

**COLUMBUS COUNTY BOARD OF COMMISSIONERS****Monday, August 06, 2012****6:30 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, for the purpose of conducting two (2) Public Hearings and their regularly scheduled meeting on the first Monday.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

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

**Whether the Board of Commissioners for the County of Columbus, North Carolina Should Approve a Proposed Installment Financing Agreement to Finance the Cost of a New Courthouse Annex:** the purpose of the Public Hearing is to consider approving a proposed installment financing agreement and certain related documents pursuant to G.S. § 160A-20.

At 6:30 P.M., Chairman McKenzie stated this Public Hearing will be postponed until a later date due to the fact that all the information was not readily available at this time. When the Public Hearing is re-scheduled, everyone will be notified.

**6:31 P.M.****REGULAR SESSION****Agenda Items #1, #2 and #2:**

**MEETING CALLED to ORDER, INVOCATION and PLEDGE of ALLEGIANCE:**

At 6:31 P.M., Chairman Amon E. McKenzie called the August 06, 2012 Columbus County Board of Commissioners Regular Session Board Meeting to order. The invocation was led by Commissioner James E. Prevatte. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by the East Columbus Dixie Softball Ponytails.

**Agenda Item #4:**

**RESOLUTION - ADOPTION and PRESENTATION of RESOLUTION of APPRECIATION and RECOGNITION to EAST COLUMBUS DIXIE SOFTBALL PONYTAILS:**

Commissioner P. Edwin Russ requested Board approval and adoption of the following Resolution of Appreciation and Recognition to East Columbus Dixie Ponytails for presentation.

***RESOLUTION of APPRECIATION and RECOGNITION to  
EAST COLUMBUS DIXIE PONYTAILS***

**WHEREAS**, Columbus County is blessed and very fortunate to have many athletes within its citizenry that possess various athletic abilities in both genders, male and female; **and**

**WHEREAS**, these dedicated and talented athletes devote endless hours of their time on training, discipline, and maximizing their physical condition to accomplish their goals; **and**

**WHEREAS**, the ***EAST COLUMBUS DIXIE PONYTAILS*** won the Dixie Softball 2012 State Championship on July 18, 2012, in Eden North Carolina; **and**

**WHEREAS**, the time, energy and devotion this team expended toward this achievement is well deserving of recognition for each team member and their coaches.

NOW, THEREFORE, BE IT RESOLVED, we, the Columbus County Board of Commissioners, would like to recognize and show our appreciation to the following players and coaches for their achievement in winning this championship.

**Left to Right: Isabella Lennon, Makayla Cummings, Darla Bordeaux, Kelsey Carroll, Bailey Patrick, Kaleigh Patrick, Brittany Little, Winona Nolan, Mahala Barsh, Valerie Carter, Rodsalind Harper and Kiara Wilson**  
**Coaches: Elizabeth Barsh, Joseph Patrick and Stuart Carroll**

BE IT FURTHER RESOLVED, we would like to express our sincere appreciation and gratitude to each player and coach who gave of their time and abilities to accomplish this achievement.

APPROVED and ADOPTED this the 6<sup>th</sup> day of August, 2012.

### COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ AMON E. McKENZIE, Chairman, D-I

/s/ JAMES E. PREVATTE, D-II

/s/ P. EDWIN RUSS, D-IV

/s/ RICKY BULLARD, D-VI

/s/ CHARLES T. McDOWELL, Vice Chairman, D-VII

/s/ GILES E. BYRD, D-III

/s/ L. LYNWOOD NORRIS, D-V

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

Commissioner Byrd made a motion to approve the Resolution of Appreciation and recognition to East Columbus Dixie Softball Ponytails, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #5: BOARD MINUTES APPROVAL:**

Commissioner Bullard made a motion to approve the July 16, 2012 Regular Session Board Meeting Minutes, as recorded, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #6: PUBLIC INPUT:**

Chairman McKenzie opened the floor for public input. No public input was received, either orally or written.

**Agenda Item #7: URGENT REPAIRS PROGRAM (URP) 2012 - APPROVAL of ASSISTANCE, DISBURSEMENT, PROCUREMENT POLICES and ADOPTION of GRANT PROJECT ORDINANCE:**

Warren Wooten, The Wooten Company, requested Board approval and adoption of the Assistance Policy, the Payment Disbursement Procedure for Contracted Services, the Procurement Policy and the following Grant Project Ordinance for the 2012 Urgent Repair Program.

#### GRANT PROJECT ORDINANCE 2012 URGENT REPAIR PROGRAM COUNTY OF COLUMBUS

Be it ordained by the Columbus County Board of Commissioners that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is the 2012 Urgent Repair Program described in the work statement contained in the grant agreement between this unit and the North Carolina Housing Finance Agency.

Section 2. The officers of the unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the North Carolina Housing Finance Agency and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

Urgent Repair Grant	\$75,000
TOTAL:	\$75,000

Section 4. The following amounts are appropriated for the project:

Urgent Repair Grant Expenditures	\$75,000
TOTAL:	\$75,000

Section 5. The finance officer is hereby directed to maintain with the Grant Project Fund sufficient detailed accounting records to provide the accounting to the grantor agency required by the grant agreement and federal and state regulations.

Section 6. Disbursements will be electronically wired to Columbus County in advances equal to 50% of the original approved grant amount. The Second and final disbursement will be made to Columbus County upon written certification to the NC Housing Finance Agency (as certified on the Project Management Report) that 90% of the funds previously advanced have been disbursed for eligible activities.

Section 7. Copies of this grant project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 6th day of August, 2012  
/s/ Amon E. McKenzie, Chairman

Attested By:  
/s/ June B. Hall  
Clerk to Board of Commissioners

Commissioner Byrd made a motion to approve the Assistance Policy, the Payment Disbursement Procedure for Contracted Services, the Procurement Policy and the Grant Project Ordinance for the 2012 Urgent Repair Program, seconded by Commissioner Prevatte. The motion unanimously passed. Copies of these documents will be marked as Exhibit "A", and kept on file in the Minute Book Attachments, Book Number 4, in the Clerk to the Board's Office, for review.

**Agenda Item #8: URGENT REPAIRS PROGRAM (URP)(2012) - APPROVAL of ADMINISTRATIVE CONTRACT:**

William S. Clark, County Manager, requested Board approval of the Agreement for Professional Services for the 2012 NCHFA Urgent Repair (URP) Program.

Commissioner Russ made a motion to approve the Agreement for Professional Services for the 2012 NCHFA Urgent Repair (URP) Program, seconded by Commissioner Prevatte. The motion unanimously passed. A copy of this document will be marked as Exhibit "B", and kept on file in the Minute Book Attachments, Book Number 4, in the Clerk to the Board's Office, for review.

**Agenda Item #9: PUBLIC TRANSPORTATION - APPROVAL of CCT CAMERA/VAN POLICY:**

Charles Patton, Public Transportation Director, requested Board approval of the Policy and Procedure: Vehicle Video/Audio Surveillance System for Columbus County Transportation.

Commissioner Russ made a motion to approve the Policy and Procedure: Vehicle Video/Audio Surveillance System for Columbus County Transportation, seconded by Commissioner Byrd. The motion unanimously passed. A copy of this document will be marked as Exhibit "C", and kept on file in the Minute Book Attachments, Book Number 4, in the Clerk to the Board's Office, for review.

**Agenda Item #10: SOIL and WATER CONSERVATION - APPROVAL to CLOSE OFFICE at 4:00 P.M. on FRIDAYS:**

Edward Davis, Director of Soil and Water Conservation and Engineering Technician, requested Board approval to close the Soil and Water Conservation Office at 4:00 P.M. on Fridays.

Commissioner Russ made a motion to approve the Soil and Water Conservation to close at 4:00 P.M. on Fridays.

Commissioner Byrd made a substitute motion to not allow the Soil and Water Conservation to close at 4:00 P.M. on Fridays, seconded by Commissioner Bullard.

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

- AYES:** Chairman McKenzie, Vice Chairman McDowell, Commissioners Byrd, Prevatte, Norris, Bullard; **and**
- NAYS:** Commissioner Russ.

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

**Agenda Item #11: BEAVER MANAGEMENT COMMITTEE - PROPOSAL for BEAVER BOUNTY:**

John Deans, Chair of the Beaver Management Committee, requested approval of the following Beaver Bounty Pilot Program Guidelines and form for a Beaver Bounty in Columbus County.

**BEAVER BOUNTY PILOT PROGRAM GUIDELINES**

- The title “Trapper” in this document refers to anyone using a legal means of Beaver management in accordance with the laws of the NC Wildlife Commission for Beaver control.
- Licensed trappers or landowners removing Beaver on their own property will receive \$30 for each tagged Beaver Tail caught in Columbus County.
- A maximum of 500 tags will be available during this pilot program.
- Tags will be numbered and color coded (Red) to represent the Beaver program.
- Tags will be as evenly dispersed as possible throughout the county. If only a few request for tags are made in a District, tags may be distributed across other Districts at the discretion of the Beaver Management Committee.
- Persons using legal means of Beaver management will obtain no more than 10 tags at a time.
- Licensed trappers may request the Columbus Soil and Water Conservation District to add them to a Contractor’s list. This Contractor’s list will be available to landowners through the Columbus Soil and Water Conservation District office.
- Landowners will contact individuals using legal means of Beaver management and contract with them using form CC BBPP-1 (Landowner – Trapper agreement form).
- The Landowner – Trapper agreement form must be signed and kept by the trapper. This agreement form certifies that the tagged Beaver tails were trapped on property located in Columbus County. Landowner and Trapper understand that spot checks and/or follow-up phone calls will be performed randomly. The completed agreement form will be turned in to the Beaver Management Committee when tagged tails are received by the committee.
- The Beaver Management Committee will collect whole, frozen, tagged beaver tails placed in zip sealed bags, on the 2nd and 4th Monday of each month. The collection site will be at the Agriculture Service Center located at 45 Government Complex Road, Whiteville, NC. Collection of tagged beaver tails will begin at 6:30 PM.
- Trappers can only turn in tagged Beaver tails for payment in lots of three (3) or more.
- A trapper must request payment for tags that were previously issued to him before receiving additional tags.
- All trappers participating in the program must obtain a vendor number with Columbus County.
- Request for payment to the trapper will be made through the Columbus Soil and Water Conservation District to the Columbus County Finance Department and checks will be paid according to Columbus County Finance policy.
- Please allow 2 to 4 weeks for payment.

**COLUMBUS COUNTY BEAVER MANAGEMENT PROGRAM  
BEAVER BOUNTY PILOT PROGRAM**

**LANDOWNER INFORMATION**

**TRAPPER INFORMATION**

NAME:  
ADDRESS:  
CITY, STATE, ZIP:  
PHONE: (HOME)  
(CELL)

PROPERTY ID NUMBER(S):  
DATE OF TRAPPING: \_\_\_\_\_ THROUGH \_\_\_\_\_  
NUMBER OF BEAVERS TRAPPED:  
SIGNATURE DATE

NAME:  
ADDRESS:  
CITY, STATE, ZIP:  
PHONE: (HOME)  
(CELL)

LICENSE NUMBER:  
TRAPPING DATES:  
TAG NUMBER(S):  
SIGNATURE DATE

**DISCLAIMER**

I, the landowner of the above identified property, hereby understand that I assume full responsibility for the liability of Beaver trapping on my land and in no way hold Columbus County, its agencies or any committees appointed by Columbus County responsible for any disturbance associated with beaver trapping to my property. I also declare that the above number of Beavers trapped on my land is true and accurate and; I understand that any misrepresentation of these numbers can be considered fraud. I also understand that the information provided on this public document may be subject to disclosure under the North Carolina Public Records Act.

**CERTIFICATION**

I hereby certify that \_\_\_\_\_ (Number) Beaver(s) have been caught on Property Number(s) \_\_\_\_\_ located in Columbus County according to the guidelines of the Columbus County Beaver Bounty program.

LANDOWNER SIGNATURE

DATE

TRAPPER SIGNATURE

DATE

**BEAVER COMMITTEE CERTIFICATION**

I hereby certify that \_\_\_\_\_ (Beaver Trapper) trapped \_\_\_\_\_ (number) Beaver(s) on the above identified property of \_\_\_\_\_ (Landowner) and hereby approve payment of \_\_\_\_\_ (\$30 per Beaver Tail) for tag numbers \_\_\_\_\_ through \_\_\_\_\_.

BEAVER PROGRAM REPRESENTATIVE

DATE

**PAYMENT** (Office use only)

I hereby certify that \_\_\_\_\_ (Beaver Trapper) is eligible to receive payment of \_\_\_\_\_ for the above listed tag numbers.

ADMINISTRATIVE REPRESENTATIVE

DATE

Mr. Deans stated the following:

1. Over the past three (3) months, the Beaver Management Committee has been meeting to discuss the beaver issues;
2. We have had four (4) meetings;
3. We would like to present the Beaver Bounty Pilot Program Guidelines and the request sheet;
4. The other counties that have tried the bounty found they did not work well, and we feel like it was due to the lack of sufficient oversight;
5. We would like to allot \$15,00 of the \$30,000 to the Pilot Program; **and**
6. We would like to try this program and see if it will work.

Lengthy discussion was conducted relative to the following:

1. The elimination of fraud in the system;
2. Safety checks in making sure the beavers were trapped in Columbus County;
3. The cost to the landowner being between the trapper and the landowner;
4. Nuisance beavers can be trapped year round;
5. \$30.00 Being the lowest amount to attract trappers;
6. Five hundred (500) tags being the limit for the program;
7. In lieu of someone helping the USDA trapper, trying this Pilot Program first;
8. This will not jeopardize the state funding;
9. Obtaining information on the bounty programs that have been executed in other counties;

**(To be continued after Public Hearing)**

**RECESS REGULAR SESSION and enter into PUBLIC HEARING:**

At 7:06 P.M., Commissioner Bullard made a motion to recess Regular Session and enter into a public hearing, seconded by Commissioner Prevatte. The motion unanimously passed.

7:06 P.M.

**PUBLIC HEARING - Text Amendment to the Columbus County Subdivision Ordinance and the Manufactured/Mobile Home Park Ordinance for Columbus County:** the purpose of the Public Hearing is to receive public comments.

**PUBLIC HEARING CALLED to ORDER:**

At 7:06 P.M., Chairman McKenzie called the Public Hearing to order and stated the purpose of the Public Hearing is to receive public comments on the text amendments to the Columbus County Subdivision Ordinance and the Manufactured/Mobile Home Park Ordinance for Columbus County. Chairman McKenzie requested that Mike Stephens, County Attorney, orally read the Policy on Comments at Public Hearings. Mr. Stephens orally read the policy in its entirety.

**COMMENTS:**

1. **Lofton Cox:** stated the following:
  - a. When I read the information in the News Reporters, it was talking about subdivisions, but I also understood that it was talking about a stick-built house within 300'; **and**
  - b. Is this talking about individual homes or is it talking about mobile homes?

**Robert Lewis:** the language also included in the Ordinance was for a minor subdivision. If someone has a plot of land and they wish to subdivide it and sell it to somebody, and they build a stick-built house if they are within 300' of a public water supply system at that location, they would be required to hook up.

**Commissioner Prevatte:** This is not a single house, it is for a subdivision, is that correct?

**Robert Lewis:** If they subdivide a piece of property to sell a plot of land and someone was to build a stick-built single-family house, if there was a public water supply at that location, they would be required to hook up.

2. **Commissioner Bullard:** Does this apply to only one (1) house?

**Robert Lewis:** Yes sir.

**Commissioner Bullard:** If someone pulls an acre of land out of a farm, and builds one (1) house, would they be required to hook up to the county water system?

**Robert Lewis:** Yes sir. Technically, it would be classified as a minor subdivision.

**Commissioner Bullard:** I think someone should have the right to choose if they want to hookup to the county water or not. I will be giving my daughter an acre of land out of my farm to build a house, and I think she should have the right to choose whether she wants to hookup to the County water or not.

**Robert Lewis:** the scenario you have described is different, and would be classified as a family subdivision, and the actual family subdivision is exempt from any regulations in the Subdivision Ordinance, and under those conditions, they could put in a private well, but if they should subdivide the property for the intention to sell, and they sold it, it would be described as a minor subdivision, and they would be required to hook up to a public water system.

3. **Commissioner Byrd:** If the water is running by any property, it will make the property more valuable and increase the purchase price.

4. **Robert Adams:** stated the following:

- a. This is a subtle attempt for mandatory water again;
- b. A public water system does not agree with all the citizens due to the chlorine content;
- c. To mandate people to utilize a public water system is a socialistic attempt to garnish the water rights off of people's property; **and**
- d. This is a service in the County, and it should never be mandated.

5. **Lofton Cox:** stated the following:

- a. I asked a question and I have heard two (2) answers;
- b. Which is the right answer?;
- c. This is taking the citizens' rights away from them;

- d. I have a small farm and two (2) children, and if they want to settle in that area, I plan to cut out an acre of the farm for them;
  - e. From what you have stated, that will be a subdivision; **and**
  - f. The first answer I got was no, and then if they decide to sell the property at a later date, then you would have to hook up to the water system.
6. **Chairman McKenzie:** stated the following:
- a. We are charged with spending the citizens' tax dollars as wisely as we can;
  - b. We have millions of dollars of water lines running in the ground that must be paid for and we are trying to put in place a method to pay for these lines; **and**
  - c. These decisions are not easy to make.
7. **Commissioner Byrd:** stated the following:
- a. This speaks to family, whether it is one (1), or it is ten (10), as long as it is family, it is exempt;
  - b. Down the road, if they decide to sell, the requirement would not be transferred to the new owner;
  - c. We are trying to catch the construction phase;
  - d. I am in favor of an availability fee to help our existing water systems;
  - e. Right now, the County is in debt \$21 million for our water system; **and**
  - f. There are lots of areas in the County that do not have good water, and they need the County water badly.
8. **Robert Adams:** stated the following:
- a. The water district that I am in was started on false information from a previous Commissioner;
  - b. We should not have to pay a tax and an availability fee;
  - c. We are set on a tax rate through a voting referendum;
  - d. To mandate water or an availability fee is still a type of mandatory hookup; **and**
  - e. Let the people that want water have it and the ones that don't want water, leave them alone.
9. **Commissioner Prevatte:** stated the following:
- a. I agree with you about the tax and the accessibility fee, if you have the accessibility fee, you would not have to pay a tax; **and**
  - b. For the people who do not have access to the water, they would not have to pay the tax.

**PUBLIC HEARING CLOSED:**

At 7:30 P.M., Commissioner Byrd made a motion to close the Public Hearing, seconded by Commissioner Norris. The motion unanimously passed.

**(Continued)**

**Agenda Item #11: BEAVER MANAGEMENT COMMITTEE - PROPOSAL for BEAVER BOUNTY:**

- 10. The liability issues are between the landowner and the trapper;
- 11. Ultimately, the landowner is responsible for everything; **and**
- 12. I would like for the Board to consider this proposal.

**Agenda Item #12: PURCHASING - APPROVAL and ADOPTION of RESOLUTION APPROVING FINANCING TERMS:**

Stuart Carroll, Purchasing Director, requested Board approval and adoption of the following Resolution Approving Financing Terms with BB&T for seven (7) trucks for various departments.

**Resolution Approving Financing Terms**

**WHEREAS**, The Columbus County ("County") has previously determined to undertake a project for seven (7) various new trucks (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated July 26, 2012. The amount financed shall not exceed \$117,123.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.79%, and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Documents for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax- exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 6<sup>th</sup> day of August, 2012.

By: **AMON E. McKENZIE**

Title: Chairman

Columbus County Board of Commissioners

(SEAL)

By: **JUNE B. HALL**

Title: **Clerk to the Board**

Commissioner Byrd made a motion to approve and adopt the Resolution Approving Financing Terms with BB&T for seven (7) trucks for various departments, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #13: LEASE AGREEMENT - PROBATION and PAROLE OFFICE:**

William S. Clark, County Manager, requested Board approval of a Lease Agreement between the County of Columbus and the State of North Carolina for the Probation and Parole Office.

Commissioner Norris made a motion to approve the Lease Agreement between the County of Columbus and the State of North Carolina for the Probation and Parole Office, seconded by Commissioner Byrd. The motion unanimously passed. A copy of this document will be marked as



Exhibit "D", and kept on file in the Minute Book Attachments, Book Number 4, in the Clerk to the Board's Office, for review.

**Agenda Item #14: SOLID WASTE - APPROVAL of ADDENDUM to PROJECT AGREEMENT for GREENHOUSE GAS to ENERGY PROJECT with CAPE FEAR RC&D:**

William S. Clark, County Manager, requested Board approval of the following Project Agreement Addendum - July 2012, for The Columbus County Greenhouse Gas to Energy Project with Cape Fear RC&D, Inc. and the County of Columbus, NC.

**PROJECT AGREEMENT  
ADDENDUM - JULY 2012  
NAME: COLUMBUS COUNTY GREENHOUSE GAS TO ENERGY**

**Project Agreement for The Columbus County Greenhouse Gas to Energy Project with Cape Fear RC&D, Inc. and the County of Columbus, NC.**

As a new Agreement between the NC Energy Office and Columbus County has been made that extends the project period and provides \$455,000 in additional grant money to the project, the County and Cape Fear RC&D now enter into this Addendum to the Project Agreement currently in process.

Cape Fear RC&D will continue in its role as Grant Management and providing Project Organizational Assistance.

Payments to CFRC&D will be made by County using the project Administration Assistance funds budgeted in the grant and other sources in the amount of \$24,000. Upon receipt of \$15,000 in payments from County, CFRC&D will credit \$9,000 in 2012-13 dues already received and consider the account paid-in-full. Payments toward the \$15,000 may be made over the course of the project in increments as the job is completed.

Payment will be made upon completion of and by percentages of the fee as follows:

1. Pre-Construction - submittal and acceptance of proposals for the purchase and installation of the generators, preliminary agreement with BEMC for 3-phase power installation, submission of permit applications, correspondence and applications to the state and federal regulatory commissions and submission of the Application to Connect with BEMC. 20% of Administration Fee, \$4,800
2. Construction 50% complete - generators are on site and ready to be connected to gas and electrical grid. Three phase power line installation is 50% complete. Reports and requests for payment to Grantor are up to date. 30% of Administrative Fee, \$7,200
3. Construction Complete - Generators are running and connection has been made to the grid. Grant paper work is up to date. 30% of Administrative Fee, \$7,200
4. All inspections and final reports to the Grantor are complete - 20% of administrative fee, \$4,800

Initialed and dated.

/s/ **AEM** 8/06/2012 County  
/s/ **JIMMY SMITH** 7/17/2012 CFRC&D

Commissioner Bullard made a motion to approve the Addendum to the Project Agreement for The Columbus County Greenhouse Gas to Energy Project with Cape Fear RC&D, Inc. and the County of Columbus, NC, seconded by Vice Chairman McDowell. The motion unanimously passed.

**Agenda Item #15: LEGAL AND PROFESSIONAL - ACCEPTANCE OF BID ON COUNTY PROPERTY:**

Michael H. Stephens, County Attorney, requested Board acceptance of the bid on the Miranda Blackwell offer for Columbus County property.

Commissioner Prevatte made a motion to accept the bid on the Miranda Blackwell offer for

Columbus County Property, seconded by Commissioner Bullard. The motion unanimously passed.

**Agenda Item #16: PLANNING - APPROVAL of TEXT AMENDMENT to the COLUMBUS COUNTY SUBDIVISION ORDINANCE:**

Robert Lewis, County Planner, on behalf of the Planning Board, requested Board approval of the Text Amendment to the Columbus County Subdivision Ordinance. **(The required Public Hearing was conducted at 7:00 P.M. on this date.)**

**Columbus County Subdivision Ordinance**

**REVISION TO EXISTING ORDINANCE:**

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

**ARTICLE I  
INTRODUCTORY PROVISIONS**

**Section 101. Title**

This ordinance shall be known and may be cited as the Subdivision Regulations of Columbus County, North Carolina, and may be referred to as the Subdivision Regulations.

**Section 102. Purpose**

The Purpose of this ordinance is to establish procedures and standards for the development and subdivision of land within the territorial jurisdiction of Columbus County. It is further designed to provide for the orderly growth and development of Columbus County: for the coordination of transportation networks and utilities within proposed subdivisions with existing or planned streets and highways and with other public facilities; for the dedication or reservation of recreation areas serving residents of the immediate neighborhood within the subdivision and of rights-of-way or easements for street and utility purposes; and for the distribution of population and traffic in a manner that will avoid congestion and overcrowding and will create conditions that substantially promote the public health, safety, and the general welfare. This ordinance is designed to further facilitate adequate provision of water, sewerage, parks, schools, and playgrounds, and also to facilitate the further resubdivision of larger tracts into smaller parcels of land.

**Section 103. Authority**

This ordinance is hereby adopted under the authority and provisions of the General Statutes of North Carolina, Chapter 153A, Article 18, Part 2.

**Section 104. Jurisdiction**

The regulations contained herein, as provided in G.S. 153A, Article 18 shall govern each and every subdivision within Columbus County outside of the jurisdiction of any incorporated municipality.

**Section 105. Prerequisite to Plat Recordation**

After the effective date of this ordinance, each individual subdivision plat of land within Columbus County’s jurisdiction shall be approved by the Columbus County Planning Board.

**Section 106. Acceptance of Streets**

Reserved.

**Section 107. Thoroughfare Plans**

Where a proposed subdivision includes any part of a thoroughfare which has been designated as such upon the officially adopted thoroughfare plan of Columbus County, such thoroughfare shall be platted by the subdivider in the location shown on the plan and at the width specified in this ordinance.

**Section 108. Adequate Public Facilities**

To insure public health, safety, and welfare, the Columbus County Planning Board and the Technical Review Committee shall review each proposed subdivision to determine if public facilities are adequate to serve the development. The public facilities include, but are not limited to schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining whether facilities are adequate. The Planning Board may recommend denial of a proposed subdivision if it determines that existing public facilities are not adequate.

**Section 109. Zoning and Other Plans**

Proposed subdivisions must comply in all respects with the requirements of the zoning ordinance if in effect in the area to be subdivided, and other officially adopted plans.

**ARTICLE II  
LEGAL PROVISIONS**

**Section 201. General Procedure for Plat Approval**

After the effective date of this ordinance, except for as provided for in Section 501, no subdivision plat of land within Columbus County jurisdiction shall be filed or recorded until it has been submitted to and approved by the Columbus County Planning Board as set forth in Section 105 of this ordinance, and until this approval is entered in writing on the face of the plat by the Chairman and attested by Columbus County Clerk. The Register of Deeds shall not file or record a plat of a subdivision of land located within the territorial jurisdiction of Columbus County that has not been approved in accordance with these provisions, nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with this section.

**Section 202. Statement of Owner**

The owner of land shown on a subdivision plat submitted for recording, or his authorized agent, shall sign a statement on the plat stating whether or not any land shown thereon is within the subdivision-regulation jurisdiction of Columbus County.

**Section 203. Effect of Plat Approval on Dedications**

Pursuant to G.S. 153A-333, the approval of a plat does not constitute or effect the acceptance by the County or the public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat shall nor be construed to do so.

**Section 204. Penalties for Violation**

**204.1** After the effective date of this ordinance, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this ordinance, thereafter subdivides his land in violation of this ordinance or transfers or sells land by reference to exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this ordinance and recorded in the Office of the Columbus County Register of Deeds (excepting the presale or pre-leasing of unrecorded lots referencing an approved Preliminary Plat and subject to the requirements of Section 303) shall be guilty of a Class 1 misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The County through its attorney or other official designated by the Board of Commissioners may enjoin illegal subdivision, transfer, or sale of land by action for injunction. Further, violators of this ordinance shall be subject, upon conviction, to fine and/or imprisonment as provided by G.S. 14-4.

**204.2** The violation of any provision of this ordinance shall subject the offender to a civil penalty in the amount of \$ 500.00 to be recovered by Columbus County. Violators shall be issued a written citation, which must be paid within ten (10) days.

**204.3** Each day's continuing violation of this ordinance shall be a separate and distinct offense.

**204.4** Notwithstanding Subsection 204.2 above, this ordinance may be enforced by appropriate

equitable remedies issuing from a court of competent jurisdiction.

**204.5** The County may cause building permits to be denied for lots that have been illegally subdivided.

**204.6** Nothing in this section shall be construed to limit the use of remedies available to Columbus County. Columbus County may seek to enforce this ordinance by using any one, all, or a combination of remedies. In addition to other remedies, the County may institute any appropriate action or proceedings to prevent the unlawful subdivision of land, to restrain, correct, or abate the violation, or to prevent any illegal act or conduct.

#### **Section 205. Severability**

Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

#### **Section 206. Variances**

Where, because of severe topographical or other conditions peculiar to the site, strict adherence to the provisions of this ordinance would cause an unnecessary hardship, upon the written request of the subdivider, the Planning Board may recommend a variance hearing be set to consider such variance to the terms of this ordinance only to the extent that is absolutely necessary and not to an extent which violates the intent of this ordinance. The variance process shall follow the Developers Agreement process set by G.S. 160A-400.20 to 400.32 including all required public hearings and associated fees. The Board of Commissioners prior to making a decision regarding the variance request shall seek the written recommendation of the Technical Review Committee and the Planning Board. The schedule of fees for all variance requests shall be approved by the Board of Commissioners and posted in the Planning Department.

#### **Section 207. Amendments**

The Board of Commissioners may from time-to-time amend the terms of this ordinance (but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation). The Planning Board shall have sixty (60) days from the time the proposed amendment is submitted to it within which to submit its report. If the Planning Board fails to submit a report within the specified time, it shall be deemed to have recommended approval of the amendment. The governing body shall adopt no amendment until they have held a public hearing on the amendment. Notice of the hearing shall be published in a newspaper of general circulation in the County at least once a week for two (2) successive calendar weeks prior to the hearing. The initial notice shall appear not more than twenty-five (25) nor less than ten (10) days prior to the hearing date. In computing the ten (10) to twenty-five (25) day period, the date of publication is not to be counted, but the date of the hearing is.

#### **Section 208. Development Moratoria**

The County may adopt temporary moratoria on any County development approval required by law. The duration of any moratorium shall be reasonable in light of the specific conditions that warrant imposition of the moratorium and may not exceed the period of time necessary to correct, modify, or resolve such conditions.

##### **208.1 Notice of Public Hearing**

Except in cases of imminent and substantial threat to public health or safety, before adopting an ordinance imposing a development moratorium with a duration of sixty (60) days or any shorter period, the Board of County Commissioners shall hold a public hearing and shall publish a notice of the hearing in a newspaper having general circulation in the area not less than seven (7) days before the date set for the hearing. A development moratorium with a duration of sixty-one (61) days or longer, and any extension of a moratorium so that the total duration is sixty-one (61) days or longer, is subject to the published newspaper notice and hearing requirements required for an amendment to this ordinance as found in Section 207.

## **208.2 Application of Moratorium on Existing/Pending Permits and Approvals**

Absent an imminent threat to public health or safety, a development moratorium adopted pursuant to this Section shall not apply to development set forth in a site-specific or phased development plan approved pursuant to a granted vested right, or to development for which substantial expenditures have already been made in good faith reliance on a prior valid administrative or quasi-judicial permit or approval, or to preliminary or final subdivision plats that have been accepted for review by the County prior to the call for the public hearing to adopt the moratorium. Any preliminary subdivision plat accepted for review by the County prior to the call for public hearing, if subsequently approved, shall be allowed to proceed to final plat approval without being subject to the moratorium.

## **208.3 Contents of Ordinance Adopting Moratorium**

Any ordinance establishing a development moratorium must expressly include at the time of adoption each of the following:

1. A clear statement of the problems or conditions necessitating the moratorium and what courses of action, alternative to a moratorium, were considered by the County and why those alternative courses of action were not deemed adequate.
2. A clear statement of the development approvals subject to the moratorium and how a moratorium on those approvals will address the problems or conditions leading to imposition of the moratorium.
3. An express date for termination of the moratorium and a statement setting forth why that duration is reasonably necessary to address the problems or conditions leading to imposition of the moratorium.
4. A clear statement of the actions, and the schedule for those actions, proposed to be taken by the County during the duration of the moratorium to address the problems or conditions leading to imposition of the moratorium.

## **208.4 Extension of Moratorium**

No moratorium may be subsequently renewed or extended for any additional period unless the County shall have taken all reasonable and feasible steps proposed to be taken by the County in its ordinance establishing the moratorium to address the problems or conditions leading to the imposition of the moratorium and unless new facts and conditions warrant an extension. Any ordinance renewing or extending a development moratorium must expressly include, at the time of adoption, the findings set forth in Subsection 208.3, including what new facts or conditions warrant the extension.

## **208.5 Judicial Review**

Any person aggrieved by the imposition of a moratorium on development approvals required by law may apply to the appropriate division of the General Court of Justice for an order enjoining the enforcement of the moratorium, and the court shall have jurisdiction to issue that order. Actions brought pursuant to this Section shall be set down for immediate hearing, and subsequent proceedings in those actions shall be accorded priority by the trial and appellate courts. In any such action, the County shall have the burden of showing compliance with the procedural requirements of this Section.

## **Section 209. Abrogation**

It is not intended that this ordinance repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, or permits previously adopted or issued pursuant to law. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall govern.

## **Section 210. Re-Enactment and Repeal of Existing Subdivision Ordinance**

Reserved.

## **Section 211. Effective Date**

This ordinance shall take effect and be in force from and after 02/16/2010.

## **Section 212. Adoption**

Duly adopted by Columbus County Board of Commissioners, in the State of North Carolina, this the 15th day of February, 2010.

## **Section 213. Administrator**

The holder of the office of Columbus County Planning Director is hereby appointed to serve as Subdivision Administrator.

### **ARTICLE III PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS**

## **Section 301. Plat Shall Be Required on Any Subdivision of Land**

Pursuant to G.S. 153A-330, a final plat shall be prepared, approved, and recorded pursuant to the provisions of this ordinance whenever any subdivision of land takes place.

## **Section 302. Approval Prerequisite to Plat Recordation**

Pursuant to G.S. 153A-331, no final plat of a subdivision within the jurisdiction of Columbus County as established in Section 104 of this ordinance shall be recorded by the Register of Deeds of Columbus County until it has been approved as provided herein. To secure such approval of a final plat, the subdivider shall follow the procedures established in this article.

## **Section 303. Presale /Prelease of Unrecorded Lots Permitted Upon Approval of Preliminary Plan/Plat.**

- 303.1 The subdivider, upon approval of a preliminary plan/plat, may enter into contracts to sell or lease the lots shown on the approved preliminary plan/plat, provided that the contract does all of the following:
1. Incorporates as an attachment a copy of the approved preliminary plan/plat referenced in the contract and obligates the owner to deliver to the buyer a copy of the approved and recorded final plat prior to closing and conveyance.
  2. Plainly and conspicuously notifies the prospective buyer or lessee that a final subdivision plat has not been approved or recorded at the time of the contract, that no governmental body will incur any obligation to the prospective buyer or lessee with respect to the approval of the final subdivision plat, that changes between the preliminary and final plans/plats are possible, and that the contract or lease may be terminated without breach by the buyer or lessee if the final approved and recorded plat differs in any material respect from the approved preliminary plan/plat.
  3. Provides that if the approved and approved and recorded final plat does not differ in any material respect from the plan/plat referred to in the contract, the buyer or lessee may not be required by the seller or lessor to close any earlier than five (5) days after the delivery of a copy of the final approved and recorded plat.
  4. Provides that if the approved and recorded final plat differs in any material respect from the approved preliminary plan/plat referred to in the contract, the buyer or lessee may not be required by the seller or lessor to close any earlier than fifteen (15) days after the delivery of the final approved and recorded plat, during which fifteen (15) day period the buyer or lessee may terminate the contract without breach or any further obligation and may receive a refund of all earnest money or prepaid purchase price.
- 303.2 The provisions of this Section shall not prohibit any owner or his/her agent from entering into contracts to sell or lease land by reference to an approved preliminary plan/plat for which a final plat has not been properly approved under this ordinance or recorded with the Office of the Columbus County Register of Deeds where the buyer or lessee is any person who has contracted to acquire or lease the land for the purpose of engaging in the business of construction of residential, commercial, or industrial buildings on the land, or for the purpose of resale or lease of the land to persons engaged in that kind of business, provided that no conveyance of that land may occur and no contract to lease it may become effective until after the final plat has been properly approved under the requirements of this ordinance and

recorded in the Office of the Columbus County Register of Deeds.

### **Section 304. Procedures for Review of Major and Minor Subdivisions**

All subdivisions shall be considered major subdivisions except those defined as minor subdivisions in this section. Major subdivisions shall be reviewed in accordance with the procedures in Section 306 through 307. Minor subdivisions shall be reviewed in accordance with the provisions in Section 305. However, if the subdivider owns, leases, holds an option on, or holds any legal or equitable interest in any property adjacent to or located directly across a street, easement, road or right-of-way from the property to be subdivided, the subdivision shall not qualify under the abbreviated procedure. Furthermore, the abbreviated procedure may not be used a second time within three (3) years on any property less than fifteen hundred (1500) feet from the original property boundaries by anyone who owned, had an option on, or any legal interest in the original subdivision at the time the subdivision received preliminary or final plat approval. A minor subdivision is defined as one involving no new public or private street or roads, or right-of-way dedication, no easements, no extension of public water and/or sanitary sewerage systems other than to serve individual lots, where the entire tract to be subdivided will result in ten (10) or fewer lots after the subdivision is completed.

### **MINOR SUBDIVISIONS**

#### **Section 305. Procedure for Review of Minor Subdivision**

##### **305.1 Preliminary Plan for Minor Subdivisions**

Prior to submission of a final plat, the subdivider shall submit to the Administrator five (5) copies of a Preliminary Plan of the proposed subdivision containing the following information:

- A A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions roads, and waterways;
- B The boundaries of the tract and the portion of the tract to be subdivided;
- C The total acreage to be subdivided;
- D The existing and proposed uses of the land within the subdivision and the existing uses of land adjoining it;
- E The existing street layout and right-of-way width, lot layout and size of lots;
- F The name, address and telephone number of the owner;
- G The name, if any, of the proposed subdivision;
- H Streets and lots of adjacent developed or platted properties;
- I The zoning classification (if applicable) of the tract and of adjacent properties;
- J A Statement from the Columbus County Health Department that a copy of the Preliminary Plan has been submitted to them, if septic tanks or other onsite water or waste water systems are to be used in the subdivision, and that all lots meet applicable requirements.

The Preliminary Plan shall be submitted to the Planning Director or his designee for review. The Planning Director or his designee shall review the Preliminary Plan for general compliance with the requirements of this ordinance and the zoning ordinance if applicable. The Planning Director shall advise the subdivider or his authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of the final plat. One (1) copy of the Preliminary Plan will be retained in the Planning Department's records and the remaining copies will be returned to the subdivider.

##### **305.2 Final Plat for Minor Subdivisions.**

Upon approval of the Preliminary Plan by the Planning Director or his designee, the subdivider may proceed with the preparation of the final plat in accordance with the requirements of this ordinance.

The final plat shall be prepared by a Professional Land Surveyor currently licensed and registered in the State of North Carolina by the North Carolina State Board of Registration for professional Engineers and Land Surveyors. The final plat shall conform to the provisions for plats, subdivisions, and mapping requirements set forth in G.S. 47-30 and the Standards of Practice for Land Surveying in North Carolina.

Five (5) copies of the final plat shall be submitted, two (2) of these shall be on reproducible material; three (3) shall be black or blue line paper prints. Material and drawing medium for the original shall be in accordance with the Standards of Practice for Land Surveying in North Carolina where applicable, and the requirements of the Columbus County Register of Deeds.

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The final plat shall be of a size suitable for recording with the Columbus County Register of Deeds and shall be at a scale of not less than one (1) inch equals two hundred (200) feet. Maps may be placed on more than one sheet with appropriate match lines. Submission of the final plat shall be accompanied by a filing fee of \$50.00. This final plat shall meet the specifications in Section 308.

The following signed certificates shall appear on all five (5) copies of the final plat:

**a) Certificate of Ownership and Dedication**

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the County of Columbus and that I hereby adopt this plan of subdivision with my free consent and establish minimum building setback lines as noted.

\_\_\_\_\_ Date \_\_\_\_\_ Owner

The certificate of the Notary to the owner's signature shall read as follows:

State of \_\_\_\_\_  
County of \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of the State and County aforesaid, hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Notary Public Seal Stamp

My Commission expires: \_\_\_\_\_

**b) Certificate of Survey and Accuracy in accordance with G.S. 47-30:**

There shall appear on each plat a certificate by the person under whose supervision such survey or such plat was made, stating the origin of the information shown on the plat, including recorded deed and plat references shown thereon. The ratio of precision as calculated by latitudes and departures before any adjustments must be shown. Any lines on the plat that were not actually surveyed must be clearly indicated and a statement included revealing the source of information. The execution of such certificate shall be acknowledged before any officer authorized to take acknowledgements by the Professional Land Surveyor preparing the plat. All plats to be recorded shall be probated as required by law for the registration of deeds. Where a plat consists of more than one sheet, only the first sheet must contain the certification and all subsequent sheets must be signed and sealed. The certificate required above shall include the source of information for the survey and data indicating the accuracy of closure of the plate before adjustments and shall be in substantially the following form:

“I \_\_\_\_\_, certify that this plat was drawn under my supervision from (an actual survey made under my supervision) (deed description recorded in Book \_\_\_\_, Page \_\_\_\_, etc.) (other); that the boundaries not surveyed are shown as broken lines plotted from information found in Book \_\_\_\_, Page \_\_\_\_; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

\_\_\_\_\_ Surveyor Seal or Stamp

\_\_\_\_\_ Registration Number

**c) Certificate of Review Officer**

I, \_\_\_\_\_, Review Officer of Columbus County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

\_\_\_\_\_ Review Officer \_\_\_\_\_ Date



## Certificate of Approval for Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the County of Columbus, North Carolina and that this plat has been approved by the Columbus County Planning Director for recording in the Office of the Register of Deeds of Columbus County.

\_\_\_\_\_  
Planning Director

\_\_\_\_\_  
Date

If the final plat is disapproved by the Planning Director the reasons for such disapproval shall be stated in writing, specifying the provisions of this ordinance with which the final plat does not comply. One (1) copy of such reasons and one (1) print of the plat shall be retained by the Planning Director as part of the proceedings; one (1) copy of the reasons and three (3) copies of the plat shall be transmitted to the subdivider. If the final plat is disapproved, the subdivider may make such changes as will bring the final plat into compliance and resubmit same for reconsideration by Planning Director. If the final plat is approved by the Planning Director, the original tracing and one (1) print of the plat shall be retained by the subdivider. One (1) reproducible tracing and one (1) print shall be filed with the County Clerk, and one (1) print shall be returned to the Planning Department for its records. The subdivider shall file the approved final plat with the Register of Deeds of Columbus County within 90 days of Planning Board approval; otherwise such approval shall be null and void.

### Section 305.3 Utilities

Any minor subdivision approved administratively by the person designated as the Planning Director and not defined as a major subdivision will be required to hookup to an existing county water (and/or sanitary sewer system) where available within three hundred (300') feet of the subdivision property boundary. The provision does not apply to lots with an existing well at the time of adoption of this ordinance. If an existing well requires replacement, the property owner will be required to hookup to an existing county water system where available.

## MAJOR SUBDIVISIONS

### Section 306. Sketch Plan Submission and Review for Major Subdivisions

- 306.1 For every subdivision within the territorial jurisdiction established by Section 104 of this ordinance, the subdivider shall meet with the Planning Department in order to discuss the proposed subdivision. At or prior to such meeting, the Subdivider shall provide to the Planning Department three (3) copies of a Sketch Plan of the proposed subdivision.
- 306.2 The sketch plan shall provide the required information as indicated on the "Plan / Plat Information Chart" in Section 308 and shall be to a scale and in such detail to convey the intent of the proposed subdivision. The sketch plan may be prepared by the subdivider or his/her designee.
- 306.3 The sketch plan does not require a Professional Engineer's nor a Licensed Surveyor's seal.
- 306.4 The Planning Department may request that the sketch plan be reviewed by the Technical Review Committee but such review is not a required step in the approval process and is the option of the Planning Department.
- 306.5 Review comments will be provided during the meeting and in writing within 7 days after the meeting unless the Planning Department requires that the TRC review the plan, in which case their comments shall be provided in writing within 15 days of initial submittal.

### Section 307. Preliminary Plat Submission and Review for Major Subdivisions

#### **307.1 Submission Procedure**

- A For every subdivision within the territorial jurisdiction established by Section 104 of this ordinance and after Sketch Plan comments have been provided as per Section 306, the subdivider shall submit a preliminary plat which shall be reviewed and approved by the Board

of County Commissioners before any construction or installation of improvements may begin.

- B Five (5) copies of the preliminary plat and any additional copies which the subdivision administrator determines are needed to be sent to other agencies shall be submitted to the administrator of this ordinance at least 21 days prior to the Planning Board meeting at which the subdivider desires the review of the preliminary plat.
- C Preliminary plats shall meet the specifications in Section 308 and contain the following information:
- 1) A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, roads, and waterways;
  - 2) The boundaries of the tract and the portion of the tract to be subdivided;
  - 3) The total acreage to be subdivided;
  - 4) The existing and proposed uses of the land within the subdivision and the existing uses of land adjoining it;
  - 5) The proposed street layout with approximate pavement and right-of-way width, lot layout and size of lots;
  - 6) The name, address, and telephone number of the owner;
  - 7) The name, if any, of the proposed subdivision;
  - 8) Streets and lots of adjacent developed or platted properties.
  - 9) The zoning classification (if applicable) of the tract and of adjacent properties;
  - 10) A statement from the Columbus County Health Department that a copy of the Preliminary Plan has been submitted to them, if septic tanks or other onsite water or waste-water systems are to be used in the subdivision.

### **307.2 Review by Other Agencies**

After having received the preliminary plat from the subdivider, the subdivision administrator shall submit copies of the preliminary plat and any accompanying material to the Technical Review Committee (TRC). The TRC shall have 10 days to review and provide comments to the administrator. At the option of the administrator a meeting of the TRC may be required.

### **307.3 Procedure**

- A The Planning Board shall review the preliminary plat at or before its next regularly scheduled meeting which follows at least 21 days after the Administrator receives the preliminary plat from the subdivider.
- B The Planning Board shall, in writing, recommend approval, conditional approval with recommended changes to bring the plat into compliance, or disapproval with reasons within 45 days of its first consideration of the plat.
- C If the Planning Board recommends approval of the preliminary plat, it shall retain one (1) copy of the plat for its minutes, transmit three (3) copies of the plat to the administrator with its recommendation, and return the final copy to the subdivider.
- D If the Planning Board recommends conditional approval of the preliminary plat it shall keep one (1) copy of the plat for its minutes, transmit three (3) copies of the plat and its recommendation to the administrator, and return the remaining copy of the plat and its recommendation to the subdivider.
- E If the Planning Board recommends disapproval of the preliminary plat, it shall retain one (1) copy of the plat for its minutes, transmit three (3) copies of the plat and its recommendation to the administrator, and return the remaining copy of the plat and its recommendation to the subdivider.
- F If the preliminary plat is disapproved, the subdivider may make the recommended changes and submit a revised preliminary plat, or appeal the decision to the Board of County Commissioners.
- G If the Planning Board does not make a written recommendation within 45 days after its first consideration of the plat, the subdivider may apply to the Board of County Commissioners for approval or disapproval.

- H Once the Planning Board has provided the recommended action of the preliminary plat the subdivider shall request in writing that the Administrator place the Preliminary Plat on the agenda of next available Board of County Commissioner meeting. During such meeting the Administrator shall present the TRC comments and the Planning Board's recommendation. The subdivider shall be provided time for comments. The Board of Commissioners shall have 30 days to decide the status of the Preliminary Plat.

### **Section 308. Final Plat Submission and Review for Major Subdivisions**

#### **308.1 Preparation of Final Plat and Installation of Improvements**

Upon approval of the preliminary plat by the Board of County Commissioners, the subdivider may proceed with the preparation of the final plat, and the installation of, or arrangement for required improvements in accordance with the approved preliminary plat and the requirements of this ordinance. Prior to approval of a final plat, the subdivider shall have installed the improvements specified in this ordinance or guaranteed their installation as provided herein. No final plat will be accepted or reviewed by the Planning Board unless accompanied by written notice by the County Clerk acknowledging compliance with any applicable improvement or guarantee standards of this ordinance. The final plat shall constitute only that portion of the preliminary plat which the subdivider proposes to record and develop at that time; such portion shall conform to all requirements of this ordinance.

#### **308.2 Improvement Guarantees**

##### **a) Agreement and Security Required**

In lieu of requiring the completion, installation and dedication of all improvements prior to final plat approval, the County of Columbus may enter into an agreement with the subdivider whereby the subdivider shall agree to complete all required improvements. Once said agreement is signed by both parties and the security required herein is provided, the final plat may be approved by the Planning Board, if all other requirements of this ordinance are met. To secure this agreement, the subdivider shall provide, subject to the approval of the County Commissioners, either one, or a combination of the following guarantees not exceeding 1.25 times the entire cost as provided herein:

##### **1. Surety Performance Bond(s)**

The subdivider shall obtain a performance bond(s) from a surety bonding company authorized to do business in North Carolina. The bonds shall be payable to the County of Columbus and shall be in an amount equal to 1.25 times the entire cost, as estimated by the subdivider and approved by the County Commissioners, of installing all required improvements. The duration of the bond(s) shall be until such time as the improvements are accepted by the County Commissioners.

##### **2. Cash or Equivalent Security**

The subdivider shall deposit cash, an irrevocable letter of credit or other instrument readily convertible into cash at face value, either with the County or in escrow with a financial institution designated as an official depository of the County. The use of any instrument other than cash shall be subject to the approval of the County Commissioners. The amount of deposit shall be equal to 1.25 times the cost, as estimated by the subdivider and approved by the County Commissioners, of installing all required improvements. If cash or other instrument is deposited in escrow with a financial institution as provided above, then the subdivider shall file with the County Commissioners an agreement between the financial institution and himself guaranteeing the following:

- (I) That said escrow account shall be held in trust until released by the County Commissioners and may not be used or pledged by the subdivider in any other matter during the term of the escrow; and
- (ii) That in the case of a failure on the part of the subdivider to complete said improvements the financial institution shall, upon notification by the County Commissioners, and submission by the County Commissioners to the financial institution of an engineer's estimate of the amount needed to complete the improvements, immediately either pay to the County the funds estimated to complete the improvement up to the full balance of the escrow account, or deliver to the County any other instruments fully endorsed or otherwise made payable in full to the County.



Witness my hand and notarial seal, this the \_\_\_\_ day of \_\_\_\_\_, 2010.

Seal Stamp \_\_\_\_\_

Notary Public

My Commission expires: \_\_\_\_\_

**b) Certificate of Survey and Accuracy**

In accordance with G.S. 47-30 there shall appear on each plat a certificate by the person under whose supervision such survey or such plat was made, stating the origin of the information shown on the plat, including a recorded deed and plat references shown thereon. The ratio of precision as calculated by latitudes and departures before any adjustments must be shown. Any lines on the plat that were not actually surveyed must be clearly indicated and a statement included revealing the source of information. The execution of such certificate shall be acknowledged before any officer authorized to take acknowledgments by the Professional Land Surveyor preparing the plat. All plats to be recorded shall be probated as required by law for the registration of deeds. Where a plat consists of more than one sheet, only the first sheet must contain the certification and all subsequent sheets must be signed and sealed. The certificate required above shall include the source of information for the survey and data indicating the accuracy of closure of the plat before adjustments and shall be in substantially the following form:

"I \_\_\_\_\_, certify that this plat was drawn under my supervision from (an actual survey made under my supervision) (deed description recorded in Book \_\_\_\_, Page \_\_\_\_, etc.) (other); that the boundaries not surveyed are shown as broken lines plotted from information found in Book \_\_\_\_, Page \_\_\_\_; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number, and seal this \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

\_\_\_\_\_  
Surveyor Seal or Stamp

\_\_\_\_\_  
Registration Number

**c) Certificate of Approval of the Design and Installation of Streets, Utilities, and Other Required Improvements and Payment of Filing Fee**

I hereby certify that all streets, utilities and other required improvements have been installed in an acceptable manner and according to County specifications and standards in the \_\_\_\_\_ Subdivision or that guarantees of the installation of the required improvements in an amount and manner satisfactory to the County of Columbus has been received, and that the filing fee for this plat, in the amount of \$\_\_\_\_\_ has been paid.

\_\_\_\_\_  
Subdivision Administrator for Columbus County

\_\_\_\_\_  
Date

**d) Certificate of Review Officer**

I, \_\_\_\_\_, Review Officer of Columbus County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

\_\_\_\_\_  
Review Officer

\_\_\_\_\_  
Date

The Planning Board shall review the final plat at or before its next regularly scheduled meeting which follows at least 25 days after the Administrator receives the final plat. The Planning Board shall recommend approval, conditional approval with modifications to bring the plat into compliance, or disapproval of the final plat with reasons within 25 days of its first consideration of the plat. If the Planning Board recommends approval of the final plat it shall retain one (1) copy and transmit all remaining copies of the plat and its written recommendations to the subdivider through the Administrator. If the Planning Board recommends conditional approval of the final plat with modifications to bring the plat into compliance, it shall retain one (1) print of the plat for its minutes, return its written recommendations and two (2) reproducible copies of the plat to the subdivider, and transmit one (1) print of the plat and its written recommendation to the Administrator. If the Planning

Board recommends disapproval of the final plat, it shall instruct the subdivider concerning resubmission of a revised plat and the subdivider may make such changes as will bring the plat into compliance with the provisions of this ordinance, and resubmit same for reconsideration by the Planning Board, or appeal the decision to the Board of County Commissioners. Failure of the Planning Board to make a written recommendation within 45 days shall constitute grounds for the subdivider to apply to the Board of County Commissioners for approval. If the subdivider appeals to the Board of County Commissioners, the Commissioners shall review and approve or disapprove the final plat within 45 days after the plat and recommendations of Planning Board have been received by the Administrator. If the Planning Board approves the final plat, such approval shall be shown on each copy of the plat by the following signed certificate:

**Certificate of Approval for Recording**

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the County of Columbus, North Carolina and that this plat has been approved by the Columbus County Planning Board for recording in the Office of the Register of Deeds of Columbus County.

\_\_\_\_\_  
Planning Director

\_\_\_\_\_  
Date

If the final plat is disapproved by the Planning Board, the reasons for such disapproval shall be stated in writing, specifying the provisions of this ordinance with which the final plat does not comply. One (1) copy of such reasons and one (1) print of the plat shall be retained by the Planning Board as part of its proceedings, one copy of the reasons shall be transmitted to the Administrator, and one (1) copy of the reasons and remaining copies of the plat shall be transmitted to the subdivider. If the final plat is disapproved, the subdivider may make such changes as will bring the final plat into compliance and resubmit same for reconsideration by the Planning Board. If the final plat is approved by the Planning Board, the original tracing and one (1) print of the plat shall be retained by the subdivider. One (1) reproducible tracing and one (1) print shall be filed with the County Clerk, and one (1) print shall be returned to the Planning Board for its records. The subdivider shall file the approved final plat with the Register of Deeds of Columbus County within 90 days of Planning Board approval; otherwise such approval shall be null and void. Section 309. Information to be Contained In or Depicted On Final Plats for Minor Subdivisions and Preliminary and Final Plats for Major Subdivisions. The sketch, preliminary and final plats shall depict or contain the information indicated in the following table. An x indicates that the information is required.

<b>INFORMATION</b>	<b><u>SKETCH PLAN</u></b>	<b><u>PRELIMINARY PLAN</u></b>	<b><u>FINAL PLAT</u></b>
Title Block Containing:			
Property Designation	X	X	X
Name of Owner		X	X
Location (including township, county, state)	X	X	X
Dates of survey and drawing		X	X
Scale (feet per inch)	X	X	X
Bar Graph		X	X
Name, Address, Registration Number and Seal of Professional Land Surveyor		X	X
Name of Subdivider		X	X
A sketch vicinity map showing the relationship between the proposed subdivider and surrounding area	X	X	X
Corporate limits, township boundaries, county lines if on the subdivision tract	X	X	X

<b>INFORMATION</b>	<b><u>SKETCH PLAN</u></b>	<b><u>PRELIMINARY PLAN</u></b>	<b><u>FINAL PLAT</u></b>
The names, address and telephone numbers of all owners, mortgages, Professional Land Surveyor, land planner architects, landscape architects, and professional engineers responsible for the subdivision		X	X
The registration numbers and seals of the professional engineers		X	X
Date of plat preparation		X	X
North arrow and orientation	X	X	X
The boundaries of the tract or portion thereof to be subdivided, distinctly and accurately represented with all bearings and distances shown Note: 1 approximate on sketch plan	X	X	X
The exact boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearings, and the location of existing boundary lines of adjoining lands		X	X
The names of owners of adjoining properties		X	X
The names of any adjoining subdivisions of record or proposed and under review	X	X	X
Minimum building setback lines		X	X
The zoning classifications of the tract to be subdivided and adjoining properties (if applicable)	X	X	X
Existing property lines on the tract to be subdivided and on adjoining properties		X	X
Existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining	X	X	
Proposed lot lines, lot and block numbers, and approximate dimensions	X	X	
The lots numbered consecutively throughout the subdivision		X	
Wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or streambeds and any other natural features affecting the site	X	X	
The exact location of the flood hazard, floodway and floodway fringe areas from the county's FHBM or other FEMA maps		X	X
The following data concerning streets:			
Proposed streets	X	X	X
Existing and platted streets on adjoining properties and in the proposed subdivision	X	X	X
Rights-of-way, location and dimensions		X	X
Pavement widths		X	
Approximate grades		X	
Design engineering data for all corners and curves			X
Typical street cross sections		X	

INFORMATION	<u>SKETCH PLAN</u>	<u>PRELIMINARY PLAN</u>	<u>FINAL PLAT</u>
Street names		X	X
Street maintenance agreement in accordance with Section 405.1 of this Ordinance		X	X
Type of street dedication; all streets must be designated either "public" or "private" Where all public streets are involved which will not be dedicated to a municipality, the subdivider must submit the following documents to the N.C. Department of Transportation District Highway Office for review: a complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout; the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist; typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed, drainage facilities and drainage areas.		X	X
Where streets are dedicated to public, but not accepted into a municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with Section 405.2 of this ordinance		X	X
Where streets are dedicated to public, but not accepted into a municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with Section 405.2 of this ordinance		X	X
If any street is proposed to intersect with a state maintained road, the subdivider shall apply for driveway approval as required by the N.C. Department of Transportation, Division of Highways' Manual on Driveway Regulations. Evidence that the subdivider has obtained approval.		X	X
The location and dimensions of all:			
Utility and other easements		X	X
Areas to be dedicated to or reserved for public use	X	X	X
Areas to be used for purposes other than residential with the areas to be used for purposes other than residential with purpose of each stated		X	
The future ownership (dedication or reservation for public use to governmental body, for owners to duly constituted homeowners' association, or for tenants remaining in subdivider's ownership) of recreation and open space lands		X	X
The plans for utility layouts including:			
Sanitary sewers	X	X	
Storm Sewers		X	
Other drainage facilities, if any		X	
Water distribution lines	X	X	



<b>INFORMATION</b>	<b>SKETCH PLAN</b>	<b>PRELIMINARY PLAN</b>	<b>FINAL PLAT</b>
Natural gas lines		X	
Telephone lines		X	
Electric lines Note: 1 Required on final plat only of minor subdivision		X	
Illustrating connections to existing systems, showing line sizes, the location of fire hydrants, blow-offs, manholes, force mains and gate valves		X	
Plans for individual water supply and sewage disposal systems, if any		X	
Profiles based upon Mean Sea Level datum for sanitary sewers and storm sewers		X	
Site calculations including:			
Acreage in total tract to be subdivided		X	X
Acreage in other nonresidential uses		X	X
Total number of parcels created		X	X
Acreage of smallest lot in subdivision Note: 1 On final plat show SF of all lots		X	
Linear feet in streets		X	
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the U.S. Department of Interior's National Register of Historic Places	X	X	X
Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles, and tangent distance for the center line of curved property lines that are not the boundary line of curved streets. All dimensions shall be measured to the nearest one tenth of a foot and all angles to the nearest minute.		X	X
The accurate locations and descriptions of all monuments, markers and control points			X
A copy of any proposed deed restrictions or similar covenants. Such restrictions are mandatory when private recreation areas are established.		X	X
A copy of the erosion control plan submitted to the appropriate authority, if such a plan is required.		X	
Topographic map if required.		X	
All certifications required in Section 307. (For major Subdivisions)		X	X
Any other information considered by either the subdivider, Planning Board, or County Commissioners to be pertinent to the review of the plat.		X	X

**Section 310. Recombination of Land**

- 310.1 Any plat or any part of any plat may be vacated by the owner at any time before the sale of any lot in the subdivision by a written instrument to which a copy of such plat shall be attached, declaring the same to be vacated.
- 310.2 Such an instrument shall be approved by the same agencies as approved the final plat. The governing body may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets or alleys.
- 310.3 Such an instrument shall be executed, acknowledged or approved and recorded and filed in the same manner as a final plat; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.
- 310.4 When lots have been sold, the plat may be vacated in the manner provided in Sections 310.1 through 310.3 by all owners of the lots in such plat joining in the execution of such writing.

## **Section 311 Resubdivision Procedures**

For any replatting or resubdivision of land, the same procedures, rules and regulations shall apply as prescribed herein for an original subdivision.

## **ARTICLE IV REQUIRED IMPROVEMENTS, DEDICATIONS, RESERVATIONS, AND MINIMUM STANDARDS OF DESIGN**

### **Section 401. General**

Each subdivision shall contain the improvements specified in this article, which shall be installed in accordance with the requirements of this ordinance and paid for by the subdivider, unless other means of financing is specifically stated in this ordinance. Land shall be dedicated and reserved in each subdivision as specified in this article. Each subdivision shall adhere to the minimum standards of design established by this article.

### **Section 402. Suitability of Land**

- 402.1 Land which has been determined by the Planning Board on the basis of engineering or other expert surveys to pose an ascertainable danger to life or property by reason of its unsuitability for the use proposed shall not be platted for that purpose, unless and until the subdivider has taken the necessary measures to correct said conditions and to eliminate said dangers.
- 402.2 Areas that have been used for disposal of solid waste shall not be subdivided unless tests by the Columbus County Health Department, a structural engineer and a soils expert determine that the land is suitable for the purpose proposed.
- 402.3 Flood Hazard: Subdivisions and all improvements within the subdivisions be designed, constructed and maintained in compliance with the Columbus County Flood Prevention regulations, Code of Ordinances Chapter 38.

### **Section 403 Name Duplication**

The name of the subdivision shall not duplicate nor closely approximate the name of a existing subdivision within Columbus County.

### **Section 404. Subdivision Design**

#### **404.1 Blocks**

- a) The lengths, widths, and shapes of blocks shall be determined with due regard to: provision of adequate building sites suitable to the special needs of the type of use contemplated; zoning requirements, if any; needs for vehicular and pedestrian circulation; control and safety of street traffic; limitations and opportunities of topography; and convenient access to water areas.
- b) Blocks shall not be less than 400 feet or more than 1,800 feet.

- c) Blocks shall have sufficient width to allow two (2) tiers of lots of minimum depth except where single tier lots are required to separate residential development from a collector street or road, a nonresidential use, adjacent to the subdivision boundary, in nonresidential subdivisions, or where abutting a water area.
- d) Where deemed necessary by Planning Board, a pedestrian crosswalk at least fifteen (15) feet in width may be required to provide convenient public access to a public area such as a park or school, to a water area, or to areas such as shopping centers, religious or transportation facilities.
- e) Block numbers shall conform to the County street numbering system.

**404.2 Lots**

- a) If applicable, all lots in new subdivisions shall conform to any zoning requirements of the district in which the subdivision is located. Conformance to zoning requirements means, among other things, that the smallest lot in the subdivision must meet all dimensional requirements of the zoning ordinance. It is not sufficient merely for the average lot to meet zoning requirements. In unzoned areas of the County, the following chart provides dimensional requirements.

	<b>PUBLIC WATER PUBLIC SEWER</b>	<b>PUBLIC WATER NO PUBLIC SEWER</b>	<b>NO PUBLIC WATER NO PUBLIC SEWER</b>
Min. Lot Size (Square Feet)	15,000	25,000	30,000
Min. Lot Width (Feet)	50	100	100
Min. Lot Depth (Feet)	200	200	200
Min. Front Setback (Feet)	50	50	50
Min. Side Setback (Feet)	15	15	15
Min. Side Setback (Abutting Street) ( Feet)	20	20	20
Min. Rear Setback (Feet)	25	25	25

- b) Lots shall meet any applicable requirements of the Columbus County Health Department.
- c) Double frontage lots shall be avoided wherever possible.
- d) Side lot lines shall be substantially at right angles to or radial to street lines.
- e) Minimum lot width shall be measured at the lot’s narrowest point. A cul-de-sac lot’s width shall be measured at the required front building setback.
- f) All lots must contain a minimum of 50 feet of road frontage on an existing public street or on a proposed public or private street that the developer is constructing as a part of the subdivision development. However, cul-de-sac lots may have 30 feet of street frontage if the lot is a minimum width of 50 feet at the front building setback.

**404.3 Easements**

**a) Utility Easements**

Easements for underground or above ground utilities shall be provided, where necessary, across lots or centered on rear or side lot lines and shall be at least 12 feet wide, or greater if required, for water and sanitary sewer lines and as required by the companies involved, for telephone, cable TV, gas and power lines. The Planning Board will determine whether one (1) easement is sufficient or whether several easements are necessary to accommodate the various facilities and the subdivider shall provide the required easements.

**b) Drainage Easements**

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Where a subdivision is traversed by a stream or drainage way, an easement shall be provided conforming with the lines of such stream and of sufficient width as will be adequate for the purpose.

## **Section 405. Streets**

### **405.1 Type of Street Required**

All subdivision lots shall abut on a public street. All public streets shall be designed and constructed to the standards of this ordinance and the Division of Highways, North Carolina Board of Transportation Subdivision Roads / Minimum Design Standards. Under certain circumstances, as approved by the Planning Board, private paved streets may be allowed providing a street disclosure statement is prepared by the seller and signed by the buyer and a homeowner's association is formed. Private streets serving five (5) or fewer lots may substitute compacted crushed aggregate (stone) for the pavement surface (S9.5A or S9.5B). In such cases appropriate construction testing reports certifying compliance with NC DOT standards shall be provided to the Planning Department. Also, such alternative cross section to that specified in the referenced NCDOT standards shall be either four (4") inches of ABC with a test certified subgrade at ninety eight (98%) percent compaction or six (6") inches of ABC with a non-certified compacted subgrade may be used. Public streets which are eligible for acceptance into the State Highway System shall be constructed to the standards necessary to be put on the state Highway System or the standard in this ordinance, whichever is stricter in regard to each particular item, and shall be put on such system. Streets which are not to be put on the State Highway System because there are too few lots or residences shall, nevertheless, be dedicated to the public and shall be in accordance with the standards in this ordinance or the standards necessary to be put on the State Highway System, whichever is stricter in regard to each particular item, so as to be eligible to be put on the system at a later date. A written maintenance agreement with provisions for maintenance of the street until it is put on the State system shall be included with the final plat. No lots may be sold until this provision is satisfied.

### **405.2 Subdivisions Street Disclosure Statement**

All streets shown on the final plat shall be designated in accordance with G.S. 136- 102.6 and designation as public shall be conclusively presumed an offer of dedication to the public. Where streets are dedicated to the public but not accepted into a municipal or the State system, before lots are sold, and statement explaining the status of the street shall be included with the final plat.

### **405.3 Half-Streets**

The dedication of half streets of less than sixty (60) feet at the perimeter of a new subdivision shall be prohibited. If circumstances render this impractical, adequate provision for the concurrent dedication of the remaining half of the street shall be furnished by the subdivider. Where there exists a half-street in an adjoining subdivision, the remaining half shall be provided by the proposed subdivision. However, in circumstances where more than sixty (60) feet of right-of-way is required, a partial width right-of-way, not less than sixty (60) feet in width, may be dedicated when adjoining undeveloped property is owned or controlled by the subdivider; provided that the width of the partial dedication is such as to permit the installation of such facilities as may be necessary to serve abutting lots. When the adjoining property is subdivided, the remainder of the full required right-of-way shall be dedicated.

### **405.4 Marginal Access Streets Frontage Road**

Where a tract of land to be subdivided adjoins a principal arterial road Street, the subdivider may be required to provide a marginal access street frontage road parallel to the arterial street or reverse frontage on a minor street for the lots to be developed adjacent to the arterial. Where reverse frontage is established, private driveways shall be prevented from having direct access to the principal arterial.

### **405.5 Access to Adjacent Properties**

Where, in the opinion of the Planning Board, it is necessary to provide for street access to an adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround provided.

### **405.6 Nonresidential Streets**

The subdivider of a nonresidential subdivision shall provide streets in accordance with I.F-4 of the North Carolina Roads, Minimum Construction Standards, July 1, 1985; and the standards in this ordinance, whichever are stricter in regard to each particular item.

#### **405.7 Design Standards**

The design of all streets and roads within the jurisdiction of this ordinance shall be in accordance with the accepted policies of the North Carolina Department of Transportation, Division of Highways, as taken or modified from the American Association of State Highway Officials (AASHO) manuals, with the exceptions as provided in Section 405.1. The N.C. Department of Transportation, Division of Highways' Subdivision Roads Minimum Construction Standards, July 1, 1985 shall apply for any items not included in this ordinance, or where stricter than this ordinance. The following signed certificates shall appear on all copies of the final plat:

- a) **Certificate of Ownership and Dedication**  
I hereby certify that I am the owner or the property shown and described hereon, which is located in the subdivision jurisdiction of the County of Columbus and that I hereby adopt this plan of subdivision with my free consent, establish minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I hereby dedicate all sanitary sewer, storm sewer and water.

#### **405.8 Other Requirements**

- a) **Through Traffic**

Discouraged on Residential Collector and Local Streets Residential collector and local streets shall be laid out in such a way that their use by through traffic will be discouraged. Streets shall be designed or walkways dedicated to assure convenient access to places of public assembly.

- b) **Sidewalks**

Sidewalks may be required by the Planning Board on one or both sides of the street in areas likely to be subject to heavy pedestrian traffic such as near schools and shopping areas. Such sidewalks shall be constructed to a minimum width of five (5) feet, and shall consist of a minimum thickness of four (4) inches of concrete. All sidewalks shall be placed in the right-of-way, unless the development is platted as a planned unit or group development. Sidewalks shall consist of a minimum of six (6) inches of concrete at driveway crossings.

- c) **Street Names**

Proposed streets which are obviously in alignment with existing streets shall be given the same name. In assigning new names, duplication of existing names shall be avoided and in no case shall the proposed name be phonetically similar to existing names in the county irrespective of the use of a suffix such as street, road, drive, place, court, etc. All street names and addressing shall comply with Columbus County's 911-Addressing requirements. Street names shall be subject to the approval of Columbus County.

- d) **Street Name Signs**

The subdivider shall be required to provide and erect street name signs to County standards at all intersections within the subdivision.

- e) **Permits for Connection to State Roads**

An approved permit is required for connection to any existing state system road. This permit is required prior to any construction on the street or road. The application is available at the office of the nearest district engineer of the Division of Highways.

- f) **Offsets to Utility Poles**

Poles for overhead utilities should be located clear of roadway shoulders, as close to the right-of-way as possible. On streets with curb and gutter, utility poles should be set back a minimum distance of six (6) feet from the face of curb.

## g) Wheelchair Ramps

In accordance with Chapter 136, Article 2A, Section 136-44.14, all street curbs in North Carolina being constructed or reconstructed for maintenance procedures, traffic operations, repairs, correction of utilities, or altered for any reason after September 1, 1973, shall provide wheelchair ramps for the physically handicapped at all intersections where both curb and gutter and sidewalks are provided and at other major points of pedestrian flow.

## h) Curb and Gutter

The subdivider may construct curb and gutter, but it is not required by this ordinance for plat approval.

## **Section 406. Utilities**

### 406.1 Water and Sanitary Sewer Systems

Each proposed lot in all subdivisions within the county's jurisdiction shall be provided with an extension of the county water (and/or sanitary sewer) systems at the subdivider's expense if such system has capacity and is within one thousand feet (1,000') of the subdivision property boundary practical. A subdivision lot in the county's jurisdiction may be provided with extensions to a municipal system in lieu of the County system. Water and sanitary sewer lines, connections, and equipment shall be in accordance with the County standards. All lots in subdivisions not connected to municipal or county water and/or sanitary sewer systems must have a suitable source of water supply and sanitary sewage disposal, which complies with the regulations of the appropriate agencies.

### 406.2 Storm Water Drainage System

The subdivider shall provide a surface water drainage system constructed to the standards of the North Carolina Department of Transportation, as reflected in Handbook for the Design of Highway Surface Drainage Structures, (1973), subject to review by the County Engineer/County Consulting Engineer.

### 406.3 Streetlights

All subdivisions that have one or more public streets shall have streetlights installed at no more than 200 feet apart along each street. The subdivider is responsible for installation expenses. The long-term maintenance of the streetlights is to be assigned prior to the selling of any lots.

### 406.4 Underground Wiring

Reserved

## **Section 407. Buffering, Recreation and Open Space Requirements.**

407.1 Perennial streams shall be protected with a thirty five foot (35') undisturbed conservation buffer running adjacent to the stream and indicated on the final plat.

407.2 Proposed subdivisions adjacent to land uses other than residential shall establish, along its entire perimeter a twenty five foot (25') buffer as defined in Section 502. The Planning Board may consider berming, fencing or open space in lieu of the buffer.

407.3 Proposed subdivisions with any lot less than 21,780 square feet shall provide fifteen percent (15%) open space. Such open space shall be designed to provide the conservation of natural features (streams, wetlands, mature trees, etc), access to recreational spaces including man made and natural water features, buffering, and storm water management facilities.

## **Section 408. Other Requirements**

### 408.1 Placement of Monuments

Unless otherwise specified by this ordinance, the Manual of Practice for Land Surveying as adopted by the N.C. State Board of Registration for Professional Engineers and Land Surveyors, under the provisions of Title 21 of the North Carolina Administrative Code, Chapter 56 (21 NCAC 56), shall apply when conducting surveys for subdivisions; to determine the accuracy for survey and

placement of monuments, control corners, markers, and property corner ties; to determine the location, design, and material of monuments, markers, control corners, and property corner ties; and to determine other standards and procedures governing the practice of land surveying for subdivisions.

#### 408.2 Construction Procedures

No construction or installation of improvements shall commence in a proposed subdivision until the preliminary plat has been approved, and all plans and specifications have been approved by the appropriate authorities. No building, zoning or other permits shall be issued for erection of a structure on any lot not of record at the time of adoption of this ordinance until all the requirements of this ordinance have been met. The subdivider, prior to commencing any work within the subdivision, shall make arrangements with the administrator of this ordinance to provide for adequate inspection. The approving authorities having jurisdiction or their representatives shall inspect and approve all completed work prior to release of the surety.

#### 408.3 Oversized Improvements

The County of Columbus may require installation of certain oversized utilities or the extension of utilities to adjacent property when it is in the interest of future development. If the County requires the installation of improvements in excess of the standards adopted by reference, the County shall pay the cost differential between the improvement required and the standards in this ordinance.

#### 408.4 Soil Erosion and Sediment Control

Prior to the approval of the Preliminary Plan the subdivider shall provide evidence of approval from the North Carolina Department of Environmental and Natural Resources (DENR) of a Erosion and Sediment Control Plan.

#### 408.5 Storm water Management Plan

Prior to the approval of the Preliminary Plan the subdivider shall provide evidence of approval from the North Carolina Department of Environmental and Natural Resources (DENR) of a Storm water Management Plan.

## **ARTICLE V DEFINITIONS**

### **Section 501. “Subdivision Defined”**

For the purposes of this ordinance, “subdivision” means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing street; but the following shall not be included within this definition nor be subject to any regulations enacted pursuant to this ordinance.

- a) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County as shown in this ordinance.
- b) The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved;
- c) The public acquisition by purchase of strips of land for the widening or opening of streets, and
- d) The division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the county as shown in this ordinance;

### **Section 502. Other Definitions.**

For the purpose of this ordinance, certain words or terms used herein shall be defined as follows:

**Block.** A piece of land bounded on one or more sides by streets or roads

**Buffer** A strip of land of specified width. The buffer must be in addition to and not part of any required lot area. It shall be planted with evergreen and/or deciduous trees not more than eight (8) feet apart and must be at least four (4) feet in height when planted, and a minimum of eight (8) feet tall at maturity. It shall be adequately landscaped with grass and shrubbery in such a manner as to be harmonious with the landscaping and/or adjacent properties and in keeping with the general character of the surrounding neighborhood. A privacy fence at least six (6) feet in height may meet the buffer requirements in such instances where landscaping is impracticable or in instances where the Subdivision Administrator determines that a fence would be the most effective buffer. The planting requirement may be waived where a property line of the subdivision abuts a natural vegetative area that provides equal buffering.

**Building Setback Line.** A line parallel to the front property line in front of which no structure shall be erected. Setbacks shall be figured from the right-of-way line.

**Dedication.** A gift, by the owner, or a right to use of land for a specified purpose or purposes. Because a transfer of property rights is entailed, dedication must be made by written instrument, and is completed with an acceptance.

**Easement.** A grant by the property owner of a strip of land for a specified purpose and use by the public, a corporation, or persons.

**Family.** Members of the same family, which shall be limited to spouse, parents, step-parents, grandparents, step-grandparents, children, step-children, brothers, step-brothers, sisters, step-sisters, aunts, uncles, father-in-law, step-father-in-law, mother-in-law, step-mother-in-law, brother-in-law, step-brother-in-law, sister-in-law, step-sister-in-law.

**Half-Street.** A street whose centerline coincides with a subdivision plat boundary, with one half (½) the street right-of-way width being contained within the subdivision plat. Also, any existing street to which the parcel of land to be subdivided abuts on only one side.

**Lot.** A portion of a subdivision, or any other parcel of land, intended as a unit of transfer of ownership or for development or both.

**Lot of Record.** A lot which is part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Columbus County prior to the adoption of this ordinance, or a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this ordinance.

**Lot Types:**

**Corner Lot.** A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lines to the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

**Double Frontage Lot.** A continuous (through) lot which is accessible from both streets upon which it fronts.

**Interior Lot.** A lot other than a corner lot with only one frontage on a street.

**Through Lot or “Double Frontage Lot”.** A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

**Reversed Frontage Lot.** A lot on which the frontage is at right angles or approximately right angles (interior angles less than one hundred thirty-five (135) degrees to the general pattern in the area. A reversed frontage lot may also be a corner lot, an interior lot or a through lot.

**Single-Tier Lot.** A lot which backs upon a limited access highway, a railroad, a physical barrier, or another type of land use and to which access from the rear is usually prohibited.



**Official Maps or Plans.** Any maps or plans officially adopted by the Board of Commissioners.

**Open Space.** An area (land and /or water) generally lacking in man-made structures and reserved for enjoyment in its unaltered state.

**Planned Unit Development.** A definition compatible with the local zoning ordinance should be inserted here.

**Plat.** A map or plan of a parcel of land which is to be, or has been subdivided.

**Private Driveway.** A roadway serving two (2) or fewer lots, building sites or other division of land and not intended to be public ingress or egress.

**Private Street.** An undedicated private right-of-way which affords access to abutting properties and requires a subdivision streets disclosure statement in accordance with G.S. 136-102.6.

**Reservation.** A reservation of land does not involve any transfer of property rights. It simply constitutes an obligation to keep property free from development for a stated period of time

**Street.** A dedicated and accepted public right-of-way for vehicular traffic (or a private road only if permitted by this ordinance). The following classifications shall apply:

**Rural Roads:**

**Principal Arterial.** A rural link in a network of continuous routes serving corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel and existing solely to serve traffic. This network would consist of interstate routes and other routes designed as principal arterials.

**Minor Arterial.** A rural link in a network joining cities and larger towns and providing intrastate and intercounty service a relatively high overall travel speeds with minimum interference to through movement.

**Major Collector.** A road which serves major intracounty travel corridors and traffic generators and provides access to the arterial system.

**Minor Collector.** A road which provides service to small local communities and links locally important traffic generators with their rural hinterland.

**Local Road.** A local road serves primarily to provide access to adjacent land and for travel over relatively short distances.

**Specific Type Rural Streets:**

**Residential Collector Street.** A local access street which serves as a connector street between local residential streets and the thoroughfare system. Residential collector streets typically collect traffic from 100 to 400 dwelling units.

**Local Residential Street.** Cul-de-sacs, loop streets less than 2,500 feet in length, or streets less than one mile in length that do not connect thoroughfares, or serve major traffic generators, and do not collect traffic from more than 100 dwelling units.

**Cul-de-sac.** A short street having but one end open to traffic and the other end being permanently terminated and a vehicular turnaround provided.

**Frontage Road.** A local street or road that is parallel to a full or partial access controlled facility and functions to provide access to adjacent land.

**Alley.** A strip of land, owned publicly or privately, set aside primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

**Subdivider.** Any person, firm, or corporation who subdivides or develops any land deemed to be a subdivision as here in defined.

**Section 503. Word Interpretation**

For the purpose of this ordinance, certain words shall be interpreted as follows:

- Words used in the present tense include the future tense.
- Words used in the singular number include the plural and words used in the plural number include the singular, unless the natural construction of the wording indicates otherwise.
- The word “person” includes a firm, association, corporation, trust, and company as well as an individual.
- The word “used for” shall include the meaning “designed for”.
- The word “structure” shall include the word “building”.
- The word “lot” shall include the words “plot”, “parcel”, or “tract”.
- The word “shall” is always mandatory and not merely directory.

**Section 504. Gift Lots Defined**

For the purpose of interpreting these regulations, when a land owner makes a gift to a family member of a parcel of land divided from the land owner’s property, the transaction shall not be deemed to be for the purpose of sale or building development. The resulting transaction shall therefore not be subject to any regulations enacted pursuant to this ordinance. A gift lot shall also be interpreted to include the division of land to heirs of an estate following the death of the land owner. However, this exemption applies to only this original “gift” division of the property and does not exempt any further or future division of the property by the heirs or any other owners of the property. All persons wishing to claim this “gift lot” exemption may be required to provide legal documentation proving the relationship between property grantee and grantor(s) (i.e., birth certificates, death certificates, Social Security records, marriage certificates, tax records, etc.).

**ADOPTION CERTIFICATION STATEMENT**

The Columbus County Subdivision Ordinance was duly adopted by the Columbus County Board of Commissioners on the August 06, 2012

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

/s/ **AMON E. McKENZIE, CHAIRMAN**

**ATTESTED BY:**

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

Commissioner Bullard made a motion to approve the text amendment to the Columbus County Subdivision Ordinance, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #17: PLANNING - APPROVAL of TEXT AMENDMENT to the MANUFACTURED/MOBILE HOME PARK ORDINANCE:**

Robert Lewis, County Planner, on behalf of the Planning Board, requested Board approval of the Text Amendment to the Manufactured/Mobile Home Park Ordinance. **(The required Public Hearing was conducted at 7:00 P.M. on this date.)**

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

**REVISION TO EXISTING ORDINANCE:**

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

**ARTICLE I: GENERAL PROVISIONS**

**Section A: Purpose**

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

objectives:

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

#### **Section B: Jurisdiction**

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

#### **Section C: Authority**

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

#### **Section D: Short Title**

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

#### **Section E: Administration**

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

### **ARTICLE II: DEFINITIONS**

#### **Section A: Word Usage**

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

#### **Section B: Definitions**

1. **Abandoned Vehicle:** A motor vehicle which is left on private property without the consent of the owner, occupant or lessee of the property.
2. **Adjacent:** Having a common border such as a space or lot line or street right-of-way.
3. **Building Inspections Department:** Columbus County Building Inspector or designee.
4. **Community or Municipal Sewage Disposal System:** A sewage disposal system which is a single system of sewage collection, treatment and disposal owned and operated by a public utility or community association constructed and operated in compliance with applicable requirements of the North Carolina Department of Environment and Natural Resources.
5. **County:** Columbus County, North Carolina acting by and through its Board of County Commissioners or duly authorized designee(s).
6. **Family:** Members of the same family, which shall be limited to spouse, parents, step-parents, grandparents, step-grandparents, children, step-children, brothers, step-brothers, sisters, step-sisters, aunts, uncles, father-in-law, step-father-in-law,

mother-in-law, step-mother-in-law, brother-in-law, step-brother-in-law, sister-in-law, step-sister-in-law.

7. **Farm:** Farming operations that include growing crops, raising livestock and poultry, and growing nursery plants. A farm does not include commercial operations related to agriculture, such as a store selling fertilizer, a meat-packing operation, or a commercial grain-drying operation.
8. **Health Director:** The Columbus County Health Director or authorized designee.
9. **Household Solid Waste:** Waste normally generated by households.
10. **Human Habitation:** Used or intended to be used by human beings for occupancy.
11. **Individual Sewage Disposal System:** A septic tank and absorption field sewage system approved by the Environmental Division of the Columbus County Health Department.
12. **Junk:** (I) Any motor vehicle that is partially dismantled or wrecked and cannot be self-propelled or moved in the manner in which it was originally intended to move; or (ii) machinery and/or materials in which no specific or expressly written purpose can be provided.
13. **Letter Permitting Construction:** A notice issued by the Planning Department upon approval of the proposed manufactured/mobile home park plan allowing the Operator to begin construction of the manufactured/mobile home park in conformity with the approved manufactured/mobile home park plan.
14. **Letter of Compliance:** A notice issued at the completion of the construction of the Manufactured/Mobile Home Park and annually thereafter by the Planning Department certifying that the Manufactured/Mobile Home Park has been inspected and found to be in compliance with this Ordinance.
15. **Manufactured/Mobile Home:** A movable or portable dwelling over 32 feet in length and over 8 feet wide, constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy, which includes one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or of two or more units separately towable but designed to be joined into one integral unit and not complying with the N.C. State Uniform Residential Building Code.
16. **Manufactured/Mobile Home Park:** ~~Any place, area or tract of land maintained for the purpose of renting a space with or without a manufactured/mobile home where three (3) or more manufactured/mobile homes will be or are used for human habitation purposes, whether the manufactured/mobile homes are owned by the Operator of the manufactured/mobile home park or owned by individual occupants.~~

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

17. **Manufactured/Mobile Home Space:** A plot of land within a manufactured/mobile home park designed for the accommodation of a single manufactured home in accordance with the requirements set forth in this Ordinance.
18. **Operator:** The person who owns or is responsible for the operation of a manufactured/mobile home park.

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

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

#### **Section A. Minimum Standards**

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

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

**Section B: Letter of Compliance**

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

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

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

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

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

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

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

1. Where a community or municipal sewage disposal system is used, each manufactured/mobile home space shall be at least than forty (40) feet wide and not less than four thousand (4,000) square feet in size.
2. Where individual sewage disposal system is used, unless it is determined by the Health Director that additional area is needed, each manufactured/mobile home space shall be at least sixty (60) feet wide and not less than seven thousand two hundred (7,200) square feet in size for a single-wide unit; and no less than nine thousand six hundred (9,600) square feet in size for a double or triple-wide unit.
3. In all cases, the corners of every manufactured/mobile home space shall be plainly marked by corner markers. The distance between manufactured/mobile homes, including any

enclosed extension thereof, shall be at least than fifteen (15) feet. No manufactured/mobile home shall be located closer than fifteen (15) feet to any property line of the manufactured/mobile home park or to any other structure on the premises and not closer than twenty-five (25) feet to any public street or highway right-of-way.

#### **Section F: Access and Streets**

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

#### **Section G: Parking**

1. Each manufactured/mobile home park shall provide sufficient parking and maneuvering space so that the parking, loading or maneuvering of a manufactured/mobile home shall not necessitate the use of any public street, sidewalk or right-of-way or any private grounds not part of the manufactured/mobile home park.
2. Each manufactured/mobile home space shall have parking space a minimum of 10' x 20' in size, sufficient to accommodate at least two (2) passenger vehicles, on four (4) inches of compacted well graded aggregate base course.

#### **Section H: Exterior Lighting**

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

#### **Section I: Planting Strip**

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

#### **Section J: Numbering and Park Signs**

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

### **ARTICLE V: ADDITIONAL REQUIREMENTS AND RESTRICTIONS**

#### **Section A: Manufacture Date**

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

#### **Section B: Responsibilities and Duties of Operator**

1. The Operator shall be required to provide adequate supervision to maintain the manufactured/mobile home park in compliance with the requirements of this Ordinance. The Operator shall keep all park-owned facilities, improvements, equipment and all common areas in good repair and maintained in such a manner as to prevent the accumulation of



storage of materials which could constitute a fire hazard or would cause insect or rodent breeding and harborage. Abandoned vehicle storage, the accumulation of junk, or the storage of possessions and/or equipment in the area beneath the manufactured/mobile homes is expressly prohibited in pre-existing and/or new manufacture/mobile home parks.

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

#### **Section C: Placement and Anchoring**

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

#### **Section D: Skirting**

Each manufactured/mobile home shall be properly installed with skirting that is anchored down and

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

#### **Section E: Utility and Solid Waste Disposal Requirements**

1. **Water Supply:** ~~Every manufactured/mobile home shall be provided with a supply of water for domestic purposes from a source approved by the Health Director.~~ Any proposed manufactured/mobile home park will be required to hook up to an existing county water system within three hundred (300') feet where available. All other water supply sources must be approved by the Health Director where a county water system is not available.
2. **Sewage Disposal:** Every manufactured/mobile home shall be provided with an adequate sewage disposal system by connection to a public sewage system or a septic tank system constructed in compliance with State regulations and approved by the Health Director.
3. **Solid Waste Collection and Disposal:**
  - a. The Operators of manufactured/mobile home parks shall provide for the collection of solid waste from the containers furnished by Operator, and transport of solid waste to certified disposal sites.
  - b. All garbage and refuse in every manufactured/mobile home park shall be stored in suitable water-tight and fly-tight metal receptacles (commercial dumpsters), which shall be kept covered with tight-fitting metal covers or other methods approved by the Health Director. It shall be the responsibility of the Operator to see that all garbage and refuse is disposed of regularly and in a sanitary manner.

#### **Section F: Residential Units Not To Be Travel Trailers**

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

#### **Section G: Non-Residential Uses**

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

#### **Section H: Assist County Tax Assessor**

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

### **ARTICLE VI: COMPLIANCE**

#### **Section A: Approval Required**

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

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

**Section B: Exception for Farms**

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

**Section C: Exception for Families**

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

**Section D: Enforcement**

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

**Section E: Variances**

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

1. There are special circumstances or conditions affecting said property such that the strict application of the provisions of this Ordinance would deprive the Operator of the reasonable use of the property; and
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the Operator; and
3. The circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this Ordinance; and
4. The granting of the variance will not be detrimental to the health, safety and welfare of the public or injurious to adjacent property; and
5. The granting of the variance will not confer on the Operator any special privileges; and
6. The granting of the variance will not be in contradiction to other local, state or federal

regulations.

#### **Section F: Penalties/Fines**

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

#### **Section G: Right of Appeal**

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

### **ARTICLE VII: APPLICATION PROCEDURE**

#### **Section A: Application for Approval**

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

- acreage of the manufactured/mobile home park;
- e. Vicinity map showing the location of the manufactured/mobile home park and the surrounding land usage;
- f. Names of adjacent property owners;
- g. The existing and proposed plans for surface water drainage, street lights, water supply and solid waste and sewage disposal facilities;
- h. A detailed plan for electrical installations prepared to meet the state and county codes;
- i. A detailed drawing to scale of not less than one (1) inch = ten (10) feet shall be prepared of a typical manufactured/mobile home space showing the location of the manufactured/mobile home, all utilities, the patio, concrete footing, walks, parking spaces, driveways, and all other improvements; and
- j. As necessary, provide information concerning phases of development.

### **Section B: Review**

1. **Planning Department:** The Planning Department shall present the proposed manufactured/mobile home park plan for review to the Technical Review Committee (TRC) within fifteen (15) days of receipt of the complete application.
2. **Technical Review Committee:** The TRC shall make any comments and suggestions concerning the proposed manufactured/mobile home park and return the proposed manufactured/mobile home park plan along with such comments and suggestions to the Planning Department within fifteen (15) days of the TRC receiving the plan. The Planning Department shall present the complete application with the TRC's comments and suggestions to the Planning Board at its next regularly scheduled Planning Board meeting.
3. **Planning Board:** The Planning Board shall review the complete application to determine if the proposed manufactured/mobile home park plan is in accordance with the requirements set forth in this Ordinance.
  - a. If the Planning Board determines that the complete application does not comply with the requirements herein, then the Planning Board shall disapprove the complete application, state the reasons for such disapproval and make recommended changes. The disapproval, the reasons for disapproval and the recommended changes shall be given to the Operator.
  - b. If the Planning Board approves the complete application, one (1) approved copy of the proposed manufactured/mobile home park plan shall be sent to the Building Inspections Department and one (1) approved copy of the proposed manufactured/mobile home park plan shall be given to the Operator. The Planning Board shall also notify the Planning Department of its approval of the complete application.
4. **Appeal:** The Operator may appeal the decision of the Planning Board disapproving the complete application by making written request for a hearing before the Planning Board. Such appeal must be received by the Planning Department within ten (10) calendar days from the date of such disapproval. Failure to make such appeal within the time specified causes the Operator to lose all right to appeal the decision of the Planning Board. The Planning Department shall submit such appeal to the Chairman of the Planning Board within seven (7) days of receipt of such appeal. A hearing shall be scheduled within forty-five (45) days from the receipt of the notice of appeal. Notice of such hearing shall be mailed by certified mail, return receipt requested at least fifteen (15) days prior to the scheduled hearing. At the hearing the Planning Board shall allow the Operator and any person(s) the Operator wishes to present to the Planning Board to give information to the Planning Board concerning whether the Planning Board should reverse its decision. If the Planning Board upholds its decision to disapprove the complete application, the Operator is precluded from resubmitting the complete application for a 12-month period from the date of the hearing.

**Section C: Permits****1. Letter Permitting Construction**

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

**2. Letter of Compliance**

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

**Section D: Annual Review**

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

**Section E: Development in Phases**

When a manufactured/mobile home park is to be developed in phases, the proposed manufactured/mobile home park plan may be submitted for the entire development. All existing phases of a manufactured/mobile home park must have a current Letter of Compliance in order for any additional phases to be approved. The Operator may request a Letter of Compliance be issued for each phase completed.

**Section F: Appeal**

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

**ARTICLE VIII: AMENDMENT**

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

**ARTICLE IX: EFFECTIVE DATE**

This Ordinance supersedes all previous versions of this Ordinance and shall take effect and be in force on August 07, 2012.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

/s/ **AMON E. MCKENZIE, Chairman**

**ATTESTED BY:**

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

Commissioner Byrd made a motion to approve the text amendment to the Manufactured/Mobile Home Park Ordinance, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #18: ECONOMIC DEVELOPMENT - ESTABLISH PUBLIC HEARING DATE and TIME for INCENTIVE GRANT FOR PROJECT CINEMA:**

Gary Lanier, Economic Development Director, requested the Board to establish a date and time for a public hearing for an incentive grant for Project Cinema.

Commissioner Russ made a motion to establish August 20, at 6:30 P.M., as the date and time for a Public Hearing for an incentive grant for Project Cinema, seconded by Commissioner Byrd. The motion unanimously passed.

**Agenda Item #19: ECONOMIC DEVELOPMENT - ESTABLISH PUBLIC HEARING DATE and TIME for INCENTIVE GRANT for PROJECT DIRECT MARKET ACCESS:**

Gary Lanier, Economic Development Director, requested the Board to establish a date and time for a public hearing for an incentive grant for Project Direct Market Access.

Commissioner Byrd made a motion to establish August 20, at 7:00 P.M., as the date and time for a Public Hearing for an incentive grant for Project Direct Market Access, seconded by Commissioner Bullard. The motion unanimously passed.

**Agenda Item #20: PUBLIC HOUSING - DEPARTMENTAL UPDATE:**

NaTonya Hassell, Public Housing Director, delivered the following departmental update to the Board.

**Departmental Update for MAY 1, 2011 - JULY 25, 2012**

As of July 01, 2012 the current number of families on the waiting list is **527**

Elderly	39	Hispanic	2
H/D	35	White	150
Family	<u>453</u>	Black	369
		Indian	<u>6</u>
	<b>527</b>		<b>527</b>

There have been **972** inspections conducted: (04/02/2011 - 07/24/2012)

Inspections consist of new units (initial), annual inspections, transfer/move inspection, re-inspection where a unit did not pass the first time and special inspections is where the family or landlord request an inspection, and Quality Control Inspections done by Director.

There was a total of **312** Re-examinations (Interim and Re-examinations completed).

Re-examinations - annual income and family composition maintenance on the files.

Interim Re-examinations - conducted when the family reports any change within the family.

There is a total of **378** number of families on the program as of 7/25/2012. Consist of:

		<u>Racial/Ethnic Composition:</u>					
Extremely Low Income Families:	294	78%	Black	245	64.82%	Elderly / HD	208
Very Low Income Families	66	17%	White*	131	34.66%	Family	<u>170</u>
Low Income Families	17	4%	Indian	1	0.26%		<b>378</b>
High Income Families	<u>1</u>	1%	Asian	0	0.00%		
	<b>378</b>		Hispanic-0		0.00%		
			Mixed	<u>1</u>	0.26%		
				<b>378</b>			

New Admissions to the program: **65**  
 Terminate from the program: **70**

Total HAP payments Paid **\$2,115,033.00** ( April 1, 2011 - July1, 2012)

Total Administrative Cost Paid **\$267,479.99** ( April 1, 2011 - July1, 2012)

Total Payout of: **\$2,382,512.99**

**(As of June 2012)  
 HAP and ADMIN  
 Reserves**

Total HAP Recvd	\$255,603.00	( April 1, 2011 - July1, 2012)	\$50,453.00
Total ADMIN Recvd	\$276,002.00	( April 1, 2011 - July1, 2012)	<u>\$265,711.00</u>
<b>TOTAL FUNDS RECVD:</b>	<b>\$531,605.00</b>		\$316,164.00

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

At 7:50 P.M., Commissioner Norris made a motion to recess Regular Session and enter into a **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #21: Columbus County Water and Sewer Districts I, II, III, IV and V - Approval of Board Meeting Minutes:**

July 16, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

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

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

At 7:53 P.M., Commissioner Byrd made a motion to adjourn the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Norris. The motion unanimously passed.

**Agenda Item #22: CONSENT AGENDA ITEMS:**

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

**A. Budget Amendments:**

TYPE	ACCOUNT	DETAILS	AMOUNT
Expenditures	10-4268-535110	M & R Bldg/Grounds	29,794



TYPE	ACCOUNT	DETAILS	AMOUNT
Revenues	10-3991-499115	Various Fund Balances Appropriated	29,794
Expenditures	10-5191-512100	Minority Health Salaries & Wages	23,533
	10-5191-518100	FICA	1,062
	10-5191-518200	Retirement	880
	10-5191-518300	Insurance	3,700
	10-5191-518910	Christmas Bonus	25
	10-5191-519001	Contract Services	52,500
	10-5191-519000	Professional Services	40,000
	10-5191-526000	Office Supplies	29,900
	10-5191-523900	Drugs and Medical	10,000
	10-5191-526001	Dept Supplies	13,000
	10-5191-531100	Travel	12,000
	10-5191-543002	Rental Equipment	5,000
Revenue	10-3510-430163	Minority Health Grant	191,600
Expenditures	10-5170-526007	WIC Misc Support Client Services	23,616
	10-5170-526008	WIC Misc Support Nutrition Ed	5,904
Revenue	10-3510-430055	WIC	29,520

#### B. Tax Refunds and Releases:

##### Tax Refunds and

<i>Property Value</i>		Amount:	\$414.90
Washington, Lisa	<b>PROPERTY:</b> 00000	Total:	\$2,497.07
Value: \$3,920.00	Year: 02-11	Account: 10-03299	Bill#: 99999
Release value of mobile home. Mobile home fell apart in 2000. Release Cole Service (46.26), release Columbus Rescue(10.53), release Water District II(36.20), release late list(47.18)			
<i>Refunds</i>		Amount:	\$0.00
Gore, Richard J.	<b>PROPERTY:</b> 7028	Total:	\$223.00
Value: \$0.00	Year: 2011	Account: 3-09480	Bill#: 39098
Refund user fee. Activity bldg does not have a can.			
<i>User Fee</i>		Amount:	\$0.00
Alford, Kelly James & Barbara B.	<b>PROPERTY:</b> 27360	Total:	\$223.00
Value: \$0.00	Year: 2011	Account: 15-00200	Bill#: 23221
Release user fee. Dwelling is vacant.			
<i>User Fee</i>		Amount:	\$0.00
Boswell, R C (DEC) & Margaret	<b>PROPERTY:</b> 483	Total:	\$223.00
Value: \$0.00	Year: 2011	Account: 1-07200	Bill#: 26603
Release user fee. Dwelling is vacant. Can picked up			
<i>User Fee</i>		Amount:	\$0.00
Duncan, John Farron & Patricia	<b>PROPERTY:</b> 88365	Total:	\$223.00
Value: \$0.00	Year: 2011	Account: 07-03651	Bill#: 33938
Release user fee. Dwelling is vacant.			
<i>User Fee</i>		Amount:	\$0.00
Gore, Richard J.	<b>PROPERTY:</b> 7028	Total:	\$218.00
Value: \$0.00	Year: 2012	Account: 3-09480	Bill#: 13656
Release user fee. Activity bldg. does not have a can.			
<i>User Fee</i>		Amount:	\$0.00

Nixon, Elizabeth c/o Mary Greene	<b>PROPERTY:</b> 29106	Total:	\$223.00
Value: \$0.00	Year: 2011	Account: 15-28680	Bill#: 53285
Release user fee. Dwelling is vacant. Can picked up 3/19/10			
<i>User Fee</i>		Amount:	\$0.00
Stocks, Jessica Lynn	<b>PROPERTY:</b> 6596	Total:	\$223.00
Value: \$0.00	Year: 2011	Account: 3-03241	Bill#: 63357
Release user fee. Dwelling is vacant.			
<i>User Fee</i>		Amount:	\$0.00
Whitehouse, Denise K.	<b>PROPERTY:</b> 8432	Total:	\$111.22
Value: \$0.00	Year: 2011	Account: 3-02039	Bill#: 68735
Release portion of user fee. Failed to give credit on check issued on Oct 2010.			

**Agenda Item #23:: COMMENTS:**

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

**B. Department Head:**

1. **Gary Lanier, Economic Development Director:** stated the following:
  - a. I appreciate all the County Commissioners' participation with the delegation from China;
  - b. The delegation was very impressed with the manner in which they were treated and the large number of elected officials that were present;
  - c. The Chinese delegation is looking forward for our delegation to visit Zhaoyuan, China;
  - d. I need to know who will be making up the delegation;
  - e. I will need to get passports, VISA's, invitation letters for each delegate that is going; **and**
  - f. I need to start getting this information together for the visit at the end of October or early November.

Discussion was conducted relative to the following:

1. The number of high-ranking officials in the Chinese delegation;
2. The length of the trip will be from six (6) to seven (7) days;
3. The cost of the airplane ticket being approximately \$1,200 to \$1,400;
4. The trip will be scheduled at the end of October or early November; **and**
5. The Board members who will be going on the trip to Zhaoyuan, China.

A poll was taken as to the Board members who will be traveling to Zhaoyuan, China, with the following results: Chairman McKenzie, Vice Chairman McDowell, Commissioners Byrd and Russ, with Commissioner Prevatte as a possible.

**C. Board of Commissioners:**

1. **Vice Chairman McDowell:** I wanted to let Kip know that I noticed the ad for the reduced tap-on fee in the Tabor Tribune and it looked really nice, and I appreciate that.
2. **Commissioner Russ:** stated the following:
  - a. There are still problems at the end of state maintained River Road;
  - b. I want to thank Kip for the information about the water taps;
  - c. I have a question for Robert about the demolition on the old house in Riegelwood - has that been bid?  
**Robert Lewis:** the low bid was \$2,350 from M & M Trucking and I plan to send this information to the landowner.
  - d. The DSS Board of Directors would like to invite the Board of County Commissioners to the next DSS Board Meeting on August 14, 2012, at 5:30 P.M.; **and**
  - e. We hope to have a DSS Director by the next DSS Board of Directors Meeting.
3. **Commissioner Norris:** I am proud to be here.

4. **Chairman McKenzie:** stated the following:
  - a. This is information for Kip McClary, Public Utilities Director;
  - b. I have a situation with a water customer whose name is Phelma Bryant, Account #: 430105-1098, 14 Bress Scott Lane, Riegelwood, NC;
  - c. This customer has an apartment and the tenant was put in jail several months ago and the water bill is now up to \$1,081;
  - d. I am requesting that you look into this situation and bring your recommendation back to the Board; **and**
  - e. I would like to thank Gary Lanier for the outstanding visit from the Chinese delegation.
  
5. **Commissioner Byrd:** stated the following:
  - a. We need to review the recommendation that has been made by the Beaver Management Committee and recommend the changes we would like to make;
  - b. The committee has done a lot of hard work on this project and we don't need to let it lay for a long period of time; **and**
  - c. A lot of damage has been done by the beavers.

After a brief discussion, it was the general consensus of the Board to set a Workshop on August 20, 2012, at 5:30 P.M., to discuss the recommendation that has been made by the Beaver Management Committee.

**Agenda Item #24. ADJOURNMENT:**

At 8:13 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Prevatte. The motion unanimously passed.

**APPROVED:**

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

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**AMON E. MCKENZIE, Chairman**

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

**Monday, August 06, 2012**

**7:50 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District I Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:50 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

July 16, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Vice Chairman McDowell made a motion to approve the July 16, 2012 Columbus County Water and Sewer District I Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**ADJOURNMENT:**

At 7:53 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

**AMON E. MCKENZIE Chairman**

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

**Monday, August 06, 2012**

**7:50 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District II Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:50 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

July 16, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Vice Chairman McDowell made a motion to approve the July 16, 2012 Columbus County Water and Sewer District II Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**ADJOURNMENT:**

At 7:53 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

**AMON E. MCKENZIE Chairman**

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

**Monday, August 06, 2012**

**7:50 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District III Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:50 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

July 16, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Vice Chairman McDowell made a motion to approve the July 16, 2012 Columbus County Water and Sewer District III Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**ADJOURNMENT:**

At 7:53 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

**AMON E. MCKENZIE Chairman**

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

**Monday, August 06, 2012**

**7:50 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District IV Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:50 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

July 16, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Vice Chairman McDowell made a motion to approve the July 16, 2012 Columbus County Water and Sewer District IV Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**ADJOURNMENT:**

At 7:53 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

**AMON E. MCKENZIE Chairman**

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

**Monday, August 06, 2012**

**7:50 P.M.**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, to act as the Columbus County Water and Sewer District V Board.

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:50 P.M., Chairman McKenzie called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

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

July 16, 2012 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**)

Vice Chairman McDowell made a motion to approve the July 16, 2012 Columbus County Water and Sewer District V Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**ADJOURNMENT:**

At 7:53 P.M., Commissioner Byrd made a motion to adjourn, seconded by Commissioner Norris. The motion unanimously passed.

**APPROVED:**

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

**AMON E. MCKENZIE Chairman**