

COLUMBUS COUNTY BOARD OF COMMISSIONERS**Monday, April 01, 2013****6:30 P.M.**

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

COMMISSIONERS PRESENT:

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

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 - Columbus County Electronic Gaming Operations Ordinance: the purpose of the public hearing is to receive oral and written comments from the public.

PUBLIC HEARING CALLED to ORDER:

At 6:30 P.M., Chairman Charles T. McDowell opened the Public Hearing, and stated the purpose of the Public hearing is to receive oral and written comments from the public on the Columbus County Electronic Gaming Operations Ordinance. Chairman McDowell requested that Michael H. Stephens, Columbus County Attorney, orally read the Policy on Comments at Public Hearings. Mr. Stephens orally read the policy in its entirety.

COMMENTS:

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

Commissioner Prevatte: Robert, on the first presentation of this information, there were several areas the Board requested you to go back and revise. Will you cover those areas?

Robert Lewis, County Planner: The Board had requested that fees be added for the County. These fees were not added. I have spoke to David Owens who is the land use planner for the School of Government and he states that it is in the best interest of any County not to adopt fees for these type machines. There is a General Statute that limits the types of businesses that counties can bring in revenue off of. Municipalities have a lot more power to charge fees off of these types of gaming industries. Mr. Owens stated that pretty much outside of municipal limits, what your normal fee would be is your Plan Site Review which is mentioned in this, which is on my fee schedule, and is a three hundred fifty and 00/100 (\$350.000) dollars fee, and then any building inspections fees they would have to pay. He states it is in the county's best interest not to charge these types of fees.

Commissioner Burroughs: Has there been any legislation passed recently that would allow for these types of fees?

Robert Lewis: Not to my knowledge.

Commissioner Byrd: If we cannot charge any fees, this would certainly lend to these types of businesses to locate in the rural areas with less police protection.

Robert Lewis: From my conversations with Mr. Owens and my colleague in Pender County, their recommendation outside of rules and regulations, is to refrain from any fees except the initial fees and building inspection fees because there have been lawsuits.

Commissioner Burroughs: Is there any fees being charged in Brunswick County?

Robert Lewis: I have not checked with Brunswick County.

Michael Stephens: stated the following:

1. He is correct in stating that municipalities can charge higher fees than counties can by statute;
- 2.. Under the Fee Schedule, Section 2, you can go back whenever you decide to and put a fee schedule in there, but you would do by the adoption of a resolution;
3. This is a mute point right now because it is illegal; **and**
4. This is just in case, at some point, the law becomes unconstitutional, and it goes back into effect, or they come up with a game plan.

Commissioner Byrd: What is the disadvantage of charging a fee?

Michael Stephens: You can charge a fee if you want to, but the statute restricts the County on fees compared to the cities.

Commissioner Burroughs: And there haven't been any change?

Michael Stephens: I haven't seen a change, but I will check on it.

Commissioner Prevatte: Where in the document do you reference the Site Plan Review fee and the Building Inspections fee?

Robert Lewis: I don't reference the Building Inspections fee in this document, and the Site Plan Review fee is referenced in Sections 2 and 8.

Vice Chairman Bullard: Mr. Attorney, if you don't charge a fee, could you go back to some type of term like permit fee, or the like?

Michael Stephens: You could increase your permit fees.

Commissioner Byrd: Would you want to single this type of business out, or would all permit fees increase?

Vice Chairman Bullard: I would like the fees to be increased only for this type of business. This type of operation is not good for the County especially in volume.

Commissioner Burroughs: We can always go back and amend this document at a later date. This document is just to have this information on the books in case this operation is determined to be legal again.

Chairman McDowell: Would we fall into the category where if we don't adopt this ordinance and someone comes in and makes an application for a permit before hand and we accept that application and grant a permit, would that business be grandfathered in?

Michael Stephens: The permit does not have to be granted until the appropriate time.

Commissioner Prevatte: Where there any other areas you were going to look at?

Robert Lewis: The other area was the penalty and it was changed from fifty and 00/100 (\$50.00) dollars to five hundred and 00/100 (\$500.00) dollars.

Commissioner McKenzie: Are we the only county that wants to charge this fee.

Robert Lewis: I think other counties did, but they backed off when they got legal advice.

PUBLIC HEARING CLOSED:

At 6:43 P.M., Commissioner Prevatte made a motion to close the Public Hearing, seconded by Commissioner McKenzie. The motion unanimously passed.

6:43 P.M.
REGULAR SESSION

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

At 6:43 P.M., Chairman Charles T. McDowell called the April 01, 2013 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Commissioner Amon E. McKenzie. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner Giles E. Byrd.

Agenda Item #4: BOARD MINUTES APPROVAL:

Commissioner McKenzie made a motion to approve the following listed minutes, as recorded, seconded by Commissioner Russ. The motion unanimously passed.

- A. March 14, 2013 Board Retreat Minutes;
- B. March 14, 2013 Joint Meeting with The Honorable Christopher L. Batten, Columbus County Sheriff, Whiteville Police Lieutenant McGee, The Honorable Terry Mann, Mayor, and Larry Faison, Manager, Columbus County Schools Board of Education, Whiteville City Schools Board of Education, Southeastern Community College Board of Trustees and Dr. Kathy Matlock, President, Southeastern Community College; **and**
- C. March 18, 2013 Regular Session Board Meeting Minutes.

Agenda Item #5: PUBLIC INPUT:

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

- 1. **Randy Norris, 5942 Joe Brown Highway, Chadbourn, NC 28431:** stated the following:
 - A. The weather is warming up and there are a lot of motorcycles getting out on the highways;
 - B. There are two (2) major motorcycle rallies coming up shortly; **and**
 - C. I am requesting the Board to adopt a proclamation recognizing May as Motorcycle Safety Awareness Month.

Vice Chairman Bullard made a motion for a Motorcycle Safety Awareness Month Proclamation to be prepared and presented at the April 15, 2013 Board Meeting, seconded by Commissioner Prevatte. The motion unanimously passed.

- 2. **Angela S. Norris, 5942 Joe Brown Highway, Chadbourn, NC 28431:** stated the following:
 - A. A am the president of the Ladies Auxiliary Club for the VFW Post here in Whiteville;
 - B. It has been brought to my attention that May 1st is Loyalty Day; **and**
 - C. I am requesting the Board to adopt a Proclamation recognizing this day.

Commissioner Burroughs made a motion for a Proclamation to be prepared declaring May 1st as Loyalty Day to be presented at the April 15, 2013 Board Meeting, seconded by Commissioner Prevatte. The motion unanimously passed.

Agenda Item #6: EMERGENCY SERVICES - ESTABLISHMENT of APRIL 15, 2013, at 5:00 P.M., for a WORKSHOP on KENWOOD NEXEDGE RADIO SYSTEM:

Kay Worley, Emergency Services Director, requested the Board to establish April 15, 2013, at 5:00 P.M., as the date and time for a workshop to be conducted on the Kenwood NEXEDGE radio system.

Commissioner Prevatte made a motion to establish April 15, 2013, at 5:00 P.M., as the date and time to conduct a workshop on the Kenwood NEXEDGE Radio system, seconded by Commissioner Burroughs. The motion unanimously passed.

Agenda Item #7: PLANNING - APPROVAL and ADOPTION of COLUMBUS COUNTY ELECTRONIC GAMING OPERATIONS ORDINANCE:

Robert Lewis, County Planner, requested Board approval and adoption of the following Columbus County Electronic Gaming Operations Ordinance, on its first reading. (The required Public Hearing was held on this date prior to the meeting.)

**COLUMBUS COUNTY ELECTRONIC GAMING OPERATIONS
ORDINANCE**

Enactment: An ordinance establishing regulations for electronic gaming operations within the County of Columbus, North Carolina and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of North Carolina GS 153-A Article 18.

Preamble: **WHEREAS**, in order to promote the health, safety, morals, and general welfare of the inhabitants of, and visitors to, the County of Columbus, North Carolina; it is necessary to adopt an Electronic Gaming Operations Ordinance for Columbus County, as hereinafter set forth, to regulate the operation of electronic gaming operations so as to provide for desirable neighborhoods and safe shopping areas and to establish uniform regulations for such electronic gaming operations.

NOW, THEREFORE, be it ordained by the County of Columbus, North Carolina, as follows:

ARTICLE I. REQUIREMENTS FOR ELECTRONIC GAMING OPERATIONS

Section 1. Authority and enactment.

- A. **Authority.** The provisions of this ordinance are adopted under the authority granted by the General Assembly of North Carolina, General Statute 153A-121 and 153A-340 through 153A-349 inclusive.
- B. **Jurisdiction.** The regulations set forth in this ordinance shall be applicable within all unincorporated areas of Columbus County not under the planning and regulatory jurisdiction of a municipality.
- C. **Title.** This ordinance shall be known as, referred to, and cited as the "Columbus County Electronic Gaming Operations Ordinance", and hereinafter referred to as the "ordinance".
- D. **Effective date.** This ordinance will be effective on the ____ day of _____, 2013.
- E. **Interpretation.** In interpreting and applying the provisions of this ordinance, those provisions shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, prosperity, and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this ordinance imposes a greater restriction upon electronic gaming operations than are imposed or required by other ordinances, rules, regulations, or by easements, covenants, or agreements, the provisions of this ordinance shall govern. Likewise, where other ordinances, easements, covenants, or other agreements impose additional or greater restrictions than those regulations set forth herein, the more restrictive regulations shall have precedence.

Section 2. General provisions.

- A. **Conformance with this ordinance.** No electronic gaming operation shall be established as a new operation or continue as an on-going operation, except in conformity with this ordinance.
- B. **Fees.** Reasonable fees sufficient to cover the costs of administration, inspection, publication of notice and similar matters may be charged to applicants for permits, variances, and other administrative relief as may be required by this ordinance. The amount of the fees charged shall be as set forth in the county's budget or as established by resolution of the board of commissioners filed in the office of the county clerk. Fees established in accordance with this subsection shall be paid upon submission of a signed application or notice of appeal.
- C. **Severability.** It is hereby declared to be the intention of the board of commissioners that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs,

sentences, clauses, or phrases of this ordinance since the same would have been enacted without the incorporation into this ordinance of such unconstitutional or invalid section, paragraph, sentence, clause, or phrase.

Section 3. Definitions.

A. **General.** For the purpose of interpreting this ordinance, certain words and terms used are defined in this section. Except as defined in this section, all other words used in this ordinance shall have their standard dictionary definition. For general interpretation, the following shall apply in all uses and cases in this ordinance:

1. The present tense includes the future tense, and the future tense includes the present tense.
2. The singular number includes the plural number, and the plural number includes the singular number.
3. The word "may" is permissive, and the word "shall" is mandatory.
4. The word "person" includes a firm, association, operation, partnership, trust, company or corporation, as well as an individual.
5. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
6. Words imparting the masculine gender include the feminine and neuter.

B. Word and term definitions.

Accessory building: A building that is located on the same parcel of property or manufactured home or recreational vehicle park space as the principal structure or use and the use of which is incidental to the use of the principal use or structure, except for accessory parking facilities located elsewhere plus pole barns, hay sheds, and the like qualify as accessory structures on farms and may or may not be located on the same parcel as the farm dwelling or shop building. Garages and carports are common accessory buildings. If a building is used for any residential, principal, or permitted use, it is not an accessory building. An accessory building can be attached to or detached from the principal structure.

Accessory use: A subordinate use, clearly incidental and related to the principal structure or use of land, and located on the same parcel of property or manufactured home or recreational vehicle park space as that of the principal structure or use, except for accessory parking facilities located elsewhere. If a parcel is used for any residential, principal, or permitted use, it is not an accessory use.

Adult bookstore: A bookstore:

1. That receives a majority of its gross income during any calendar month from the sale of publications (including books, magazines, and other periodicals) that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in the North Carolina General.
2. Having as a preponderance of its publications books, magazines and other periodicals that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in the North Carolina General Statutes.

Adult establishment: An adult bookstore, adult motion picture theatre, adult mini motion picture theatre, adult live entertainment business, or massage business.

Adult live entertainment business: Any establishment or business wherein adult live entertainment is shown for observation by patrons.

Adult live entertainment: Any performance of or involving the actual presence of real people which exhibits specified sexual activities or specified anatomical areas, as defined in the North Carolina General Statutes.

Adult mini-motion picture theatre: An enclosed building with viewing booths designed to hold patrons which is used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual

activities or specified anatomical areas as defined in the North Carolina General Statutes, for observation by patrons therein.

Adult motion picture theatre: An enclosed building or premises used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in the North Carolina General Statutes, for observation by patrons therein. "Adult motion picture theatre does not include any adult mini motion picture theatre as defined in this section.

Adult uses: An establishment which has a majority of its business which excludes minors by reason of age because of the sexually explicit nature of the material. Such establishments include, but are not limited to, adult bookstores, adult theatres (drive-in, picture, and mini-picture), massage parlors, adult cabaret, etc.

Advertising display area: The advertising display surface area encompassed within any polygon that would enclose all parts of the sign by one continuous line, connecting the extreme points or edges of a sign, and using the largest sign area or silhouette visible at any one time from any one point. The structural supports for a sign, whether they be columns, pylons, or a building, or a part thereof, shall not be included in the advertising area but all other ornamental attachments, inner connecting links, etc., that are not a part of the main supports of the sign are to be included in determining sign area.

Board of County Commissioners: The Board of County Commissioners of Columbus County, North Carolina.

Buffer: A screening device used to moderate the adverse impacts of one land use upon another. Buffers may include walls, privacy fences, hedges, landscaped areas, berms, mounds, or combinations of the above.

Business enterprise: An operation, facility, and/or area where items are sold and/or services are rendered, whether for profit or not.

Business unit: An operation, facility, and/or area where business activities take place under one ownership. A structure might contain multiple business units, if each is under separate ownership.

Certificate of Codes Compliance: A certificate issued by the Planning Director or designee that certifies that plans for a proposed structure, building, use, or lot conform to the provisions of all non-Building Code ordinances.

Letter of Compliance: A certificate issued by the Columbus County Department of Building Inspections or designee that declares that a building, structure, or lot may lawfully be employed for specific uses. Such structure(s) and use(s) shall conform fully to the provisions of all Ordinances, including all Building Codes.

Church: A structure in which persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.

Day-care: Includes any child-care arrangement except seasonal recreational programs operated for less than four consecutive months in a year, wherein three or more children less than 13 years of age receives care away from their own home by persons other than their parents, grandparents, aunts, uncles, brothers, sisters, first cousins, guardians or full-time custodians, or in the child's own home where other unrelated children are in care.

Day-care center, adult: An agency, organization, or individual providing daytime care to adults not related by blood or marriage, or not the legal wards of the attendant adult at any place other than an occupied dwelling.

Day care center, adult-family: A private residence where care, protection, and supervision are provided, for a fee, at least twice a week to no more than 6 (six) adults at one time who are not related by blood or marriage.

Day-care facility: Any day-care center or child-care arrangement that provides day-care for more than five children, not including the operator's own school-aged children, under the age of 13, on a regular basis of at least once per week for more than four hours but less than 24 hours per day,

regardless of the time of day and regardless of whether the same or different children attend. The following are not included: public schools; non-public schools whether or not accredited by the State Department of Public Instruction, that regularly and exclusively provide a course of grade school instruction to children who are of public school age; summer camps having children in full time residence; bible schools conducted during vacation periods; facilities under Article 2 of Chapter 122C of the General Statutes; and cooperative arrangements among parents to provide care for their own children as a convenience, rather than for employment.

Electronic gaming operation: A business enterprise, whether principal or accessory, where persons utilize electronic machines or devices, including but not limited to computers and gaming terminals, to conduct games of odds or chance, including sweepstakes, and where cash, merchandise, or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. Specifically excluded from this definition is any lottery approved by the State of North Carolina.

It is the activity that defines an electronic gaming operation, not the name; so an internet café, cybercafé, cyber sweepstakes, video arcade, game room, etc. might or might not be an electronic gaming operation. That is, there could be 2 businesses with the same kind of name (say, 2 video arcades or 2 internet cafés), and one might qualify as an electronic gaming operation and the other might not, based upon the actual activity within the business itself.

Electronic machine or device: A mechanically-, electrically-, or electronically-operated machine or device, that is owned, leased, or otherwise possessed by a sweepstakes sponsor or promoter, or any of the sweepstakes sponsor's or promoter's partners, affiliates, subsidiaries or contractors, that is intended to be used by a sweepstakes entrant, that uses energy, and that is capable of displaying information on a screen or other mechanism. This section is applicable to an electronic machine or device whether or not:

1. It is server-based.
2. It uses a simulated game terminal as a representation of the prizes associated with the results of the sweepstakes entries.
3. It utilizes software such that the simulated game influences or determines the winning or value of the prize.
4. It selects prizes from a predetermined finite pool of entries.
5. It utilizes a mechanism that reveals the content of a predetermined sweepstakes entry.
6. It predetermines the prize results and stores those results for delivery at the time the sweepstakes entry results are revealed.
7. It utilizes software to create a game result.
8. It requires deposit of any money, coin, or token, or the use of any credit card, debit card, prepaid card, or any other method of payment to activate the electronic machine or device.
9. It requires direct payment into the electronic machine or device, or remote activation of the electronic machine or device.
10. It requires purchase of a related product.
11. The related product, if any, has legitimate value.
12. It reveals the prize incrementally, even though it may not influence if a prize is awarded or the value of any prize awarded.
13. It determines and associates the prize with an entry or entries at the time the sweepstakes is entered.
14. It is a slot machine or other form of electrical, mechanical, or computer game.

Enforcement officer. The Planning Director or designee.

Enter or entry: The act or process by which a person becomes eligible to receive any prize offered in a sweepstakes.

Entertaining display: Visual information, capable of being seen by a sweepstakes entrant, that takes the form of actual game play, or simulated game play, such as, by way of illustration and not exclusion:

1. A video poker game or any other kind of video playing card game.
2. A video bingo game.
3. A video craps game.
4. A video keno game.
5. A video lotto game.

6. Eight liner.
7. Pot-of-gold.
8. A video game based on or involving the random or chance matching of different pictures, words, numbers, or symbols not dependent on the skill or dexterity of the player.
9. Any other video game not dependent on skill or dexterity that is played while revealing a prize as the result of an entry into a sweepstakes.

Library: A library can be in a room, set of rooms, or a building. A library contains books, periodicals, and other material for reading, viewing, listening, study, reference, and/or borrowing but not including a book store, newsstand, and the like where the primary activity is the selling, rather than the lending, of the items.

Lot: Land area of defined boundaries in single ownership, set aside for separate use or occupancy, and recorded as such in the office of the Columbus County Register of Deeds. The word "lot" includes "parcel", "plot", or "tract".

Lot line: Any boundary of a parcel of land.

Non-conforming Structure: A building or structure that lawfully existed prior to the initial adoption of this Ordinance or any subsequent amendments that is not in compliance with this Ordinance.

Non-conforming use: The use of a building, structure, or lot for a purpose that does not conform to the regulations of this ordinance, either at the effective date of this ordinance or as a result of subsequent amendments which may be incorporated in this ordinance.

Off-street parking space: A marked or otherwise identified parking space that is located outside the public right-of-way or private road easement and is suitable to accommodate one automobile, plus the necessary access space.

Park: Any public or private land or combination of land and water resources available for recreational, educational, cultural, or aesthetic use. A park is predominantly comprised of open space areas that are used for passive recreation activities and/or educational, cultural, or aesthetic uses. A park may contain a mix of passive and active areas but must be primarily passive to be a park. Ball fields are often a part of a park but a ball field by itself is not a park.

Permitted use: A permitted use by right in a specific zoning district.

Place of worship: A structure or other indoor or outdoor facility used for public worship. The term "place of worship" includes the words "church", "chapel", "synagogue", "mosque", and "temple" and their uses and activities that are customarily related.

Planning Board: The Columbus County Planning Board

Planning and Building Inspections Department: Department consisting of the planning staff and building inspection staff for Columbus County.

Prize: Any gift, award, gratuity, good, service, credit, or anything else of value, which may be transferred to a person, whether possession of the prize is actually transferred, or placed on an account or other record as evidence of the intent to transfer the prize.

Public or private school: A facility that provides instruction and training, often in a wide variety of subjects. Some are establishments that are highly specialized, offering instruction in a very limited subject matter, such as ski lessons, real estate license course, or one specific computer software package. This instruction and training is most often provided by specialized establishments, such as schools, colleges, universities, and training centers. These might be establishments that are privately-owned and -operated for profit or not for profit, or they may be publicly-owned and -operated.

Public park: A park owned and/or operated by a governmental agency.

Sign: Any device, letter, numeral, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated surface, that is so constructed, placed, attached, painted, erected, fastened, or manufactured in any manner,

whatsoever, so that the same is used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise, whatsoever, that are displayed in any manner whatsoever, including out-of-doors, and are visible from any public way. Also included are any card, cloth, glass, metal, painted, paper, plastic, wooden, or other configuration of any character placed in or on the ground or any tree, wall, bush, rock, fence, pavement, building, structure, or thing, for the purpose of advertising, announcing, declaring, demonstrating or displaying information about a specific business, occupant use, activity, or building, including clocks, barber poles and similar devices. This shall exclude official notices issued by a court or public officer.

Street or road: The all-weather travelway within a public or private right-of-way or easement that is set aside for public or private travel and provides access to abutting properties, and has been accepted for maintenance by the State of North Carolina, has been established as a public or private street prior to the date of adoption of this ordinance, has been dedicated to the State of North Carolina for public travel by the recording of a plat of an approved subdivision, or has been approved as a private street by Columbus County.

Sweepstakes: Any game, advertising scheme or plan, or other promotion, which, with or without payment of any consideration, a person may enter to win or become eligible to receive any prize, the determination of which is based upon chance.

Trash receptacle: Any container, structure, or building (including dumpsters and compactors) designed to hold, crush or otherwise compact, and/or receive the trash of one or more businesses, one or more public or semi-public institutions, and/or two or more residences.

Use: The purpose for which land or a structure is designed, arranged, and/or intended to be occupied or utilized or for which the land or structure is occupied, maintained, rented, or leased.

Use, accessory: A subordinate use, clearly incidental and related to the principal structure or use of land, and located on the same parcel of property or manufactured home or recreational vehicle park space as that of the principal structure or use, except for accessory parking facilities located elsewhere. If a parcel is used for any residential, principal, or permitted use, it is not an accessory use.

Use-by-right: A use which is listed as an unconditionally permitted activity in this ordinance.

Use, non-conforming: The use of a building, structure, or lot for a purpose that does not conform to the regulations of this ordinance, either at the effective date of this ordinance or as a result of subsequent amendments which may be incorporated in this ordinance.

Use, Permitted: A principal use, other than a special use, that is approved administratively when it complies with the standards and requirements set forth for the zoning district in which it is located. Also known as a use permitted by right.

Wall: A structure, other than a building, that is a barrier and is used as a boundary, screening, or means of protection or confinement. A wall functions like a fence but is usually thicker than 6 inches

Yard: A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure but not including fences; walls; poles; heating, ventilation, and air conditioning equipment; posts and other customary yard accessories; ornaments; furniture; and customary accessory buildings. For lots of record that front on access easements, yard and lot depth measurements shall be made from the edge of the easement rather than from the lot line.

- A. **Front yard:** The space required between a front lot line and the front setback line of a principal building or structure. For any given parcel, the required front yard can be smaller than the actual front yard.
- B. **Rear yard:** The space required between the rear lot line and the rear building line of a principal structure, which may contain permitted accessory structures, or uses. For any given parcel, the required rear yard can be smaller than the actual rear yard.
- C. **Side yard:** The space required between a side lot line and the side building line of a principal building or structure, which may contain permitted accessory structures or uses.

For any given parcel, the required side yard can be smaller than the actual side yard.

Yard, side on street r-o-w: A side yard between the structure and a street or street right-of-way.

Section 4. Development requirements for an electronic gaming operation as an accessory use.

If two (2) or less machines/terminals/computers are to be installed per business unit, the proposed electronic gaming operations shall be permitted as an accessory use to a commercial operation. The number of machines shall not exceed two (2) for an operation defined by this ordinance as an accessory use.:

- A. The operation must be located within the same structure or unit as the principal use.
- B. For situations in which there is a multi-unit building or multi-tenant commercial building and more than one unit wishes to include electronic gaming operations, the cumulative total number of machines may not exceed 20 (twenty) for such a business center, multi-unit building, or multi-tenant commercial building.
- C. All legally-operating gaming operations made non-conforming by adoption of this section defined as an accessory use shall be removed or brought into compliance with these provisions within 18 (eighteen) months of the date of adoption of this ordinance.

Section 5. Development requirements for an electronic gaming operation as a permitted principal use.

An electronic gaming operation may not have more than 40 (forty) machines/terminals/computers installed per business unit. If this requirement is met, the proposed electronic gaming operation shall be subject to the following standards, in addition to any requirements of any other County ordinance that might apply:

- A. **Hours of operation.** Limited to 8 a.m. through 12 midnight, Monday through Saturday. Sunday hours of operation are from 1 p.m. through 12 midnight.
- B. **Alcohol sales or consumption.** Prohibited.
- C. **Food or beverage service or distribution.** Shall meet the requirements of the Columbus County Health Department, including any and all permits and licenses.
- D. **Occupancy limit.** Shall be set by the Fire Marshal for the establishment prior to submission of the electronic gaming operations permit application.
- E. **Off-Street Parking.** One (1) space shall be provided for each 100 (one hundred) square feet of gross floor area or 1 (one) space for every 2 (two) terminals/computers, whichever is greater.
- F. **Age Limit.** No person under the age of eighteen (18) shall be allowed in an electronic gaming operation where it serves as the primary use of a building.
- G. **Window Accents.** The total light transmission shall be at least forty (40) percent. Tint shall be non-reflective and shall not be red, amber, or yellow. Blinds may be installed along with tint, but must be opened enough to see into the business during operating hours.
- H. **Location.** Electronic gaming operations shall be located a minimum distance of 1000 (one-thousand) feet, measured in a straight line in any direction from closest point of the building and parking lot of the proposed business to the property line of any of the following:
 - 1. A residence or a residential district.
 - 2. A place of worship or other religious institution.
 - 3. A day care center or facility, public school, and/or private school.
 - 4. A Public park, playground, and/or library.
 - 5. Another electronic gaming operation.
 - 6. An adult entertainment establishment.

7. A RV Campground
8. Cemetery
9. EMS Facility

Each applicant shall submit a current, straight-line drawing prepared by a registered surveyor within 30 (thirty) days prior to the application, depicting the straight-line measurements to each use listed above (1-7) that is within 1,000 (one thousand) feet. Such uses shall be considered existing or established if they are in place or actively under construction at the time an application is submitted.

For zoned areas, residential districts shall be based upon the most current official zoning map. For an unzoned area, whether or not it is a residential district shall be as determined by the Planning Director or designee.

- I. **Sewage disposal.** The Columbus County Health Department shall test the lot for adequate sewage disposal characteristics.

Section 6. Letter of Compliance required for new electronic gaming operations.

- A. It shall be unlawful for any person to maintain or operate an electronic gaming operation after the adoption of this ordinance, unless such person shall first obtain a Letter of Compliance.
- B. It shall be unlawful for any person to establish, alter, or make any additions to any electronic gaming operation until a building permit and a certificate of codes compliance have been issued.
- C. The Columbus County Planning or Building Inspections Department may, after due notice, subject to the right of appeal, suspend or revoke the Letter of Compliance for failure to maintain an electronic gaming operation in compliance with the provisions of this ordinance.
- D. All electronic gaming operations existing on the effective date of this ordinance cannot expand unless such expansions comply with all applicable procedures and requirements of this ordinance and all required permits of this and any other county ordinance have been obtained.

Section 7. Procedure for obtaining Approval/ Letter of Compliance.

- A. The applicant shall apply for an electronic gaming operations permit at the Planning Department.
- B. The application shall describe how the proposed electronic gaming operation will be in compliance with this ordinance, if a Letter of Compliance is issued. The application shall include at least the following information plus any additional information deemed appropriate by the Planning Director or designee:
 1. A location map showing the location of the electronic gaming operation in relation to the surrounding area within a 1 (one) mile radius, including the date, scale, and approximate North arrow.
 2. The name of the electronic gaming operation plus the name(s) and address(es) of the owner(s).
 3. The proposed number and type of machines/terminals/computers.
 4. Location and size of proposed signs.
- C. The Planning Director or designee will submit all information mentioned in subsection (B) of section 7 of this ordinance to the Planning Board for approval. Applications must be complete fifteen (15) days prior to the next regular scheduled Planning Board meeting.
- D. Once the applicant has secured Planning Board approval and all requirements have been met, a Letter of Compliance shall be issued which shall permit the electronic gaming establishment to operate in compliance with its electronic gaming operations permit and this ordinance.

Section 8. Inspections and fees required for electronic gaming operations.

- A. The Planning Department and the County Health Department may conduct as many inspections of an electronic gaming operation as are deemed necessary to insure the maintenance of the applicable standards.

- B. The operator of an electronic gaming operation shall pay an application fee for the site plan review per the Columbus County Planning Department Fee Schedule.
- C. The Letter of Compliance for an electronic gaming operation may be revoked if inspection fees are not paid or if the operator prevents inspections from being carried out.

Section 9. Expansion of Existing Non-Conforming Electronic Gaming Operations

- A. **Continuation of non-conforming use.** Any increase in area, height, and/or volume of the actual internet sweepstakes operation shall be considered an expansion or enlargement that must meet the current ordinance. The owner of a building used for an internet operation shall expand or increase the area, height, or volume of the building, but the expansion must be separate from the internet sweepstakes operation. The expansion must meet all other applicable local and state requirements.
- B. **Abandonment.** If a non-conforming electronic gaming operation is abandoned for a period of sixty (60) consecutive calendar days, the land and/or structure so formerly utilized must thereafter be used in conformity with all existing ordinances within Columbus County.
A non-conforming electronic gaming operation that is superseded by any other use (permitted or not) shall not thereafter be reinstated unless and until it is brought into conformity with this ordinance. When a non-conforming use is ceased, such use shall not be resumed.
- C. **Projects under construction prior to non-conforming use status.** No provision of this ordinance shall be construed to require a change in plans, construction, or designated use of an electronic gaming operation in which actual construction or placement activities as a result of acquisition of a county permit were lawfully begun prior to the effective date of this ordinance.
- D. **Necessary repairs permitted.** Nothing in this ordinance shall prevent the strengthening or restoration of a safe and lawful condition of electronic gaming operation declared unsafe or unlawful by a duly authorized county official.

Section 10. Amendments.

This ordinance may from time to time be amended, supplemented, changed, modified, or repealed by the Columbus County Board of Commissioners according to the following procedure:

The Board of County Commissioners on its own motion or by petition may amend, supplement, change, or repeal the regulations established by this ordinance. Any such amendment will be adopted only after public notice and public hearing as required by general law.

- A. **Petition for amendment.** Petitions for an amendment to this ordinance must be filed in the office of the Planning Department by the property owner or his duly authorized agent. An official application form shall be obtained and returned to the planning department no later than four weeks prior to the date of the planning board meeting for which the petition is slated. The filing fee shall be in accordance with the planning department fee schedule and must accompany the application form.
- B. **Withdrawal/suspension of petitions.** Petition for amendment to the ordinance may be withdrawn or suspended by the petitioner at any time up to and including 10 days prior to the hearing date. After that time, requests to withdraw or suspend a petition must be filed with the clerk to the board of county commissioners and, on the day of the hearing, the commissioners will decide if the withdrawal/suspension will be allowed.
 1. If the request for a suspension is granted, the petitioner shall incur all costs associated with the readvertisement of the public hearing. If a petition is withdrawn, any reapplication shall be treated as a new petition and all required fees shall be paid.
 2. The petitioner will not be allowed to amend or change the petition after the board of county commissioners authorizes a public hearing to hear the request.
- C. **Public hearing.** No amendment of the ordinance may be adopted until after a public hearing has been held on the petition.
 1. The total amount of time allowed for the supporters or the opponents of a petition to

provide verbal comments shall be determined at public hearing. At the hearing, the presiding officer of the hearing will decide whether to grant all or part of any request for additional time.

2. In cases involving a controversial matter and a large number of persons wishing to speak at the public hearing in favor of or against a request, the planning department reserves the right to require those persons to sign up in advance of the public hearing in order to facilitate and organize the speakers. Persons who do not register to speak in advance shall be allowed that right at the public hearing. If such a requirement for pre-registration is necessary, the advertised public hearing notice shall clearly indicate this requirement.

D. Recommendation of the Planning Board. No proposal to amend this ordinance will be approved unless it is first submitted to the planning board for its recommendations. The planning board must take action on the amendment within 45 days after the petition has been referred to the planning board. If the planning board does not render a decision within that period, the petition will be considered the same as a favorable recommendation. If the planning board tables the amendment for any length of time, that shall be considered to be taking action on the amendment.

E. Effect of denial by County Commissioners. A petition for amendment to the ordinance that has been denied in whole or in part may not be resubmitted within 6 (six) months of the date of action on the original request. However, the board of county commissioners may choose to allow a reapplication if, after a report from the planning board, it determines that there have been substantial changes in conditions or circumstances which may relate to the request.

Section 11. Notice requirements.

For any request that is to go before the Planning Board or Board of County Commissioners that pertains to a particular property or properties, Staff shall complete the following requirements

- A. A notice of the request will be placed in a local Columbus County newspaper once a week for two successive calendar weeks. The notice will appear for the first time no more than 25 days and no less than 15 days prior to the meeting or hearing date.

Section 12. Penalties for violation.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished for each offense by a fine not exceeding five hundred and 00/100 (\$500.00) dollars or by imprisonment not to exceed 30 (thirty) days. Each day such violation continues shall be deemed a separate offense.

Section 13. Remedies.

In the event of a violation of this ordinance, the enforcement officer herein or any other appropriate authority of the county or any person who would be damaged by such violation, in addition to other remedies, may institute an action for injunction or mandamus, abatement or other appropriate action or proceeding to prevent such violation. In this regard, Columbus County shall have those remedies and authorities authorized and set forth by the NCGS.

Section 14. Provisions of ordinance declared to be minimum requirements.

The provisions of this ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety, morals, or general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted regulations, the most restrictive or that imposing the higher standards shall govern. The requirements set forth in this ordinance are minimum requirements and, due to natural conditions which may exist, these requirements may not be adequate under certain conditions.

Section 15. Separability clause.

In the event any section or provision of this ordinance is declared by the courts to be unconstitutional or invalid, such decisions shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

Duly **ADOPTED** this _____ day of April, 2013.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

CHARLES T. McDOWELL, Chairman

ATTESTED BY:

JUNE B. HALL, Clerk to Board

Commissioner Byrd made a motion to table the approval and adoption of the Columbus County Electronic Gaming Operations Ordinance until the April 15, 2013 Board Meeting, seconded by Commissioner McKenzie. The motion unanimously passed.

Agenda Item #8: PLANNING - ESTABLISHMENT of DATE and TIME for JOINT WORKSHOP for DISCUSSION of FUTURE LAND USE RULES and REGULATIONS:

Robert Lewis, County Planner, requested the Board to establish a date and time for a joint workshop with the Planning Board on the future Columbus County Land Use Rules and Regulations.

Commissioner Byrd made a motion to establish May 06, 2013, at 5:00 P.M., as the time and date for a joint workshop with the Planning Board for the discussion of future Columbus County Land Use Rules and Regulations, seconded by Commissioner Prevatte. The motion unanimously passed.

Agenda Item #9: PARKS AND RECREATION - APPROVAL and ADOPTION of COLUMBUS COUNTY BOOMER GAMES PROCLAMATION:

Julie Strickland, Parks and Recreation Director, requested Board approval and adoption of the following Columbus County Boomer Games Proclamation.

COLUMBUS COUNTY BOOMER GAMES PROCLAMATION

WHEREAS, the Columbus County Boomer Games will be hosted in Columbus County; **and**

WHEREAS, senior athletes, ages 55 and better, will participate in a Senior Celebration of sport, camaraderie, and competition amongst their peers; **and**

WHEREAS, these seniors are true role models for positive lifestyles and healthy living for all of us; **and**

WHEREAS, Columbus County Boomer Games promotes friendly competition, fellowship, health and wellness, an active lifestyle and volunteerism; **and**

WHEREAS, seniors can participate in an impressive line-up of events, including corn hole, bowling; cycling, golf, horseshoes; 5K road race, softball throw, basketball shoot; football throw, and spin casting for gold, silver, and bronze medals; **and**

WHEREAS, seniors can participate in an impressive line-up of artistic and literary events including painting; drawing, quilting; sculpture; pottery; photography; basket weaving; writing; jewelry; woodworking; stained glass; and needle craft for 1st, 2nd, and 3rd place ribbons; **and**

WHEREAS, we extend appreciation to the sponsors who have made this effort possible: Columbus County Department of Aging Advisory Committee, State Farm Insurance, Columbus Regional Healthcare System, the Columbus County Parks and Recreation Department, Columbus County Arts Council, Columbus County RSVP, The News Reporter, Southeastern Community College, Whiteville City Schools, along with many volunteers in the community.

NOW, THEREFORE, BE IT PROCLAIMED by the Columbus County Board of Commissioners that April 2013 shall be known as **COLUMBUS COUNTY BOOMER GAMES** month in all of Columbus County.

This combination of commitment and dedication to senior citizens will ensure that Columbus

County will continue to be a wonderful place to live and work.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **CHARLES T. McDOWELL, Chairman**

ATTEST:

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

Commissioner Prevatte made a motion to approve and adopt the Columbus County Boomer Games Proclamation, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #10: REGISTER OF DEEDS - APPROVAL for BIS to SCAN PLATS and INDEX BOOKS:

The Honorable Kandance Bullock, Columbus County Registrar, requested Board approval for BIS to scan plats and all index books from 1808 - 1966 and implement into existing computer system.

Registrar Bullock stated the following:

1. I have received a quote from Business Information Systems (BIS) which is the current computer vendor that we have now;
2. This quote is for \$29,295.00, this work will take about two (2) months, and they will come do this work on site in house, and our maps will not go anywhere;
3. We are presently piecing the maps together and making copies on a copier, and we need to keep the maps in house;
4. Virtual Image Technology has given me a quote of approximately \$31,000.00, and they will be taking the maps to South Carolina, and it will take eleven (11) months; **and**
5. If Virtual Image Technology does this work, we will still have a cost of BIS implementing this information into our system.

Commissioner Prevatte made a motion to approve the quote from Business Information Systems (BIS), in the amount of twenty-nine thousand, two hundred ninety-five and 00/100 (\$29,295.00) dollars to scan plats and all index books from 1808 - 1966, and implement into the existing computer system, seconded by Vice Chairman Bullard. The motion unanimously passed.

Agenda Item #11: TAX - DEPARTMENTAL UPDATE:

Richard Gore, Tax Administrator, delivered the following departmental update to the Board.

Land Records

Real Estate Transaction History:

YEAR	AMT	YEAR	AMT	YEAR	AMT	YEAR	AMT
1998	1,556	2002	2,280	2006	2,838	2010	2,347
1999	1,650	2003	2,530	2007	2,868	2011	1,884
2000	1,878	2004	2,460	2008	2,429	2012	2,126
2001	2,204	2005	2,640	2009	1,860		

Parcel County History:

YEAR	AMT	YEAR	AMT	YEAR	AMT	YEAR	AMT
1998	36,315	2002	39,704	2006	41,364	2010	44,100
1999	36,990	2003	40,137	2007	42,039	2011	44,374
2000	37,719	2004	40,689	2008	43,254	2012	44,693
2001	38,502	2005	41,370	2009	43,659		

Outstanding Tax Report

Real and Personal:

TAX YEAR	AMT BILLED	AMT PAID	OUTSTANDING LEVY	PERCENT COLLECTED
2003	16,914,945.88	16,802,059.69	112,886.19	.9933
2004	17,150,574.63	17,048,317.74	102,256.89	.9940
2005	20,224,589.86	20,120,412.12	104,177.74	.9948
2006	21,442,713.86	21,316,476.59	126,237.27	.9941
2007	23,216,757.38	23,079,142.66	137,614.72	.9941
2008	24,044,459.58	23,877,262.05	167,197.53	.9930
2009	24,304,291.94	24,077,443.35	226,848.59	.9907
2010	24,734,625.35	24,374,340.35	360,284.90	.9854
2011	24,859,992.14	24,251,883.59	608,108.64	.9755
2012	25,226,903.81	22,510,093.42	2,716,810.39	.8923

Vehicles:

TAX YEAR	AMT BILLED	AMT PAID	OUTSTANDING LEVY	PERCENT COLLECTED
2003	2,728,189.58	2,728,189.58	-0-	100
2004	2,690,996.95	2,690,996.95	-0-	100
2005	2,678,677.52	2,517,355.02	161,322.50	.9398
2006	2,786,095.50	2,582,619.14	203,476.36	.9270
2007	3,215,371.04	3,009,898.81	205,472.23	.9361
2008	3,781,698.67	3,541,423.12	240,275.55	.9365
2009	2,749,216.04	2,522,623.76	226,592.28	.9176
2010	2,705,171.40	2,496,155.56	209,015.84	.9227
2011	2,812,147.82	2,488,605.14	323,542.68	.8849
2012	1,846,598.45	1,099,081.75	747,516.70	.5952

Agenda Item #12: TAX - DISSOLUTION OF VEHICLE REVIEW COMMITTEE:

Richard Gore, Tax Administrator, requested the Board to dissolve the Columbus County Vehicle Review Committee.

Vice Chairman Bullard made a motion to dissolve the Columbus County Vehicle Review Committee, seconded by Commissioner Burroughs. The motion unanimously passed.

Agenda Item #13: FINANCE - APPROVAL of PURCHASE ORDER for FLU VACCINES:

Bobbie Faircloth, Finance Director, requested Board approval of Purchase Order Number: 53021, in the amount of thirty-two thousand, two hundred fifty-two and 80/100 (\$32,252.80) dollars, to pre-order the flu vaccines for Fiscal Year 2013/2014. Historically, this information has been presented to the Board by Kimberly Smith, Columbus County Health Director.

Commissioner Byrd made a motion to approve Purchase Order Number: 53021, in the amount of thirty-two thousand, two hundred fifty-two and 80/100 (\$32,252.80) dollars, to pre-order the flu vaccines for Fiscal Year 2013/2014, seconded by Commissioner Russ. The motion unanimously passed.

Agenda Item #14: APPOINTMENTS//RE-APPOINTMENTS/REPLACEMENTS to BOARDS:

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

COMMITTEE	DISTRICT/ EB	PERSON(S)	EXPIRE DATE	BOARD ACTION
Brunswick Zoning, Planning Bd. And Board of Adjustments Motion: Commissioner Byrd Second: Commissioner McKenzie	EB	Caletta Faulk (ETJ)	05-17-2013	Re-Appoint
Home and Community Care Block Grant Committee	VII	Dean Gore	06/30/2013	HOLD
Nursing/Adult Care Home Joint Community Advisory Comm. Motion: Commissioner Byrd Second: Vice Chairman Bullard	EB EB EB	Betty Goodman (Resigned) Kathryn Burch Donna Watson	12/01/2014 03-19-2013 01-17-2013	HOLD HOLD Re-Appoint
Tabor City Planning and Zoning Board Motion: Commissioner Burroughs Second: Commissioner Byrd	EB	Patrick Milligan (ETJ)	April, 2013	Re-Appoint
Tabor City Zoning Board of Adjustment Motion: Commissioner Burroughs Second: Vice Chairman Bullard	EB EB	Timmy Canady (ETJ) Johnnie Jernigan, Jr. (ETJ)	April, 2013 April, 2013	Re-Appoint

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

At 7:15 P.M., Commissioner McKenzie made a motion to recess Regular Session and enter into a **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Vice Chairman Bullard. The motion unanimously passed.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

March 18, 2013 **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.

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

At 7:16 P.M., Commissioner McKenzie made a motion to adjourn the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #16: CONSENT AGENDA ITEMS:

Commissioner Byrd made a motion to approve the following Consent Agenda Items, seconded by Commissioner Russ. The motion unanimously passed.

A. Budget Amendments:

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditures	10-5197-526001	HP Departmental Supplies	12,479
Revenues	10-3510-430049	HP State Grant	12,479
Expenditures	10-5180-526001	EH Departmental Supplies	7,488
Revenues	10-3510-430024	State Food and Lodging Grant	7,448
Expenditures	10-4310-512210	Patrol Overtime	60,000
Revenues	10-3431-440083	Patrol Services	60,000
Expenditures	10-4310-535300	M&R Vehicles	1,000
Revenues	10-3431-489000	Miscellaneous Revenue - Sheriff	1,000
Expenditures	10-4310-535300	M&R Vehicles	2,900
Revenues	10-3431-489000	Miscellaneous Revenue - Sheriff	2,900

B. Tax Refunds and Releases:

Tax Refunds and

<i>Property Value</i>		Amount:	\$191.27
Hester, Curtis J.	PROPERTY: 00000	Total:	\$211.26
Value: \$33,560.00	Year: 09-12	Account: 11-01937	Bill#: 99999
Release value of 2008 Sea Fox, 2009 Sea Hunt, 1994 Mirrocraft, 1995 Owen. Sold or traded each for another. Release Hallsboro Fire(14.09), release Columbus Rescue(4.69) release late list (1.21)			
<i>Property Value</i>		Amount:	\$466.58
Manning, Ila (Heirs)	PROPERTY: 16282	Total:	\$514.98
Value: \$2,700.00	Year: 03-11	Account: 09-20100	Bill#: 99999
Release value of acreage. Should have been 5 acres only. Deed error. Release Williams Fire(36.30), release Columbus Rescue(12.10)			
<i>Property Value</i>		Amount:	\$172.87
Stanley, Ortha Nobles	PROPERTY: 00000	Total:	\$2,194.85
Value: \$1,000.00	Year: 03-12	Account: 01-88722	Bill#: 99999
Release value of mobile home. Repoed in 2001. Release Brunswick Fire(15.33), release Columbus Rescue(4.39) release late list(19.26)			
<i>Property Value</i>		Amount:	\$127.14
Turbeville, Bradley	PROPERTY: 94908	Total:	\$156.78
Value: \$58,300.00	Year: 2012	Account: 16-03517	Bill#: 40418
Release portion of value on DW/MH. Corrected from title. Release Cerro Gordo Fire(15.60), release Columbus Rescue(3.12) release water district II			
<i>Property Value</i>		Amount:	\$600.66
Ward, Timothy C & Rebecca L.	PROPERTY: 86227	Total:	\$892.36
Value: \$0.00	Year: 2012	Account: 03-27798	Bill#: 99999
Release value of home and user fee. Home Burned Nov. 2011.			
<i>Refunds</i>		Amount:	\$0.00
McPherson, Willie Paul	PROPERTY: 87540	Total:	\$218.00
Value: \$0.00	Year: 2012	Account: 02-00619	Bill#: 99999
Refund User Fee. No can at car lot.			
<i>User Fee</i>		Amount:	\$0.00
Bordeaux, Willie J. & Joyce S.	PROPERTY: 88154	Total:	\$218.00
Value: \$0.00	Year: 2012	Account: 01-01909	Bill#: 1049
Release user fee. Dwelling Vacant.			
<i>User Fee</i>		Amount:	\$0.00
Brown, Perriner (Heirs) & Junius	PROPERTY: 10183	Total:	\$131.00
Value: \$0.00	Year: 2012	Account: 06-02580	Bill#: 2243
Release user fee. Vacant per town of Tabor City.			

<i>User Fee</i>		Amount:	\$0.00
Hayes, Linda King	PROPERTY: 017877	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 10-02536	Bill#:	16219
Release user fee. Vacant without a can.			
<i>User Fee</i>		Amount:	\$0.00
Robinson, Eddie Eugene	PROPERTY: 76062	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 14-00945	Bill#:	32527
Release user fee. Dwelling vacant.			
<i>User Fee</i>		Amount:	\$0.00
Rogers, Roy Craig & William Rogers	PROPERTY: 23248	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 12-03953	Bill#:	32709
Release user fee. No can sending out can 2013.			
<i>User Fee</i>		Amount:	\$0.00
White, Patricia M.	PROPERTY: 28575	Total:	\$1,066.00
Value: \$0.00 Year: 08-12	Account: 15-04236	Bill#:	99999
Release user fee. Dwelling not liveable.			

Agenda Item #17: COMMENTS:

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

B. Board of Commissioners:

1. **Commissioner Prevatte:** stated the following:
 - A. I really appreciate everyone attending this meeting;
 - B. If you are 55 years old or older, please participate in the Boomer Games on April 24, 2013;
 - C. If you cannot participate in these activities, go and show your support; **and**
 - D. I challenge everyone to participate.
2. **Commissioner Byrd:** Kip, I have received some questions on the trash pickup rates being increased in the last four (4) months. There is a restaurant located in the Hallsboro area that is asking about this increase. Kip replied stating we do not see the commercial rates by Waste Management, but I will check into this.
3. **Chairman McDowell:** stated the following:
 - A. The North Carolina Department of Transportation would like to meet with the Board on the widening of NC 87 Project; **and** After a short discussion was conducted, it was the general consensus of the Board to establish Thursday, April 18, 2013, at 10:00 A.M., to meet with the North Carolina Department of Transportation on the widening of NC 87 Project.
 - B. The North Carolina Association of County Commissioners will hold their 106th Annual Conference on August 22-25 in Guilford County, and you need to decide if you would like to attend so arrangements can be made.

RECESS REGULAR SESSION and enter into a CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (6) PERSONNEL:

At 7:27 P.M., Commissioner Burroughs made a motion to recess Regular Session and enter into a Closed Session in accordance with N.C.G.S. § 143-318.11 (6) Personnel, after a five (5) minute recess, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #18: CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (6) PERSONNEL:

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 8:06 P.M., Commissioner Byrd made a motion to adjourn Closed Session and resume

Regular Session, seconded by Commissioner Burroughs. The motion unanimously passed.

READING and APPROVAL of CLOSED SESSION GENERAL ACCOUNT:

Chairman McDowell requested that Commissioner Prevatte orally read the Closed Session General Account. Commissioner Prevatte orally read the following: *“The Board of Commissioners discussed the Performance Evaluation with the County Manager.”*

Commissioner McKenzie made a motion to approve the Closed Session General Account, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #19: ADJOURNMENT:

At 8:07 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Burroughs. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

CHARLES T. McDOWELL, Chairman

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

Monday, April 01, 2013

7:15 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:

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

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 7:15 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

Commissioner Russ made a motion to approve the March 18, 2013 **Combination Meeting** of Columbus County Water and Sewer District I, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 7:16 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Byrd. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

CHARLES T. McDOWELL Chairman

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

Monday, April 01, 2013

7:15 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:

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

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 7:15 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

Commissioner Russ made a motion to approve the March 18, 2013 **Combination Meeting** of Columbus County Water and Sewer District II, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 7:16 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Byrd. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

CHARLES T. McDOWELL Chairman

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

Monday, April 01, 2013

7:15 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:

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

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 7:15 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

Commissioner Russ made a motion to approve the March 18, 2013 **Combination Meeting** of Columbus County Water and Sewer District III, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 7:16 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Byrd. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

CHARLES T. McDOWELL Chairman

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

Monday, April 01, 2013

7:15 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:

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

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 7:15 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

Agenda Item #15: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:

Commissioner Russ made a motion to approve the March 18, 2013 **Combination Meeting** of Columbus County Water and Sewer District IV, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 7:16 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Byrd. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

CHARLES T. McDOWELL Chairman

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

Monday, April 01, 2013

7:15 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:

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

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 7:15 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

Agenda Item #15: **COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

Commissioner Russ made a motion to approve the March 18, 2013 **Combination Meeting** of Columbus County Water and Sewer District V, as recorded, seconded by Commissioner McKenzie. The motion unanimously passed.

ADJOURNMENT:

At 7:16 P.M., Commissioner McKenzie made a motion to adjourn, seconded by Commissioner Byrd. The motion unanimously passed.

APPROVED:

JUNE B. HALL, Clerk to Board

CHARLES T. McDOWELL Chairman