

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

Tuesday, January 03, 2006

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 two (2) Public Hearings and to hold their regular scheduled meeting on the first Tuesday, being the first Monday was a legal holiday.

**COMMISSIONERS PRESENT:**

Kipling Godwin, **Chairman**  
David L. Dutton, Jr., **Vice Chairman**  
Amon E. McKenzie  
James E. Prevatte  
Sammie Jacobs  
Bill Memory  
Lynwood Norris

**APPOINTEES PRESENT:**

Jimmy Varner, **Interim County Manager**  
Steven W. Fowler, **County Attorney**  
June B. Hall, **Clerk to Board**  
Roxanne Coleman, **Finance Officer**

**Agenda Item #1: MEETING CALLED TO ORDER:**

At 6:30 P.M., Chairman Godwin called the meeting to order.

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

**Proposed Columbus County Airport Height Hazard Ordinance:** the purpose of this Public Hearing is to receive written and/or oral comments and suggestions pertaining to the proposed Ordinance.

**PUBLIC HEARING CALLED to ORDER:**

At 6:30 P.M., a motion was made by Commissioner Norris to call the Public Hearing to order, seconded by Commissioner Memory. The motion unanimously carried.

Chairman Godwin stated this was a Public Hearing for the Proposed Columbus County Height Hazard Ordinance and the purpose of the Public Hearing is to receive written and/or oral comments and suggestions pertaining to the proposed Ordinance.

Stevie Cox, Columbus County Planning Director, stated the following:

1. The applicants are requesting approval of the Columbus County Airport Height Hazard Ordinance and overlay district map updates;
2. This request is to be in compliance with the Federal Aviation Administration requirements and to establish necessary height restrictions for the areas around the Airport;
3. Staff is requesting that upon the effective adoption of the proposed Airport Height Hazard Ordinance, the current Airport Height Hazard Ordinance become ineffective;
4. On November 3, 2005, the Columbus County Airport Authority met to discuss the Columbus County Airport Height Hazard Ordinance;
5. Christopher McKnight with Talbert and Bright, an Engineering and Planning Consultants firm, made a presentation on the Ordinance and overlay district map;
6. Mr. Pebo Collier made a motion to recommend to the County Commissioners to approve and adopt the Airport Height Hazard Ordinance, seconded by Mr. Frank Horne, and was unanimously approved and carried by the Board;
7. The Airport Height Hazard Ordinance is defined as an Ordinance to regulate and restrict the height of structures and objects of natural growth in the vicinity of the Airport; **and**
8. Staff recommends approval and adoption.

Phil Edwards, Columbus County Airport Manager, stated the following:

1. Mr. Cox has basically said all that needs to be said; **and**
2. We are trying to use the precision approach at the Columbus County Airport, and this Ordinance will protect this.

There were no other comments made, either oral or written.

## **PUBLIC HEARING CLOSED:**

At 6:35 P.M., Commissioner Memory made a motion to close the Public Hearing, seconded by Commissioner Jacobs. The motion unanimously carried.

### **6:35 P.M.: PUBLIC HEARING**

**Close-Out of 2003 Community Development Bock Grant Funding, Grant Number 03-C-1089:** the purpose of this Public Hearing is to receive views and opinions from the citizens of Columbus County. All citizens, particularly low-and-moderate income persons, minority persons, handicap persons, and persons living in blighted areas are requested and encouraged to attend.

## **PUBLIC HEARING CALLED TO ORDER:**

At 6:35 P.M., Commissioner Norris made a motion to call the second Public Hearing to order, seconded by Commissioner McKenzie. The motion unanimously carried.

Chairman Godwin stated the purpose of this Public Hearing is to receive views and opinions from the citizens of Columbus County. All citizens, particularly low-and-moderate income persons, minority persons, handicap persons, and persons living in blighted areas are requested and encouraged to attend.

Stevie Cox, Columbus County Planning Director, stated the following;

1. This grant was received two (2) years ago; **and**
2. The Planning Board is recommending the Columbus County Board of Commissioners close out this grant.

Floyd Adams, The Adams Company, Incorporated, stated the following:

1. This grant was received two (2) years ago;
2. In the C-1 portion of this grant, six (6) houses were acquired with one (1) being demolished, and two (2) houses were rehabilitated;
3. In the L-1 portion of this grant, we installed seven thousand two hundred (7,200) linear feet of water line on Old Stake Road in the Tabor City area;
4. In the C-1 portion, five hundred ninety-two thousand, five hundred ninety-eight, and 44/100 (\$592,598.44) dollars were spent;
5. In the L-1 portion, one hundred four thousand, eight hundred seventy, and 88/100 (\$104,870.88) dollars were spent;
6. There is only a small balance of the grant money left in each portion of this grant.

There were no further comments, either oral or written, made.

## **PUBLIC HEARING CLOSED:**

At 6:39 P.M., Commissioner Norris made a motion to close the Public Hearing, seconded by Commissioner Dutton. The motion unanimously carried.

## **REGULAR SESSION:**

### **Agenda Item #2: INVOCATION:**

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 Vice Chairman David L. Dutton, Jr.

## **APPROVAL of BOARD MINUTES (inadvertently left off Agenda):**

A motion was made by Commissioner Memory to approve the December 05, 2005 Regular Session Board Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously carried.

**Agenda Item #3: AUDIT - PRESENTATION of COLUMBUS COUNTY'S FINANCIAL STATEMENTS CONCLUDING JUNE 30, 2005:**

Alan Thompson, CPA with Thompson, Scott, Adams, and Company, delivered the following presentation to the Board:

1. In planning and performing our audit of the general purpose financial statements of Columbus County for the year ended June 30, 2005, we considered the internal control structure in order to determine the extent and nature of our auditing procedures for the purpose of expressing an opinion on the financial statements, and not to provide assurance on the internal control system. However, we noted certain matters we considered important enough for your attention. No opinion is being expressed regarding internal control. Had our procedures been designed to express such an opinion, other matters might have been noted.

We noted the following items that should enhance your internal control structure and reporting:

- A. The Board should make adequate time for the Finance Officer to perform random checks of the internal control system in the various departments. This would act as a deterrent since no one knows when their office would be checked. It would also enhance reporting and communication between the counties' departments that handle cash. If the Finance Officer cannot be freed up to perform this function, then alternative methods should be pursued.
  - B. Although the Tax Department is eventually getting over ninety-nine (99%) percent of all taxes, for any given year, the tax collections for the current year are below the state average. The current year's collection percentage is two and one-half (2 ½%) percentage points higher than last fiscal year.
  - C. The increasing size (growth) of the water districts and the finances related to them need careful attention going forward. The debt repayment and the operational effectiveness of the internal control in regards to the water districts will need constant attention until the growth stabilizes. Their ability to cash flow is crucial for the long-term financial stability of the districts.
  - D. The County's General Fund, Fund Balance, declined by \$1,833,587 during the current year. The County should review all budget items to avoid a further reduction during the current fiscal year.
  - E. The County should update its fixed asset list during the year as assets are added rather than wait until year end.
  - F. The county should evaluate its self insurance coverage and see if there are other options. While self insurance can be a cost savings, the spike in expenditures, when significant claims are filed, can be difficult to deal with.
  - G. All County departments that handle cash should be monitored at least once a year as part of the County's Finance Department's role.
2. Do not be alarmed in the negative figures you will see in the Audit Report. The difference between the reports is due to GASB 34.
  3. The Fund Balance is staying at the required legal limit.
  4. Columbus County is receiving an unqualified opinion which is good.
  5. I would like for you to look closely at the Fund Equity for Special Revenue Fund, Solid Waste Fund and Water Districts.

Commissioner McKenzie made a motion to accept the Columbus County Financial Statements Concluding June 30, 2005, as presented by Alan Thompson, seconded by Commissioner Norris. The motion unanimously carried.

**Agenda Item #4: ELECTIONS - ACCEPTANCE of RESOLUTION and APPROVAL to PURCHASE RECOMMENDED VOTING EQUIPMENT:**

Carla Strickland, Elections Supervisor, requested Board acceptance of the Resolution that was adopted by the Columbus County Board of Elections on December 22, 2005, and Board approval to purchase the recommended voting equipment. Ms. Strickland stated the following:

1. In order to meet the mandated voting requirements, we need this documentation mailed to the State Board of Elections;
2. We have reviewed three (3) voting equipment systems, and are recommending the purchase be made with E S & S, with voting type Optical Scan and Automark, at an estimated cost of three hundred ninety-eight thousand, three hundred twenty, and 00/100 (\$398,320.00) dollars; and
3. Columbus County is entitled to receive up to four hundred five thousand, three hundred eighty-six and 00/100 (\$405,386.00) dollars from the HAVA (Help Americans Vote Act) Election Fund, based on the formula of \$12,000.00 per precinct, \$12,000.00 per One-Stop sites, plus \$1.00 for each voter that turned out in the 2004 presidential election, but not less than \$10,000.00 or more than \$100,000.00.

In-depth discussion was conducted relative to the need for meeting the deadline and the possible intervention of our representatives and senators in getting this deadline date changed. The availability of the grant funds was also discussed.

After additional discussion was conducted, Commissioner Memory made a motion to accept the Resolution, as presented by the Columbus County Board of Elections, and approve the purchase of the voting equipment with E S & S, at an estimated cost of \$398,320.00, with the contract to be approved by the Columbus County Board of Commissioners and the Columbus County Attorney. This motion was seconded by Commissioner Norris and unanimously carried.

**Agenda Item #5: PLANNING DEPARTMENT - APPROVAL and ADOPTION of the COLUMBUS COUNTY AIRPORT HEIGHT HAZARD ORDINANCE:**

Stevie Cox, Planning Director, requested Board approval and adoption of the following Columbus County Airport Height Hazard Ordinance. The required Public Hearing was duly advertised and was held at 6:30 P.M. on this date.

**AIRPORT HEIGHT HAZARD ORDINANCE  
To Limit Height of Objects Around Columbus County MUNICIPAL Airport**

**AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH, AND OTHERWISE REGULATING THE USE OF PROPERTY, IN THE VICINITY OF THE COLUMBUS COUNTY AIRPORT BY CREATING THE APPROPRIATE ZONES AND ESTABLISHING THE BOUNDARIES THEREOF; PROVIDING FOR CHANGES IN THE RESTRICTIONS AND BOUNDARIES OF SUCH ZONES; DEFINING CERTAIN TERMS USED HEREIN; REFERRING TO THE COLUMBUS COUNTY AIRPORT HEIGHT HAZARD MAP WHICH IS INCORPORATED IN AND MADE A PART OF THIS ORDINANCE PROVIDING FOR ENFORCEMENT, ESTABLISHING A BOARD OF ADJUSTMENT; AND IMPOSING PENALTIES.**

This Ordinance is adopted pursuant to the authority conferred in Chapter 63, Article 4, of the General Statutes of the State of North Carolina. It is hereby found that an obstruction has the potential for endangering the lives and property of users of Columbus County Municipal Airport, and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums of Columbus County Municipal Airport, and that an obstruction may reduce the size of areas available for the utility of the Columbus County Municipal Airport and the public investment therein. Accordingly, it is declared:

1. that the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by the Columbus County Municipal Airport;
2. that it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented; and
3. that the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

It is further declared that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration, or mitigation of hazards to air navigation, or marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend

public funds and acquire land or interests in land.

### **SECTION 1. SHORT TITLE**

IT IS HEREBY ORDAINED BY the Columbus County Commission, as follows:

This Ordinance shall be known and may be cited as the "Columbus County Municipal Airport Height Hazard Ordinance." This attached map dated [ Insert Date of Accepted as Noted on Drawing ] 2005, shall be known and may be cited as the "Columbus County Municipal Airport Height Hazard Ordinance Map".

### **SECTION 2. DEFINITIONS**

As used in this Ordinance, unless the context otherwise requires:

1. **ADMINISTRATOR** – The individual responsible for performing the administrative functions of this ordinance. The administrator shall be the County Administrator, unless otherwise designated or represented.
2. **AIRPORT** - Means Columbus County Municipal Airport, North Carolina (CPC).
3. **AIRPORT ELEVATION** - The highest point of an airport's usable landing area measured in feet above sea level.
4. **AIRPORT BOARD (AUTHORITY)** - shall mean the Columbus County Municipal Airport Authority, an advisory board appointed by the Columbus County Board of Commissioners and charged with overseeing the supervision of Airport activities.
5. **AIRPORT MANAGER** - shall mean the representative of the County having day-to-day oversight of Airport activities. If no individual is designated with such charge, this responsibility is retained by the Airport Board, or otherwise designated by the County Commissioners.
6. **AIRPORT HAZARD**: Any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking-off at the airport or is otherwise hazardous to such landing or taking-off of aircraft.
7. **APPROACH SURFACE** - A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section IV of this Ordinance. In plan, the perimeter of the approach zone.
8. **APPROACH, TRANSITIONAL, HORIZONTAL, AND CONICAL ZONES** - These zones are set forth in Section III of this Ordinance.
9. **BOARD OF ADJUSTMENT** - A Board consisting of seven (7) members appointed by the Columbus County Board of Commissioners as provided in Chapter 63, Article 4 of the State of North Carolina General Statutes.
10. **CONICAL SURFACE** - A surface extending outward and upward from the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
11. **COUNTY BOARD OF COMMISSIONERS**: shall mean the governing body of the Commissioners of Columbus County, North Carolina.
12. **HAZARD TO AIR NAVIGATION** - An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
13. **HEIGHT** - For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the height hazard map, the datum shall be mean sea level elevation unless otherwise specified.
14. **HORIZONTAL SURFACE** - A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

15. **LARGER THAN UTILITY RUNWAY** - A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.
16. **NONCONFORMING USE** - Any pre-existing structure, object of natural growth, of use of land which is inconsistent with the provisions of this Ordinance or an amendment thereto.
17. **NON-PRECISION INSTRUMENT RUNWAY** - A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.
18. **OBSTRUCTION** - Any structure, growth, or other object, including a mobile object which exceeds a limiting height set forth in Section IV of this Ordinance.
19. **PERSON** - An individual, firm, partnership, corporation, company, association, joint stock association or government entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.
20. **PRECISION INSTRUMENT RUNWAY** - A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
21. **PRIMARY SURFACE** - A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runway or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of the runway. The width of the primary surface is set forth in Section III of this Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
22. **RUNWAY** - A defined area on an airport prepared for landing and take-off of aircraft along its length. The runway end is defined by geodetic coordinates and elevation as noted on the Airport Height Hazard Ordinance Map.
23. **RUNWAY ENDS**: - Refers to the planned usable physical end of the hard-surfaced asphalt runway, having a defined coordinate and elevation as noted on the Airport Height Hazard Ordinance Map.
24. **STRUCTURE** - An object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.
25. **TRANSITIONAL SURFACES** - These surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7') feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.
26. **TREE** - Any object of natural growth.
27. **UTILITY RUNWAY** - A runway that is constructed for and intended to be used by propeller driven aircraft or 12,500 pounds maximum gross weight and less.
28. **VISUAL RUNWAY** - A runway intended solely for the operation of aircraft using visual approach procedures.

### SECTION 3. AIRPORT ZONES

In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces,

transitional surfaces, horizontal surfaces, and conical surfaces as they apply to the Columbus County Municipal Airport. Such zones are shown on the Airport Height Hazard Ordinance Map, which is attached to this Ordinance and made a part thereof. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation.

The various zones are hereby established and defined as follows:

1. **Primary Surface Zone** - A rectangular surface longitudinally centered on a runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway 6-24: 1,000 feet wide and extends 200 feet beyond each runway end.

2. **Approach Surface Zones** – A trapezoidal inclined plane symmetrically centered along the extended runway centerline, longitudinally extending outward and upward from the end of the primary surface. The perimeter of the approach surface coincides with the perimeter of the approach zone, extending per a boundary and slope defined below, and as shown on the Airport Height Hazard Ordinance Map.

Runway End	<u>Inner Width x Length x Outer Width</u> <u>(Approach Length and Slope)</u>
Runway 6 approach surface zone:	1,000' x 10,000' x 3,500' (0'-10,000' @ 34:1)
Runway 24 approach surface zone:	1,000' x 50,000' x 16,000' (0'-10,000' @ 50:1) (10,000' – 50,000' @ 40:1)

3. **TRANSITIONAL ZONES** - Inclined planes with a slope of 7:1 measured upward and outward in a vertical plane at right angles to the centerline of the runway and approach surfaces. The transitional surface zones, located on either side of the runway and symmetrically parallel to and level with the runway centerline, extend upward and outward from the primary surface and approach surface elevation to a point intersecting the horizontal or conical surface (150 feet above the airport elevation). Where the precision instrument runway approach zone extends beyond the conical zone, there is established height limits sloping 7:1 measured upward and outward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline. The transitional surface zones are shown on the Airport Height Hazard Ordinance Map.

4. **HORIZONTAL ZONES** - A plane, elliptical in shape, with a height one hundred and fifty (150) feet above the established airport elevation, or 250 feet mean sea level and having a specified radius from the center of the primary surface for each runway end. The perimeter of the horizontal surface coincides with the perimeter of the horizontal zone as indicated on the Columbus County Municipal Airport Height Restriction Ordinance Map.

Runway 6-24 horizontal radius: 10,000'  
Runway 6-24 horizontal elevation: 150' above established Airport elevation

5. **CONICAL ZONE** - A surface, elliptical in shape, extending radially outward and upward from the periphery of the horizontal surface zone at a slope of 20:1 for a horizontal distance of 4,000 feet and vertical elevation of 200 feet above the horizontal surface, to a height of 350 feet above the Airport elevation, or 450 feet above mean sea level (MSL). The conical surface zone is shown on the Airport Height Hazard Ordinance Map.

**SECTION 4. AIRPORT ENVIRONS HEIGHT LIMITATIONS**

Except as otherwise provided in this Ordinance, no structure shall be erected, altered, or maintained, and no tree shall be allowed to growth in any zone created by this Ordinance to a height in excess of the applicable height limitations as hereby established for each of the zones in question.

Nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 50 feet above the surface of the land.

## SECTION 5. USE RESTRICTION

Notwithstanding any other provisions of this Ordinance, no use may be made of land or water within any zone established by this Ordinance in such a manner as to create electrical interference with navigational signals or radio communication between airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

## SECTION 6. NONCONFORMING USES

1. **REGULATIONS NOT RETROACTIVE** - The regulations prescribed in this Ordinance shall not be construed to require removal, lowering, or other change of alternation of any structure or tree not conforming to the regulations at the effective date of this Ordinance, or otherwise interfere with the continuation of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration of which was begun prior to the effective date of this Ordinance, and is diligently prosecuted.
2. **MARKING AND LIGHTING** - Notwithstanding the preceding provisions of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Airport Board to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstructions. Such markers and lights shall be installed, operated, and maintained at the expense of the Columbus County Municipal Airport.

## SECTION 7. PERMITS

1. **FUTURE USES** - Except as specifically provided a, b, and c hereunder, no material change shall be in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for use inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved in accordance with Section VII, 4.
  - a. In the area laying within the limits of the horizontal zone and conical zone no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend about height limits prescribed for such zones.
  - b. In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when such tree or structure would extend above the height prescribed for such approach zones.
  - c. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this Ordinance except as set forth in Section IV.

2. **EXISTING USES** - No permit shall be granted that would allow the establishments or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation, than it was on the effective date of this Ordinance or any

amends thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

3. **NONCONFORMING USES ABANDONED OR DESTROYED** - Whenever the Administrator or designated representative determines that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviated from the requirements of this Ordinance.
4. **VARIANCE** - Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use proper, not in accordance with the regulations prescribed in this Ordinance, may apply to the Board of Adjustment for a variance from such regulations. The application for variance shall be accompanied by a determination from the North Carolina Department of Transportation, Division of Aviation (NCDOA) or Federal Aviation Administration (FAA) as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Ordinance.
5. **OBSTRUCTION MARKING AND LIGHTING** - Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Board of Adjustment, this condition may be modified to require the owner to permit the Columbus County Municipal Airport, at its own expense, to install, operate, and maintain the necessary markings and lights.

#### **SECTION 8. ENFORCEMENT**

It shall be the duty of the County Board to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Administrator upon a form published for that purpose. Applications required by this Ordinance to be submitted to the Administrator shall be promptly considered and granted or denied. Application for action by the Board of Adjustment shall be forthwith transmitted by the Administrator.

#### **SECTION 9. BOARD OF ADJUSTMENT**

1. There is hereby created a Board of Adjustment to have and exercise the following powers: (1) to hear and decide appeals from any order, requirement, decision, or determination made by the Administrator in the enforcement of this Ordinance; (2) to hear and decide special exceptions to the terms of this Ordinance under which such Board of Adjustment under such regulations may required to pass; and (3) to hear and decide specific variances.
2. The Board of Adjustment shall consist of seven (7) members appointed by the Board of Commissioners and shall serve for the term of three (3) years and until a successor is duly appointed and qualified. Members shall be removable by the appointing authority for cause, upon written charges, after a public hearing.
3. The Board of Adjustment shall adopt rules for its governance and in harmony with the provision of this Ordinance. Meetings of the Board of Adjustment shall be held at the call of the Chairperson and at such other times as the Board of Adjustment may determine. The Chairperson, or in the absence of the Chairperson, the Acting Chairperson, may administer oaths and compel the attendance of witnesses. All hearings of the Board of Adjustment shall be public. The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon such each question; or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the Administrator and shall be a public record.
4. The Board of Adjustment shall make written findings of facts and conclusions of law giving the facts upon which it acted and its legal conclusions from such facts in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of this Ordinance.

5. The concurring vote of a majority of the members of the Board of Adjustment shall be sufficient to reverse any order, requirement, decision, or determination of the Administrator or decide in favor of the applicant of any matter upon which it is required to pass under this Ordinance, or to effect variations to this Ordinance.

**SECTION 10. APPEALS**

1. Any person aggrieved, or any taxpayer affected by any decision of the Administrator in the administration of this Ordinance, may appeal to the Board of Adjustment.
2. All appeals hereunder must be taken within a reasonable time as provided by the rules of the Board of Adjustment, by filing with the Administrator a notice of appeals specifying the grounds thereof. The County Administrator shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.
3. An appeal shall stay all proceeding in furtherance of the appealed action unless the Administrator certifies to the Board of Adjustment, after the notice of appeal has been filed with it that, by reason of the facts stated in the certificate, a stay would in the opinion of the Administrator cause imminent peril to life or property. In such cases proceedings shall not be stayed except by order of the Board of Adjustment or notice to the Administrator and on due cause shown.
4. The Board of Adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.
5. The Board of Adjustment may, in conformity with the provisions of this Ordinance, reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination appealed from and may make such other requirement, decision or determination as may be appropriate under the circumstances.

**SECTION 11: JUDICIAL REVIEW**

Any person aggrieved by any decision of the Board of Adjustment, or any taxpayer affected, or any officer, department, board of bureau of the political subdivision may present to the Superior Court a verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the decision is filed in the office of the Board of Adjustment.

**SECTION 12. PENALTIES**

Each violation of this Ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than Fifty (\$50.00) Dollars or imprisonment for not more than thirty (30) days or both; and each day a violation continues to exist shall constitute a separate offense.

**SECTION 13. CONFLICTING REGULATIONS**

Where there exists a conflict between any of the regulations or limitations prescribed in this Ordinance and any other regulations applicable to the same area, whether the conflict is with respect to the height of structure or trees, and the use of land or any other matter, the more stringent limitation or requirement shall govern and prevail.

**SECTION 14. SEVERABILITY**

If any of the provisions of this Ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without in the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION 15. EFFECTIVE DATES**

**WHEREAS**, the immediate operation of the provisions of this Ordinance is necessary for the preservation of the public health, public safety, and general welfare, this Ordinance shall be in full force and effect from and after its passage by the Columbus County Board of Commissioners and publication and posting as required by law.

**ADOPTED** by the Columbus County Board of Commissioners this 3rd day of January, 2006.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

/s/ **KIPLING GODWIN, Chairman**

**ATTESTED BY:**

/s/ **JUNE B. HALL, Clerk to Board**  
(SEAL)

**Attachment: Airport Property Map, Page 439**

Commissioner Jacobs made a motion to rescind the existing Height Hazard Ordinance to Limit Height of Objects Around Columbus County Airport, and, approve and adopt the Airport Height Hazard Ordinance to Limit Height of Objects Around Columbus County Municipal Airport. This motion was seconded by Commissioner Prevatte and unanimously carried.

**Agenda Item #6: PLANNING DEPARTMENT - APPROVAL to CLOSE OUT 2003 COMMUNITY DEVELOPMENT BLOCK GRANT NUMBER 03-C-1089:**

Stevie Cox, Columbus County Planner, requested board approval to close out the 2003 Community Development Block Grant Number: 03-C-1089. The required Public Hearing was duly advertised and was held at 6:35 P.M. on this date.

Commissioner Prevatte made a motion to close out the 2003 Community Development Block Grant Number 03-C-1089, seconded by Commissioner McKenzie. The motion unanimously carried.

**Agenda Item #7: BUILDING INSPECTIONS - DEPARTMENTAL UPDATE:**

Due to the absence of Kenny Davis, Columbus County Building Inspections Director, as a result of sickness, Commissioner Memory made a motion to table this item, seconded by Commissioner Norris. The motion unanimously carried.

**Agenda Item #8: PERSONNEL - APPROVAL to REPLACE RETIREEE CURRENT SUPPLEMENTAL PLAN with PLAN to INCLUDE MEDICARE PART D for PHARMACY BENEFITS:**

Virginia Taylor, Columbus County Personnel Director, requested Board approval to replace the current supplemental plan with a retirees' supplemental plan to include Medicare Part D, for pharmacy benefits. Ms. Taylor stated the following:

1. Columbus County is currently paying sixty-seven thousand, three hundred eight and 00/100 (\$67,308.00) dollars per year for this coverage; **and**
2. This will be a cost savings of fifteen thousand, six hundred twelve and 00/100 (\$15,612.00) dollars per year.

Commissioner Jacobs made a motion to approve the replacement of the current supplemental plan with a retirees' supplemental plan to include Medicare Part D, for pharmacy benefits, seconded by Commissioner McKenzie. The motion unanimously carried.

**Agenda Item #9: RESOLUTION - APPROVAL and ADOPTION of LAND for TOMORROW RESOLUTION:**

Chairman Godwin requested Board approval and adoption of the following Land for Tomorrow Resolution, as requested by Marge Anders Limbert, Outreach Coordinator.

**LAND FOR TOMORROW RESOLUTION**

**WHEREAS**, the Columbus County Board of Commissioners is committed to protecting

lands critical to the future of its drinking water, economy, and quality of life; **and**

**WHEREAS**, North Carolina is losing more than one hundred thousand (100,000) acres of those special places to population pressures each year, and Columbus County is also losing acreage; **and**

**WHEREAS**, North Carolina's population is expected to grow by fifty (50%) percent in the next twenty-five (25) years, and comparative growth is also expected in Columbus County; **and**

**WHEREAS**, the important tourism industry can only survive with natural beauty, clean water and scenic vistas; **and**

**WHEREAS**, there is inadequate funding for protecting stream banks and floodplains, legacy forests, prime farmlands, local parks and recreation, state parks, game lands, natural, scenic and historic places; **and**

**WHEREAS**, there is no second chance to protect North Carolina's, and Columbus County's, great resources and costs will only increase in the future; **and**

**WHEREAS**, additional state funding will leverage twice as much funding from federal, private and local sources.

**NOW, THEREFORE, BE IT RESOLVED** the Columbus County Board of Commissioners urges the 2006 General Assembly to enact legislation authorizing a bond referendum to increase conservation spending in North Carolina by \$200 million per year.

**ADOPTED** this the 3<sup>rd</sup> day of January, 2006.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

**/s/ KIPLING GODWIN, Chairman**

**ATTESTED BY:**

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

Commissioner Memory made a motion to approve and adopt the Land for Tomorrow Resolution, seconded by Commissioner Prevatte. The motion unanimously carried.

**Agenda Item #10: RESOLUTION - APPROVAL and ADOPTION of LOW INCOME ENERGY ASSISTANCE PROGRAM RESOLUTION:**

Chairman Godwin requested Board approval and adoption of the following Low Income Energy Assistance Program Resolution, as requested by the County of Washington's Board of Commissioners.

**RESOLUTION REGARDING the LOW INCOME ENERGY ASSISTANCE PROGRAM**

**WHEREAS**, the federal Low Income Energy Assistance Program (LIEAP) provides low-income families with limited financial assistance toward meeting their heating-related needs during the cold winter months; **and**

**WHEREAS**, LIEAP has two components which are the LIEAP component and the Crisis Intervention Program (CIP) component; **and**

**WHEREAS**, the LIEAP component provides a one-time payment to eligible households that are experiencing heating-related needs; **and**

**WHEREAS**, the Crisis Intervention Program (CIP) component provides immediate emergency assistance to an eligible household that is experiencing a crisis in meeting its heating needs; **and**

**WHEREAS**, these federal funds are allocated to the State of North Carolina, which distributes the funds to all households that are determined eligible through the LIEAP component; **and**

**WHEREAS**, local departments of social services in every county receive an allocation of

CIP funds; **and**

**WHEREAS**, due to the real potential that the current heating season will adversely affect the ability of low income families to meet and pay for heating fuel even more than in previous years as a result of estimated natural gas prices increasing over 50 percent and fuel oil and propane prices increasing over 30 percent from the previous winter heating season prices; **and**

**WHEREAS**, the amount of federal funding allocated to Columbus County will not meet all the potential needs of low-income households experiencing heating-related crises; **and**

**WHEREAS**, low-income households with unmet heating needs will be in jeopardy of life-threatening crisis unless additional funding is allocated to the State of North Carolina by the United States Government.

**NOW, THEREFORE, BE IT RESOLVED** the Columbus County Board of Commissioners calls upon the Governor of the State of North Carolina, and all its elected representatives in the North Carolina General Assembly, to contact members of the United States Senate and the United States House of Representatives and advocate for additional LIEAP funding for the State of North Carolina for the current heating season.

**BE IT FURTHER RESOLVED**, the Columbus County Board of Commissioners calls upon the Governor of the State of North Carolina to identify any and all emergency funds to supplement federal LIEAP funds for the one hundred (100) counties in the State to alleviate this emerging critical adverse heating situation.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**  
/s/ **KIPLING GODWIN, Chairman**

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

Commissioner Norris made a motion to approve the Low Income Energy Assistance Program Resolution, seconded by Commissioner McKenzie. The motion unanimously carried.

**RECESS REGULAR SESSION and enter into COLUMBUS COUNTY WATER and SEWER DISTRICT V BOARD MEETING:**

At 7:23 P.M., Commissioner Jacobs made a motion to recess Regular Session and enter into Columbus County Water and Sewer District V Board Meeting, seconded by Commissioner Norris. The motion unanimously carried.

**Agenda Add-ons:**

**Item #1: TABOR CITY PRISON WATER MAIN - CONSTRUCTION AWARD and NOTICE to PROCEED to UTILITIES PLUS:**

**Item #2: TABOR CITY PRISON WATER MAIN - CONSTRUCTION AWARD And NOTICE to PROCEED to UTILITIES PLUS:**

This information will be recorded in Columbus County Water and Sewer District V Board, Minute Book I.

**ADJOURN COLUMBUS COUNTY WATER and SEWER DISTRICT V BOARD MEETING and resume REGULAR SESSION:**

At 7:29 P.M., Commissioner Memory made a motion to adjourn Columbus County Water and Sewer District V Board Meeting, seconded by Commissioner Jacobs. The motion unanimously carried.

**Agenda Item 11: APPOINTMENTS - CAPE FEAR AREA RURAL TRANSPORTATION ADVISORY COMMITTEE:**

Don Eggert, RPO Coordinator, Cape Fear Council of Governments, requested reappointment and/or replacement of the Columbus County appointments to the Cape Fear Area Rural

Transportation Advisory Committee. The Columbus County members are Commissioners Bill Memory and Sammie Jacobs.

Vice Chairman Dutton made a motion to reappoint Commissioners Bill Memory and Sammie Jacobs to the Cape Fear Rural Transportation Advisory Committee, seconded by Commissioner Prevatte. The motion unanimously carried.

**Agenda Item #12: APPOINTMENTS and/or REAPPOINTMENTS to COMMITTEES/BOARDS:**

June B. Hall, Clerk to the Board, requested Board appointments/re-appointments to the following committees/boards.

**1. Animal Control Advisory Council:**

Vice Chairman Dutton reappointed Penny Obrecht to the Animal Control Advisory Council for a two (2) year term, with term expiring December 05, 2007.

**2. Columbus County Board of Health:**

Commissioner Norris appointed Erik Kenyon, M.D., at 333 Jefferson Street, Whiteville, North Carolina 28472, Telephone: (910) 914-0540, to the Columbus County Board of Health to fill the unexpired term of Dr. Stephen Grubb, who resigned, with term expiring December 31, 2006.

**3. Nursing/Adult Care Home Joint Community Advisory Committee:**

Commissioner Prevatte made a motion to reappoint Herb Harp to the Nursing/Adult Care Home Joint Community Advisory Committee for three (3) years, with term expiring 01/03/2009, seconded by Vice Chairman Dutton. The motion unanimously carried.

(Three (3) vacancies are on this board resulting from the resignations of Gene Wilson, Camey Hayes and Wanda Thompson.)

Commissioner Prevatte made a motion to appoint the following three (3) people from a list of names compiled by Harvin Quidas of the applicants that expressed interest in serving on this committee, by submitting applications by mail, for an initial term of one (1) year, with term expiring January 03, 2007. This motion was seconded by Commissioner Jacobs and unanimously carried.

- A. Diana Garcia, 203 North Lewis Street, Tabor City, North Carolina 28463, Telephone: (910) 653-5768, term expiring January 03, 2007;
- B. Penny Reynolds, 1071 Mangum Road, Evergreen, North Carolina 28438, Telephone: 99100 654-3514, with term expiring January 03, 2007; **and**
- C. Robin Tomlinson, 3377 Pine Log Road, Whiteville, North Carolina 28472, Telephone: (910) 642-2005, with term expiring January 03, 2007.

Commissioner McKenzie made a motion to appoint Barbara Stansky, Post Office Box 2055, Whiteville, North Carolina 28472, Telephone: (910) 642-5889, as an alternate, seconded by Vice Chairman Dutton. The motion unanimously carried.

**Agenda Item #13: CONSENT AGENDA ITEM - TAX REFUNDS and RELEASES:**

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

**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):  
Tuesday, January 03, 2006**

Refunds	Name: Brown, Ralph	Amount:	\$0.00
Value:	\$0.00 Year 004 Account # 15-06080 Bill # 87478	Total	\$354.00

Refund user fees. Customer using a commercial hauler. Approved by Solid Waste.

25409 Andrew Jackson Hwy. E. Delco NC 28436

Refunds Name: Gore, C. Brooks Amount: \$99.84  
 Value: \$12,800.00 Year 004 Account # 7-05700 Bill # 36807 Total \$115.20  
 Refund the deferred tax, the Yam City Fire fee (12.80) and the Columbus Rescue (2.56). The taxes were billed in error. Total refund should be \$148.60 which includes \$33.40 interest paid.

1185 Garland Cox Rd. Tabor City NC 28463

Refunds Name: Harrelson, Willard Amount: \$0.00  
 Value: \$0.00 Year 005 Account # 03-10460 Bill # 3962 Total \$177.00

Refund the user fee on a house that is vacant and has no trash can. Approved by Solid Waste.  
 2079 Pleasand Plains Ch, Rd. Whiteville, NC 28472

Refunds Name: Locklear, Johnny Amount: \$0.00  
 Value: \$0.00 Year 005 Account # 13-04356 Bill # 10112 Total \$90.48

Refund user fee that was paid on house that is unlivable. Make check payable to Raymond Hammonds.  
 Approved by Solid Waste.  
 720 E. Institute St. Chadbourn, NC 28431

**TAX RELEASES (as submitted to the Governing Body Office from the Tax Office):  
 January 03, 2006**

Release the Property Value in the name of Barfield, Wanda Amount: \$703.72  
 Value: \$96,400.00 Year: 2005 Account # 13-01040 Bill # 8060 Total \$790.48  
 Release a portion of the property that was billed with incorrect acres. Release also the Klondyke Fire (67.48) and the Columbus Rescue (19.28).

Release the Property Value in the name of Burrows, Eric Amount: \$58.83  
 Value: \$8,060.00 Year: 2005 Account # 07-00933 Bill # 2085 Total \$66.88  
 Release the value of a building that was torn down in 1999. Release also the Nakina Fire (6.44) and the Columbus Rescue (1.61).

Release the Property Value in the name of Highest Praise Ch. Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 18-00425 Bill # 1758 Total \$1.74  
 Release the 2% discount not absorbed by computer.

Release the Property Value in the name of Naron, Rita Amount: \$46.72  
 Value: \$6,400.00 Year: 2005 Account # 03-16913 Bill # 4638 Total \$48.00  
 Release the property value and the Columbus Rescue fee that is double listed in the name of Martin Inman.

Release the Property Value in the name of Naron, Rita Amount: \$33.54  
 Value: \$4,300.00 Year: 2001 Account # 03-16913 Bill # 746 Total \$34.40  
 Release the property value and the Columbus Rescue fee that is double listed in the name of Martin Inman.

Release the Property Value in the name of Naron, Rita Amount: \$33.54  
 Value: \$4,300.00 Year: 2002 Account # 03-16913 Bill # 3705 Total \$34.40  
 Release the property value and the Columbus Rescue fee that is double listed in the name of Martin Inman.

Release the Property Value in the name of Naron, Rita Amount: \$33.54  
 Value: \$4,300.00 Year: 2003 Account # 03-16913 Bill # 4324 Total \$34.40  
 Release the property value and the Columbus Rescue fee that is double listed in the name of Martin Inman.

Release the Property Value in the name of Naron, Rita Amount: \$33.54  
 Value: \$4,300.00 Year: 2004 Account # 03-16913 Bill # 0601 Total \$34.40  
 Release the property value and the Columbus Rescue fee that is double listed in the name of Martin Inman.

Release the Property Value in the name of Norris, Phillip Amount: \$56.21  
 Value: \$7,700.00 Year: 2005 Account # 13-31300 Bill # 5432 Total \$69.30  
 Release a portion of the property value, a portion of the Roseland Fire (4.62), a portion of the Columbus Rescue (1.54) and a portion of the Water 2 Dist. (6.93). Customer billed with incorrect breakdown on acres.

Release the Property Value in the name of Peterson, John D. Amount: \$186.15

Value: \$25,500.00 Year: 2005 Account # 04-13080 Bill # 6399 Total \$206.55  
 Release a portion of the property value, a portion of the Bolton Fire (15.30) and a portion of the Columbus Rescue (5.10). Customer was billed with incorrect acres.

Release the Property Value in the name of Tabor City Presbyterial Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 18-00410 Bill # 1803 Total \$1.74  
 Release the 2% discount not absorbed by computer.

Release the Refund in the name of Turner, Andy Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 10-02949 Bill # 6647 Total \$73.75  
 Refund a portion of the user fee. Did not have the trash can for a full year. Approved by Solid Waste.

Release the User Fee in the name of Bass, Marvin Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 09-00549 Bill # 8459 Total \$177.00  
 Release user fee that was attached to a boat listing in error. Approved by Solid Waste.

Release the User Fee in the name of Benoy, Faye Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 03-01530 Bill # 9079 Total \$162.25  
 Release a portion of the user fee. Did not have the trash can but one month. Approved by Solid Waste.

Release the User Fee in the name of Brown, Ralph Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 15-06080 Bill # 1196 Total \$354.00  
 Release user fee. Customer using a commercial hauler. Approved by Solid Waste.

Release the User Fee in the name of Buffkin, Jerry Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 06-03247 Bill # 1568 Total \$90.48  
 Release user fee on house that burned prior to January 2005. Approved by Solid Waste.

Release the User Fee in the name of Byrd, Gwyn Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 08-02649 Bill # 2348 Total \$177.00  
 Release user fee on a house that is vacant and does not have a trash can. Approved by Solid Waste.

Release the User Fee in the name of Clark, Darlene Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 03-05025 Bill # 3964 Total \$177.00  
 Release user fee on house that is vacant and does not have a trash can. Approved by Solid Waste.

Release the User Fee in the name of Dudley, Elisha Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 11-08140 Bill # 6804 Total \$177.00  
 Release the user fee on a house that is vacant and has no electricity. Approved by Solid Waste.

Release the User Fee in the name of Gowens, Robbie Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 13-00250 Bill # 057 Total \$177.00  
 Release one of two user fees. Customer only has one trash can. Approved by Solid Waste.

Release the User Fee in the name of Henry, John L. Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 11-12781 Bill # 613 Total \$177.00  
 Release user fee on a house that is vacant and does not have a trash can. Approved by Solid Waste.

Release the User Fee in the name of Lennon, Lorenza Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 12-15561 Bill # 626 Total \$177.00  
 Release user fee on house that is vacant and does not have a trash can. Approved by Solid Waste.

Release the User Fee in the name of Lennon, Perry Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 12-15840 Bill # 660 Total \$354.00  
 Release the user fee on a house that is vacant and has no electricity. Approved by Solid Waste.

Release the User Fee in the name of Marlowe, Greg Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 09-02344 Bill # 1129 Total \$177.00  
 Release the user fee on a house that is vacant and does not have trash can. Approved by Solid Waste.

Release the User Fee in the name of McPherson, Hugh Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 05-04282 Bill # 2596 Total \$177.00  
 Release user fee on land that is vacant. Approved by Solid Waste.

Release the User Fee in the name of Milligan, Eudell Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 07-12055 Bill # 3360 Total \$177.00  
 Release the user fee on a mobile home that has been moved to Lexington, N.C. Approved by Solid Waste.

Release the User Fee in the name of Norris, Archie Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 06-27320 Bill # 5213 Total \$177.00  
 Release user fee on land that is vacant. Approved by Solid Waste.

Release the User Fee in the name of Norris, Archie Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 06-27320 Bill # 5214 Total \$177.00  
 Release the user fee on land that is vacant. Approved by Solid Waste.

Release the User Fee in the name of Plowman, Walter Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 07-02429 Bill # 6809 Total \$177.00  
 Release the user fee on a house that is still under construction. Approved by Solid Waste.

Release the User Fee in the name of Reyes, Adriana Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 03-03102 Bill # 2437 Total \$177.00  
 Release the user fee that is double listed in the name of Daniel R. Bravo. Approved by Solid Waste.

Release the User Fee in the name of Shaw, Armwood Amount: \$0.00  
 Value: \$0.00 Year: 2004 Account # 01-81508 Bill # 6553 Total \$87.00  
 Release user fee on a house that is vacant and has no electricity. Approved by Solid Waste.

Release the User Fee in the name of Shaw, Armwood Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 01-81508 Bill # 0650 Total \$90.48  
 Release user fee on a house that is vacant and has no electricity. Approved by Solid Waste.

Release the User Fee in the name of Simmons, Barbara Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 01-83240 Bill # 1163 Total \$177.00  
 Release one of two user fees. Customer only has one trash can. Approved by Solid Waste.

Release the User Fee in the name of Stocks, Jeff Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 03-129395 Bill # 4428 Total \$177.00  
 Release the user fee on a shop that is vacant and does not have a trash can. Approved by Solid Waste.

Release the User Fee in the name of Williams, Wade Amount: \$0.00  
 Value: \$0.00 Year: 2005 Account # 09-33713 Bill # 0130 Total \$177.00  
 Release user fee on a house that is vacant and does not have a trash can. Approved by Solid Waste.

#### **Agenda Item #14: COMMENTS:**

Chairman Godwin opened the floor for comments anyone would like to make. The following people spoke.

#### **A. Public:**

**Chuck Stanley:** stated the following:

1. I would like to thank everyone for all the visits, kind words, telephone calls and thoughts during my sickness;
2. I have infection on my brain, and I have got the use back of the right side of my body;
3. I plan to return to work the middle or last part of February;
4. I will be working with Mr. Varner;
5. During my stay at home, I have been working on a grant that was started last August;
6. I was able to get a \$9,000 grant for white goods; and
7. Presently, I am receiving help from Chapel Hill.

#### **B. Board of Commissioners:**

1. **Commissioner McKenzie:** There is a patrolman namely Christopher Horniak who has a family origin in Columbus County that was shot in the line of duty. I am requesting that a resolution, or an appropriate document, be prepared to be given to him for a job well done. The Clerk to the Board was instructed to prepare this document for the Board's approval at the January 17, 2006 Board

Meeting.

- 2. **Commissioner Bill Memory:** What is the tax collection at the present time? Richard Gore, Columbus County Tax Administrator, replied stating it was two (2%) percent better than last year.
- 3. **Commissioner Jacobs:** I would like for the Clerk to prepare a letter to Robert Crumpler to request that he look into the accident frequency at the intersection of S.R. 1740, Old Lake Road and Highway 11. The Clerk was instructed to prepare such a letter.
- 4. **Chairman Godwin:** I have the following two (2) items:

A. I would like to make the following 2006 Appointments:

**FINANCE COMMITTEE:**

Honorable Bill Memory, Chairman                      **Staff Contact:** Ms. Roxanne Coleman  
 Honorable David L. Dutton, Jr.  
 Honorable Lynwood Norris

**PERSONNEL COMMITTEE:**

Honorable Sammie Jacobs, Chairman                      **Staff Contact:** Ms. Virginia Taylor  
 Honorable Kipling Godwin  
 Honorable Amon E. McKenzie

**EDUCATION LIAISON:\***

Honorable James E. Prevatte                              **Staff Contact:** Mr. Jim Varner

\*Education Liaison is a new appointment that will serve as a liaison between the Board of Commissioners and the Columbus County and Whiteville City Boards of Education

B. The Personnel Committee and the Personnel Officer have been reviewing the Columbus County Personnel Manual, and we hope to have a recommendation ready to be presented to the Board of Commissioners in the near future, possibly early spring.

- 5. **Commissioner Prevatte:** I would like for the Board to proceed in setting the date for the workshop to discuss the Subdivision Regulations.

After discussion was conducted among the Board members and Stevie Cox, Columbus County Planning Director, the workshop date was established for January 18, 2006, at 6:00 P.M., to be held in the Commissioners' Chambers, at 112 West Smith Street, Whiteville, North Carolina, and will be a joint meeting with the Columbus County Planning Board.

- C. **Interim County Manager:** Jim Varner stated he needed the Board to submit the items to be considered for the upcoming budget, and a date set for a Board Retreat to be held.

**Agenda Item #15: EXECUTIVE SESSION in ACCORDANCE with N.C.G.S. §143-318.11 (3) Attorney Client Privilege; and N.C.G.S. §143-318.11 (6) Personnel.**

**RECESS REGULAR SESSION and enter into EXECUTIVE SESSION in ACCORDANCE with N.C.G.S. §143-318.11 (3) Attorney Client Privilege; and N.C.G.S. §143-318.11 (6) Personnel.**

At 7:57 P.M., Vice Chairman Dutton made a motion to recess Regular Session and enter into Executive Session in accordance with N.C.G.S. 143-318.11 (3) Attorney Client Privilege, and N.C.G.S. §143-318.11 (6) Personnel, seconded by Commissioner Norris. The motion unanimously carried.

No official action was taken.

**ADJOURN EXECUTIVE SESSION and resume REGULAR SESSION:**

At 9:01 P.M., Vice Chairman Dutton made a motion to adjourn Executive Session and resume Regular Session, seconded by Commissioner McKenzie. The motion unanimously carried.

**Agenda Item #16: ADJOURNMENT:**

At 9:03 P.M., Vice Chairman Dutton made a motion to adjourn, seconded by Commissioner

McKenzie. The motion unanimously carried.

**APPROVED:**

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

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**KIPLING GODWIN, Chairman**

