

COLUMBUS COUNTY BOARD OF COMMISSIONERS

May 15, 2006

6:00 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, for their regular scheduled meeting on the third Monday.

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**

APPOINTEE ABSENT:

Roxanne Coleman, **Finance Officer**

6:00 P.M.

PUBLIC HEARING #1: 2005-06 Secondary Road Construction Program: in regards to expenditures of secondary construction funds for improvements of secondary roads in Columbus County.

At 6:00 P.M., Chairman Godwin called the Public Hearing to order and stated the purpose of the Public Hearing was for the North Carolina Department of Transportation to present the 2005-06 Secondary Road Construction Program.

Chairman Godwin introduced Mac Campbell who is a member of the North Carolina Board of Transportation. Mr. Campbell introduced Ken Murphy, Division Maintenance Engineer from Fayetteville, North Carolina, Freddie Edwards, County Maintenance Engineer, and Allen Waddell, Assistant District Engineer. Freddie Edwards presented the following information to the Board of Commissioners.

2005-06 SECONDARY ROADS CONSTRUCTION PROGRAM COLUMBUS COUNTY

ALLOCATION	AMOUNT
Secondary Road Construction	\$1,810,630.00
Highway Trust Fund	\$1,294,237.00
TOTAL SECONDARY ROAD CONSTRUCTION FUNDS AVAILABLE:	\$3,104,867.00

MAINTENANCE OPERATIONS:

Funds required to supplement secondary road maintenance operations. To be used for: spot stabilization of unpaved roads with stone or local materials; widening of paved secondary roads, drainage improvements; safety projects; etc.

ALLOCATION	AMOUNT
Secondary Construction	\$491,707.00
Highway Trust Fund	\$ 514,065.00
TOTAL MAINTENANCE OPERATIONS:	\$1,005,772.00

RESERVE for CONTINGENCIES:

Funds to be used for road additions; survey and right of way; overdrafts; property owner participation paving; paving of rural fire departments and rescue squads, continuation of paving down the priority list.

\$ 310,487.00

PAVING PROGRAM:

Paving of unpaved roads in priority order from the Rural and Residential/Subdivision lists. The department will secure right-of-way and construct this program. Should additional funds become available or right-of-way be unobtainable on any road, then the program will be extended down the priority lists until available funds are expended.

ALLOCATION	AMOUNT
Secondary Construction	\$1,137,860.00
Highway Trust Fund	\$ 650,748.00
TOTAL PAVING PROGRAM	\$1,788,608.00

RURAL PAVING PROJECTS:

PRIORITY NO.	SR#	FROM SR#	TO SR#	LENGTH/DESCRIPTION/COST
25 (04-05)	1740	ECL Lake Wacc	1757	0.5 Mile Grade, Drain, Base, Pave and E/C \$175,000.00
40 (04-05)	1938	1934	1943	1.0 Mile \$300,000.00
49 (04-05)	1828	End of Pvt.	1849	1.1 Miles Grade, Drain, Base, Pave and E/C \$385,000.00
1F	1813	1812	East 0.5 mile	0.5 Mile Grade, Drain, Base, Pave and E/C \$150,000.00
2F	1927	1001	Edge of PVT	0.9 Mile Grade, Drain, Base, Pave & E/C \$270,000.00
4F	1116A	1113	1115	0.8 Mile Grade, Drain, Base, Pave & E/C \$240,000.00
5F	1561	1562	1572	0.9 Mile Grade, Drain, Base, Pave & E/C \$163,608.00 (Partial Funding; additional funds to be added later)

TOTAL MILES: 5.7 TOTAL FUNDS: \$1,683,608.00

RESIDENTIAL/SUBDIVISION PAVING PROJECTS:

PRIORITY NO.	SR#	FROM SR#	TO SR#	LENGTH/DESCRIPTION/COST
1	1884	1882	1883	0.1 Mile Base and Pave \$35,000.00
2	1600	US 701 Busi	Dead End	0.4 Mile Base and Pave \$70,000.00

TOTAL MILES: 0.5 TOTAL FUNDS: \$105,000.00

GRAND TOTALS: 6.2 TOTAL FUNDS: \$1,788,608.00

- *NOTES:**
- If additional maintenance monies are made available by Legislature, the monies listed under maintenance operations will be programmed on paving projects in accordance with the Columbus County Secondary Road Paving Priority List.
 - This Program is subject to availability of funding, right-of-way, and environmental review.

Mr. Edwards stated the Columbus County Board of Commissioners had three (3) options as follows:

- Agree to the 2005-06 Secondary Road Construction Program by a Concurring Resolution;

2. Take no action; **or**
3. Prepare an alternative paving program.

Mr. Edwards stated that if paving was done out of priority order, the Board would have to have a good reason for doing so, and a public hearing would need to be scheduled.

Commissioner McKenzie asked Mr. Edwards what the priority number was for S.R. 1531, 1577 and 1548. Mr. Edwards replied stating the following: S.R. 1531 - Priority Number 41, S.R. 1577 - Priority Number 16, and S.R. 1548 - Priority Number 33.

Commissioner Prevatte requested clarification of the order in which the roads were being done. Mr. Edwards stated the order in which the roads were done depended on many factors, with a few being as follows: number of households, school bus travel, number of people living along the road, if road runs from one side of the County to the other, the ability to acquire rights-of-way, etc.

Commissioner McKenzie stated he would like to request an audience with the County Commissioners before another road ranking is done or public hearing is scheduled regarding Denton Road, McQueens Road and S.R. 1534 Red Store Road.

Mr. Edwards stated the roads were re-ranked every four (4) years, and the Department of Transportation had just went through a re-ranking to be effective July 1, 2006.

Mac Campbell stated the procedure for the ranking of the roads was done by Legislation, and if the Board of Commissioners would like for this procedure to be revised, they needed to talk to their Legislators. Basically, all we do is to apply the information to a computer program and get the results.

Commissioner Norris stated that Highway 904 was in bad condition and wanted to know when it would be re-paved. Mr. Edwards stated that would depend on the availability of funds.

Commissioner Jacobs requested the status of S.R. 1740 Old Lake Road as to when the rest of the paving would be done. Mr. Edwards stated he would check on this road and advise.

Mr. Edwards stated the Department of Transportation rides every road in Columbus County every two (2) years to see the condition.

Many questions were asked to Mr. Edwards regarding roads within housing subdivisions. Mr. Edwards stated the following:

1. If built after 1975, the roads must meet Department of Transportation standards; **and**
2. If built before 1975, the Department of Transportation can take them over as a secondary road under certain conditions.

Commissioner McKenzie made a request to the Department of Transportation that he would like to ride with the person that was riding the roads that he had mentioned earlier in the meeting.

Chairman Godwin asked if anyone in the audience had any comments they would like to make. The following people spoke.

1. **Ethel McQueen Godwin, private citizen:** stated the following:
 - A. In the year 2004, we were told the County Commissioners can change the ranking order of the roads being paved;
 - B. We, residents on this road, have been working on getting S.R. 1548 paved and have yet to succeed; **and**
 - C. I do thank the County Commissioners for working with us.
2. **Robert Adams, private citizen:** stated the following:
 - A. If funds are not available to pave Red Store Road, it needs to be patched, due to the condition;
 - B. The shoulders of the road need to be lowered to alleviate the rainfall and eliminate flooding; **and**
 - C. The ditches are in need of being cleaned out.

PUBLIC HEARING CLOSED:

At 6:35 P.M., Commissioner Norris made a motion to close the Public Hearing, seconded by Vice Chairman Dutton. The motion unanimously carried.

6:40 P.M.

PUBLIC HEARING #2: Flood Damage Prevention Ordinance: to receive comments from the public. All interested citizens are encouraged to attend. Persons attending will be given the opportunity to provide written and/or oral comments and suggestions pertaining to the proposed ordinance.

At 6:40 P.M., Chairman Godwin called the Public Hearing to order and stated the purpose of the Public Hearing was to receive comments and suggestions, written and/or oral, from the public on the Flood Damage Prevention Ordinance.

Stevie Cox, Columbus County Planner, stated the following:

1. On March 30, 2006, the Columbus County Planning Department, in partnership with the North Carolina Division of Emergency Management (NCEM) hosted a workshop to assist with the Mandatory Updates to each community Local Flood Damage Prevention Ordinance. These mandatory revisions must be adopted by each municipality and the county prior to June 2, 2006, in order to continue participation in the National Flood Insurance Program (NFIP).
2. At this workshop, the following municipalities were in attendance: Lake Waccamaw, Whiteville, Boardman, Fair Bluff, Tabor City and Brunswick. Chadbourn's Town Manager will meet with staff on April 17, 2006 to work on their ordinance. All of the participating municipalities are aware that we will have to run a half page advertisement for the HOLD for the Public Hearing and they will share the cost with the County for that advertisement. By doing so, all participating parties seek to have the Ordinance approved by the June 2, 2006 deadline.
3. During the period of April 26th, 2006 to May 1st, 2006, staff has worked with the Towns of Bolton, Cerro Gordo and Sandyfield in the preparation of their Flood Damage Prevention Ordinance. Those municipalities have decided to hold their public hearing on the matter for the dates of May 15th and May 19th. They have chosen to share the cost of the advertisement. These municipalities are considering having the County administer this Ordinance under an inter-local agreement.
4. I have been advised by FEMA the flood maps that were sent to Columbus County became effective January 01, 2006, whether they were adopted by the Board or not. We have received three (3) sets for the following departments: Emergency Management, Planning Department and Building Inspections.

PUBLIC HEARING CLOSED:

At 6:49 P.M., there being no comments, either written or oral, Commissioner Memory made a motion to close the Public Hearing, seconded by Commissioner Norris. The motion unanimously carried.

REGULAR SESSION:

Agenda Items #1 and #2: MEETING CALLED to ORDER and INVOCATION:

At 6:49 P.M., Chairman Godwin called the Regular Session to order. The invocation was delivered by Commissioner James E. Prevatte. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America.

Agenda Item #3: PRESENTATION - RETIREMENT PLAQUE:

Due to the absence of Barbara Kay Williamson, Commissioner Memory made a motion to table this Agenda item until June 05, 2006, seconded by Commissioner Prevatte. The motion unanimously carried.

Agenda Item #4: BOARD MINUTES APPROVAL:

Commissioner Norris made a motion to approve the April 27, 2006 Subdivision Regulations Ordinance Workshop and the May 01, 2006 Columbus County Board of Commissioners Regular Session Minutes, seconded by Commissioner Prevatte. The motion unanimously carried.

Agenda Item #5: RESOLUTION - 2005-06 SECONDARY ROAD CONSTRUCTION PROGRAM CONCURRING RESOLUTION:

The North Carolina Department of Transportation is requesting approval and adoption of the following Resolution.

**2005-06 SECONDARY ROADS CONSTRUCTION PROGRAM
CONCURRING RESOLUTION**

WHEREAS, the Columbus County Board of Commissioners met with officials of the North Carolina Department of Transportation at a Public Hearing on May 15, 2006; **and**

WHEREAS, the purpose of this meeting was to present to the public the proposed Secondary Roads Construction Program for Columbus County for Fiscal Year 2005-2006 from the Department of Transportation as follows:

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Secondary Road Construction	\$1,810,630.00
Highway Trust Fund	\$1,294,237.00
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MAINTENANCE OPERATIONS:

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PAVING PROGRAM:

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- *NOTES:**
1. If additional maintenance monies are made available by Legislature, the monies listed under maintenance operations will be programmed on paving projects in accordance with the Columbus County Secondary Road Paving Priority List.
 2. This Program is subject to availability of funding, right-of-way, and environmental review.

THEREFORE, BE IT RESOLVED, that the Columbus County Board of Commissioners does hereby concur with the 2005-2006 Secondary Roads Construction Program for Fiscal Year 2005-2006 as prioritized by the State as enumerated above.

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 2005-06 Secondary Road Construction Program Concurring Resolution, seconded by Commissioner Norris. The motion unanimously carried.

Commissioner McKenzie requested that a note be placed in the Board Minutes that the Columbus County Board of Commissioners is requesting the North Carolina Department of Transportation to make space for a meeting with the Board before the next road ranking is done.

Agenda Item #6: FIRE and RESCUE - ACME-DELCO-RIEGELWOOD:

Steve Camlin, Fire Chief of the Acme-Delco- Riegelwood Fire Department, delivered the following update to the Board relative to their new fire ratings.

1. In 1982, our long-term goal was to reduce the fire rating which was eight (8) and nine (9);
2. This ISO (insurance rating) is done by the State;
3. At the beginning, our revenue was at four thousand, forty-four and 00/100 (\$4,044.00) dollars, and when we decided to go out on a limb and purchase our ladder fire truck, our revenue increased to twelve thousand and 00/100 (\$12,000.00) dollars;
4. After seeing how our revenue could be increased, we decided to purchase more equipment;
5. Through endless hours of donated help from neighbors and friends, we have been able to take parts from several abandoned fire trucks to make other fire trucks operational;
6. In 1998, we became a five (5) mile fire district;
7. With everyone's help, we now have eleven (11) fire trucks in service; **and**
8. I wish to thank the Board of County Commissioners for their willingness to go along with us in this venture.

Agenda Item #7: JUVENILE CRIME PREVENTION COUNCIL DISCUSSION:

Melinda Lane, Chair of the Juvenile Crime Prevention Council, presented the following information to the Board:

1. The purpose of this committee is to reduce juvenile delinquency;
2. This year, Columbus County is being allocated two hundred four thousand, nine hundred eighty-three, and 00/100 (\$204,983.00) dollars;
3. We prepare an annual plan of which I will share a copy with you, for your review, and if everything is in order, the original needs to be signed by the Chairman of the Board of Commissioners;
4. We had six (6) applications and were able to fund five (5) of those applications;
5. We have a set of by-laws in place stating that there are twenty-five (25) specific types of members which are required by the State;
6. We must be an active council in order to continue to receive funding;
7. We are having some difficulty with some of our members not attending our meetings;
8. The bylaws state that after a certain number of absences and if there is not a valid reason for the absence, then the member is to be removed from the committee;
9. Some of the members who are not attending the scheduled meetings are the ones appointed by the County Commissioners;
10. Those members that are not attending have been contacted by letter and I have not received much response from them; **and**
11. I need direction from the Board of County Commissioners as to the proper manner in handling this matter.

Commissioner Prevatte stated the following regarding this committee:

1. This is a very worthwhile committee;
2. I served on this committee for over twenty (20) years; **and**
3. This committee meets monthly on the second Wednesday at 12:00 Noon at the Department of Social Services and the meetings last approximately one (1) hour.

Agenda Item #8: PLANNING - APPROVAL of the FOLLOWING THREE (3) ITEMS:

- A. **Rescind the Existing Columbus County Flood Damage Prevention Ordinance;**
- B. **Approval and Adoption of the new Columbus County Flood Damage Prevention Ordinance; and**
- C. **Approval and Adoption of the Resolution of Intent for the Flood Damage Prevention Ordinance.**

Stevie Cox, Columbus County Planning Director, requested Board approval and adoption of the above referenced actions and documents.

- A. Rescind the Existing Columbus County Flood Damage Prevention Ordinance:

Commissioner Prevatte made a motion to rescind the existing Columbus County Flood Damage Prevention Ordinance, seconded by Commissioner Memory. The motion unanimously carried.

B. Approval and Adoption of the new Columbus County Flood Damage Prevention Ordinance:

Commissioner Prevatte made a motion to approve the new Columbus County Flood Damage Prevention Ordinance, seconded by Commissioner Memory. The motion unanimously carried.

FLOOD DAMAGE PREVENTION ORDINANCE
For
Columbus County, North Carolina
Non-Coastal Regular Phase

ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

SECTION A. STATUTORY AUTHORIZATION

County: The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3 and 4 of Article 18 of Chapter 153A; and Part 121, Article 6 of Chapter 153A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

Therefore, the **Board of Commissioners of Columbus County**, North Carolina, does ordain as follows:

SECTION B. FINDINGS OF FACT

- (1) The flood prone areas within the jurisdiction of **Columbus County and unincorporated areas** are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging, and all other development that may increase erosion or flood damage; and
- (5) Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or which may increase flood hazards to other lands.

SECTION D. OBJECTIVES

The objectives of this ordinance are:

- (1) To protect human life and health;

- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business losses and interruptions;
- (5) To minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- (6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- (7) To ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

ARTICLE 2. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

“Accessory Structure (Appurtenant Structure)” means a structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. 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.

“Addition (to an existing building)” means an extension or increase in the floor area or height of a building or structure.

“Appeal” means a request for a review of the floodplain administrator's interpretation of any provision of this ordinance.

“Area of Shallow Flooding” means a designated Zone AO on a community's Flood Insurance Rate Map (FIRM) with base flood depths determined to be from one (1) to three (3) feet. These areas are located where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

“Area of Special Flood Hazard” see “Special Flood Hazard Area (SFHA)”

“Basement” means any area of the building having its floor subgrade (below ground level) on all sides.

“Base Flood” means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

“Base Flood Elevation (BFE)” means a determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a “Special Flood Hazard Area”, it may be obtained from engineering studies available from a Federal or State or other source using FEMA approved engineering methodologies. This elevation, when combined with the “Freeboard”, establishes the “Regulatory Flood Protection Elevation”.

“Building” see “Structure”

“Chemical Storage Facility” means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

“Development” means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

“Disposal” means, as defined in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste

or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

“Elevated Building” means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

“Encroachment” means the advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

“Existing Manufactured Home Park or Manufactured Home Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before the original effective date of the floodplain management regulations adopted by the community.

“Flood” or “Flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters; and/or
- (2) the unusual and rapid accumulation of runoff of surface waters from any source.

“Flood Boundary and Floodway Map (FBFM)” means an official map of a community, issued by the Federal Emergency Management Agency, on which the Special Flood Hazard Areas and the floodways are delineated. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).

“Flood Hazard Boundary Map (FHBM)” means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the Special Flood Hazard Areas have been defined as Zone A.

“Flood Insurance” means the insurance coverage provided under the National Flood Insurance Program.

“Flood Insurance Rate Map (FIRM)” means an official map of a community, issued by the Federal Emergency Management Agency, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

“Flood Insurance Study (FIS)” means an examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the Federal Emergency Management Agency. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

“Flood Prone Area” see “Floodplain”

“Floodplain” means any land area susceptible to being inundated by water from any source.

“Floodplain Administrator” is the individual appointed to administer and enforce the floodplain management regulations.

“Floodplain Development Permit” means any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

“Floodplain Management” means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

“Floodplain Management Regulations” means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state or local regulations, in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

“Floodproofing” means any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

“Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

“Flood Zone” means a geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

“Freeboard” means the height added to the Base Flood Elevation (BFE) to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization on the watershed. The Base Flood Elevation plus the freeboard establishes the “Regulatory Flood Protection Elevation”.

“Functionally Dependent Facility” means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

“Hazardous Waste Facility” means, as defined in NCGS 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

“Highest Adjacent Grade (HAG)” means the highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

“Historic Structure” means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a local inventory of historic landmarks in communities with a “Certified Local Government (CLG) Program”; or
- (d) Certified as contributing to the historical significance of a historic district designated by a community with a “Certified Local Government (CLG) Program”

Certified Local Government (CLG) Programs are approved by the US Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

“Lowest Adjacent Grade (LAG)” means the elevation of the ground, sidewalk or patio slab immediately next to the building, or deck support, after completion of the building.

“Lowest Floor” means lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's lowest floor, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

“Manufactured Home” means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle”.

“Manufactured Home Park or Subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Market Value” means the building value, not including the land value and that of any accessory

structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

“Mean Sea Level” means, for purposes of this ordinance, the National Geodetic Vertical Datum (NGVD) as corrected in 1929, the North American Vertical Datum (NAVD) as corrected in 1988, or other vertical control datum used as a reference for establishing varying elevations within the floodplain, to which Base Flood Elevations (BFEs) shown on a FIRM are referenced. Refer to each FIRM panel to determine datum used.

“New Construction” means structures for which the “start of construction” commenced on or after the effective date of the original version of the community’s Flood Damage Prevention Ordinance and includes any subsequent improvements to such structures.

“Non-Encroachment Area” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot as designated in the Flood Insurance Study report.

“Post-FIRM” means construction or other development for which the “start of construction” occurred on or after the effective date of the initial Flood Insurance Rate Map for the area.

“Pre-FIRM” means construction or other development for which the “start of construction” occurred before the effective date of the initial Flood Insurance Rate Map for the area.

“Principally Above Ground” means that at least 51% of the actual cash value of the structure is above ground.

“Public Safety” and/or “Nuisance” means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

“Recreational Vehicle (RV)” means a vehicle, which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

“Reference Level” is the top of the lowest floor for structures within Special Flood Hazard Areas designated as Zone A1-A30, AE, A, A99 or AO and lowest attended utilities.

“Regulatory Flood Protection Elevation” means the “Base Flood Elevation” plus the “Freeboard”. In “Special Flood Hazard Areas” where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus **two (2)** feet of freeboard. In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least **two (2)** feet above the highest adjacent grade.

“Remedy a Violation” means to bring the structure or other development into compliance with State and community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

“Salvage Yard” means any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

“Solid Waste Disposal Facility” means, as defined in NCGS 130A-290(a)(35), any facility involved

sin the disposal of solid waste.

“Solid Waste Disposal Site” means, as defined in NCGS 130A-290(a)(36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

“Special Flood Hazard Area (SFHA)” means the land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year, as determined in Article 3, Section B of this ordinance.

“Start of Construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground.

“Substantial Damage” means damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to it’s before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. See definition of “substantial improvement”.

“Substantial Improvement” means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

- (a) Any correction of existing violations of State or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or,
- (b) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

“Variance” is a grant of relief from the requirements of this ordinance.

“Violation” means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Articles 4 and 5 is presumed to be in violation until such time as that documentation is provided.

“Water Surface Elevation (WSE)” means the height, in relation to mean sea level, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

“Watercourse” means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

ARTICLE 3. GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of **Columbus County** and within the jurisdiction of any other community whose governing body agrees, by resolution, to such applicability.

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) and its accompanying Flood Insurance Rate Maps (FIRM), for **Columbus County** dated **June 2, 2006**, which are adopted by reference and declared to be a part of this ordinance.

SECTION C. ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with Article 3, Section B of this ordinance.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (a) Considered as minimum requirements;
- (b) Liberally construed in favor of the governing body; and
- (c) Deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION G. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of **Columbus County** or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

SECTION H. PENALTIES FOR VIOLATION

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues that shall be considered a separate offense. Nothing herein contained shall prevent **Columbus County** from taking such other lawful action as is necessary to prevent or remedy any violation.

ARTICLE 4. ADMINISTRATION

SECTION A. DESIGNATION OF FLOODPLAIN ADMINISTRATOR

The **County Manager or Designee**, hereinafter referred to as the "Floodplain Administrator", is hereby appointed to administer and implement the provisions of this ordinance.

SECTION B. FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT AND CERTIFICATION REQUIREMENTS

- (1) **Application Requirements.** Application for a Floodplain Development Permit shall be made to the floodplain administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the floodplain administrator to apply for a floodplain development permit:
- (a) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
 - i) The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
 - ii) The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Article 3, Section B, or a statement that the entire lot is within the Special Flood Hazard Area;
 - iii) Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Article 3, Section B;
 - iv) The boundary of the floodway(s) or non-encroachment area(s) as determined in Article 3, Section B;
 - v) The Base Flood Elevation (BFE) where provided as set forth in Article 3, Section B; Article 4, Section C(11 & 12); or Article 5, Section D;
 - vi) The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
 - vii) Certification of the plot plan by a registered land surveyor or professional engineer.
 - (b) Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
 - i) Elevation in relation to mean sea level of the proposed reference level (including basement) of all structures;
 - ii) Elevation in relation to mean sea level to which any non-residential structure in Zone AE, A or AO will be flood-proofed; and
 - iii) Elevation in relation to mean sea level to which any proposed utility systems will be elevated or flood proofed;
 - (c) If flood proofing, a Floodproofing Certificate (*FEMA Form 81-65*) with supporting data and an operational plan that includes, but is not limited to, installation, exercise, and maintenance of flood proofing measures.
 - (d) A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
 - i) The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls);
 - ii) Openings to facilitate equalization of hydrostatic flood forces on walls in accordance with Article 5, Section B(4)(d), when solid foundation perimeter walls are used in Zones A, AO, AE, and A1-30;
 - (e) Usage details of any enclosed areas below the regulatory flood protection elevation.

- (f) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage;
 - (g) Copies of all other Local, State and Federal permits required prior to floodplain development permit issuance (Wetlands, Endangered Species, Erosion and Sedimentation Control, Riparian Buffers, Mining, etc.)
 - (h) Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable, to ensure Article 5, Sections B (6 & 7) of this ordinance are met.
 - (i) A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.
- (2) **Permit Requirements.** The Floodplain Development Permit shall include, but not be limited to:
- (a) A description of the development to be permitted under the floodplain development permit.
 - (b) The Special Flood Hazard Area determination for the proposed development per available data specified in Article 3, Section B.
 - (c) The regulatory flood protection elevation required for the reference level and all attendant utilities.
 - (d) The regulatory flood protection elevation required for the protection of all public utilities.
 - (e) All certification submittal requirements with timelines.
 - (f) A statement that no fill material or other development shall encroach into the floodway or non-encroachment area of any watercourse, as applicable.
 - (g) The flood openings requirements, if in Zones A, AO, AE or A1-30.
 - (h) Limitations of below BFE enclosure uses (if applicable). (i.e., Parking, Building Access and Limited Storage only).
- (3) **Certification Requirements**
- (a) Elevation Certificates
 - i) An Elevation Certificate (FEMA Form 81-31) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the elevation of the reference level, in relation to mean sea level. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit.
 - ii) An Elevation Certificate (FEMA Form 81-31) is required after the reference level is established. Within seven (7) calendar days of establishment of the reference level elevation, it shall be the duty of the permit holder to submit to the floodplain administrator a certification of the elevation of the reference level, in relation to mean sea level. . Any work done within the seven (7) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.
 - iii) A final as-built Elevation Certificate (*FEMA Form 81-31*) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of final as-built

construction of the elevation of the reference level and all attendant utilities. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(b) Floodproofing Certificate

If non-residential flood proofing is used to meet the regulatory flood protection elevation requirements, a Floodproofing Certificate (FEMA Form 81-65), with supporting data and an operational plan, is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the flood proofed design elevation of the reference level and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The floodplain administrator shall review the certificate data and plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(c) If a manufactured home is placed within Zone A, AO, AE, or A1-30 and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required per Article 5, Section B(3).

(d) If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.

(e) Certification Exemptions. The following structures, if located within Zone A, AO, AE or A1-30, are exempt from the elevation/flood proofing certification requirements specified in items (a) and (b) of this subsection:

- i) Recreational Vehicles meeting requirements of Article 5, Section B (6) (a);
- ii) Temporary Structures meeting requirements of Article 5, Section B (7); and
- iii) Accessory Structures less than 150 square feet meeting requirements of Article 5, Section B (8).

SECTION C. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

The Floodplain Administrator shall perform, but not be limited to, the following duties:

- (1) Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas to assure that the requirements of this ordinance have been satisfied.
- (2) Advise permittee that additional Federal or State permits (Wetlands, Endangered Species, Erosion and Sedimentation Control, Riparian Buffers, Mining, etc.) may be required, and require that copies of such permits be provided and maintained on file with the floodplain development permit.
- (3) Notify adjacent communities and the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- (5) Prevent encroachments into floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of Article 5, Section E are met.
- (6) Obtain actual elevation (in relation to mean sea level) of the reference level (including basement) and all attendant utilities of all new or substantially improved structures, in accordance with Article 4, Section B(3).
- (7) Obtain actual elevation (in relation to mean sea level) to which all new and substantially improved structures and utilities have been flood proofed, in accordance with Article 4, Section B(3).
- (8) Obtain actual elevation (in relation to mean sea level) of all public utilities in accordance with Article 4, Section B (3).
- (9) When flood proofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with Article 4, Section B(3) and Article 5, Section B(2).
- (10) Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas (for

example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

- (11) When Base Flood Elevation (BFE) data has not been provided in accordance with Article 3, Section B, obtain, review, and reasonably utilize any Base Flood Elevation (BFE) data, along with floodway data or non-encroachment area data available from a Federal, State, or other source, including data developed pursuant to Article 5, Section D (2) (b), in order to administer the provisions of this ordinance.
- (12) When Base Flood Elevation (BFE) data is provided but no floodway nor non-encroachment area data has been provided in accordance with Article 3, Section B, obtain, review, and reasonably utilize any floodway data or non-encroachment area data available from a Federal, State, or other source in order to administer the provisions of this ordinance.
- (13) When the lowest ground elevation of a parcel or structure in a Special Flood Hazard Area is above the Base Flood Elevation, advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the Letter of Map Amendment (LOMA) issued by FEMA in the floodplain development permit file.
- (14) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection.
- (15) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the floodplain administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the floodplain administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- (16) Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the floodplain administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (17) Revoke floodplain development permits as required. The floodplain administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- (18) Make periodic inspections throughout all special flood hazard areas within the jurisdiction of the community. The floodplain administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (19) Follow through with corrective procedures of Article 4, Section D.
- (20) Review, provide input, and make recommendations for variance requests.
- (21) Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps and studies adopted in accordance with Article 3, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify State and FEMA of mapping needs.
- (22) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-F) and Letters of Map Revision (LOMR).

SECTION D. CORRECTIVE PROCEDURES

- (1) Violations to be Corrected: When the floodplain administrator finds violations of applicable State and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- (2) Actions in Event of Failure to Take Corrective Action: If the owner of a building or property shall fail to take prompt corrective action, the floodplain administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:
 - (a) That the building or property is in violation of the Flood Damage Prevention Ordinance;
 - (b) That a hearing will be held before the floodplain administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and,
 - (c) That following the hearing, the floodplain administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.

- (3) **Order to Take Corrective Action:** If, upon a hearing held pursuant to the notice prescribed above, the floodplain administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, they shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than **one-hundred eighty (180)** calendar days. (*One-hundred-eighty (180) calendar days or less is recommended*) Where the floodplain administrator finds that there is imminent danger to life or other property, they may order that corrective action be taken in such lesser period as may be feasible.
- (4) **Appeal:** Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the floodplain administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the floodplain administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (5) **Failure to Comply with Order:** If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

SECTION E. VARIANCE PROCEDURES

- (1) The **Planning Board will serve as the appeal board on all variances and forward a recommendation to Board of Commissioners for final approval** as established by **Columbus County**, hereinafter referred to as the “appeal board”, shall hear and decide requests for variances from the requirements of this ordinance.
- (2) Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Chapter 7A of the North Carolina General Statutes.
- (3) Variances may be issued for:
- (a) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure.
 - (b) Functionally dependant facilities if determined to meet the definition as stated in Article 2 of this ordinance, provided provisions of Article 4, Section E(9)(b), ©, and (e) have been satisfied, and such facilities are protected by methods that minimize flood damages.
 - (c) Any other type of development provided it meets the requirements stated in this section.
- (4) In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
- (a) The danger that materials may be swept onto other lands to the injury of others;
 - (b) The danger to life and property due to flooding or erosion damage;
 - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) The importance of the services provided by the proposed facility to the community;
 - (e) The necessity to the facility of a waterfront location as defined under Article 2 of this ordinance as a functionally dependant facility, where applicable;
 - (f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (g) The compatibility of the proposed use with existing and anticipated development;
 - (h) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (i) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (j) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (k) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- (5) A written report addressing each of the above factors shall be submitted with the application for a variance.
- (6) Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

- (7) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Base Flood Elevation (BFE) and the elevation to which the structure is to be built and that such construction below the Base Flood Elevation increases risks to life and property, and that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.
- (8) The floodplain administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of North Carolina upon request.
- (9) Conditions for Variances:
 - (a) Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
 - (b) Variances shall not be issued within any designated floodway or non-encroachment area if the variance would result in any increase in flood levels during the base flood discharge.
 - (c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (d) Variances shall only be issued prior to development permit approval.
 - (e) Variances shall only be issued upon:
 - i) A showing of good and sufficient cause;
 - ii) A determination that failure to grant the variance would result in exceptional hardship; and
 - iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (10) A variance may be issued for solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas provided that all of the following conditions are met.
 - (a) The use serves a critical need in the community.
 - (b) No feasible location exists for the use outside the Special Flood Hazard Area.
 - (c) The reference level of any structure is elevated or flood proofed to at least the regulatory flood protection elevation.
 - (d) The use complies with all other applicable Federal, State and local laws.
 - (e) The **Columbus County** has notified the Secretary of the North Carolina Department of Crime Control and Public Safety of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

In all Special Flood Hazard Areas the following provisions are required:

- (1) All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure.
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (3) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages.
- (4) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, appliances (washers, dryers, refrigerators, freezers, etc.), hot water heaters, and electric outlets/switches.
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.

- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Any alteration, repair, reconstruction, or improvements to a structure, which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.
- (9) Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream setback, provided there is no additional encroachment below the regulatory flood protection elevation in the floodway, non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
- (10) New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in Article 4, Section E(10). A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or flood proofed to at least the regulatory flood protection elevation and certified according to Article 4, Section B (3) of this ordinance.
- (11) All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.
- (12) All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (13) All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (14) All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

SECTION B. SPECIFIC STANDARDS

In all Special Flood Hazard Areas where Base Flood Elevation (BFE) data has been provided, as set forth in Article 3, Section B, or Article 4, Section C(11 & 12), the following provisions, in addition to Article 5, Section A, are required:

- (1) **Residential Construction.** New construction and substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Article 2 of this ordinance.
- (2) **Non-Residential Construction.** New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Article 2 of this ordinance. Structures located in A, AE and A1-30 Zones may be flood proofed to the regulatory flood protection elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the regulatory flood protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AO Zones, the flood proofing elevation shall be in accordance with Article 5, Section H (3). A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 4, Section B (3), along with the operational and maintenance plans.
- (3) **Manufactured Homes.**
 - (a) New or replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the regulatory flood protection elevation, as defined in Article 2 of this ordinance.
 - (b) Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by engineer certification, or in accordance with the most current edition of the State of North Carolina Regulations for Manufactured Homes adopted by the Commissioner of Insurance pursuant to NCGS 143-143.15. Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.
 - (c) All enclosures or skirting below the lowest floor shall meet the requirements of Article 5, Section B(4)(a), (b), and ©..
 - (d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the floodplain administrator and the local Emergency Management coordinator.

- (4) Elevated Buildings. Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:
- (a) Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas;
 - (b) Shall be constructed entirely of flood resistant materials below the regulatory flood protection elevation;
 - (c) Shall include, in Zones A, AO, AE, and A1-30, flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria;
 - i) A minimum of two flood openings on different sides of each enclosed area subject to flooding;
 - ii) The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
 - iii) If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
 - iv) The bottom of all required flood openings shall be no higher than one (1) foot above the adjacent grade;
 - v) Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
 - vi) Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.
- (5) Additions/Improvements.
- (a) Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
 - i) Not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure.
 - ii) A substantial improvement, both to the existing structure and the addition and/or improvements must comply with the standards for new construction.
 - (b) Additions to post-FIRM structures with no modifications to the existing structure other than a standard door in the common wall shall require only the addition to comply with the standards for new construction.
 - (c) Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
 - i) Not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction.
 - ii) A substantial improvement, both to the existing structure and the addition and/or improvements must comply with the standards for new construction.
 - (d) Where an independent perimeter load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and only the addition must comply with the standards for new construction.
- (6) Recreational Vehicles. Recreational vehicles shall either:
- (a) Be on site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions); or

- (b) Meet all the requirements for new construction.
- (7) Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the floodplain administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the floodplain administrator for review and written approval;
- (a) A specified time period for which the temporary use will be permitted. Time specified may not exceed three months, renewable up to one year;
 - (b) The name, address, and phone number of the individual responsible for the removal of the temporary structure;
 - (c) The time frame prior to the event at which a structure will be removed (i.e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
 - (d) A copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
 - (e) Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
- (8) Accessory Structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
- (a) Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking or restroom areas);
 - (b) Accessory structures shall not be temperature-controlled;
 - (c) Accessory structures shall be designed to have low flood damage potential;
 - (d) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
 - (e) Accessory structures shall be firmly anchored in accordance with Article 5, Section A (1);
 - (f) All service facilities such as electrical shall be installed in accordance with Article 5, Section A (4); and
 - (g) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below regulatory flood protection elevation in conformance with Article 5, Section B(4)©..

An accessory structure with a footprint less than 150 square feet that satisfies the criteria outlined above does not require an elevation or flood proofing certificate. Elevation or flood proofing certifications are required for all other accessory structures in accordance with Article 4, Section B (3).

SECTION C. RESERVED

SECTION D. STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS

Within the Special Flood Hazard Areas designated as Approximate Zone A and established in Article 3, Section B, where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to Article 5, Sections A and B, shall apply:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of twenty (20) feet each side from top of bank or five times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) The BFE used in determining the regulatory flood protection elevation shall be determined based on one of the following criteria set in priority order:
 - (a) If Base Flood Elevation (BFE) data is available from other sources, all new construction

and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or flood proofed in accordance with standards in Article 4, Section C (11 & 12).

- (b) All subdivision, manufactured home park and other development proposals shall provide Base Flood Elevation (BFE) data if development is greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such Base Flood Elevation (BFE) data shall be adopted by reference per Article 3, Section B to be utilized in implementing this ordinance.
- (c) When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source as outlined above, the reference level shall be elevated to or above the regulatory flood protection elevation, as defined in Article 2.

SECTION E. STANDARDS FOR RIVERINE FLOODPLAINS WITH BFE BUT WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS

Along rivers and streams where BFE data is provided but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

- (1) Standards outlined in Article 5, Sections A and B; and
- (2) Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

SECTION F. FLOODWAYS AND NON-ENCROACHMENT AREAS

Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in Article 3, Section B. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Article 5, Sections A and B, shall apply to all development within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless it has been demonstrated that:
 - (a) the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the floodplain administrator prior to issuance of floodplain development permit, or
 - (b) A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment.
- (2) If Article 5, Section F (1) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- (3) No manufactured homes shall be permitted, except replacement manufactured homes in an existing manufactured home park or subdivision, provided the following provisions are met:
 - (a) The anchoring and the elevation standards of Article 5, Section B (3); and
 - (b) The no encroachment standard of Article 5, Section F (1).

SECTION G. STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AO)

Located within the Special Flood Hazard Areas established in Article 3, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article 5, Section A, all new construction and substantial improvements shall meet the following requirements:

- (1) The reference level shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of **two (2)** feet, above the highest adjacent grade; or at least two feet above the highest adjacent grade plus a freeboard of **two (2)** feet if no depth number is specified.
- (2) Non-residential structures may, in lieu of elevation, be flood proofed to the same level as required in Article 5, Section H (1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required as per Article 4, Section B (3) and Article 5, Section B (2).
- (3) Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and

away from proposed structures.

ARTICLE 6. LEGAL STATUS PROVISIONS

SECTION A. EFFECT ON RIGHTS AND LIABILITIES UNDER THE EXISTING FLOOD DAMAGE PREVENTION ORDINANCE

This ordinance in part comes forward by re-enactment of some of the provisions of the flood damage prevention ordinance enacted **March 17, 1987** (*adoption date of the community's original Flood Damage Prevention Ordinance*) as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued there under are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the flood damage prevention ordinance of **Columbus County** enacted on **March 17, 1987** (*adoption date of the community's original Flood Damage Prevention Ordinance*), as amended, which are not reenacted herein are repealed.

SECTION B. EFFECT UPON OUTSTANDING FLOODPLAIN DEVELOPMENT PERMITS

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the floodplain administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

SECTION C. EFFECTIVE DATE

This ordinance shall become effective on June 2, 2006, upon the approval and adoption of the Columbus County Board of Commissioners on May 15, 2006.

SECTION D. ADOPTION CERTIFICATION

I hereby certify that this is a true and correct copy of the flood damage prevention ordinance as adopted by the **Board of Commissioners of Columbus County**, North Carolina, on the **15th** day of **May, 2006**.

WITNESS my hand and the official seal of **Columbus County**, this the **15th** day of **May, 2006**.

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

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

(SEAL)

C. Approval and Adoption of the Resolution of Intent for the Flood Damage Prevention Ordinance:

**FLOOD DAMAGE PREVENTION ORDINANCE
RESOLUTION OF INTENT**

WHEREAS, certain areas of **Columbus County** are subject to periodic flooding or flood-related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally guaranteed flood insurance as authorized by the National Flood Insurance Act of 1968; and

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

WHEREAS, it is the intent of this BOARD to require the recognition and evaluation of flood or flood-related erosion hazards in all official actions relating to the land use, building construction repair and remodeling in areas having these hazards;

NOW, therefore, be it resolved, that this BOARD hereby:

Assures the Federal Insurance Administration (FIA) that it will enact as necessary and maintain in force in those areas having flood or flood-related erosion hazards adequate land use and control

measures with effective enforcement provisions consistent with the criteria set forth in Parts 59, 60 and 65 of the National Flood Insurance Program Regulations (44 CFR); and

Vests **the County Manager or Designee** with the responsibility, authority, and the means to:

- (a) Assist the FIA Administrator, as requested, in delineation of the limits of the area having special flood or flood-related erosion hazards.
- (b) Provide such information as the FIA Administrator may request concerning present uses and occupancy of the floodplain or flood-related erosion areas.
- (c) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify floodplain or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
- (d) Upon occurrence, notify the FIA Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood Hazard Boundary Maps (FHBM)s and Flood Insurance Rate Maps (FIRMs) accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.

Appoints **the County Manager or Designee** to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a FHBM or FIRMs, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been flood proofed.

Agrees to take such other official action as may be reasonably necessary to carry out the objective of the program.

Adopted on May 15, 2006.

By: /s/ **KIPLING GODWIN, Chairman**
COLUMBUS COUNTY BOARD OF COMMISSIONERS
 (Signature of Governing Board)

Certified by: /s/ **JUNE B. HALL** **SEAL**
CLERK to the BOARD of COMMISSIONERS

Date: May 15, 2006

Commissioner Prevatte made a motion to approve the following:

1. Rescind the existing Columbus County Flood Damage Prevention Ordinance;
 2. Approve and adopt the **new** Columbus County Flood Damage Prevention Ordinance; **and**
 3. Approve and adopt the Resolution of Intent for the Flood Damage Prevention Ordinance.
- This motion was seconded by Commissioner Memory, and unanimously carried.

OTHER:

PRESENTATION by EDGEWOOD ELEMENTARY SCHOOL STUDENTS REGARDING LANDFILL in GREEN SWAMP AREA:

The following five (5) students (young ladies) from Edgewood Elementary School made a presentation to the Board, individually, relative to the proposed landfill that is to be located in the Green Swamp area:

Carly High
Meagan Worthington
Maleah Murray

**Erica Williamson
Kate Meekins.**

One (1) by one (1), these young ladies basically stated the following:

1. We have been doing a study on the environmental impact the proposed landfill in the Green Swamp would have on Columbus County;
2. The proposed landfill would create heavier traffic on our highways;
3. It would attract multitudes of seagulls;
4. The runoff of rain water would pollute Lake Waccamaw which could kill three (3) types of fish that are only found in Lake Waccamaw;
5. The stench from the landfill will make the air in the surrounding areas unpleasant;
6. It would kill the rare Venus flytrap that is found in this area; **and**
7. We are respectfully requesting that you reconsider locating this landfill in the Green Swamp area.

These young ladies were given a big round of applause for their bravery and excellent presentation.

Agenda Item #9: SOLID WASTE - DEPARTMENTAL UPDATE:

Leroy Sellers, Interim Solid Waste Director, stated the following:

1. This department has one (1) new office personnel and one (1) new truck driver;
2. We average seven to eight (7-8) rolloff pickups per day, per truck, at the Convenience Centers;
3. The Convenience Centers are closed on Tuesdays;
4. On a trial basis, we have contracted the white goods with Thompson's Recycling for eighty and 00/100 (\$80.00) dollars per ton;
5. On May 22, 2006, we were involved in the Riversweep;
6. We participated in Earth Day at Southeastern Community College;
7. We have a bad problem with littering in Columbus County;
8. I have consolidated a cleanup program with the Department of Transportation; **and**
9. We have requested a trash receptacle count from Solid Waste Management.

Agenda Item #10: RESOLUTION - REQUEST for FUEL COST CONTROL - 2006 RESOLUTION:

Commissioner McKenzie requested Board approval and adoption of the following Resolution to be forwarded to our State and Federal representatives.

**REQUEST for FUEL COST CONTROL - 2006
RESOLUTION**

WHEREAS, over the last five to seven (5 - 7) years, fuel prices have escalated to a level that is placing a tremendous burden on local governments; **and**

WHEREAS, the demands and expectations placed on local governments by mandates from the State and Federal level, to provide citizens with certain services, continue to remain the same, and, in some cases, have increased; **and**

WHEREAS, the mandated services which require commuting to and from certain locations require fuel to expedite, and with the escalation of fuel prices, it has resulted in placing limitations in other areas of public service; **and**

WHEREAS, the majority of local governments are already operating under a financially-strained budget, and are limited in providing the much-needed public services their citizens need and deserve, and, in addition, are dealing with limitations, and barriers, on their economic growth; **and**

WHEREAS, the rising fuel cost, whether justifiable or unjustifiable, has resulted in limitations on all concerned, thus prohibiting advancement and growth, at all levels; **and**

WHEREAS, relief, from these escalating fuel costs, is needed to provide us a feasible way to continue to operate as a local government; **and**

WHEREAS, we believe the fuel costs can be controlled, and if any type of control is within your realm of power, there is a great need for this matter to be reviewed for an avenue of relief.

NOW, THEREFORE, BE IT RESOLVED, we, the Columbus County Board of Commissioners, are respectfully requesting your assistance in obtaining control in fuel costs, or some relief from the State and Federal mandates that are placed on local governments that require high usage of fuel.

ADOPTED this the 15th day of May, 2006.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **KIPLING GODWIN**, Chairman, District VI /s/ **DAVID L. DUTTON, JR.**, Vice Chairman, District VII
 /s/ **AMON E. McKENZIE**, District I /s/ **JAMES E. PREVATTE**, District II
 /s/ **SAMMIE JACOBS**, District III /s/ **BILL MEMORY**, District IV
 /s/ **LYNWOOD NORRIS**, District

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

Commissioner Norris made a motion to approve the Request for Fuel Cost Control - 2006 Resolution, seconded by Commissioner McKenzie. The motion unanimously carried.

Agenda Item #11: APPOINTMENTS to BOARD/COMMITTEES:

A. Columbus County Medicaid Advisory Committee:

District VII Hold
 Accountant Hold
 Physician Hold

Chairman Godwin requested a letter be sent to the eight (8) members that have been appointed with an overview and a meeting date.

B. Chadbourn Planning and Zoning Board:

-Vacant- ETJ Hold

Agenda Item #12: CONSENT AGENDA ITEMS:

Commissioner Jacobs made a motion to approve the following Consent Agenda Items, seconded by Commissioner Norris. The motion unanimously carried.

A. Budget Amendments:

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditure	10-591-04	Professional Services	\$5,000
Revenue	10-348-07	State Grant	\$5,000
Expenditure	10-577-32	Office Supplies	\$1,000
	10-577-46	Drugs and Supplies	\$5,000
Revenue	10-348-0506	Bioterrorism	\$6,000
Expenditure	10-610-6065	CP&L Energy	\$314
Revenue	10-348-1660	CP&L Energy	\$314
Expenditure	10-535-4503	Contract Services/Quest	(\$15,000)
	10-536-4501	CCH - EMS Nurse Liaison	\$12,500
	10-536-4502	Quest Diagnostic	\$2,500
Expenditure	1-610-6065	CP&L Energy	\$991.00
	10-610-6080	TANF Domestic Violence	\$1,650

Revenue	10-348-1660	CP&L Energy	\$991
	10-348-1610	Work First Block Grant	\$1,650

B. Tax Refunds and Releases:**TAX REFUNDS (as submitted to the Governing Body Office from the Tax Office):
May 15, 2006**

Refunds Name: Davis, James E. Amount: \$0.00
 Value: \$0.00 Year 005 Account # 01-19760 Bill # 96000 Total \$90.48
 Refund user fee on a vacant house that does not have a trash can. Make check payable to Louise B. Davis.
 41 Twin Pine Rd. Whiteville N.C. 28472

Refunds Name: Davis, James E. Amount: \$0.00
 Value: \$0.00 Year 005 Account # 01-19760 Bill # 96001 Total \$90.48
 Refund user fee on house that is vacant and does not have a trash can. Make check payable to Louise B. Davis.
 41 Twin Pine Rd. Whiteville, NC 28472

Refunds Name: Lancaster, Carolyn A. (Etal) Amount: \$142.74
 Value: \$18,300.00 Year 001 Account # 08-10807 Bill # 380 Total \$146.40
 Refund a portion of the property value and a portion of the Columbus Rescue. The property is double listed in the name of Maple Street Homeowners.
 303 Sylvan Rd. Fayetteville NC 28305

Refunds Name: Lancaster, Carolyn A. (Etal) Amount: \$142.74
 Value: \$18,300.00 Year 002 Account # 08-10807 Bill # 78268 Total \$146.40
 Refund a portion of the property value and a portion of the Columbus Rescue fee. The property is double listed in the name of Maple Street Homeowners.
 303 Sylvan Rd. Fayetteville, NC 28305

Refunds Name: Lancaster, Carolyn A. (Etal) Amount: \$142.74
 Value: \$18,300.00 Year 003 Account # 08-10807 Bill # 48767 Total \$146.40
 Refund a portion of the property value and a portion of the Columbus Rescue fee. The property is double listed in the name of Maple Street Homeowners.
 303 Sylvan Rd. Fayetteville NC 28305

Refunds Name: Lancaster, Carolyn A. (Etal) Amount: \$142.74
 Value: \$18,300.00 Year 004 Account # 08-10807 Bill # 5009 Total \$146.40
 Refund a portion of the property value and a portion of the Columbus Rescue fee. The property is double listed in the name of Maple Street Homeowners.
 303 Sylvan Rd. Fayetteville NC 28305

**TAX RELEASES (as submitted to the Governing Body Office from the Tax office):
May 15, 2006**

Release the Property Value in the name of Cartret, F.M. Amount: \$16.20
 Value: \$2,219.00 Year: 2005 Account # 03-02820 Bill # 3260 Total \$30.20
 Release a portion of the property value, a portion of the Old Dock fire (11.20) and a portion of the Columbus Rescue (2.80). The property is double listed in the name of Jame C. FormyDuval.

Release the Property Value in the name of Jenkins, Mike Amount: \$98.59
 Value: \$12,640.00 Year: 1996 Account # 01-47509 Bill # 2516 Total \$141.23
 Release the value of a mobile home and the Whiteville Rescue fee. The home is double listed in the name of June Munn.

Release the Property Value in the name of Jenkins, Mike Amount: \$87.85
 Value: \$12,640.00 Year: 1997 Account # 01-47509 Bill # 0602 Total \$99.42
 Release the value of a mobile home and the Whiteville Rescue fee. The home is double listed in the name of June Munn.

Release the Property Value in the name of Jenkins, Mike Amount: \$87.85

380

Value: \$12,640.00 Year: 1998 Account # 01-47509 Bill # 5250 Total \$199.42
Release the value of a mobile home and the Whiteville Rescue fee. The home is double listed in the name of June Munn.

Release the Property Value in the name of Jenkins, Mike Amount: \$83.33
Value: \$11,990.00 Year: 1999 Account # 01-47509 Bill # 7190 Total \$194.30
Release the value of a mobile home and the Whiteville Rescue fee. The home is double listed in the name of June Munn.

Release the Property Value in the name of Jenkins, Mike Amount: \$81.22
Value: \$11,280.00 Year: 2000 Account # 01-47509 Bill # 8368 Total \$216.83
Release the value of a mobile home and the Whiteville Rescue fee. The home is double listed in the name of June Munn.

Release the Property Value in the name of Jenkins, Mike Amount: \$84.94
Value: \$10,890.00 Year: 2001 Account # 01-47509 Bill # 8808 Total \$260.83
Release the value of a mobile home and the Whiteville Rescue fee. The home is double listed in the name of June Munn.

Release the Property Value in the name of Jenkins, Mike Amount: \$79.40
Value: \$10,180.00 Year: 2002 Account # 01-47509 Bill # 6640 Total \$266.58
Release the value of a mobile home and the Whiteville Rescue fee. The home is double listed in the name of June Munn.

Release the Property Value in the name of Jenkins, Mike Amount: \$74.33
Value: \$9,530.00 Year: 2003 Account # 01-47509 Bill # 7110 Total \$260.86
Release the value of a mobile home and the Whiteville Rescue fee. The home is double listed in the name of June Munn.

Release the Property Value in the name of Jenkins, Mike Amount: \$69.89
Value: \$8,960.00 Year: 2004 Account # 01-47509 Bill # 326 Total \$262.75
Release the value of a mobile home, the Brunswick Fire (6.27) and the Whiteville Rescue (1.79). The home is double listed in the name of June Munn.

Release the Property Value in the name of Jenkins, Mike Amount: \$61.54
Value: \$8,430.00 Year: 2005 Account # 01-47509 Bill # 268 Total \$253.04
Release the value of a mobile home, the Brunswick Fire fee (5.90) and the Whiteville Rescue fee (1.69). The home is double listed in the name of June Munn.

Release the Property Value in the name of Little, Rodney, Jr. Amount: \$69.57
Value: \$9,530.00 Year: 2005 Account # 15-24202 Bill # 0043 Total \$268.21
Release the value of a mobile home, the Acme Delco Fire fee (11.44) and the Columbus Rescue fee (1.91). The home is double listed in the name of Rodney & Wendy Little.

Release the Property Value in the name of McIntyre, Frenet Amount: \$335.40
Value: \$64,500.00 Year: 2005 Account # 01-55870 Bill # 2703 Total \$335.40
Release the value of a double wide for the City of Brunswick that is double listed in the name of Freddie & Janet McIntyre.

Release the Property Value in the name of McIntyre, Frenet Amount: \$470.85
Value: \$64,500.00 Year: 2005 Account # 01-55870 Bill # 1929 Total \$483.75
Release the value of a double wide and the Whiteville Rescue fee. The home is double listed in the name of Freddie and Janet McIntyre.

Release the User Fee in the name of Conley, Jimmie Amount: \$0.00
Value: \$0.00 Year: 2005 Account # 12-05830 Bill # 4692 Total \$177.00
Release the user fee on a house that is vacant and does not have a trash can.

Release the User Fee in the name of Ezzell, Thelma Amount: \$0.00
Value: \$0.00 Year: 2005 Account # 03-06940 Bill # 8203 Total \$177.00
Release the user fee on a house that is vacant, has no trash can or power.

Release the User Fee in the name of Faulk, James Amount: \$0.00
Value: \$0.00 Year: 2005 Account # 07-02034 Bill # 8467 Total \$177.00

Release one of two user fees. Customer only has one trash can.

Release the User Fee	in the name of Gordon, Earl R.	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 13-15480 Bill # 333	Total	\$177.00

Release one of two user fees. One house is vacant and does not have a trash can.

Release the User Fee	in the name of Hinson, Craig	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 16-08644 Bill # 302	Total	\$177.00

Release user fee on a house that is vacant and does not have a trash can.

Release the User Fee	in the name of Hinson, Craig	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 16-08640 Bill # 306	Total	\$177.00

Release one of two user fees. One house is vacant and does not have a trash can.

Release the User Fee	in the name of Johnson, William J.	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 09-15825 Bill # 711	Total	\$177.00

Release user fee. Trash can was picked up in 2004.

Release the User Fee	in the name of Little, G. B.	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 04-10280 Bill # 0013	Total	\$177.00

Release user fee. Trash can was picked up in 2004.

Release the User Fee	in the name of Littles, Gerald	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 12-16500 Bill # 0055	Total	\$177.00

Release user fee. House is vacant.

Release the User Fee	in the name of Littles, Katherine	Amount:	\$0.00
Value:	\$0.00 Year: 2004 Account # 12-16509 Bill # 085	Total	\$177.00

Release user fee on a house that is vacant and does not have a trash can.

Release the User Fee	in the name of Page, Paul	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 01-67725 Bill # 5824	Total	\$177.00

Release user fee. Customer is using a commercial hauler.

Release the User Fee	in the name of Pigford, Hardie	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 08-14969 Bill # 6684	Total	\$177.00

Release user fee on a house that is vacant and does not have a trash can.

Release the User Fee	in the name of Register, James F.	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 03-19183 Bill # 8616	Total	\$354.00

Release two user fees. Mobile home has been sold and the house is vacant.

Release the User Fee	in the name of Sasser, Evelyn	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 11-05630 Bill # 9910	Total	\$177.00

Release user fee. Trash can removed March 1, 2005.

Release the User Fee	in the name of Ward, Mataleen	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 12-28327 Bill # 8234	Total	\$177.00

Release user fee on beauty shop. Shop was damaged by storm and is no longer in business.

Release the User Fee	in the name of Ward, Richard	Amount:	\$0.00
Value:	\$0.00 Year: 2005 Account # 13-42370 Bill # 8319	Total	\$90.48

Release user fee on house that is vacant and does not have a trash can.

C. Proclamation of Appreciation to Columbus County Attorney James Earl Hill, Jr.:

***PROCLAMATION of APPRECIATION to
COLUMBUS COUNTY ATTORNEY JAMES EARL HILL, JR.***

WHEREAS, James Earl Hill, Jr., son of James Earl Hill, Sr. and Louise T. Hill, was born September 15, 1946 in Whiteville, North Carolina; **and**

WHEREAS, James Earl Hill, Jr. married Dottie Haddock Hill in 1968 and they have three wonderful children; James Earl Hill III, Jessie Haddock Hill, and Kalee Louise Hill; **and**

WHEREAS, James Earl Hill, Jr. received his Juris Doctorate from the University of South Carolina in 1973, earned a Bachelor of Arts from Wake Forest University in 1968, and is currently Senior Attorney for Hill and High, L.L.P.; **and**

WHEREAS, James Earl Hill, Jr. was appointed Columbus County Attorney in 1976 and has faithfully served the citizens of Columbus County as Columbus County Attorney for twenty-nine years; **and**

WHEREAS, James Earl Hill, Jr. has graciously served as a leader and public servant to the citizens of Columbus County and surrounding areas in the following capacities:

Organizations

- Member of the 13th Judicial District and served as Secretary –Treasurer 1976-1978;
- Member of the American Bar Association;
- Member of the North Carolina State Bar;
- Member of the Academy of Trial Lawyers;

Boards

- Waccamaw Bank Board of Directors;
- Boys and Girls Home of North Carolina Board of Directors;
- Boy Scouts of America Board of Directors; and

WHEREAS, James Earl Hill, Jr. has diligently served the citizens of Columbus County and the surrounding areas with honor and distinction as he was awarded in January 2005 the highest civilian honor the Honorable Governor Michael F. Easley can bestow upon a North Carolina resident: The Order of the Long Leaf Pine, which bestows the rank of Ambassador Extraordinary; **and**

NOW, THEREFORE, BE IT PROCLAIMED the Columbus County Board of Commissioners proudly presents this **Proclamation of Appreciation to James Earl Hill, Jr.** for his life long commitment to public service serving the citizens of Columbus County and surrounding areas, and wishes to commend him for his dedication, honesty, and integrity, which he diligently displays at all times.

ADOPTED this 21st day of November 2005.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ Sammie Jacobs, Chairman, District III /s/ Kipling Godwin, Vice Chairman, District VI
/s/ Amon McKenzie, District I /s/ James Prevatte, District II
/s/ Bill Memory, District IV /s/ David Dutton, District VII
/s/ Lynwood Norris, District V

ATTESTED BY:

/s/ June Hall, Clerk to Board

Agenda Item #13: COMMENTS:

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

A. Public:

1. James C. Nance: stated the following:

- A. I would like to have a Beaver Control Management update, and I think there was too much nepotism when the members of this committee were appointed; Vice Chairman Dutton delivered the following update on the Beaver Control Management:
- a) We have met and we came up with some solutions and options which will cost the county money;
 - b) We can't do anything until after July 1, 2006 when the budget is set; **and**

- c) We plan to meet again, and Milton McLean has asked someone from the State office to attend the meeting and share any information they have to aid in this process.
 - B. I would like an update on the Noise Ordinance; **and**
 - C. I have with me a petition for people to use the State Parks and Recreation land which is located along the Lumber River, which I will be delivering to the Clerk at a later date.
2. **Richard Earl Benton:** stated the following:
- A. I have been away from Columbus County for a number of years, and when I returned, I have seen no constructive action by the Board of Columbus County Commissioners;
 - B. It is a shame the way this Board is running Columbus County;
 - C. The buddy-buddy system needs to be done away with and you need to get down to real business; **and**
 - D. If I had the authority to do so, I would replace every member on this Board with the exception of Commissioner James E. Prevatte.
3. **Noah David Long:** stated the following:
- A. I have asked that the speed limit be reduced on Highway 410, and have been told it cannot be done;
 - B. In regards to the Noise Ordinance, large trucks are controlled by a Weight Watchers group for excessive noise from the State, and other noises in the County should be controlled also;
 - C. I am furnishing to you some General Statutes regarding the control of dogs and cats;
 - D. I have made an official request for the General Statue that states you can't remove items from the Convenience Centers, and I have not received this information;
 - E. Columbus County is not exempt form any of these General Statutes; and
 - F. Three hundred thousand and 00/100 (\$300,000.00) dollars were received through grant money to connect Water Districts II and III, and this money is being used for Water District V, and I would like to know why.
4. **Marvin Larrimore:** stated the following:
- A. I have rental property which is being utilized through the H.U.D. Program;
 - B. I rented a house to Clarissa Amorita Grissette, and upon inspection, they cited some areas in need of repair;
 - C. I did all the repairs they requested and I was told they would not allow me to rent this property; **and**
 - D. I would like to know why they are showing discrimination toward me.
5. **Clarissa Amorita Grissette:** stated the following:
- A. I was issued a voucher on February 1, 2006 for this house owned by Mr. Larrimore;
 - B. I was told by H.U.D. that they would not accept him as a tenant;
 - C. Now, I am being told they will accept him as a tenant;
 - D. I do not know the details behind what is going on, but I would like for this matter to be clarified and find out whether I can rent this house or not.

Chairman Godwin stated Jim Varner, Interim County Manager, would check into this matter and advise.

B. Department Heads:

- 1. **Carol Worrell (Parks and Recreation):** I would like to invite the Board of Commissioner to the ARC Picnic which will be held on Wednesday, May 17, 2006, from 10:00 A.M. until 2:00 P.M., at Southeastern Community College.
- 2. **Ed Worley (Department of Aging):** we have received forty thousand and 00/100 (\$40,000.00) dollars in additional funding for the Columbus County Prescription Program.
- 3. **Stevie Cox (Planning):** we have scheduled four (4) Public Forums for the Columbus County Proposed Subdivision Regulations Ordinance, which are May 23, May 25, June 1, and June 6, 2006.
- 4. **Jim Varner (Administration):** I have received a bill from the North Carolina Department of Corrections in the amount of forty-nine thousand, six hundred eighty-six, and 00/100

(\$49,686.00) dollars for the treatment of an individual who was picked up by the Sheriff's Department, and has received treatment from the Health Department. I need to know who is going to be responsible for this bill and it will need a budget amendment.

MOTION:

After a brief discussion of this matter, Commissioner Memory made a motion to table this matter for further discovery, seconded by Commissioner Prevatte. The motion unanimously carried.

C. Board of Commissioners:

1. Vice Chairman Dutton: stated the following:

- A. The Board is receiving a lot of heat from the citizens regarding several financial issues;
- B. Columbus County is having to allocate \$5.7 million to Medicaid during this present budget year, and this amount will increase to \$6.2 million next budget year;
- C. In addition to the cost for Medicaid, we are having to allocate a large amount to the school program; **and**
- D. Everyone needs to get involved in the process of the elimination of the Medicaid burden, so Columbus County will have the money to meet some of their requests.

2. Commissioner Prevatte: I strongly encourage everyone to contact their representatives in Raleigh and ask them to do whatever is within their power to get Medicaid relief for Columbus County.

3. Commissioner Memory: I attended a meeting on Water District IV in which I was informed that we were awarded grant money several years ago, and if we do not use this money, it will be returned to the Federal Government, and we will never have this opportunity again.

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

At 8:07 P.M., Commissioner Jacobs made a motion to recess Regular Session and enter into Columbus County Water and Sewer District IV Meeting, seconded by Commissioner Norris. The motion unanimously carried.

This information will be recorded in Minute Book I for the Columbus County Water and Sewer District IV Board.

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

At 8:15 P.M., Commissioner Memory made a motion to adjourn Columbus County Water and Sewer District IV Board Meeting and resume Regular Session, seconded by Commissioner Norris. The motion unanimously carried.

4. Chairman Godwin: in 1995, Ransom Activity Center held a note burning and the Board of Commissioners presented them with a special recognition Resolution for their accomplishments. I have been contacted by them and they are holding another note burning on Saturday, May 20, 2006 and I would like to present them with another special recognition Resolution as follows.

**RESOLUTION IN RECOGNITION OF THE
RANSOM SENIOR CITIZENS ANNEX BUILDING**

THE BOARD OF COUNTY COMMISSIONERS of Columbus County, North Carolina, at their regular meeting on the 15th day of May, 2006, unanimously adopted the following Resolution.

W I T N E S S E T H :

WHEREAS, in May 1986, a concerned group of parents, friends, and supporters in the Ransom Township communities and surrounding areas, organized and established the Ransom Activity Center, Incorporated; **and**

WHEREAS, the citizens rallied together in support of the Ransom Activity Center which helps meet the need for recreational activities with baseball fields, basketball courts, and adequate space for banquets, pageants, entertainment, church functions, family reunions, business meetings, educational and various other activities; **and**

WHEREAS, the Ransom Activity Center is today occupied by several very worthy Columbus County and regional agencies and has expanded to include the Senior Citizens Annex Building to better meet the needs of the senior citizens of the area; **and**

WHEREAS, like the Ransom Activity Center, the Senior Citizens Annex Building has largely been financed by local citizens and all financial obligations have been met as of May 2006; **and**

WHEREAS, the Senior Citizens Annex Building is a much-needed addition to the Ransom Activity Center.

NOW, THEREFORE, BE IT RESOLVED that the Columbus County Board of Commissioners takes this opportunity to express special recognition to the **Ransom Senior Citizens Annex Building** in the Ransom Township Community, and commend them on their continued support of this important project.

ADOPTED this the 15th day of May, 2006.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

<i>/s/ KIPLING GODWIN, Chairman, District VI</i>	<i>/s/ DAVID L. DUTTON, JR., Vice Chairman, District VII</i>
<i>/s/ AMON E. McKENZIE, District I</i>	<i>/s/ JAMES E. PREVATTE, District II</i>
<i>/s/ SAMMIE JACOBS, District III</i>	<i>/s/ BILL MEMORY District IV</i>
<i>/s/ LYNWOOD NORRIS, District V</i>	

ATTESTED BY:

/s/ JUNE B. HALL, Clerk to Board

Commissioner McKenzie made a motion to approve the Resolution in Recognition of the Ransom Senior Citizens Annex Building, seconded by Commissioner Jacobs. The motion unanimously carried.

5. **Commissioner McKenzie:** The Social Services Board of Directors has requested a workshop with the Board of Commissioners to discuss policies and procedures.

MOTION: Commissioner McKenzie made a motion to have a joint meeting with the Social Services Board of Directors and the Columbus County Board of Commissioners to discuss policies and procedures, seconded by Vice Chairman Dutton. The motion unanimously carried. No date was established for the joint meeting.

Chairman Godwin directed the Clerk to the Board to poll the Commissioners for a workable date for this joint meeting.

RECESS REGULAR SESSION and enter into CLOSED SESSION in ACCORDANCE with N.C.G.S. §143-318.11 (3) ATTORNEY-CLIENT PRIVILEGE, and (6) PERSONNEL:

Agenda Item #14: CLOSED SESSION in ACCORDANCE with N.C.G.S. §143-318.11 (3) ATTORNEY-CLIENT PRIVILEGE, and (6) PERSONNEL:

At 8:23 P.M., Vice Chairman Dutton made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. §143-318.11 (3) Attorney-Client Privilege, and (6) Personnel, seconded by Commissioner Norris. The motion unanimously carried.

No official action was taken.

ADJOURN CLOSED SESSION and resume REGULAR SESSION:

At 9:09 P.M., Commissioner Norris made a motion to adjourn Closed Session and resume Regular Session, seconded by Vice Chairman Dutton. The motion unanimously carried.

Agenda Item #15: ADJOURNMENT:

At 9:10 P.M., Vice Chairman Dutton made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously carried.

APPROVED:

JUNE B. HALL, Clerk to Board

KIPLING GODWIN, Chairman