Runaway	7	
Calls for Service	234	11

2. **Drug Summary Totals 01-01-2011 - 10-31-2011:**

DRUG	TOTAL QUANTITY SEIZED
“Crack” Cocaine	72.07 Grams, 4 Dosages
Cocaine (all forms except “Crack”)	1 Dosage, 577.45 Grams
Heroin	2.5 Grams
Marijuana	5 Seeds, 4.0 Ounces, 153 Plants, 1,052.82 Grams
Morphine	5 Dosages
Opium	2,363.50 Dosages, .1 Fluid Ounce
Other Narcotics	470.5 Dosages, 14 Grams
Amphetamines/Methamphetamines	74 Dosages, .5 gallon, 20 Grams
Barbiturates	2 Dosages
Other Drugs	1 Dosage

3. The jail population is great right now, with the population at 139 with 192 beds;
4. One hundred thirty-four (134) males and five (5) females;
5. The is the lowest population we have had in a long time, and we hope to keep it this way;
6. Our District Attorney was planning on coming tonight to give you a brief update on the Justice Re-Investment Act which has sent everybody into a fright to begin with, of the figure of all the counties having to pick up the tab for misdemeanants being charged and sentenced for less than ninety (90) days in the Court system. But part of that act as we were clarified this past week in conference also tells that there is a negotiation factor in there for the State to pay for those misdemeanants being housed for the ninety (90) days.;
7. They are trying to work out a dollar figure for that, we are looking at somewhere between forty and 00/100 (\$40.00) dollars and fifty and 00/100 (\$50.00) dollars for that, we are hoping somewhere around fifty and 00/100 (\$50.00) dollars for the settling numbers for those that have been sentenced to ninety (90) days, this is something that we are hoping to see in the future;
8. Some of the County Commissioners are interested in what is going on with the Governor’s Highway Safety Program;
9. I was on the phone with Becky Wallace who is the State Director of that program this afternoon, and she is excited about what we got going on, and said everything looks good with our numbers, our reportings are good; **and**
10. I have Blake Potter, who is now looking after that program, to come tonight and give you numbers and some stats on what they are doing in the schools with the educational programs, as well as what they are doing on the highways.

RECESS REGULAR SESSION and ENTER into PUBLIC HEARING #2:

At 7:05 P.M., Vice Chairman McKenzie made a motion to recess Regular Session and enter into Public Hearing #2, second by Commissioner Prevatte. The motion unanimously passed.

7:05 P.M.

PUBLIC HEARING - Text Amendment to Manufactured/Mobile Home Park Ordinance: the purpose of this Public Hearing is to receive oral or

written comments from all interested citizens on the petition.

PUBLIC HEARING OPENED:

At 7:05 P.M., Chairman Byrd opened the Public Hearing for the Text Amendment to the Manufactured/Mobile Home Park Ordinance. Chairman Byrd stated the purpose of this Public Hearing is to receive oral or written comments from all interested citizens on the petition.

COMMENTS:

No oral or written comments were received.

PUBLIC HEARING CLOSED:

At 7:06 P.M., Commissioner Russ made a motion to close the Public Hearing, second by Vice Chairman McKenzie. The motion unanimously passed.

RESUME REGULAR SESSION:

Commissioner Prevatte made a motion to resume Regular Session, second by Commissioner Bullard. The motion unanimously passed.

SHERIFF - DEPARTMENTAL UPDATE (Continued):

Deputy Blake Potter delivered the following update on the Governor's Highway Safety Program:

1. Everything I have here with me tonight is available upon your request;
2. I run the numbers on what the grant program has done since we started;
3. The grant year runs from October to October;
4. As far as DWI's go, in a period from 2008 to 2010, our office arrested forty-seven (47) DWI's;
5. Our grant officers only in the calendar year 2011, arrested almost seventy (70) in just this year, the total number for the entire office is greater than that;
6. The two (2) grant officers almost doubled what the whole office did, as a whole in the three (3) year period for DWI's, so the focus is definitely being met;
7. As far as education goes, we have been to nearly all the area schools, we just finished doing Williams Township and Nakina Middle where we have reached approximately eight hundred (800) students in a day passing out drunk driving, texting and driving literature, demonstrating the drunk goggles, and a lot of people are familiar with what those are, the simulator;
8. Since the grant program started, we have done some boy scouts' and girl scouts' programs, we have done some public interest programs at Buckhead Fire Department and some other places;
9. I would say that we have roughly reached over five thousand (5,000) people with just basic handouts and literature provided by the Governor's Highway Safety Program;
10. As far as other traffic citations, one of the biggest ones we see are uninsured motorists and unlicensed drivers in the County;
11. The Traffic Team also, on a DWI seizure, there are certain laws where you can seize for multiple offenders and for people that meet certain requirements, those vehicles are sold at State Auction and that money is being put back into the school system;
12. We have seized one (1) vehicle this year, and I don't know the status on that vehicle; **and**
13. We are slowly but surely getting a handle on them.

Commissioner Russ: Sheriff Batten, I know we don't have an enforceable Noise Ordinance here in the County, but on Big Branch Road in Delco, at 12:00 midnight or at 1:00 A.M. would be a good time for your deputies to go and arrest some drunk drivers.

Sheriff Batten: I have addressed that today. Deputy Potter and Deputy Brandon Batten are overseeing the Highway Safety Program Grant. They have been down there and issued some tickets. They work as a team and do great as a team. We are number 2 in the State for death-related vehicle crashes. I have talked to Commissioner McDowell about the existing Noise Ordinance, and it has been pretty much revised. Everything is in place I think. It was drafted after Charlotte, another city and two (2) county ordinances that were looked at because of our rural nature here with farming and rural industry versus industry in town and that kind of stuff. I think the numbers are right in the

Ordinance, it just takes going ahead and purchasing the meters which are fairly expensive to measure that level of noise when the officer gets there.

Chairman Byrd: There is another road in that area I have received many complaints on, and that is Shaw Road, and the complaints are regarding racing.

Deputy Potter: We canvassed that area around Labor Day. We are trying to do some high-visibility enforcement and working with the Highway Patrol to get out and be seen. People know that we are there, and we got multiple traffic checks, and we got batmobile dates set for next year. We will be in the County a lot next year. We are going to do some high visibility events in the near future.

Sheriff Batten: The director today was real encouraging about what she had seen and about what she would like to do for Columbus County because she knows that our County was one of the high-needs counties. I told her we were and we would like to entertain the option later on, with your approval, to increase it if it still works in favor like it has been doing, and these two (2) guys are eager to stay out there and do what they need to do.

ADD-ON:

Agenda Item #6A: LETTER of SUPPORT for CHARTER SCHOOL at BOYS and GIRLS HOME at LAKE WACCAMAW; Gary Faircloth, President/CEO of the Boys and Girls Home of North Carolina, Incorporated, requested a Letter of Support for the application they are submitting to start a new publicly funded charter school on their campus.

Mr. Faircloth stated the following:

1. The Boys and Girls Home has had a wonderful and excellent working relationship with Columbus County Schools since the early 60's;
2. The child that is coming in our care is different than what we received in the 60's;
3. The child that is coming to us today is two (2) to four (4) years behind in school;
4. A great portion of these children are high school age;
5. What we are doing to address some of these special needs is making a request into Raleigh to create a charter school on the campus of the Boys and Girls Home of Lake Waccamaw;
6. We have literally no political opposition to this;
7. What we would like to ask the Commissioners to do, as we submit our application for a charter school next week, we are hoping to get into a fast track so we can get a charter school possibly in early 2012-2013, and maybe 2013-2014 before it happens;
8. The application is one hundred eighty (180) pages pulled together, we are just trying to get the local people to submit letters of support; **and**
9. We would be honored to get a letter of support from the County Commissioners.

Chairman Byrd: For the public's information, letters of support have been received from the following:

Columbus County Schools;
 Lake Waccamaw Mayor;
 President of Cape Fear Community College;
 President of Brunswick Community College;
 Representative Dewey Hill;
 Boy and Girls Homes Board Chair Tom Simmons;
 Local Attorneys; **and**
 Southeastern Community College (has committed).

Commissioner Bullard: I would like for this go on our next Board Agenda to give us time to learn more about this program, myself, if time is not of the essence.

Gary Faircloth: I apologize for the late minute. This has to be hand delivered to Raleigh day after tomorrow.

Commissioner Bullard: And this charter school is part of the Boys and Girls Home?

Gary Faircloth: Yes sir. It would be the same school we have. We are just converting that to a public charter school.

Commissioner Bullard: How is that going to affect the enrollment of the Boys and Girls Home?

Gary Faircloth: It could be something that eventually invites others from the public to go into. But really looking at our kids that we are working with, we want to have a school of non-expulsion. We want to have kids who come in to learn the best way to get out of the street. The kids coming are two (2) to four (4) years behind, and we want to be year around, and we will have school two hundred twenty (220) days a year.

Commissioner Bullard: The charter school like you are talking about, if someone in the city or

county wanted to go to it, the State funds that funds the public schools would follow that child, is that correct?

Gary Faircloth: That is correct. It has to be a child with special needs that meets the program we are providing.

Commissioner Bullard: So you are talking about only special-needs children?

Gary Faircloth: At-risk children.

Chairman Byrd: These are at-risk children and youth who have experienced school failure (often behind two or three grade levels, have incurred behavioral issues which have resulted from suspension and/or expulsion from the public schools, and this is what you want to get away from when they get suspended from the public schools, if you have them on campus, you would be able to keep them in school.

Gary Faircloth: Our children will have a non-expulsion school.

Commissioner McDowell: I taught Hallsboro and East Columbus High School for over twenty (20) years. I had students from the Boys Home first and then from the Boys and Girls Home, so I am aware of what you are talking about. My concern is if you open it up to the Whiteville City Schools and the Columbus County Schools, and they are identified, then they will go there, how would you limit, or would you limit, the number of students that attended your charter school?

Gary Faircloth: Whatever you do will be a very strong collaborative effort with the County schools, and the other schools in our system.

Commissioner Bullard: The special-needs' students identified who will attend this school, and often the special-needs' students cost the public schools extra money to meet the needs of those special needs.

Gary Faircloth: In a typical public school, you are looking at ten (10%) percent to twenty (20%) percent special-needs children. With ours, it is one hundred (100%) percent.

Commissioner Bullard: That satisfies my concerns.

Commissioner Prevatte: If you start a charter school there, then the public school that you got will no longer exist, is that right?

Gary Faircloth: It will convert over.

Commissioner Prevatte: The special-needs is not for the mentally or physically handicapped children, is that correct?

Gary Faircloth: They are at-risk children, two (2) to four (4) years behind in school, possibly anger issues, the most severely abused and neglected children.

Commissioner Prevatte: How many are enrolled at the school now?

Gary Faircloth: There will be thirty-five to thirty-eight (35-38), somewhere in that range, right now.

Vice Chairman McKenzie: What will be the level of this charter school?

Gary Faircloth: This will be a middle school to a high school.

Commissioner Russ made a motion to authorize the Chairman to sign a Letter of Support of the application on behalf of the Boys and Girls Homes of North Carolina to start a new publicly funded charter school on their campus, second by Commissioner Norris. A roll-call vote was taken with the following results:

AYES: Chairman Byrd, Commissioners Prevatte, Norris, Russ and McDowell; **and**

NAYS: Vice Chairman McKenzie and Commissioner Bullard.

The motion passes on a five (5) to two (2) vote.

Agenda Item #7: SINGLE FAMILY REHABILITATION PROGRAM (SFR 2010) - APPROVAL of LOW BIDS and NOTICE to PROCEED:

Warren Wooten, Project Coordinator, requested Board approval of the low bids and approval of Notice to Proceed on the Single Family Rehabilitation Program (SFR 2010) based on the following Bid Tabulations and recommendations.

BID TABULATION SHEET

TIME: 10:00 A.M.

ORIGINAL BIDS

DATE: 9-20-11 Wednesday

LOCATION: Columbus County Office

CONTRACTOR	#10 Landon	#9 Scarborough	#11 McPherson
Robert L. Strickland	43,245	50,195	54,940
S&S Home Improvements	46,925	59,715	47,300
David Revels	46,505	54,785	44,000
Capps Builders, LLC	49,938	58,369	50,941
D&A	38,750	59,675	39,575

This is to notify of the bids opened and read aloud at the time, date and location shown above.

Contractors in attendance: D&A - Denise Manor, S&S - Shone Locklear
 /s/ Robert Clinebelle
 /s/ Natalie Carroll

BID TABULATION SHEET
Re-Bid for Scarborough - Fax Solicitation

TIME: 12:00 Noon.
DATE: 9-30-11
LOCATION: Wooten Co. Office - Raleigh

CONTRACTOR	#9 Scarborough
Capps	56,021
Robert L. Strickland	46,354
S & S Home Improvements	52,400
D&A Complete	46,800
David Revels	No Bid

This is to notify of the bids opened and read aloud at the time, date and location shown above.
 The Locality will award the contract based on the contractor qualifications, cost estimate and contractor scheduling.

/s/ John Dilley
 Witnessed By:

/s/ Robert Clinebelle
 Opened By:

Note: Capps Builders never submitted entire bid. Only cover sheet.

BID TABULATION SHEET
(Fax Solicitation Bid)

TIME: 8:00
DATE: 10-07-11
LOCATION: Raleigh Wooten Company Office

CONTRACTOR	#11 McPherson
Robert L. Strickland	50,170
Capps Builders, LLC	No Bid
S&S Construction	48,322
David Revels	No Bid

D&A Complete	45,975
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This is to notify of the bids opened and real aloud at the time, date and location shown above. The Locality will award the contract based on the contractor qualifications, cost estimate and contractor scheduling.

/s/ John Dilley
Witnessed By:

/s/ Robert Clinebelle
Opened By:

October 19, 2011

Natalie Carroll
Special Project Coordinator
111 Washington Street
Whiteville, NC 28472

Re: 9/20, 9/30, 10/7 SFR Bid Openings - Contract Recommendations

Ms. Carroll:

Based on the bids submitted, County procurement policy and County guidelines pertaining to the award of contracts, I submit the following recommendations:

NAME	LOCATION	RECOMMENDATION	RATIONAL
Lendon #10	Bolton	Award \$38,750 contract to D&A Construction	Lowest responsive and responsible bidder
Scarborough #9	Whiteville	Award \$46,354 contract to Strickland Construction	Lowest responsive and responsible bidder
McPherson #11	Chadbourn	Award \$45,975 contract to D&A Construction	Lowest responsive and responsible bidder

Please let me know via email if Columbus County accepts the recommendations or wishes to take other action.

As always, it is a please working with you.

Sincerely,
THE WOOTEN COMPANY'
/s/ Warren Wooten
Project Coordinator

Commissioner Prevatte made a motion to accept the recommendations by Warren Wooten for the SFR 2010 and approve the Notice to Proceed, second by Vice Chairman McKenzie. The motion unanimously passed.

FIVE (5) MINUTE BREAK:

At 7:26 P.M., Chairman Byrd stated there would be a five (5) minute break before the third scheduled Public Hearing.

RESUME REGULAR SESSION:

At 7:31 P.M., Vice Chairman McKenzie made a motion to resume Regular Session, second by Commissioner Norris. The motion unanimously passed.

RECESS REGULAR SESSION and ENTER into PUBLIC HEARING #3:

Vice Chairman McKenzie made a morion to recess Regular Session and enter into Public

Hearing #3, second by Commissioner Norris. The motion unanimously passed.

7:31 P.M.

PUBLIC HEARING - Updated Multi-Jurisdictional Hazard Mitigation Plan: the purpose of this Public Hearing is to receive oral or written comments **on the updated plan.**

PUBLIC HEARING CALLED to ORDER:

At 7:31 P.M., Chairman Byrd called the Public Hearing to order for the updated Multi-Jurisdictional Hazard Mitigation Plan. Chairman Byrd stated the purpose of the Public Hearing is to receive oral or written comments on the updated plan.

COMMENTS:

No oral or written comments were received.

PUBLIC HEARING CLOSED:

At 7:32 P.M., Commissioner Norris made a motion to close the Public Hearing, second by Vice Chairman McKenzie. The motion unanimously passed.

RESUME REGULAR SESSION:

Commissioner Prevatte made a motion to resume Regular Session, second by Vice Chairman McKenzie. The motion unanimously passed.

Agenda Item #8: SOUTHEASTERN COMMUNITY COLLEGE - APPROVAL OF THE FOLLOWING -
A. TRANSFER CAPITAL OUTLAY APPROPRIATION BALANCE TO CURRENT EXPENSE: and
B. CURRENT EXPENSE APPROPRIATION BE ALLOCATED AS PART OF THE MONTHLY ALLOTMENT:

Kathy Matlock, PhD, President of Southeastern Community College, requested Board approval to transfer the Capital Outlay Appropriation balance to Current Expense and the Current Expense Appropriation be allocated as part of the monthly allotment.

Vice Chairman McKenzie made a motion to approve to transfer the Capital Outlay Appropriation balance to Current Expense and the Current Expense Appropriation be allocated as part of the monthly allotment.

Discussion:

Chairman Byrd: Can you explain why you are asking for the request so early in the fiscal year, and we are not even four (4) months into a twelve (12) month budget, and you are already here asking for money that the County has laid aside for Capital Outlay?

Randy Britt: Because we need the money to operate. If we had asked for that operating money to begin with, we were certain that we would get that approved. If you want any more details from the budget, I will let someone from the office that deals with this every day give you more a more detailed explanation. We need this money to operate now, and we are not asking for any more money at this time.

Chairman Byrd: What is the amount that is allocated for Capital Outlay?

Randy Britt: It is \$135,000 that is allocated, about \$34,000 has been used so far, and there is about \$101,000 left in Capital Outlay.

Chairman Byrd: Will you be back at a later time asking for more money during this year.

Randy Britt: We are asking for a transfer now, not more money. I don't know. I can't answer that question right now. I wish I could. We are paying back the allocation that was advanced to us last year. That is \$15,000+ a month, the last ten (10) months of this year.

Chairman Byrd: How will the Capital Outlay dollars and operating funds affect your capital needs for the remainder of this year?

Randy Britt: If we have capital needs, we will have to take care of those in some form or fashion, but we have to pay current expenses also.

Commissioner Prevatte: How much do we allocate for current expense?

Betty Joe Ramsey: stated the following:

1. We have tried to adjust our budget to meet what the allocation was; **and**
2. We currently have adjusted personnel resulting in a reduction in the budget estimate of approximately \$71,000, and that is one (1) skilled maintenance position, a general maintenance/grounds position and the maintenance supervisor position.

Commissioner Prevatte: You are getting into my second question. My first question is how much do we allocate for Current Expense and that is \$1.2 million.

Betty Joe Ramsey: It is \$1,206,334.00.

Commissioner Prevatte: And then Chairman Byrd asked Mr. Britt why are you coming this early in the year and I understood from Mr. Britt that we need the money now, and so the whole \$1.2 million has been spent?

Betty Joe Ramsey: No, we get back in a 1/12 allocation.

Commissioner Prevatte: So you are saying that your monthly allocation is not enough to meet your current expenses?

Betty Joe Ramsey: Our net monthly current allocation, right now, is over \$85,000 because a tenth of the repayment is coming out of that. Our average monthly expenditures are running \$100,000. I think, in past requests, we have been asked why did you wait until so late to come. Our projections, what we have looked at to try to adjust down our budget, we are still projecting a deficit and without moving the remaining Capital Outlay, the projected deficit is just going to be higher, and we are trying to be proactive. We are looking at everything we can to cut, cut electricity, utilities, personnel costs, there is not a whole lot of anything left to cut.

Commissioner Prevatte: That was my second question, and you answered that in some part when you mentioned that you had maintenance supervisor who retired and you didn't fill that position, but you did promote somebody to head Grounds Keeper, or something.

Betty Joe Ramsey: We had a Grounds Maintenance Supervisor so he will now be taking on the duty of both the Grounds Maintenance Supervisor and the Maintenance Supervisor.

Commissioner Prevatte: That will be a raise in salary.

Betty Joe Ramsey: We have not estimated what that raise will be yet, but yes, there should be an adjustment for that.

Commissioner Prevatte: So, have you made any cuts? Because when we were taking with you back in the workshop and at budget time, we stated we will advance you this money, \$150,898.00, but you have got to cut some of your budget to bring it in line because we don't have any additional amount to give you. What I am looking at is things other than the personnel. Have you looked for other areas where you can pay supplements?

Betty Joe Ramsey: There are strict General Statutes where some funds cannot be paid supplements from the State to these positions.

Commissioner Bullard: Last year, I think we maybe failed to fund \$550,000.00 that the college requested, if I remember right.

Betty Joe Ramsey: Correct.

Commissioner Bullard: I think they are falling short from time back, and maybe we should fund them everything they need. Our college is very important to our County. I hope you continue to be strong, and I hope you become physically sound, and I second Vice Chairman's motion.

Commissioner Prevatte: You haven't answered my question. I am not opposed to allocate them, but I want to get some things out on the table because back last year, or the year before, we were criticized to the point that we did not provide enough money to roof the buildings out there. You'll come and asked to move the Capital Outlay funds to current expense, and we did not do it, and you bought three (3) vehicles with it. Couldn't you have taken that Capital Outlay and spent on the roofs?

Betty Joe Ramsey: Not in the fifteen (15) days left in the fiscal year. We would have lost that money if we had not spent it, because it cannot be carried forward without your approval.

Commissioner Prevatte: I don't want the public to think that we are not paying or giving money to keep the buildings maintained as far as with Capital Outlay. I don't want them to get the opinion that we are paying for operating, not for keeping the capital outlay needs met. I am concerned about that also. I am sure you could probably use more money, but we have got two (2) other school systems in this County that need help too, that have requested millions of dollars.

Chairman Byrd: I would like to say that if a department would have come to this Board and asked to carry money forward, we certainly would have allowed them in the past and in the future, rather than spend it just to have it spent by the end of the fiscal year. What about new employees? Hasn't Justin Smith been hired?

Betty Joe Ramsey: He is a state-funded employee. He is not paid from any local dollars. We currently have one (1) Grounds Maintenance Supervisor, we have one (1) skilled Maintenance Craft

person, we have two (2) Grounds people, and then we hire custodians through a temporary agency. They are not our employees, they are contracted through a temporary agency. It varies somewhat, eight (8) employees, two (2) of them normally are half-time employees.

Commissioner Prevatte: What about security officers?

Betty Joe Ramsey: We have eight (8) part-time security offices. Our insurance company required us to have 24-7 coverage so we did increase that by one (1), and we have a Director of Campus Safety, and facility that is paid about twenty (20%) percent from the County funds, he is also a BLET instructor.

Commissioner Prevatte: We have just approved another deputy to go out there, and be there part time too.

Betty Joe Ramsey: This is for the early college high school. That is not our employee. We were able, with State dollars, to hire a Campus Police Officer also. We need the security, and we need the extra security that that offers.

Commissioner Russ: I think they came to us a year or so ago and wanted some money up-front, and we turned them down. Is that correct?

Betty Joe Ramsey: That is correct. Year before last. With the payback of the \$150,898.00 advance, we are netting \$85,000.00 a month, and like I said, our current operating expenses are running at \$100,000.00 per month. We have talked to our Progress Energy representative, and he has suggested that if we change our set point temperatures by one (1) degree, with air conditioning in the summer, that we could realize a possible savings of one (1%) percent, and as soon as we realized we were renovating the G Building at the end of the spring semester, we shut down that building as quickly as possible, and we have realized \$7,700.00 savings compared to last year at this point in time. The one (1%) percent has also given us another \$3,000-\$5,000 savings. We are consolidating classes when we can.

Commissioner Prevatte: Do you have classes on Fridays?

Betty Joe Ramsey: Yes, some.

Commissioner Prevatte: Elaborate on what some is.

Betty Joe Ramsey: Continuing Education could possibly be seven (7) days a week. We do a lot of curriculum. In the summer, we do try to close on Fridays which realizes savings on our utilities for the summer period of time.

Commissioner Prevatte: How many of your instructors work on Fridays?

Betty Joe Ramsey: They have office hours depending on their schedule.

Commissioner McDowell: At our workshop, we did ask you to come to us sooner than later, and I do commend you for that. We also asked that you try to save money, and it appears that you have made an effort. My question would be, and Mr. Britt could not answer it, if you are running \$15,000.00 short per month and you have eight (8) months left in your fiscal year, then that is \$120,000.00. You are basically asking for \$101,000.00, so you are still going to come short unless you continue to save. Do you see any areas left that you have not tapped to possibly save some? Can you think of any?

Betty Joe Ramsey: We have avoided quite a few expenses already in the past several weeks. We went through our ten (10) year SAKS Re-Accreditation. We had volunteers offering throughout the campus, faculty and staff. 181 That were not in the maintenance field, etc. that worked weekends, Fridays, we had trustees to come and help.

Commissioner McDowell: Could I ask a favor? If we do allocate these funds, could we expect someone from the College to come to us in January, and give us a status report of where you are at that particular time?

Betty Joe Ramsey: Certainly.

Commissioner McDowell: Would that be okay with the other Board members? That would make us aware of where you are and what you may need. I am not saying that we could provide it, but at least it would not be a shock, as it was last spring.

Betty Joe Ramsey: I will say that even if you do allow us to transfer and get this allocation, along with our regular monthly allocation, at this point, we are still projecting somewhat of a deficit.

Commissioner McDowell: Please be diligent, and I think you have been, and please continue to do so.

Commissioner Prevatte: Is the accreditation paid for with County money?

Betty Joe Ramsey: No, certainly state funded.

A roll-call vote was taken with the following results:

AYES: Vice Chairman McKenzie, Commissioners Prevatte, Norris, Russ, Bullard and

McDowell; **and**
NAY: Chairman Byrd.

The motion passes on a six (6) to one (1) vote.

Chairman Byrd stated his reasoning for voting no is that we got eight (8) more months to go and they are already back looking for more money, and I do not think that enough adjustments have been made in ninety (90) days to really tell what you are going to need in the next eight (8) months. That was my only reason for voting no.

Agenda Item #9: PRESENTATION - WATER DEPARTMENT ISSUES:

Keith Wilson, private citizen, presented the following information to the Board relative to meter reading by the Columbus County Public Utilities Department.

1. There seems to be a misunderstanding or just a misappropriation in the way the County water meters are read;
2. On the meter, the singles column is permanently painted on and never read;
3. The tens and the hundreds, on the meter is black, and those two (2) columns are not addressed as far as documentation;
4. If you were to have a 1 in the thousands column, and a 9 and a 9 in the hundreds and the tens column, which would represent 1,999 gallons;
5. The way they document it is 1,000 gallons;
6. You are allocated, according to the bill, 2,000 gallons per month for \$25.00, that's fine, whether you use the 2,000 gallons or not;
7. The problem is that they don't document it properly;
8. According to them, they say their software is not set up that way, which I find that really difficult to believe, I am not saying that it is not, I am just saying that is a ridiculous thing to do to start off with;
9. You should document every gallon that is used;
10. If you are not charged for the portion of the second 1,000 gallons in the said month, then if you use the full 2,000 gallons the next month, you are being charged an additional \$4.00 for water you have already paid for;
11. In essence, you are paying an additional charge for water you have already paid for every other month due to the way these meters are improperly read; **and**
12. I don't know how many people this has happened to, but it has happened to me about six (6) times this year already.

Discussion:

Chairman Byrd: requested that Kip McClary, Public Utilities Director, elaborate on this issue.

Mr. McClary: stated that what he is describing is correct. What he is stating occurs between the 2,000 gallon and the 3,000 gallon increment. We only read 2,000 gallons, but he may have used 2,200, and next month he may use 2,800 gallons, and the extra thousand is continuing to accumulate and the way these meters are read, you take your present reading, you subtract your previous reading and you are billed for the difference. It works in his case with the fixed amount we are allocating every month. Every customer is allowed 2,000 gallons, and that is for the block amount. They are not charged for it until it accumulates to the extra thousand gallons. That can occur, depending on how much than the 2,000 gallons is used monthly. That can occur over a period of several months, six (6) months, or even up to a year.

Keith Wilson: That is not true.

Commissioner Bullard: What I am hearing him say is that if he only uses 1,500 gallons one month and then uses the remaining 500 gallons and the full 2,000 gallons the next month, he is paying for an extra 1,000 gallons he did not use.

Keith Wilson: That is exactly what I am saying.

Kip McClary: And that you will have as long as we are on a base rate structure.

Chairman Byrd: That is still staying within the \$25.00 flat monthly fee.

Keith Wilson: No, it is not, as you can see. They even charged me for 4,000. I don't know how that rolled over. If you take only 1/3 of the customers that are on the County water, and multiply that times 4, even 4 times per year, you are talking in the \$30,000.00 to \$40,000.00 per year extra money that is being paid in by the County residents for water that has already been allocated to them, but they are being charged again for because they are just not reading the meters correctly. I did suggest to Mr. Clark and Mr. McClary, in Mr. Clark's office when I had a meeting with them, Mr. Clark suggested that the software people come in and change the meter to accept all the numbers.

Commissioner Bullard: Mr. Clark, since you have been aware of this, have you checked with other counties to see how they bill their water customers.

William S. Clark: No sir, I have not.

Kip McClary: We have, sir. The City of Whiteville uses a base-rate structure. Any time you set a base rate, it is basically an availability fee.

Commissioner Bullard: How does Bladen and Robeson Counties do theirs?

Kip McClary: Bladen and Robeson Counties does the very same thing. They set a minimum fixed amount, but they will allow for that base rate usage, and anything above the base rate is charged in the nearest 1,000 gallon increment.

Keith Wilson: That is not the issue here. You keep going back to the 2,000 gallons per month that you are allowed. People are getting charged extra money for water that they have already paid for with that base amount. If the meters were being read correctly, then you would not have that roll over and people being charged for water they have already paid for.

After additional discussion was conducted, Chairman Byrd requested that Kip McClary, Public Utilities Director, to get additional information on this matter and bring this information back to the Board at the first meeting in December, 2011.

Agenda Item #10: H.U.D. - APPROVAL of RESOLUTION ADOPTING UTILIZATION of UNRESTRICTED NET ASSETS to COVER CY 2011 SHORTFALL:

NaTonya Hassell, H.U.D. Executive Director, requested Board approval and adoption of the following Resolution Adopting Utilization of Unrestricted Net Assets to Cover CY 2011 Shortfall.

**RESOLUTION ADOPTING UTILIZATION OF UNRESTRICTED NET ASSETS TO
COVER CY 2011 SHORTFALL
Resolution 2011-01**

WHEREAS, the Public Housing Authority, must maintain an administrative fee reserve (formerly “operating reserve”) for the program. There is a single administrative fee reserve for the PHA program. The PHA must credit to the administrative fee reserve the total of (1) The amount by which program administrative fees paid by HUD for a PHA fiscal year exceed the PHA program administrative expenses for the fiscal year; plus

WHEREAS, the PHA must use funds in the administrative fee reserve to pay program administrative expenses in excess of administrative fees paid by HUD for a PHA fiscal year. If funds in the administrative fee reserve are not needed to cover PHA administrative expenses (to the end of the last expiring funding increment under the consolidated ACC), the PHA may use these funds for other housing purposes permitted by State and local law. However, HUD may prohibit use of the funds for certain purposes.

WHEREAS, the Public Housing Authority Board of Commissioners or other authorized officials must establish the maximum amount that may be charged against the administrative fee reserve without specific approval.

NOW THEREFORE, BE IT RESOLVED that Columbus County Public Housing Authority, of Columbus County submits this submission Resolution 2011-03 to the Board is for the approval of utilizing Unrestricted Net Assets to cover shortfall for CY 2011.

ADOPTED this 7th of November 2011 by Columbus County Board of Commissioners.

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

ATTESTED BY:

/s/ **JUNE B. HALL CLERK TO THE BOARD**

Commissioner Prevatte made a motion to approve the Resolution Adopting Utilization of Unrestricted Net Assets to Cover CY 2011 Shortfall, Resolution 2011-01, second by Vice Chairman McKenzie. The motion unanimously passed.

Agenda Item #11: H.U.D. - APPROVAL of RESOLUTION APPROVING NEW PAYMENT STANDARDS for COLUMBUS COUNTY PUBLIC HOUSING AUTHORITY:

NaTonya Hassell, H.U.D. Executive Director, requested Board approval and adoption of the following Resolution Approving New Payment Standards for Columbus County Public Housing Authority.

RESOLUTION APPROVING NEW PAYMENT STANDARDS FOR COLUMBUS COUNTY PUBLIC HOUSING AUTHORITY Resolution 2011-02

WHEREAS, the Columbus County Housing Authority, of Columbus County North Carolina may annually adjust Payment Standard used in the Housing Choice Voucher program to levels that are appropriate to assist lower income families in finding affordable rental units in our jurisdiction.

WHEREAS, the Quality Housing and Work Responsibility Act of 1998 gave housing agencies the authority to set payment standards within the range of 90% to 110% of the HUD published Fair Market Rents.

WHEREAS, HUD recently published new Fair Market Rents effective October 1, 2011; and

NOW THEREFORE, BE IT RESOLVED EFFECTIVE JANUARY 2012, that the Payment Standards for Columbus County Public Housing, Housing Choice Voucher Program be set at 105% of the FMRs as follows: 429;0-bedroom; 552;1-bedroom; 613;2-bedroom; 735;3-bedroom; 756;4-bedroom; 869;5-bedroom.

ADOPTED this 7th of November 2011 by Columbus County Board of Commissioners.

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

ATTESTED BY:

/s/ **JUNE B. HALL CLERK TO THE BOARD**

Vice Chairman McKenzie made a motion to approve the Resolution Approving New Payment Standards for Columbus County Public Housing Authority, Resolution 2011-02, second by Commissioner Norris. The motion unanimously passed.

Agenda Item #12: H.U.D. - APPROVAL of RESOLUTION APPROVING NEW OCCUPANCY STANDARDS for COLUMBUS COUNTY PUBLIC HOUSING AUTHORITY:

NaTonya Hassell, H.U.D. Executive Director, requested Board approval and adoption of the following Resolution Approving New Occupancy Standards for Columbus County Public Housing Authority.

RESOLUTION APPROVING NEW OCCUPANCY STANDARDS FOR COLUMBUS COUNTY PUBLIC HOUSING AUTHORITY Resolution 2011-03

WHEREAS, the Code of Federal Regulation (24 CFR) states that: the dwelling unit must have at least one bedroom or living/sleeping room for each two persons. Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.

WHEREAS, Housing Urban Development has recommended an action that NC138, Columbus County Public Housing Authority implements a cost saving measurement for future shortfalls;

WHEREAS, with this cost saving measurement Policy 6.0 page 19 will be amended;

NOW THEREFORE, BE IT RESOLVED EFFECTIVE DECEMBER 1, 2011, that the Occupancy Standards for Columbus County Public Housing, Housing Choice Voucher Program be set as indicated attached.

ADOPTED this 7th of November 2011 by Columbus County Board of Commissioners.

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

ATTESTED BY:/s/ **JUNE B. HALL CLERK TO THE BOARD**

Commissioner Bullard made a motion to approve and adopt the Resolution Approving New Occupancy Standards for Columbus County Public Housing Authority, Resolution 2011-03, second by Commissioner Russ. The motion unanimously passed.

Agenda Item #13: AIRPORT - APPROVAL of AIRPORT GRANT AGREEMENT VISION 100 GRANT, PROJECT 36237.53.5.2 (RUNWAY 24 PAPI & REIL INSTALLATION):

Phil Edwards, Airport Manager, requested Board approval of the Airport Grant Agreement Vission100 Grant, Project 36237.53.5.2 (Runway 24 PAPI & REIL Installation), by the following resolution.

RESOLUTION

A motion was made by Commissioner P. Edwin Russ and seconded by Commissioner James E. Prevatte for the adoption of the following resolution, and upon being put to a vote was duly accepted:

WHEREAS, a Grant in the amount of \$48,222 has been approved by the Department based on total estimated cost of \$53,580; **and**

WHEREAS, an amount equal to or greater than the ten percent (10%) of the total estimated project cost has been appropriated by the Sponsor for this Project.

NOW THEREFORE, BE AND IT IS RESOLVED THAT THE Chairman of the Sponsor be and he hereby is authorized and empowered to enter into a Grnat Agreement with the Department, thereby binding the Sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

I, **JUNE B. HALL**, Clerk of the **COLUMBUS COUNTY BOARD OF COMMISSIONERS** do hereby certify that the above is a true and correct copy of an excerpt from the minutes of the **COLUMBUS COUNTY BOARD OF COMMISSIONERS** of a meeting duly and regularly held on the 7th day of November, 2011.

This, the 8th day of November, 2011.

SPONSOR SEAL

Signed: **JUNE B. HALL**
 Title: **Clerk**
 Of The: **COLUMBUS COUNTY BOARD OF COMMISSIONERS**

Commissioner Russ made a motion to accept the Airport Grant Agreement VISION 100 Grant, Project 36237.53.5.2 (Runway 24 PAPI and REIL Installation, second by Commissioner Prevatte. The motion unanimously passed. A copy of this agreement will be marked as Exhibit "A", and kept on file in the Clerk to the Board's Office for review.

Agenda Item #14: PLANNING - APPROVAL of TEXT AMENDMENT to the MANUFACTURED/MOBILE HOME PARK ORDINANCE:

Robert Lewis, County Planner, on behalf of the Planning Board, requested Board approval of the text amendment to the Manufactured/Mobile Home Park Ordinance. **(The required Public Hearing was conducted on this date at 7:05 P.M.)**

Mr. Lewis stated the following:

1. The text amendment before you tonight is an amendment to the definition of a Manufactured/Mobile Home Park;
2. This information was presented to the Planning Board at their regular September 27, 2011 Meeting;
3. The Public Hearing was also advertised in The News Reporter on October 27, 2011 and November 03, 2011; **and**
4. Specifically, the amendment is a change in the definition of a Manufactured Home Park regarding manufactured homes on adjoining properties in common ownership within five

hundred (500') feet of that property line.

**MANUFACTURED/MOBILE HOME PARK ORDINANCE
for COLUMBUS COUNTY**

REVISION TO EXISTING ORDINANCE:

Strike Through	=	Delete or Rescind
Underline (Double)	=	Additions/Replacements
As Is	=	No Changes

ARTICLE I: GENERAL PROVISIONS

Section A: Purpose

The purpose of this Ordinance is to regulate and guide the establishment of manufactured/mobile home parks in order to promote the health, safety and general welfare of the citizens of Columbus County, North Carolina. This Ordinance is designed to accomplish the following specific objectives:

- To further the orderly layout of manufactured/mobile home parks;
- To secure safety from fire, panic and other danger;
- To provide adequate light and air; and
- To ensure that facilities for transportation, parking, water, sewage and recreation are provided for manufactured/mobile home park residents and visitors.

Section B: Jurisdiction

These regulations shall govern the establishment of each and every new manufactured/mobile home park and the alteration or expansion of existing manufactured/mobile home parks lying within the jurisdiction of Columbus County. Facilities developed within a municipal limit or extra-territorial jurisdiction will come under the authority of that particular municipality.

Section C: Authority

Columbus County hereby exercises its authority to adopt and enforce a Manufactured/Mobile Home Park Ordinance pursuant to the authority granted to Columbus County by North Carolina General Statutes 153A-121 and 153A-341.1.

Section D: Short Title

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

Section E: Administration

The Planning Department shall administer and enforce this Ordinance. The Planning Department may be provided with assistance of such other persons as necessary.

ARTICLE II: DEFINITIONS

Section A: Word Usage

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

Section B: Definitions

1. **Abandoned Vehicle:** A motor vehicle which is left on private property without the consent of the owner, occupant or lessee of the property.
2. **Adjacent:** Having a common border such as a space or lot line or street right-of-way.
3. **Building Inspections Department:** Columbus County Building Inspector or designee.
4. **Community or Municipal Sewage Disposal System:** A sewage disposal system which is a single system of sewage collection, treatment and disposal owned and operated by a public utility or community association constructed and operated in compliance with applicable requirements of the North Carolina Department of Environment and Natural Resources.
5. **County:** Columbus County, North Carolina acting by and through its Board of County Commissioners or duly authorized designee(s).
6. **Family:** Members of the same family, which shall be limited to spouse, parents, step-parents, grandparents, step-grandparents, children, step-children, brothers, step-brothers, sisters, step-sisters, aunts, uncles, father-in-law, step-father-in-law, mother-in-law, step-mother-in-law, brother-in-law, step-brother-in-law, sister-in-law, step-sister-in-law.
7. **Farm:** Farming operations that include growing crops, raising livestock and poultry, and growing nursery plants. A farm does not include commercial operations related to agriculture, such as a store selling fertilizer, a meat-packing operation, or a commercial grain-drying operation.
8. **Health Director:** The Columbus County Health Director or authorized designee.
9. **Household Solid Waste:** Waste normally generated by households.
10. **Human Habitation:** Used or intended to be used by human beings for occupancy.
11. **Individual Sewage Disposal System:** A septic tank and absorption field sewage system approved by the Environmental Division of the Columbus County Health Department.
12. **Junk:** (I) Any motor vehicle that is partially dismantled or wrecked and cannot be self-propelled or moved in the manner in which it was originally intended to move; or (ii) machinery and/or materials in which no specific or expressly written purpose can be provided.
13. **Letter Permitting Construction:** A notice issued by the Planning Department upon approval of the proposed manufactured/mobile home park plan allowing the Operator to begin construction of the manufactured/mobile home park in conformity with the approved manufactured/mobile home park plan.
14. **Letter of Compliance:** A notice issued at the completion of the construction of the Manufactured/Mobile Home Park and annually thereafter by the Planning Department certifying that the Manufactured/Mobile Home Park has been inspected and found to be in compliance with this Ordinance.
15. **Manufactured/Mobile Home:** A movable or portable dwelling over 32 feet in length and over 8 feet wide, constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy, which includes one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or of two or more units separately towable but designed to be joined into one integral unit and not complying with the N.C. State Uniform Residential Building Code.
16. **Manufactured/Mobile Home Park:** ~~Any place, area or tract of land maintained for the purpose of renting a space with or without a manufactured/mobile home where three (3) or more manufactured/mobile homes will be or are used for human habitation purposes, whether the manufactured/mobile homes are owned by the Operator of the manufactured/mobile home park or owned by individual occupants.~~

Any lot or part thereof, or any parcel of land under common ownership, regardless of the

number of separate tracts, upon where more than two (2) manufactured homes will be used for the purpose of renting a space with or without a manufactured home will be or are used for human habitation purposes, whether the manufactured/mobile homes are owned by the Operator of the manufactured/ mobile home park or owned by individual occupants. More than two (2) manufactured/mobile homes on land under common ownership for the purpose of renting a manufactured/mobile home or space where the placement of a third manufactured/mobile home is located within five hundred (500') feet of any manufactured/mobile home(s) on property under common ownership is defined as a manufactured/mobile home park. This definition does not apply to manufactured/mobile home(s) that are exempt by farm or family status as defined within this ordinance.

17. **Manufactured/Mobile Home Space:** A plot of land within a manufactured/mobile home park designed for the accommodation of a single manufactured home in accordance with the requirements set forth in this Ordinance.
18. **Operator:** The person who owns or is responsible for the operation of a manufactured/mobile home park.
19. **Person:** Any individual, firm, corporation, association or partnership.
20. **Planning Board:** The Board appointed by the Columbus County Board of Commissioners pursuant to NCGS 153A-321.
21. **Planning Department:** Columbus County Planning Director or designee.
22. **Pre-existing Mobile Home Parks:** A manufacture/mobile home park, as defined by this Ordinance, that was in operation and occupied at the time of the effective date of this Ordinance.
23. **Public Water System:** As defined by Article 10, Chapter 130A, and Section 313 (10) of the North Carolina General Statutes.
24. **Recreation Area or Park:** An area of land and/or water resource that is developed for active and/or passive recreation pursuits with various man-made features that accommodate such activities.
25. **Solid Waste:** Garbage, refuse, rubble, trash or other discarded materials resulting from industrial, commercial and agricultural operations, from community activities and from household use of products and materials, but does not include solids or dissolved materials and domestic sewage or other significant pollutants and water resources such as silt, dissolved or suspended solids and industrial pollutants, dissolved or suspended solids and industrial waste effluents, dissolved materials and irrigation, return flows or other common water pollutants.
26. **Technical Review Committee (TRC):** A committee of representatives chosen by the Planning Department from various county and state departments and agencies involved with development to serve as a review resource of proposed development.
27. **Tie Downs:** Galvanized steel cables or strapping which “tie” a manufactured/mobile home and its steel frame to anchors embedded in the ground.
28. **Tract:** A piece of land whose boundaries have been described or delineated in a legal instrument or on a map submitted to the Planning Department as part of the application for a permit to construct or expand a manufactured/mobile home park.
29. **Travel Trailer:** A wheeled vehicular portable structure built on a chassis designed to be used as a temporary dwelling including, but not limited to, structures mounted on auto or truck bodies that are commonly referred to as campers.
30. **Variance:** A modification of the terms of this Ordinance where, as a result of conditions peculiar to the property, a literal enforcement of this Ordinance would result in an unnecessary hardship.
31. **Wind Zone II:** Structures built to withstand one hundred (100) miles per hour winds.

32. **Wind Zone II Declaration Sticker:** Map of the United States placed in a manufactured/mobile home by manufacturer designating Wind Zone placement areas.
33. **Wind Zone II Designation:** Minimum rating designation required for all manufactured/mobile homes to be set up in Columbus County.

**ARTICLE III: NON-CONFORMING MANUFACTURED/MOBILE HOME PARKS
(PRE-EXISTING PARKS)**

Section A. Minimum Standards

Manufactured/mobile home parks existing at the time of adoption of this Manufactured/Mobile Home Park Ordinance for which the Operator is not applying for **expansion of or an addition or alteration to such pre-existing manufactured/mobile home park**, and do not meet the minimum standards contained Article IV: Minimum Standards shall have sixty (60) days from the effective date of this Ordinance to comply with the following requirements:

1. Provide street names to be used in the parks;
2. Signage for park;
3. Solid waste disposal plan;
4. Register with the Columbus County Tax Office;
5. Register with the Columbus County Health Director;
6. Register with Columbus County Planning Department; and
7. Provide a road maintenance disclosure statement

Section B: Letter of Compliance

1. Upon compliance with A. 1. through 7 above and the payment of the appropriate fees, the Letter of Compliance will be issued.
2. Operators of all Manufactured/Mobile Home Parks existing at the time of adoption of this Ordinance shall be required to obtain and maintain a current Letter of Compliance. Failure of an Operator to renew the Letter of Compliance within thirty (30) days following the expiration of such Letter shall result in the permanent loss of the existing status. Once the Ordinance is adopted, Operators will have not more than sixty (60) days after adoption to obtain a Letter of Compliance. Any expansion of the manufactured/mobile home park, either in area or in the number of homes, shall also immediately result in the loss of existing status. Any manufactured/mobile home park which loses its existing status shall be required to meet all minimum standards contained in Article IV: Minimum Standards before a new Letter of Compliance will be issued.

**ARTICLE IV: MINIMUM STANDARDS OF DESIGN, CONSTRUCTION
AND LAYOUT FOR OTHER THAN PRE-EXISTING MANUFACTURED/MOBILE
HOME PARKS**

Section A: Minimum Manufactured/Mobile Home Park Size: All manufactured/mobile home parks created after the effective date of this Ordinance shall contain a gross land area of at least two (2) acres and shall contain at least three (3) manufactured/mobile home spaces for occupancy.

Section B: Phases of Development: Manufactured/Mobile Home Parks developed in phases shall be required to develop a minimum of three (3) spaces in the first phase and a minimum of four (4) spaces in all additional phases except where the remaining spaces to be developed are less than four (4). In such case, all remaining spaces must be developed in the final phase.

Section C: Drainage: No manufactured/mobile home park shall be so located that the drainage of the manufactured/mobile home park area will endanger any public or private water supply.

Section D: Flood Hazard: Manufactured/mobile home parks shall not be located in areas that are susceptible to regular flooding as noted on FEMA Maps. Existing manufactured/mobile home parks located in flood hazard areas shall not be allowed to add additional spaces or manufactured/mobile homes. Manufactured/mobile home spaces shall be graded so as to prevent water from ponding or accumulating on the premises.

Section E: Spaces: All new manufactured/mobile home parks or additions to existing manufactured/mobile home parks shall have manufactured/mobile home spaces complying with the following:

1. Where a community or municipal sewage disposal system is used, each manufactured/mobile home space shall be at least than forty (40) feet wide and not less than four thousand (4,000) square feet in size.
2. Where individual sewage disposal system is used, unless it is determined by the Health Director that additional area is needed, each manufactured/mobile home space shall be at least sixty (60) feet wide and not less than seven thousand two hundred (7,200) square feet in size for a single-wide unit; and no less than nine thousand six hundred (9,600) square feet in size for a double or triple-wide unit.
3. In all cases, the corners of every manufactured/mobile home space shall be plainly marked by corner markers. The distance between manufactured/mobile homes, including any enclosed extension thereof, shall be at least than fifteen (15) feet. No manufactured/mobile home shall be located closer than fifteen (15) feet to any property line of the manufactured/mobile home park or to any other structure on the premises and not closer than twenty-five (25) feet to any public street or highway right-of-way.

Section F: Access and Streets

1. All manufactured/mobile home parks shall be provided with a network of streets, roads or driveways that will allow safe and convenient vehicular access to an improved public street from each manufactured/mobile home space. No Manufactured/Mobile Home Park space may have direct driveway access to public roads. Direct driveway access may not be misconstrued in the meaning as to serve other manufactured/mobile home park spaces as an entrance or a primary Manufactured/Mobile Home Park road.
2. All manufactured/mobile home park roads, streets, driveways and parking areas shall be constructed and maintained with an all-weather surface. The design and construction of the road cross section and associated drainage features shall be in compliance with the Division of Highways, North Carolina Board of Transportation Subdivision Roads / Minimum Design Standards with the exception that pavement surface (S9.5A or S9.5B) will not be required. Appropriate construction testing reports certifying compliance with NC DOT standards shall be provided to the Planning Department. As an alternative cross section to that specified in the referenced NCDOT standards, four (4") inches of ABC with a test certified subgrade at ninety eight (98%) percent compaction or six (6") inches of ABC with a non-certified compacted subgrade may be used.
3. Roads and streets within the manufactured/mobile home park shall have a minimum travel-way width of eighteen (18) feet and be aligned and graded to provide adequate drainage.
4. The intersection of the public street with the entrance way or private access road to the manufactured/mobile home park shall be designed to facilitate the free movement of traffic on the public street and to minimize the hazards caused by traffic entering or leaving the manufactured/mobile home park. All park entrance ways shall be hard surface, approved by the North Carolina Department of Transportation, and shall be well marked and lighted. All manufactured/mobile home spaces must be accessed through the use of the interior road network of the manufactured/mobile home park.
5. Through streets connecting two (2) public thoroughfares or extending to adjacent properties shall be built to minimum construction standards required by the North Carolina Department of Transportation for acceptance to the State Highway System. All through streets shall have approval by the North Carolina Department of Transportation.

Section G: Parking

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

2. Each manufactured/mobile home space shall have parking space a minimum of 10' x 20' in size, sufficient to accommodate at least two (2) passenger vehicles, on four (4) inches of compacted well graded aggregate base course.

Section H: Exterior Lighting

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

Section I: Planting Strip

The manufactured/mobile home park shall have a planting strip not less than ten (10) feet wide adjacent to the manufactured/mobile home park property line extending along the entire perimeter of the manufactured/mobile home park. The planting strip shall not be a portion of any manufactured/mobile home space, street or private drive. It shall be planted with evergreen and/or deciduous trees not more than eight (8) feet apart and must be at least four (4) feet in height when planted, and a minimum of eight (8) feet tall at maturity. Dead trees must be replaced. It shall be adequately landscaped with grass and shrubbery in such a manner as to be harmonious with the landscaping and/or adjacent properties and in keeping with the general character of the surrounding neighborhood. A privacy fence at least six (6) feet in height may meet the planting strip requirements in such instances where landscaping is impracticable or in instances where the Planning Department determines that a fence would be the most effective buffer. All required planting strips must be continually maintained by the Operator. Failure to maintain any required planting strip may cause the manufactured/mobile home park Letter of Compliance to be withheld or revoked. The planting strip requirement may be waived where a property line of the manufactured/mobile home park abuts a natural vegetative area.

Section J: Numbering and Park Signs

1. The Operator is responsible for obtaining manufactured/mobile home park space numbers from the Columbus County E-911 Addressing Office.
2. The Operator shall be required to install manufactured/mobile home space numbers. These numbers shall be at least six (6) inches in height and three (3) inches in width so as to clearly identify each manufactured/mobile home space from the street. These numbers shall be displayed either on the manufactured/mobile home or on a post placed within the manufactured/mobile home space.
3. All streets within the manufactured/mobile home park will be named. The Operator shall obtain approval of all street names from Columbus County E-911 Addressing Office.
4. The Operator shall purchase all street signs through the Columbus County E-911 Addressing Office.
5. The Operator shall install such street signs in a manner so that the signs are visible and clearly identify the individual streets within the manufactured/mobile home park.
6. Street signs shall be erected before any manufactured/mobile homes enter the manufactured/mobile home park.
7. The Operator shall also be required to install a reflective or lighted manufactured/ mobile home park sign at all entrances which identifies the name of the manufactured/ mobile home park and lists a telephone number at which the Operator may be contacted. The sign must be visible from the road adjacent to the manufactured/mobile home park.
8. Each manufactured/mobile home park sign shall be a minimum of three (3) feet high and four (4) feet wide with letter/numbers at least six (6) inches high and three (3) inches wide, visible to traffic at entrances.

ARTICLE V: ADDITIONAL REQUIREMENTS AND RESTRICTIONS**Section A: Manufacture Date**

No manufactured/mobile home manufactured prior to July 1, 1976 shall be placed in a Manufactured/Mobile Home Park. A manufactured/mobile home that was manufactured prior to July 1, 1976, and is located in Columbus County as of the adoption of this Ordinance, may be moved to a new Manufactured/Mobile Home Park provided that all other regulations and codes are met.

Section B: Responsibilities and Duties of Operator

1. The Operator shall be required to provide adequate supervision to maintain the manufactured/mobile home park in compliance with the requirements of this Ordinance. The Operator shall keep all park-owned facilities, improvements, equipment and all common areas in good repair and maintained in such a manner as to prevent the accumulation of storage of materials which could constitute a fire hazard or would cause insect or rodent breeding and harborage. Abandoned vehicle storage, the accumulation of junk, or the storage of possessions and/or equipment in the area beneath the manufactured/mobile homes is expressly prohibited in pre-existing and/or new manufacture/mobile home parks.
2. The Operator will use extermination methods and other measures that conform with the requirements of the Health Director to control insects and rodents.
3. The Operator will cause all lumber, pipes, and other building materials to be stored at least one (1) foot above the ground.
4. Where the potential for insect and rodent infestation exists, the Operator will cause all exterior openings in or beneath any structure to be appropriately screened with wire, mesh or other suitable materials.
5. The Operator will control the growth of brush, weeds, and grass so as to prevent harborage of ticks, chiggers, and other noxious insects. The manufactured/mobile home park will be maintained in such a manner as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.
6. Prior to the issuance of a Letter of Compliance, the Operator will provide in writing a road disclosure statement regarding the maintenance of manufactured/mobile home park roads. The disclosure will outline the Operator's plan for road upkeep and maintenance. The disclosure statement is required for pre-existing manufactured/ mobile home parks as well as new Manufactured/Mobile Home Parks.
7. The Operator will ensure that all manufactured/Mobile Home Park roads will allow for unencumbered access for emergency and safety vehicles to enter and service emergency and safety needs of the residents of the manufactured/mobile home park.
8. The Operator shall be required to observe the placement of all manufactured/mobile homes and to guarantee that no home is occupied until a current Certificate of Occupancy is issued by the Building Inspections Department.
9. All applicable health regulations shall apply to manufactured/mobile home parks except where such regulations are in conflict with the provisions of this Ordinance, in which case the more restrictive provisions shall apply.
10. The Operator shall pay all applicable fees as set out in the "Schedule of Fees for Manufactured/Mobile Home Parks." These fees are determined by the Planning Department and prominently posted in the Planning Department. Such schedule shall be prepared and posted by the Planning Department no later than the first Monday after the adoption of this Ordinance. Fees are subject to change with the most recent fee changes shown on a new "Schedule of Fees for Manufactured/Mobile Home Parks," which shall be posted within five (5) days of the effective date of the change.
11. Failure to comply with any of these responsibilities and duties shall be cause to revoke or deny a manufactured/mobile home park Letter of Compliance.

Section C: Placement and Anchoring

1. All manufactured/mobile homes within a manufactured/mobile home park shall be properly anchored, or provided with tie downs, in accordance with the State of North Carolina Regulations for Manufactured/Mobile Homes, manufacturer's instructions and meet all code requirements.
2. All manufactured/mobile homes within a manufactured/mobile home park shall be a minimum of Wind Zone II Certified as designated by the North Carolina Department of Insurance.

Section D: Skirting

Each manufactured/mobile home shall be properly installed with skirting that is anchored down and of the type that is manufactured specifically for such use. The skirting shall be made of a material compatible with the siding of the manufactured/mobile home.

Section E: Utility and Solid Waste Disposal Requirements

1. **Water Supply:** Every manufactured/mobile home shall be provided with a supply of water for domestic purposes from a source approved by the Health Director.
2. **Sewage Disposal:** Every manufactured/mobile home shall be provided with an adequate sewage disposal system by connection to a public sewage system or a septic tank system constructed in compliance with State regulations and approved by the Health Director.
3. **Solid Waste Collection and Disposal:**
 - a. The Operators of manufactured/mobile home parks shall provide for the collection of solid waste from the containers furnished by Operator, and transport of solid waste to certified disposal sites.
 - b. All garbage and refuse in every manufactured/mobile home park shall be stored in suitable water-tight and fly-tight metal receptacles (commercial dumpsters), which shall be kept covered with tight-fitting metal covers or other methods approved by the Health Director. It shall be the responsibility of the Operator to see that all garbage and refuse is disposed of regularly and in a sanitary manner.

Section F: Residential Units Not To Be Travel Trailers

The Operator shall not permit a travel trailer to locate within the manufactured/mobile home park if used for any dwelling purpose whatsoever.

Section G: Non-Residential Uses

No part of the manufactured/mobile home park may be used for non-residential purposes, except uses that are required for the direct servicing and well being of the manufactured/mobile home park residents and for the management and maintenance of the manufactured/mobile home park.

Section H: Assist County Tax Assessor

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

ARTICLE VI: COMPLIANCE**Section A: Approval Required**

Until proper application has been made and approval granted by the Planning Board, no person shall:

1. construct or engage in the construction of any manufactured/mobile home park;
2. make any expansion of or addition or alteration to a manufactured/mobile home park that increases/decreases the number of manufactured/mobile homes within the manufactured/mobile home park;
3. alters the number of spaces available for manufactured/mobile homes within the manufactured/mobile home park; or
4. affects the facilities required within the manufactured/mobile home park.

Section B: Exception for Farms

This Ordinance shall in no way regulate, restrict, prohibit or otherwise deter any farm, as defined within this Ordinance. The farm owner may request that his farm be exempt from this Ordinance by submitting to the Planning Department a notarized statement stating that the manufactured/mobile homes on the farm property will be used for farm labor housing, which also includes NC Department of Labor certified “Migrant Camps”, or family. The farm owner shall provide additional documentation as requested by the Planning Board as supporting proof of the notarized statement.

Section C: Exception for Families

This Ordinance shall in no way regulate, restrict, prohibit or otherwise deter families from occupying more than two (2) manufactured/mobile homes on a single tract of land. The family may request that the homes be exempt from this Ordinance by submitting to the Planning Department a notarized statement stating each and every manufactured/mobile home on the tract is owned and occupied by a family member as defined by in this Ordinance.

Section D: Enforcement

1. If the Planning Department shall find that any of the provisions of this Ordinance are being violated, it shall notify the Operator of the violation in writing, specifying the nature of the violation and what corrective actions must be taken. The Operator shall take the corrective actions within thirty (30) days of receipt of the notice.
2. The Building Inspections Department shall take any action authorized by law to ensure compliance with or to prevent violation of the provisions of this Ordinance.
3. An annual inspection of all Manufactured/Mobile Home Parks shall be conducted by the Planning Department to ensure that all provisions of this Ordinance are being met. The Operator shall be advised, in writing, of any deficiencies. Once the deficiencies are corrected and the inspection fee is paid, a Letter of Compliance shall be issued by the Planning Department.
4. All manufactured/mobile home parks shall be inspected annually by the Health Director.
5. Violation of any provision of this Ordinance constitutes grounds for refusing to issue, renew, or to revoke a Letter of Compliance.

Section E: Variances

The Planning Board may grant a variance from this Ordinance when the Planning Board determines that compliance with this Ordinance will create an undue hardship. In granting any variance, the Planning Board shall make the findings below, taking into account the nature of the proposed manufactured/mobile home park and the probable effect of the manufactured/mobile home park upon traffic conditions in the vicinity. No variance shall be granted unless the Planning Board finds the following facts:

1. There are special circumstances or conditions affecting said property such that the strict application of the provisions of this Ordinance would deprive the Operator of the reasonable use of the property; and
2. The variance is necessary for the preservation and enjoyment of a substantial property right

of the Operator; and

3. The circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this Ordinance; and
4. The granting of the variance will not be detrimental to the health, safety and welfare of the public or injurious to adjacent property; and
5. The granting of the variance will not confer on the Operator any special privileges; and
6. The granting of the variance will not be in contradiction to other local, state or federal regulations.

Section F: Penalties/Fines

1. **Criminal:** The Operator who violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine of not more than two hundred dollars (\$200.00) or imprisonment not to exceed thirty (30) days, as provided by NCGS 14-4(a).
2. **Civil:** In lieu of or in addition to the criminal penalties outlined above, the Operator who violates any provision of this Ordinance may be subject to a civil penalty under NCGS 153-A123©, not to exceed two hundred dollars (\$200.00). Each day such violation shall be permitted to exist shall constitute a separate offense. If the Operator does not pay such penalty within thirty (30) days of notification of its assessment, it may be recovered by the County in a civil action in the nature of a debt. The Operator may contest said penalty in the court of appropriate jurisdiction.

Section G: Right of Appeal

If a Letter of Compliance is denied or revoked, the Operator may appeal the action of the Planning Department to the Planning Board. Such appeal may be made by submitting written notice to the Planning Department. The Planning Board decisions may be appealed to the court of appropriate jurisdiction as provided by law.

ARTICLE VII: APPLICATION PROCEDURE

Section A: Application for Approval

1. **Sketch Plan:** Prior to a formal application, the Operator is encouraged to meet with the Planning Department in order to discuss the proposed manufactured/mobile home park. At or prior to such meeting, the Operator shall provide to the Planning Department three (3) copies of a sketch plan of the proposed manufactured/mobile home park. The plan shall show existing and proposed roads, proposed spaces, significant natural features (such as, but not limited to, watercourses, wetlands, floodplains, steep slopes), proposed solid waste facilities and any proposed amenities. The sketch plan must be to a scale and in such detail to convey the intent of the proposed manufactured/mobile home park. The sketch plan may be prepared by the Operator or his/her designee. The sketch plan does not require a Professional Engineer's nor a Licensed Surveyor's seal. The Planning Department may request that the sketch plan be reviewed by the Technical Review Committee but such review is not a required step in the approval process.
2. **Application:** Prior to the construction of a manufactured/mobile home park, or the expansion of an existing manufactured/mobile home park, the Operator shall make application to the Planning Department for a permit to construct or expand such manufactured/mobile home park. The application shall be complete when accompanied by three (3) copies of the proposed manufactured/mobile home park plan and any associated fee remitted to the Planning Department. Such proposed manufactured/mobile home park plan must meet the requirements of Section 2 herein below. The complete application shall become a permanent part of the records of the Planning Board.
3. **Proposed Manufactured/Mobile Home Park Plan Requirements:** The proposed manufactured/mobile home park plan shall be drawn at a scale no smaller than one (1) inch = one hundred (100) feet and must be drawn and sealed by a registered engineer or licensed surveyor and shall include the following:

- a. The name of the manufactured/mobile home park, the names and addresses of the Operator and the registered engineer or licensed surveyor;
- b. Date, scale and approximate North arrow;
- c. Boundaries of the tract shown with bearings and distances;
- d. Streets, traffic circulation, walkways, driveways, recreation areas, parking spaces, service buildings, water courses, easements, manufactured/mobile home spaces and numbers, all structures to be located in the manufactured/mobile home park and total acreage of the manufactured/mobile home park;
- e. Vicinity map showing the location of the manufactured/mobile home park and the surrounding land usage;
- f. Names of adjacent property owners;
- g. The existing and proposed plans for surface water drainage, street lights, water supply and solid waste and sewage disposal facilities;
- h. A detailed plan for electrical installations prepared to meet the state and county codes;
- i. A detailed drawing to scale of not less than one (1) inch = ten (10) feet shall be prepared of a typical manufactured/mobile home space showing the location of the manufactured/mobile home, all utilities, the patio, concrete footing, walks, parking spaces, driveways, and all other improvements; and
- j. As necessary, provide information concerning phases of development.

Section B: Review

1. **Planning Department:** The Planning Department shall present the proposed manufactured/mobile home park plan for review to the Technical Review Committee (TRC) within fifteen (15) days of receipt of the complete application.
2. **Technical Review Committee:** The TRC shall make any comments and suggestions concerning the proposed manufactured/mobile home park and return the proposed manufactured/mobile home park plan along with such comments and suggestions to the Planning Department within fifteen (15) days of the TRC receiving the plan. The Planning Department shall present the complete application with the TRC's comments and suggestions to the Planning Board at its next regularly scheduled Planning Board meeting.
3. **Planning Board:** The Planning Board shall review the complete application to determine if the proposed manufactured/mobile home park plan is in accordance with the requirements set forth in this Ordinance.
 - a. If the Planning Board determines that the complete application does not comply with the requirements herein, then the Planning Board shall disapprove the complete application, state the reasons for such disapproval and make recommended changes. The disapproval, the reasons for disapproval and the recommended changes shall be given to the Operator.
 - b. If the Planning Board approves the complete application, one (1) approved copy of the proposed manufactured/mobile home park plan shall be sent to the Building Inspections Department and one (1) approved copy of the proposed manufactured/mobile home park plan shall be given to the Operator. The Planning Board shall also notify the Planning Department of its approval of the complete application.
4. **Appeal:** The Operator may appeal the decision of the Planning Board disapproving the complete application by making written request for a hearing before the Planning Board. Such appeal must be received by the Planning Department within ten (10) calendar days from the date of such disapproval. Failure to make such appeal within the time specified

causes the Operator to lose all right to appeal the decision of the Planning Board. The Planning Department shall submit such appeal to the Chairman of the Planning Board within seven (7) days of receipt of such appeal. A hearing shall be scheduled within forty-five (45) days from the receipt of the notice of appeal. Notice of such hearing shall be mailed by certified mail, return receipt requested at least fifteen (15) days prior to the scheduled hearing. At the hearing the Planning Board shall allow the Operator and any person(s) the Operator wishes to present to the Planning Board to give information to the Planning Board concerning whether the Planning Board should reverse its decision. If the Planning Board upholds its decision to disapprove the complete application, the Operator is precluded from resubmitting the complete application for a 12-month period from the date of the hearing.

Section C: Permits

1. Letter Permitting Construction

- a. After receiving notice of the approval of the proposed manufactured/mobile home park plan from the Planning Board, the Planning Department shall issue a letter informing the Operator that he may proceed with the construction of the manufactured/mobile home park according to the plan as approved by the Planning Board. The letter allowing construction shall not be construed to entitle the Operator to offer space for rent or lease, or to operate a manufactured/mobile home park.
- b. The letter permitting construction shall be valid for twelve (12) months from the date of issuance. The Operator shall begin construction of the manufactured/mobile home park within twelve (12) months from the issuance date of the initial letter permitting construction. If the Operator has not begun construction within twelve (12) months from the issuance letter allowing construction, the Operator may request in writing to the Planning Board for an extension of time to begin construction by showing reasonable cause for the delay in beginning construction. The Planning Board may grant an extension of time to the Operator upon a showing of reasonable cause. If the Planning Board denies the Operator's request for an extension of time, the letter permitting construction expires and the Operator must then resubmit the complete application.

2. Letter of Compliance

- a. When the Operator has completed the construction of the manufactured/mobile home park, he shall notify the Planning Department in writing. The Planning Department shall make an onsite inspection.
- b. If the manufactured/mobile home park conforms to the manufactured/mobile home park plan approved by the Planning Board, the Planning Department shall issue the Operator a Letter of Compliance. The Letter of Compliance issued to the Operator shall constitute authority to operate the manufactured/mobile home park.
- c. If the manufactured/mobile home park does not conform to the approved manufactured/mobile home park plan, the Planning Department shall not issue the Letter of Compliance until the manufactured/mobile home park comes into conformity.
- d. The Building Inspections Department shall not issue a Certificate of Occupancy until after the Letter of Compliance has been issued by the Planning Department.

Section D: Annual Review

The Letter of Compliance shall expire after a one (1) year period and must be renewed annually. For manufactured/mobile homes without a Certificate of Occupancy, the Building Inspections Department shall withhold Certificate of Occupancy Permits until a current Letter of Compliance is issued.

Section E: Development in Phases

When a manufactured/mobile home park is to be developed in phases, the proposed manufactured/mobile home park plan may be submitted for the entire development. All existing

phases of a manufactured/mobile home park must have a current Letter of Compliance in order for any additional phases to be approved. The Operator may request a Letter of Compliance be issued for each phase completed.

Section F: Appeal

If a Letter of Compliance is denied or revoked, the Operator may appeal the action of the Planning Department to the Planning Board. Such appeal may be made by submitting written notice to the Planning Department. The Planning Board decisions may be appealed to the courts of appropriate jurisdiction as provided by law.

ARTICLE VIII: AMENDMENT

1. The provisions of this Ordinance may be amended, supplemented, changed, modified or repealed by the County.
2. The Planning Board shall consider and make recommendations to the County concerning each proposed amendment.

ARTICLE IX: EFFECTIVE DATE

This Ordinance supersedes all previous versions of this Ordinance and shall take effect and be in force on November 08, 2011.

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

ATTESTED BY:

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

Commissioner Prevatte made a motion to approve the text amendment to the Manufactured/Mobile Home Park Ordinance, second by Vice Chairman McKenzie. The motion unanimously passed.

Agenda Item #15: EMERGENCY SERVICES - APPROVAL of UPDATED MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

Jeremy Jernigan, Emergency Services Director, requested Board approval of the updated Multi-Jurisdictional Hazard Mitigation Plan by adoption of the following Resolution of Adoption. **(The required Public Hearing was conducted on this date at 7:31 P.M.)**

RESOLUTION OF ADOPTION

**County of Columbus
Hazard Mitigation Plan**

WHEREAS, the citizens and property within Columbus County are subject to the affects of natural hazards and man-made hazard events that pose threats to lives and cause damages to property, and with the knowledge and experience that certain areas, i.e., flood hazard areas, are particularly susceptible to flood hazard events; and

WHEREAS, the County desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214—Senate Bill 300 effective July 1, 2001), states in Item (a) (2) “For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after November 1, 2004, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act”; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local government must develop an All-Hazards Mitigation Plan in order to receive future Hazard Mitigation Grant Program Funds, and

WHEREAS, it is the intent of the Board of Commissioners of Columbus County to fulfill this obligation in order that the County will be eligible for state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, therefore, be it resolved that the Board of Commissioners of the County of Columbus hereby;

1. Adopts the County of Columbus Hazard Mitigation Plan; and
2. Vests the County Manager with the responsibility, authority, and the means to:
 - (a) Inform all concerned parties of this action.
 - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify floodplain or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
 - (cc) Adjust the boundaries of Columbus County and the municipal planning jurisdiction whenever a municipal annexation or extraterritorial jurisdiction revision results in a change whereby the municipality assumes or relinquishes the authority to adopt and enforce floodplain management regulations for a particular area in order that all Flood Hazard Boundary Maps (FHBMs) and Flood Insurance Rate Maps (FIRMs) accurately represent current planning jurisdiction boundaries. Provide notification of boundary revisions along with a map suitable for reproduction, clearly delineating municipal corporate limits and extraterritorial jurisdiction boundaries to all concerned parties.
3. Appoints the County Manager to assure that the Hazard Mitigation Plan is reviewed annually and in greater detail at least once every five years to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the County of Columbus Board of Commissioners for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted on November 07, 2011.

/s/ Giles E. Byrd, Chairman
Board of Commissioners

Attest:

/s/ June Hall, Clerk to Board

(SEAL)

Commissioner Russ made a motion to approve the Updated Multi-Jurisdictional Hazard Mitigation Plan, second by Vice Chairman McKenzie. The motion unanimously passed. A copy of this document will be kept on file in the Clerk to the Board's Office, and in the Office of the Emergency Services Director, for review.

Item #16: EMERGENCY SERVICES - APPROVAL of BID for NEW RADIO SYSTEM:

Jeremy Jernigan, Emergency Services Director, requested Board approval of the single bid for the new radio system:

Mr. Jernigan stated the following:

1. We went out to bid back on July 14, 2011 to bid out our radio project, and that is a project

you allocated funds for earlier in the year, and you actually approved the concept of the project back in January or February, 2011;

2. We went out to bid and got one (1) bid on the project, for \$943,012.90;
3. Based on what we did, we felt like we did our due diligence; **and**
4. The bid process, the bid and contract were presented to the County Attorney, the Finance Officer and the Purchasing Director, and they are okay with it.

Commissioner Prevatte made a motion to approve the bid in the amount of \$943,012.90, from Fleet Connect to install the new Kenwood Nexedge UHF Trunked Radio System, second by Vice Chairman McKenzie. The motion unanimously passed.

Item #17: EVERGREEN and NORTH WHITEVILLE FIRE DEPARTMENTS - REQUEST for LETTER of SUPPORT to ABOLISH TWO (2) FEE DISTRICTS and CREATE TWO (2) TAX DISTRICTS, and REQUEST for COUNTY STAFF to ASSIST in ESTABLISHING NEW TAX DISTRICTS:

Tommy Williams, Chairman, Evergreen Fire Department, and Kimble Brock, Chairman, North Whiteville Fire Department, requested the following Letter of Support to Representative Hill to abolish their fee districts, and requested County staff assistance in establishing new tax districts.

October 31, 2011

Chairman Giles Byrd
Columbus County Commissioners
111 Washington St.
Whiteville, NC 28472

Dear Chairman Byrd,

On behalf of Evergreen Fire Department and North Whiteville Fire Department, we are requesting assistance from the County Commissioners and County Staff for the purpose of changing from a fire fee district to a taxed fire district. For many years we have been operating our departments with a much lower funding base than most other departments in Columbus County due to the fact that we are funded by a fee set by state legislature rather than a local tax. Our fees are disproportionate to what we would be collecting if we had a tax comparable to those departments operating in Columbus County. It is becoming much more expensive to provide fire services to the citizens living in our district while ensuring that we have adequate apparatus, personal protective equipment, communications equipment and training. By the time that we pay for fuel expenses, insurance, maintenance and up keep on our apparatus and building there is little to put aside for upgrading equipment or to use as matching funds on grants.

Since our fee districts were introduced by Representative Dewey Hill, and were passed by the North Carolina General Assembly, any changes to our fee district must go back before the General Assembly. We have tried in the past to have changes made to the fee without success. We hope that with support from the County Commissioners and County Staff that a solution can be found to abolish our districts and convert our departmental funding source to a tax district. While our ultimate goal is to abolish our fee district, care must be taken to ensure that we could transition into a tax district without a loss of revenue as any loss of revenue would be devastating to our departments.

We ask that you submit a letter to Representative Hill asking that he support abolishing the fee district for our departments in the General Assembly. We also ask that you authorize staff from the County Attorneys Office and Emergency Services Office to act as advisors to our departments as we move toward a tax district for each of our departments. This support will allow our departments to continue our tradition of serving our citizens but at a much higher level. A lack of change could lead to a reduction in our ability to serve our citizens due to a lack of appropriate funding.

Sincerely,
/s/ Tommy Williams
Chairman of the Board
Evergreen Fire Department

/s/ Kimble Brock
Chairman of the Board
North Whiteville Fire Department

Commissioner Prevatte made a motion that we prepare a letter to send to Representative Hill asking he support abolishing the fee districts for Evergreen and North Whiteville Fire Departments,

and also to instruct our staff to advise those two (2) departments in the construction of a tax district with the understanding there is no guarantee that the tax district is going to pass, at this time, second by Commissioner McDowell. The motion unanimously passed.

Agenda Item #19: LEGAL and PROFESSIONAL - APPROVAL and ADOPTION of RESOLUTION APPROVING CONVEYANCE of PROPERTY PURSUANT to NORTH CAROLINA GENERAL STATUTE § 160A-270:

Mike Stephens, County Attorney, requested Board approval and adoption of the following Resolution Approving Conveyance of Property Pursuant to North Carolina General Statute § G.S. 160A-270.

RESOLUTION APPROVING CONVEYANCE of PROPERTY PURSUANT to NORTH CAROLINA GENERAL STATUTE § G. S. 160A-270

WHEREAS, the County of Columbus owns certain property indicated on Attachment A located in Chadbourn Township, Columbus County, State of North Carolina; **and**

WHEREAS, the County of Columbus has by this resolution declared the aforementioned property to be surplus to its needs; **and**

WHEREAS, North Carolina General Statute § 160A-270 authorizes a county to sell real property at public auction upon approval of the Board of County Commissioners and after publication of a notice announcing the auction.

THEREFORE, THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY RESOLVES THAT:

1. The Board of County Commissioners authorizes the sale at public auction the property indicated on Attachment A.
2. The auction will be conducted at 10:00 a.m., Wednesday, December 28, 2011, in the Lobby of the Columbus County Courthouse, Whiteville, North Carolina.
3. The terms of the sale are that the buyer must present at the auction a bid deposit of five percent (5%) of the amount of the bid, either in cash or with a certified check. This deposit will be held by the County until either the Board of Commissioners rejects the high bid for the property or, if the Board of Commissioners accepts the high bid, the closing of the sale. The deposit will be forfeited to the County if the high bidder refuses to close the sale after the bid has been approved by the Board of Commissioners.
4. After the auction, the high bid for the property shall be reported to the Board of Commissioners. The Board of Commissioners will accept or reject the bid within thirty (30) days after the bid is reported to it. No sale may be completed until the Board of Commissioners has approved the high bid.
5. The Board of Commissioners reserves the right to withdraw any listed property from the auction at any time before the auction sale of the property.

ADOPTED this the 7th day of November, 2011.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

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

ATTESTED BY:

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

ATTACHMENT "A"

TRACT 2

Being all of that 0.59 acre, more or less, tract of land situated in Chadbourn Township, Columbus County, North Carolina, and more particularly described as follows:

Beginning at a nail in the center of SR 1443 (said nail being located South 14 degrees 20 minutes West 400.40 feet to a nail set in the intersection of SR 1443 and U.S. Highway 76); and runs thence from said beginning point South 75 degrees 40 minutes East 204.24 feet to an iron; thence from said iron South 14 degrees 20 minutes West 125 feet to an iron; thence from said iron North

75 degrees 40 minutes West 20424 feet to a iron in the center of SR 1443; thence from said nail and along the centerline of SR 1443, North 14 degrees 20 minutes East 125 feet to the point and place of beginning, containing .50 acre, more or less. exclusive of right of way portion. For further identification purposes, reference is made to that certain plat prepared by Soles & Walker, P.A., R.L.S.. dated July 13, 1988 entitled "Survey for John Barry Mason and wife. Elnora G. Mason."

Said plat is attached to that deed recorded in Book 417, Page 864, Columbus County Registry with said map being incorporated by reference for further certainty of description.

This property is Located at 91 Grists Road, Chadbourn, NC 28431

Vice Chairman McKenzie made a motion to approve and adopt the Resolution Approving Conveyance of Property Pursuant to North Carolina General Statute § G.S. 160A-270, second by Commissioner Bullard. The motion unanimously passed.

Agenda Item #20: APPOINTMENTS / RE-APPOINTMENTS / REPLACEMENTS:

June B. Hall, Clerk to the Board, requested the following appointments / re-appointments / replacements be made.

COMMITTEE	ZON E/EB	PERSON(S)	EXPIR. DATE	BOARD ACTION
Airport Authority	II IV V VII	Alex N. Jordan Lloyd Pebo Collier, Jr. William C. Cox, III James Thompson	10-20-2011 10-20-2011 10-20-2011 10-20-2011	Re-Appoint Re-Appoint Re-Appoint Re-Appoint
Animal Control Advisory Council	I II III IV V VI VII	Ervin Wooten Leonard Walker Paula Lewis Dr. John A. Stih Susan Shipman Pat Christley W. Ronald Hayes	12-05-2011 12-05-2011 12-05-2011 12-05-2011 12-05-2011 12-05-2011 12-05-2011	Re-Appoint Re-Appoint Hold Hold Re-Appoint Re-Appoint Hold
Rural Transportation Advisory Committee Motion: McKenzie Second: Prevatte	EB EB	Giles E. Byrd P. Edwin Russ	01-2012 01-2012	Re-Appoint Re-Appoint
Nursing/Adult Care Home Joint Community Advisory Committee Motion: Prevatte Second: Norris	EB EB EB	Betty Goodman Kriste R. Mumm Ina Brown	12-01-2011 11-01-2011 11-01-2011	Re-Appoint Re-Appoint Re-Appoint
Southeastern Regional Mental Health Motion: McKenzie Second: Norris	EB	Kipling Godwin	11-30-2011	Re-Appoint
Planning Board	V VI VII	Al Leonard Barry Gelezinsky Johnny Edge	09-30-2011 09-30-2011 09-30-2011	Re-Appoint Re-Appoint 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 8:37 P.M., Vice Chairman McKenzie made a motion to recess Regular Session and enter into a **combination meting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, second by Commissioner Bullard. The motion unanimously passes.

Agenda Item #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL OF BOARD MEETING MINUTES:

October 17, 2011 **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.

ADD-ON:

COLUMBUS COUNTY WATER and SEWER DISTRICT IV - HALLSBORO WATER AREA SPECIAL GRANT APPLICATION for SPECIAL NEEDS:

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 8:47 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 Board Meeting, and resume Regular Session, second by Vice Chairman McKenzie. The motion unanimously passed.

Agenda Item #22: CONSENT AGENDA ITEMS:

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

A. Budget Amendments:

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-5197-512100	HP Salaries	6,605
	10-5197-518100	HP FICA	500
	10-5197-518200	HP Retirement	500
	10-5197-518300	HP Insurance	500
	10-5197-523900	HP Drugs and Medical	1,500
Revenue	10-3510-430049	Health Promotion State	9,605
Expenditure	10-4330-566906	Homeland Security Grant	89,761
Revenue	10-3433-430008	Homeland Security Grant	89,761
Expenditure	10-4331-569955	Fire Prevention	500
Revenue	10-3434-440120	Wal-Mart Foundation Grant	500

B. Tax Refunds and Releases:

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):
November 07, 2011**

Refunds Name: First Citizens Bank & Trust Co. Amount: \$390.78
 Value: \$0.00 Year 011 Account # 1-17216 Bill # 35848 Total \$390.78
 Refund city and county amount. Lease expired. Refund Whiteville City Amount (134.86), refund Columbus County Amount (249.79), refund Whiteville Rescue(6.13).
 P.O. Box 29519 Raleigh NC 27626

Refunds Name: Barnes, Guilford & Barbara S Amount: \$0.00
 Value: \$0.00 Year 011 Account # 9-00362 Bill # 24401 Total \$111.50
 Refund user fee. Only had can for 6 months. 14533 James B White Hwy. S.
 18645 Peacock Rd. Whiteville NC 28472

Refunds Name: Palmetto Amusements Amount: \$0.00

Value: \$0.00 Year 011 Account # 11-05708 Bill # 22133 Total \$50.00
 Refund General Amusements License should not have been issued. City has ordinance restriction.
 P.O. Box 160 Sumpter SC 29150

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):
 November 07, 2011**

Release the Property Value in the name of Blackmon, Jimmie M. & Tamela C. Amount: \$47.46
 Value: \$600.00 Year: 02-11 Account # 8-01321 Bill # 6032 Total \$48.66
 Release leasehold on building. Gone since 2000. Release Columbus Rescue(1.20)

Release the Property Value in the name of Henry, George A (Heirs) Amount: \$225.04
 Value: \$3,200.00 Year: 02-11 Account # 15-18040 Bill # 2056 Total \$264.80
 Release value of dwelling. Double listed Act#15-28060 Andrew Munn. Release Acme Delco(34.08), Release
 Columbus Rescue(5.68),

Release the Property Value in the name of Pantry dba Kangaroo Express Amount: \$424.39
 Value: \$52,073.00 Year: 2011 Account # 1-74464 Bill # 4354 Total \$434.80
 Release portion of business equipment. Accountant listed incorrectly. Release Whiteville Rescue(10.41)

Release the Property Value in the name of Williamson, Adrian Amount: \$98.52
 Value: \$400.00 Year: 10-11 Account # 13-44274 Bill # 99999 Total \$558.63
 Release portion of value on mobile home. Title change from mother to daughter. Rebilled act# 13-02508.
 Release Klondyke Fire(8.19), release Columbus Rescue(2.42), release Water II(.56)

Release the Property Value in the name of Wilson, Gisha Amount: \$301.55
 Value: \$5,488.00 Year: 06-11 Account # 4-02919 Bill # 99999 Total \$1,615.12
 Release value of mobile home. Double listed Act#4-01682 Daniel Brown. Release Bolton Fire(37.43) release
 Columbus Rescue(7.49)

Release the Refunds in the name of Barnes, Guilford & Barbara S Amount: \$0.00
 Value: \$0.00 Year: 2011 Account # 9-00362 Bill # 4401 Total \$111.50
 Refund user fee. Only had can for 6 months. 14533 James B White Hwy. S.

Release the Refunds in the name of First Citizens Bank & Trust Co. Amount: \$390.78
 Value: \$0.00 Year: 2011 Account # 1-17216 Bill # 5848 Total \$390.78
 Refund city and county amount. Lease expired. Refund Whiteville City Amount (134.86), refund Columbus
 County Amount (249.79), refund Whiteville Rescue(6.13)

Release the Refunds in the name of Palmetto Amusements Amount: \$0.00
 Value: \$0.00 Year: 2011 Account # 11-05708 Bill # 2133 Total \$50.00
 Refund General Amusements License should not have been issued. City has ordinance restriction.

Release the User Fee in the name of Butler, Evelyn T. Amount: \$0.00
 Value: \$0.00 Year: 2011 Account # 9-02127 Bill # 8733 Total \$223.00
 Release user fee. Dwelling is vacant.

Release the User Fee in the name of Carter, Rossie Earl & Bernice Simms Amount: \$0.00
 Value: \$0.00 Year: 2011 Account # 13-01844 Bill # 9835 Total \$223.00
 Release user fee. Dwelling is vacant. Can picked up 2005

Release the User Fee in the name of Couch, Jill Amount: \$0.00
 Value: \$0.00 Year: 2011 Account # 16-05101 Bill # 1667 Total \$223.00
 Release user fee. Dwelling is vacant.

Release the User Fee in the name of Cribb, Roger Delane Amount: \$0.00
 Value: \$0.00 Year: 2011 Account # 9-06120 Bill # 2157 Total \$223.00
 Release user fee. Dwelling is vacant.

Release the User Fee in the name of Elkins, Wanda Brown Amount: \$0.00
 Value: \$0.00 Year: 2011 Account # 14-04900 Bill # 4601 Total \$223.00
 Release user fee. Dwelling is vacant.

Release the User Fee in the name of Evans, Jimmy G. & Sonda Simmons Amount: \$0.00

Value:	\$0.00	Year: 2011	Account # 3-03220	Bill # 5161	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 12-16-2010.						
Release the User Fee	in the name of Evans, Joe B. & Carrie				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 10-05000	Bill # 5163	Total	\$136.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Gore, Miriam				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 9-11565	Bill # 9053	Total	\$223.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Graham, Samuel L. & Jo Ann				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 15-16520	Bill # 9629	Total	\$111.50
Release user fee. Dwelling is vacant. Can picked up 7-8-2011						
Release the User Fee	in the name of Hall, Malacki				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 16-03734	Bill # 0563	Total	\$223.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Hodge, Lamont				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 9-01346	Bill # 3126	Total	\$223.00
Release user fee. Mobile home is not set up.						
Release the User Fee	in the name of Hutsell, Uleah P				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 3-11737	Bill # 3929	Total	\$223.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Jackson, Horace J (Jr.)				Amount:	\$0.00
Value:	\$0.00	Year: 02-11	Account # 1-46658	Bill # 4382	Total	\$615.00
Release user fee on mobile home.						
Release the User Fee	in the name of Johnson, Laura D. & Earl D.				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 14-04857	Bill # 5328	Total	\$223.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Long, James Alton				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 3-02015	Bill # 8211	Total	\$223.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of McCants, Lisa				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 9-04214	Bill # 9617	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked u p 9-21-2007						
Release the User Fee	in the name of McDuffie, Billy Joe & Darlene Booth				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 9-01327	Bill # 9918	Total	\$1,951.95
Release portion of 15 user fees. Cans picked up 5-23-2011. Uses a commercial hauler.						
Release the User Fee	in the name of Mitchell, Marion Elizabeth (ETAL)				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 11-17637	Bill # 1921	Total	\$223.00
Release user fee. Dwelling is vacant.						
Release the User Fee	in the name of Oak-Bark Properties, LLC				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 15-02267	Bill # 4013	Total	\$223.00
Release user fee. Activity Building does not have a can.						
Release the User Fee	in the name of Powell, Anna S.				Amount:	\$0.00
Value:	\$0.00	Year: 10-11	Account # 14-12020	Bill # 9999	Total	\$438.00
Release user fee. Mobile home is vacant.						
Release the User Fee	in the name of Powers, Margaret Ann				Amount:	\$0.00
Value:	\$0.00	Year: 2011	Account # 13-33347	Bill # 5967	Total	\$223.00
Release user fee. Dwelling is vacant. Can picked up 2006.						
Release the User Fee	in the name of Reaves, Jill Cox				Amount:	\$0.00

Value: \$0.00 Year: 2011 Account # 1-75265 Bill # 7046 Total \$223.00
Release user fee. Dwelling is vacant.

Release the User Fee in the name of Regan, Merle Edwards Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 16-02327 Bill # 7223 Total \$223.00
Release user fee. Dwelling is vacant.

Release the User Fee in the name of Sessoms, David Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 11-05930 Bill # 9374 Total \$223.00
Release user fee. Uses a commercial hauler in camp ground.

Release the User Fee in the name of Stanley, Bobby W. & Brenda P Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 7-05041 Bill # 2642 Total \$223.00
Release user fee. Dwelling is vacant.

Release the User Fee in the name of Wallace, Willie T. & Brenda H Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 15-38853 Bill # 6729 Total \$223.00
Release user fee. Dwelling is vacant.

Release the User Fee in the name of Williams, Josephine G. Amount: \$0.00
Value: \$0.00 Year: 2011 Account # 2-06733 Bill # 9180 Total \$223.00
Release user fee. Dwelling is vacant.

Agenda Item #23: COMMENTS:

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

A. Department Heads:

1. **Dalton Dockery, Cooperative Extension Director:** I would like to invite you to the Farm-City Week Dinner on November 15, 2011, at 6:00 P.M., in the Whiteville High School Cafeteria, and you will need a ticket.
2. **Jeremy Jernigan, Emergency Services Director:** stated the following:
 - A. I would like to give an update on the Cerro Gordo Fire and Rescue Department;
 - B. We gave them an additional six (6) months to get their intermediate certification;
 - C. All paperwork has been turned over to the office of State EMS at this point in time;
 - D. We are waiting for them to come down and do their inspection of the department, and we will get the green light for them; **and**
 - E. It looks like everything should happen before the end of the year.

B. Board of Commissioners:

1. **Commissioner Russ:** stated the following:
 - A. With the lack of teamwork on Project Soccer with Continental Tire, we were not able to land this project which would have helped southeastern North Carolina;
 - B. I am requesting that we send a letter or resolution to the Governor and our legislative representatives expressing our disappointment and encourage them to work together;
 - C. I was at the Veterans Parade yesterday and was informed the number of our Veterans is increasing;
 - D. I have received information relative to the depletion of food in many of the food banks in Columbus County;
 - E. The Vietnam Veterans of America, Chapter 962, Whiteville, North Carolina, has received two (2) donations at \$100.00 each. I will meet the donation and am challenging the other Board members to do so. Chapter 962 is challenging all County Commissioners, all County administrative employees or departments, area businesses, and citizens to match this donation; **and**
 - F. If the donation amount cannot be met, please consider donation of non-perishable food items to the Columbus County Department of Aging Food

Pantry.

2. **Commissioner Bullard:** stated the following:
 - A. In the last two (2) weeks, I have been beat up and attacked with telephone calls, and it is getting worse;
 - B. It is time for us to do something with the Department of Aging;
 - C. People are not satisfied with the action we have taken with the Department of Aging;
 - D. Mr. Clark, the people are looking at you as well as Ed Worley; **and**
 - E. It is time for us to take some action in some type of direction.

William S. Clark, County Manager, stated we will have a recommendation at the next Board Meeting.

3. **Commissioner McDowell:** stated the following:
 - A. I concur with Commissioner Bullard, and I think our citizens are looking at this Board also concerning the Department of Aging;
 - B. I would like to thank everyone that participated in the Veterans Parade yesterday;
 - C. We need to thank any and everyone that we know who serves and protects our country; **and**
 - D. I appreciate all the telephone calls and cards I received on the death in my family.
4. **Commissioner Prevatte:** stated the following:
 - A. I was at the last EMS Peer Review Committee Meeting, and for last quarter, we did not miss a call, not one (1) call for the whole County, and that is really great, and we need to thank the ones doing this;
 - B. Commissioner Russ, if you have anyone that needs food, my church has got a food program; **and**
 - C. The Veterans are getting a lot of free things on Friday, and if anyone is interested, they can check on line.
5. **Vice Chairman Amon E. McKenzie:** stated the following:
 - A. I will try to match that \$100.00 for the Food Bank, and I will encourage my church to do the same;
 - B. I have a question on the interconnection project on Water Districts I and II, and this question is for Gail, how are we coming along on that?;

Gail replied stating the documents have made it to the LGC, and all the LGC needs from us is a copy of the audit, and Bobbie is working with the auditors to get that completed, and it looks like it may be January before we are able to get back to them and then the LGC will meet in January, 2012, and I am sure they will approve our grant application.

Bobbie Faircloth, Finance Director, stated I need to correct that a little. The LGC will meet and decide on it in January, 2012, and they will receive our audit the first part of December, 2011, as it is being presented to you.
 - C. What about the efforts on Silverspoon Road grant?

Gail replied stating we are working on that. In order to receive grant funds, we have to show contamination or low to moderate income area, and that area does not qualify for low- to moderate income, but I am talking to Kip about contamination, and we don't think there is any there. We met with Mr. Clark today to discuss some options there.

Vice Chairman McKenzie asked when will we know something for sure? Gail replied stating maybe the first of the year, we can come back to the Board with something.;
 - D. Regarding the Department of Aging, a word of caution, before any decisions are made, let's consider what a valuable asset we have there. When situations occur, we tend not to remember all the good things that have been done. I have received multiple calls also, and the most of the calls have been on the positive side. We don't need to rush into this. This will have an impact on Columbus County.
6. **Chairman Byrd:** stated the following:
 - A. What are we doing, and are we making progress with Waste Management on

the contract, that contract will be up before too long; **and** William S. Clark, County Manager, replied stating we are working on it and we have been meeting with municipalities talking about maybe a joint bid between all the municipalities in the County. We will be bring that back to you all. We can do this by ourself or jointly. We have been meeting regularly and right now, we are working on a RFP.

- B. When I came on board, I talked about a local landfill, not a regional landfill. I would like this to be checked into.

RECESS REGULAR SESSION and ENTER into CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11(3) ATTORNEY-CLIENT PRIVILEGE:

At 9:13 P.M., Commissioner Norris made a motion to recess Regular Session and enter into Closed Session in Accordance with N.C.G.S. § 143-318.11(3) Attorney-Client Privilege, second by Vice Chairman McKenzie. The motion unanimously passed.

Add-on:

CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11(3) ATTORNEY-CLIENT PRIVILEGE:

No official action was taken.

ADJOURN CLOSED SESSION and RESUME REGULAR SESSION:

At 9:45 P.M., Commissioner Prevatte made a motion to adjourn Closed Session and resume Regular Session, second by Commissioner Bullard. The motion unanimously passed.

READING and APPROVAL of CLOSED SESSION GENERAL ACCOUNT:

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

“The County Attorney gave a status update of the litigation involving the Town of Chadbourn and the Chadbourn Rural Water Association. No action was taken.”

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

Agenda Item #24: ADJOURNMENT:

At 9:46 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, November 07, 2011

8:37 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 Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:37 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 #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL OF BOARD MEETING MINUTES:

Commissioner Norris made a motion to approve the October 17, 2011 Columbus County Water and Sewer District I Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 8:47 P.M., Commissioner Norris made a motion to adjourn, second by Vice Chairman McKenzie. 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, November 07, 2011

8:37 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 Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:37 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 #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL OF BOARD MEETING MINUTES:

Commissioner Norris made a motion to approve the October 17, 2011 Columbus County Water and Sewer District II Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 8:47 P.M., Commissioner Norris made a motion to adjourn, second by Vice Chairman McKenzie. 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, November 07, 2011

8:37 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 Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:37 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 #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL OF BOARD MEETING MINUTES:

Commissioner Norris made a motion to approve the October 17, 2011 Columbus County Water and Sewer District III Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 8:47 P.M., Commissioner Norris made a motion to adjourn, second by Vice Chairman McKenzie. 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, November 07, 2011

8:37 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 Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:37 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 #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL OF BOARD MEETING MINUTES:

Commissioner Norris made a motion to approve the October 17, 2011 Columbus County Water and Sewer District IV Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

ADD-ON:

COLUMBUS COUNTY WATER and SEWER DISTRICT IV - HALLSBORO WATER AREA SPECIAL GRANT APPLICATION for SPECIAL NEEDS:

Chairman Byrd stated discussion was going to be held on the Hallsboro Water Area.

Discussion:

Chairman Byrd: On the Hallsboro Water Area, where we have applied for that special grant for special needs, we would like to address that.

Kip McClary: As you know, we have applied for funding both with the CDBG and the State Rural Development for funding for that. It will be a partner project if both funding sources come through. The CDBG will be a \$750,000.00 grant, and the remaining of the funds for the project which is

estimated at \$1.9 million would come through a low-interest loan approved through the State Funding.

Chairman Byrd: What part would we get no looking at having to pay back?

Kip McClary: The \$750,000.00.

Gail Edwards: There are two (2) pools of money. We are trying to get funds from the Drinking Water Revolving Fund, and that would be fifty (50%) percent, and then another \$750,00.00 for the CDBG.

Chairman Byrd: Now, the fifty (50%) percent, is that non-repayable also?

Gail Edwards: Yes.

Chairman Byrd: And that would be for how much money?

Gail Edwards: It was over \$900,000.00.

Chairman Byrd: If we could get the \$900,000.00 non-repayable, plus the \$750,000.00 non-repayable, it would only leave us having to pay \$900,00.00, plus. Is that correct?

Gail Edwards: The total project cost is \$1.9 million, we are looking at \$750,000.00 for the CDBG, and that would leave about \$1.1 million, and fifty (50%) percent of that would be \$587,000.00.

Chairman Byrd: We would have to pay back?

Gail Edwards: Yes, over twenty (20) years.

Chairman Byrd: Over twenty (20) years at two and 7/10 (2.7%) percent interest.

Gail Edwards: Two and 22/100 (2.22%) percent interest is what we are hoping for.

Chairman Byrd: In that proposal, you are really dealing with the area of the map that I got from you the other day showing the low area in the Hallsboro area around the old mill site, the area we call the Mill Quarter, is that correct?

Gail Edwards: That was approved by the Board.

Chairman Byrd: Right. It would go down Musset Road and would come to Hallsboro Middle School, but would not go over to Hallsboro Artesia Elementary.

Kip McClary: Correct.

Chairman Byrd: Kip, I have had discussion with you earlier about this today, and you said if we try to add the other school on, the costs would be over a \$1 million, and would only pick up twenty-five (25) houses, and would probably hurt the possibility of getting this grant that we are seeking now.

Kip McClary: The cost is estimated to add the other school on of \$191,400.00. There is a potential of an additional twenty-five (25) customers that could hook onto to the water if we bring it to Hallsboro Artesia School. The problem there exists in that the school and twenty-five (25) customers would only generate an estimated revenue of around \$8,500.00 per year. The debt service, alone, on that \$191,400.00 would be over (\$9,500.00) dollars per year, plus interest. It is not financially feasible to do that turn around just for that number of customers for the extension that would be needed. If we stop at this point, and amended that application to include that, that could delay the funding process, and could throw this project completely out of being doable.

Chairman Byrd: So your total recommendation is to go as we have previously planned, and at a later date, maybe come back with some kind of proposal and some kind of grant to add the Hallsboro Artesia Elementary School on.

Kip McClary: This is right.

Chairman Byrd: But it would be detrimental to try to bring it into this project now being we focused in the low area problems where health issues have been identified and poor drainage. Is that correct?

Kip McClary: That is correct.

Gail Edwards: Let me say, we have not applied for the CDBG Grant yet. We are trying to determine that we do have seventy (70%) percent of the participants with low to moderate income. Once we establish that, then we will make application for that grant.

Chairman Byrd: And I believe we did include that deadline to the 18th.

Gail Edwards: November 18th.

Chairman Byrd: Are you having a great response?

Gail Edwards: I am averaging about three to four (3-4) per day, and there are some people working in the community also to help out with that.

Chairman Byrd: I understand there are around one hundred forty, some, (140+) possible.

Gail Edwards: There are around one hundred forty to one hundred forty-five (140-145) possibles.

Commissioner Bullard: How much revenue would those create?

Kip McClary: You estimate just on base bill alone, and that would \$300,per home, per year.

Commissioner Bullard: How much is your payment going to be?

Gail Edwards: \$42,000.00 Is what we are looking at, based on 2.22% annually.

Chairman Byrd: Are you including the school? Wouldn't the school have to pay for the water also? They use about 15,000 gallons per month.

Kip McClary: 15,000 To 20,000 gallons per month.

Chairman Byrd: This would be about \$80.00 per month for them. I have spoken with some of the school officials and they really would be very happy if we could get this project to get to that school, and at a later date would love to see it go to the other school with the monitoring they have and the problems they have there. Both schools have sewer but neither one have public water. They have their own well.

Commissioner Bullard: How much would the payment be on that money you are borrowing on that system?

Gail Edwards: Twenty (20) years of debt service is \$42,084.00, annually.

Commissioner Prevatte: It is just about a break-even situation.

Gail Edwards: It is a break even.

Chairman Byrd: It is a break even at this time.

Commissioner Bullard: If they all sign up. Now, how many do you know that will sign up. Has anybody signed any dotted lines?

Gail Edwards: We are working on that now, also, with the income surveys. But this project is contingent on getting both of those grants. If we don't get them, then there is no project.

Commissioner Bullard: Have any of the customers signed the dotted line saying they will take it? Is it a guaranteed customers.

Kip McClary: We have verbal commitments from a lot of people.

Commissioner Bullard: That is not what I asked for. I asked if you if anybody had signed up and committed?

Kip McClary: We have yet not taken any applications because we are not sure yet if the homes qualify for the CDBG Grant.

Chairman Byrd: If this project goes through, it will be based on availability, I am sure. If it runs by your house, you are going to pay. Obviously, it is going to work, no more homes than we have at the present time. If it passes by your house, you will be required to pay a minimum fee. Is that correct?

Kip McClary: That is correct.

Gail Edwards: And we have sent that information out to all the potential customers that if they sign up for this, then they will be required to pay the \$25.00 minimum bill.

Commissioner Bullard: Can that be enforced, Mr. Attorney?

Mike Stephens: Yes, it can.

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ADJOURNMENT:

At 8:47 P.M., Commissioner Norris made a motion to adjourn, second by Vice Chairman McKenzie. 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, November 07, 2011

8:37 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 Faircloth, **Finance Officer**

MEETING CALLED TO ORDER:

At 8:37 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 #21: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL OF BOARD MEETING MINUTES:

Commissioner Norris made a motion to approve the October 17, 2011 Columbus County Water and Sewer District V Board Meeting Minutes, as recorded, second by Vice Chairman McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 8:47 P.M., Commissioner Norris made a motion to adjourn, second by Vice Chairman McKenzie. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

GILES E. BYRD, Chairman