

**COLUMBUS COUNTY BOARD OF COMMISSIONERS****Monday, May 20, 2013****6:30 P.M.**

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

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

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

At 6:30 P.M., Chairman Charles T. McDowell called the May 20, 2013 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Commissioner Amon E. McKenzie. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner Giles E. Byrd.

**Agenda Item #4: BOARD MINUTES APPROVAL:**

Commissioner McKenzie made a motion to approve the May 06, 2013 Land Use Regulation Ordinance Workshop Minutes, and the May 06, 2013 Regular Session Board Meeting Minutes, as recorded, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #5: PUBLIC INPUT:**

Chairman McDowell opened the floor for Public Input. No public input was received either orally or written.

**Agenda Item #6: PRESENTATION - NCACC LEGISLATIVE VIDEO REPORT:**

Todd McGee, Public Relations Director, North Carolina Association of County Commissioners, requested that a video report, with concentration on Senate Bills that have been introduced that would impact County government, be played in the month of May, 2013.

June B. Hall, Clerk to the Board, played the five and one-half (5 ½) minute video.

**Agenda Item #7: BUDGET - PRESENTATION of the PROPOSED 2013-2014 COLUMBUS COUNTY OPERATING BUDGET, and REQUEST ESTABLISHMENT of PUBLIC HEARING on JUNE 03, 2013, at 6:00 P.M.:**

William S. Clark, County Manager and Budget Officer, presented the Proposed 2013-2014 Columbus County Operating Budget with the following Budget Message, and requested a public hearing be established for June 03, 2013, at 6:00 P.M.

**B U D G E T M E S S A G E**

**TO:** Mr. Charles McDowell, Chairman  
 Columbus County Board of Commissioners  
**FROM:** William S. Clark  
 Columbus County Manager  
**DATE:** May 20, 2013  
**RE:** Columbus County Fiscal Year 2013-2014 Budget Message

## Overview

The Proposed Budget for fiscal year 2013-2014 is presented in accordance with the North Carolina Budget and Fiscal Control Act, North Carolina General Statute 153A-82. North Carolina law states that a balanced budget must be publicly presented by June 1 and a balanced budget adopted by June 30. We are pleased to present a balanced budget without a property tax increase.

General fund and total budget appropriations are noted below:

<u>2013-2014 General Fund</u>	<u>2012-2013 General Fund</u>	<u>Decreased Dollars</u>	<u>%</u>
\$53,225,835	\$53,357,195	\$(131,360)	(-.01%)
<u>2013-2014 Total Budget</u>	<u>2012-2013 Total Budget</u>	<u>Decreased Dollars</u>	<u>%</u>
\$71,411,197	\$73,512,825	\$(2,101,628)	(-.03%)

## Employee Salary and Wage Adjustments

There is no proposed salary and wage adjustment for our employees.

## Local Governmental Employees Retirement System

The employer contribution to the Local Governmental Employees Retirement System will increase this year from 6.74% to 7.07% for an increase in retirement cost of \$24,526.

## Health Insurance

Our healthcare provider proposed a 28% increase in employee healthcare premiums to maintain our existing coverage. Through negotiations with our employee healthcare insurance provider, premiums were kept to an increase of 7.47% which is a savings of \$710,487. The additional cost in healthcare premiums is \$247,923. Cigna will become the county's new healthcare insurance provider. Co-pays and deductibles will remain the same for our employees.

## General Insurance

General Liability, Property and Workers Compensation insurance premiums only increased this year a total of \$14,006.

Session Law 2013-2 is now requiring the county to pay in advance estimated unemployment insurance for employees. The county is now required to pay 1% of its taxable wages. The taxable wage base is 20,900 for 2013. We have budgeted an additional \$180,000 this budget year for this advance.

## Enterprise Funds

Solid Waste User Fees: No rate change.

- A) County Residents \$218.00/year
- B) Municipal Residents \$131.00/year

Water Districts I, II, III, IV and V: No rate change.

## Revenue Sources

Ad-valorem Property Tax Collections – Tax collections are calculated based on a collection rate of 96%, at the current rate of 81.5 cents per \$100.

Transfers from Other Departments to the General Fund – Total transfers to the General Fund for indirect costs and debt repayment are as follows:

\$ 21,649 - WD I	Indirect Costs	\$ 6,943 - WD V	Indirect Costs
\$ 14,966 - WD II	Indirect Costs	\$42,829 - Health Department-Indirect Costs	
\$ 89,937 - WD II	Debt Repayment	\$19,501 - HUD	Indirect Costs
\$ 15,045 - WD III	Indirect Costs	\$41,214 - Solid Waste	Indirect Costs
\$ 76,230 - WD III	Debt Repayment	\$11,631 - Transportation	Administrative Costs
\$ 18,195 - WD IV	Indirect Costs	\$692,727 - Solid Waste	Repayment

The transferred amount of \$1,050,867 is the equivalent of approximately .035 cents in property tax that is not required in this fiscal year budget.

## Education

Total current expense allocations for city and county schools, and Southeastern Community College have been budgeted at fiscal year 2012/2013 levels. Capital outlay expenditures for city and county schools systems, and Southeastern Community College have been budgeted at fiscal year 2011/2012

levels.

### **Environmental Health Fees**

The following Environmental Health fees are also recommended due to the increased costs of supplies and materials:

(New) * IMP Permit	Currently \$75.00	Proposed \$140.00
(Expansion) IMP Permit	Currently \$75.00	Proposed \$140.00
(Revision) IMP Permit	Currently \$75.00	Proposed \$140.00
(Repair) Const. Author	Currently (0.00)	Proposed \$75.00
Re-Inspection W/O Record	Currently (0.00)	Proposed \$80.00
Migrant Housing	Currently \$50.00	Proposed \$75.00
Well Const. Permit	Currently \$150.00	Proposed \$285.00
Well Const. Permit W/V.O.C.	Currently \$150.00	Proposed \$350.00

The current fee structure is not competitive with surrounding counties.

### **Capital Outlay**

Capital outlay includes eight vehicles plus equipment for the Sheriff's Office. These vehicles will be leased over a three year period. Also, the county currently leases phone equipment for the Tax Office and the system at the Administration Office Building is obsolete. We have therefore included new systems for both offices. We will purchase equipment through the ITS contract we currently have and this will save the county approximately \$9,000 annually.

The Enterprise funds include capital outlay of 2 trucks which will be paid for by leasing them for a three year period, a trailer for the backhoe and a utility trailer.

Solid Waste's budget included capital outlay purchases of 2 trucks on a three year payment plan, equipment to monitor the gas at the landfill, a storage shed, along with 2 roll-off containers for the convenient sites.

### **Conclusion**

Staff has worked hard to provide you with a balanced budget for fiscal year 2013-2014 without a property tax increase. I would like to thank Director of Finance Bobbie Faircloth and our department managers for their efforts in the development of this budget.

Thank you for your consideration of this proposal.

Respectfully submitted,  
/s/ William S. Clark  
Columbus County Manager

Commissioner Byrd made a motion to establish a Public Hearing on June 03, 2013, at 6:00 P.M., on the Proposed 2013-2014 Columbus County Operating Budget, seconded by Vice Chairman Bullard. The motion unanimously passed.

Commissioner McKenzie made a motion to accept the Proposed 2013-2014 Columbus County Operating Budget, seconded by Commissioner Byrd. The motion unanimously passed.

Commissioner McKenzie made a motion to set a Budget Workshop Date on June 03, 2013, at 4:00 P.M., seconded by Commissioner Byrd. The motion unanimously passed.

**Agenda Item #8: 2013 SINGLE FAMILY REHABILITATION PROGRAM (SFR) - APPROVAL of FUNDING AGREEMENT, ASSISTANCE, DISBURSEMENT and PROCUREMENT POLICIES, and APPROVAL and ADOPTION of PROJECT ORDINANCE:**

Warren Wooten, The Wooten Company, requested Board approval of the Funding Agreement, Assistance, Disbursement and Procurement Policies, and approval of the following Grant Project Ordinance for the 2013 Single Family Rehabilitation Program (SFR).

**SINGLE FAMILY REHABILITATION GRANT 2013  
GRANT PROJECT ORDINANCE  
Adoption Date: May 20, 2013**

**BE IT ORDAINED** by the Board of Commissioners of the County of Columbus, North Carolina, that pursuant to Chapter 159, Section 13.2 of the General Statutes of North Carolina, the following grant project ordinance is **HEREBY ADOPTED**.

**SECTION 1.** The project authorized is for the rehabilitation of moderately deteriorated homes which are owned and occupied by elderly and/or disabled low and moderate income homeowners.

**SECTION 2.** The project director is hereby directed to proceed with the implementation of such project.

**SECTION 3.** The project will be executed in full during fiscal years 2013-2016.

**SECTION 4.** The following revenues are anticipated to be available to the County to complete this project as of 6/15/13.

ACCT #	TITLE	AMOUNT
59-3493-430260	North Carolina Housing Finance Agency	\$170,000
<b>TOTAL:</b>		<b>\$170,000</b>

**SECTION 5.** The following amounts are appropriated for the project:

ACCT #	TITLE	AMOUNT
59-4941-549898	Hard Cost	\$147,000
59-4941-558011	Soft Cost	\$33,000
<b>TOTAL:</b>		<b>\$170,000</b>

**SECTION 6.** The finance officer is directed to report quarterly on the financial status of this project. He/she shall keep the Governing Body informed at each regular meeting of any unusual occurrences.

**SECTION 7.** Copies of the Grant Project Ordinance shall be made available to the Budget Officer and the Finance Officer for directions in carrying out this project.

**ADOPTED** this 20th day of May, 2013.

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

Attested By:

/s/ **JUNE B. HALL**

**Clerk to Board of Commissioners**

Robert Clinebelle, the Wooten Company stated the following:

1. We worked with Columbus County on their 2010 Single Family Rehabilitation Program and assisted ten (10) homeowners, and finishing up one (1) additional unit on McKenzie Street;
2. The County has the opportunity to apply every three (3) years which they have done and have been awarded the project;
3. This is to help elderly and disabled homeowners from being displaced from their homes;
4. This is to help with plumbing, electrical and mechanical updates;
5. The County inspectors will be inspecting the properties;
6. The Wooten Company will be overseeing the project and reporting to County staff on a weekly basis; **and**
7. Most of the projects are \$30,000+.

Commissioner Prevatte made a motion to approve the Funding Agreement, Assistance, Disbursement and Procurement Policies, and the Grant Project Ordinance for the 2013 Single Family Rehabilitation Program (SFR), seconded by Commissioner Byrd. The motion unanimously passed. Copies of these documents will be marked as Exhibit "A", and kept on file in Minute Book

Attachments, Book Number 5, in the Clerk to the Board's Office, for review.

**Agenda Item #9: COMMUNITY FARMERS MARKET - APPROVAL OF LEASE:**

Kipling Godwin, Marketing Consultant for the Community Farmers Market, requested Board approval of the newly **revised** Community Farmers Market Lease. (This item was tabled at the April 15, 2013 Board Meeting.)

Commissioner McKenzie made a motion to table this Agenda Item, seconded by Commissioner Byrd. The motion unanimously passed.

**Agenda Item #10: PUBLIC TRANSPORTATION - APPROVAL of FIRST TRANSIT as CCT'S PROVIDER:**

Charles Patton, Public Transportation Director, requested Board approval of First Transit System as the provider for Columbus County's Public Transportation.

Mr. Patton stated the following:

1. We put out Request for Proposals to operate the system for 2013-2016;
2. We received two (2) sealed responses, one (1) from First Transit and one (1) from MV;
3. The price from MV was \$1.47 per mile and the price from First Transit was \$1.23 per mile;
4. This is a three (3) year contract with two (2) optional one (1) year extensions; **and**
5. I am recommending that First Transit be awarded the operational contract for 2014-2016, with two (2) optional one (1) year renewals.

Commissioner Russ made a motion to approve the award of the operational contract for 2014-2016, with two (2) one (1) year renewals to First Transit at one and 23/100 (\$1.23) dollars per mile, seconded by commissioner Burroughs. The motion unanimously passed.

**Agenda Item #11: AGING - APPROVAL of BID AWARD to BATEMAN and COMPANY:**

Ed Worley, Director of Aging Department, requested Board approval of the bid award for congregate meals to Bateman and Company at the bid range of \$3.53 - \$3.59 per meal, depending on volume.

Commissioner McKenzie made a motion to approve the bid award for congregate meals to Bateman and Company at the bid range of \$3.53 - \$3.59 per meal, depending on volume, seconded by Commissioner Russ. The motion unanimously passed.

**Agenda Item #12: SOCIAL SERVICES - ADMINISTRATIVE MONTHLY UPDATE:**

Algernon McKenzie, Social Services Director, presented the following Administrative Monthly Update.

Monthly agency staff meetings are held with staff and Supervisors. \$284.78 Was presented to the Columbus County Shriners Chaplin, Edward Davis, from DSS Dress Downs.

On April 9, 2013, I attended a Legal Conference in Chapel Hill. The topics covered were Family Medical Leave, unclaimed bodies and employee's use of social media. It was very informative.

On April 10-12, I attended our Annual Director's Meeting in New Bern. The session was centered around NCFAST and where we as local agencies are headed and what changes we will need to make. We also received some legislative updates from the Department of Health and Human Services.

On April 22 and 23, 2013, the Income Maintenance Administrator, one IMC Supervisor and I attended a Work Support Strategies Leadership Summit in Raleigh. The Summit was sponsored and paid for by the Division of Health and Human Services. The purpose was to help agency staff to plan for the changes with NCFAST and look at ways to change or enhance the way we do business as we move forward. We also received an update of the Affordable Care Act in North Carolina and what it will mean for local DSS agencies.

The Director's Association continues to advocate for funding to be maintained for mandated programs and services provided by DSS agencies across the state.

# 329

The Division of Medical Assistance is still looking at Medicaid Transportation. We will continue to use our current coordinated system until a decision is made about a statewide broker system.

I am glad to say we are almost fully staffed with only two positions to be filled. Both have been posted.

## Economic Services

### Food & Nutrition

Active Cases: 6,151  
Benefits Issued: \$1,553,281  
Participants Served: 13,270

### Adult Medicaid

Applications Taken: 166  
Individuals Receiving: 5,698  
Cases Terminated: 55

### Family & Children's Medicaid

Applications: 347  
Individuals Receiving: 10,230  
Applications Processed: 306

### Child Support

Absent Parents Located: 82  
Orders Enforced: 990  
Active Cases: 4,570  
Collections: \$547,792.24

## Human Services

### Adult Services (APS)

APS Reports Accepted: 15  
County Wards: 18  
Adults Served via Guardianship: 16  
Adults Served APS: 27  
Number of Medicaid Transportation Trips: 1,479  
Amount Requested for Reimbursement: \$24,833.58

### Children's Protective Services (CPS)

Reports Accepted: 42  
Reports Screened Out: 21  
Families Receiving In-Home Services: 45  
Children Served: 95  
Contacts with Families Monthly: 198  
Assessments: 27

### Foster Care

Foster Children in Foster Homes: 55  
Children Placed Outside County: 8  
Agency Adoptions: 6  
Pending Adoptions: 8  
Total Foster Homes Licensed: 18

### Work First Employment (TANF)

Applications Taken: 48  
Applications Approved: 25  
Individuals Receiving Benefits: 658  
Entered Employment: 1  
Number in Non-Paid Work Experience: 4

### Program Integrity

Collections for Fraud: \$11,370.62  
New Referrals: 7  
Cases Established: 7

### Day Care

Children Receiving Day Care Assistance: 597  
 Children on the Waiting List: 223  
 Amount Spent on Day Care Services: \$209,515.30

**HUMAN SERVICES BOARD REPORT**  
**Children's Protective Services/Intake/Investigation/Assessment**  
**Children's Protective Services/In-Home Services**  
**Children's Protective Services/Foster Care/Adoptions**  
**Adult Services**  
**Work First Employment**  
**Child Day Care**  
**Program Integrity**  
**Melinda H. Lane, Program Manager**  
**Vacancies/Updates/News for April 2013**

**Intake/Investigation/Assessment:**

The Intake/Investigation/Assessment Unit recently added a new Social Worker. JaShawna Bellamy began April 29th. The Social Worker that was on medical leave due to surgery continues to be on limited duty. The In-Home Services and Foster Care/Adoptions Units continue to assist when needed.

**In-Home Services:**

The In-Home Services Unit continues to be short-staffed due to the recent loss of a Social Worker and the recent retirement of their clerical support person. Interviews have been conducted and a recommendation made for the Social Work position and interviews will soon be scheduled for the clerical support position.

**Foster Care/Adoptions:**

The Foster Care/Adoptions Unit had to postpone the Model Approach to Partnership and Parenting (MAPP) class for prospective foster parents that was scheduled to begin April 13th. Various reasons prevented many prospects from being able to attend, thus too few to hold the class. The Unit is planning an Adoption Gala scheduled for August 17th to honor those who have adopted our children. This will be a formal black tie affair – a night to remember. More updates will follow.

**Adult Services:**

The Adult Services Unit continues to be short-staffed due to a recent voluntary demotion. However, interviews have been conducted and a recommendation made for the Social Work Position.

**Work First Employment:**

The Work First Employment Unit is very pleased with the Family Participation Rate of 41.30% and the Two-Parent Participation Rate of 100%.

**Child Day Care:**

None.

**Program Integrity:**

None.

**Economic Services Program Narrative**

Food and Nutrition Program  
 Family and Children's Medicaid  
 Work First Family Assistance/Cash/Medicaid Transportation & Supportive Services  
 Medicaid for the Aged and Disabled/Rest Home and Nursing Home/  
 Community Alternatives Program(CAP)  
 Child Support  
 Submitted by Cyndi Hammonds  
 Income Maintenance Administrator  
 Reporting Month: April 2013

**News/Updates/Vacancies**

**Food and Nutrition Unit**

The Food and Nutrition Department continues to see slow improvements with the NC FAST system. As of Monday, April 22nd, the public was able to apply for Food and Nutrition from any computer

and send the application directly to the office without ever having to come in. This allows clients to stay on their jobs and economically save clients gas money. The link to this secure, web-site is [www.ePASS.nc.gov](http://www.ePASS.nc.gov). As of April 30th, we have received 1 electronic application. Food and Nutrition passed their monthly accuracy scores.

#### **Family and Children's Medicaid**

The unit is fully staffed but has 2 that are still in training. They continue to work towards preparing for the coming of NC FAST training. Once NC FAST is in place for Medicaid, a client will come in and tell their story once to apply for more than one benefit. The system is designed to accept these applications at the same time thus cutting down wait time for the clients. Family and Children's Medicaid passed all their monthly compliance scores.

#### **Work First Family Assistance/Cash//Medicaid Transportation & Supportive Services**

Work First Family Assistance/Cash is still working diligently to gear up for NC FAST by making sure there are no duplicate ID numbers and making sure casehead/payee names are correct in the system so when the system does convert it will process in a smoother fashion. Work First passed all of their monthly compliance scores.

In Support Services, we are still awaiting a decision from the State Office concerning Medicaid Transportation.

#### **Medicaid for the Aged, Blind and Disabled/Rest Home and Nursing Home/CAP**

The Adult Medicaid Unit still has one vacancy and three that have recently been hired and are in training. Adult Medicaid is also still gearing up for NC FAST. They are preparing along with the other units to bring workers together so as clients come in to apply for more than one benefit they will not have a go from unit to unit applying.

Adult Medicaid passed all their monthly compliance scores.

#### **Child Support**

Sally McDonald, our State Child Support Representative made her monthly visit on April 17th and reviewed updates to Child Support policy and completed 2nd party reviews on 5 randomly pulled cases. They passed all their compliance scores for the month of April in Establishment and Enforcement.

#### **Agenda Item #13: ECONOMIC DEVELOPMENT - APPROVAL of PROJECT to OBTAIN FOOD PROCESSING SITE CERTIFICATION:**

Gary Lanier, Economic Development Director, requested Board approval to obtain Food Processing Site Certification for the Southeast Regional Park.

Mr. Lanier stated the following:

1. We will be the first park in the State to be so certified;
2. We are just about out of buildings, and we have available land in some very well set up industrial parks;
3. We are a highly dependent agricultural county, and it makes sense to look at food and beverage processing as a key industry to focus on;
4. Jay Garner with Garner Economics, LLC is very reputable in this field, and is a member of the Site Selectors Guild, and specializes in food and beverage;
5. We have one hundred (170) acres left in the Southeast Regional Park;
6. A typical food processing plant averages \$70 million in value and usually employs approximately one hundred to one hundred fifty (100-150) people;
7. This certification never expires; **and**
8. The money will be taken from the budgeted amount for the greenhouse project.

Discussion was conducted relative to the following:

1. The food and beverage industry is a new program that has been in existence about one to one and one-half (1-1 ½) years;
2. This project being a marketing and advertising effort, and teaming up with a top site selector and them advertising on their website, and teaming up with people in the like field;
3. What the reason is for the certification;
4. Possibility of placing limitations on the park;
5. Specialized type of certification; **and**
6. Tracks beside the railroad between Whiteville Fair Bluff containing twenty, plus (20+) acres.

Commissioner Byrd made a motion to approve an Economic Development project to obtain

Food Processing Site Certification for the Southeast Regional Park, at the cost of twenty-five thousand and 00/100 (\$25,000.00) dollars, and the funds to be derived from the Economic Development Budget, seconded by Commissioner McKenzie.

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

**AYES:** Chairman Charles McDowell, Vice Chairman Ricky Bullard, Commissioners Byrd, Burroughs, Russ and McKenzie; **and**

**NAYS:** Commissioner Prevatte.

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

**Agenda Item #14: TRAVEL and TOURISM - APPROVAL of 2012 - 2013 CONTRACT to AUDIT ACCOUNTS:**

Jennifer Holcomb, Executive Director of Columbus County Travel and Tourism, requested Board approval of the 2012 - 2013 Contract to Audit Accounts, at the cost of one thousand and 00/100 (\$1,000.00) dollars, with Thompson, Price, Scott, Adams and Company, PA.

Commissioner Russ made a motion to approve the 2012 - 2013 Contract to Audit Accounts for the Columbus County Travel and Tourism (Columbus County Tourism Development Authority), at the cost of one thousand and 00/100 (\$1,000.00) dollars, with Thompson, Price, Scott, Adams and Company, PA., seconded by Commissioner McKenzie. 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 5, in the Clerk to the Board’s Office, for review.

**Agenda Item #15: FINANCE - APPROVAL of 2012-2013 AUDITING CONTRACT:**

Bobbie Faircloth, Finance Director, is requesting Board approval of the Contract to Audit Accounts, at the cost of twenty-seven thousand, seven hundred fifty and 00/100 (\$27,750.00) dollars, with Thompson, Price, Scott, Adams and Company, PA.

Commissioner Burroughs made a motion to approve the Contract to Audit Accounts for Columbus County, at the cost of twenty-seven thousand, seven hundred fifty, and 00/100 (\$27,750.00) dollars, with Thompson, Price, Scott, Adams and Company, PA., seconded by Commissioner McKenzie. 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 5, in the Clerk to the Board’s Office, for review.

**Agenda Item #16: WATER - DEPARTMENTAL UPDATE:**

Kip McClary, Public Utilities Director, delivered the following departmental update to the Board.

**Water:**

	<b>D-I</b>	<b>D-II</b>	<b>D-III</b>	<b>D-IV</b>	<b>D-V</b>	<b>TOTAL</b>
Number Customers	1145	1383	1013	777	442	4760
New Customers Added	0	5	5	6	17	33
Total Gallons Pumped (MG)	91.1	89.4	67.5	56.1	56	360 MG
Total Gallons Sold (MG)	83.1	62.2	49.2	40.4	44.3	279 MG
Revenues from Water Sales	\$560,042	\$860,806	\$640,546	\$360,459	\$612,612	\$3,034,465

Cut Offs for non-payment: 3702 Avg. 309/month  
 Processed Work Orders: 3228 Avg. 269/month  
 Utility Locates: 305 Requests for NCDOT, Electrical/Telephone/Cable

Companies, etc.

Chlorine Residuals: Sampled at each well and distribution system daily.  
 Gallons Pumped: Logged at each well daily.  
 Water Quality: Distribution systems are flushed daily to maintain water quality.

### **Water Testing**

Water District II: Non-Compliant for TCR Testing in October 2011.  
 Water District III: Non-Compliant for TCR Testing in October 2011.  
 Water District III: Non-Compliant for SOCs in January 2011 and RADs/VOCs in February 2011.  
 Water District IV: Non-compliant for TCR Testing in October 2011.

(Testing frequency missed due to error in lab records.)

All Water Districts: Now compliant in all categories with all state regulations.

### **Sewer POTW:**

Annual Permit: 0.125 MGD  
 Average Daily Discharge: 0.025 MGD (Momentive Specialty Chemicals)

Commissioner Byrd asked Mr. McClary if we were any closer to getting water in the Hallsboro area. Mr. McClary stated that USDA had contacted them today at 4:45 P.M., and had requested some additional information.

Commissioner McKenzie asked Mr. McClary if we were any closer to having a County-wide Water System. Mr. McClary replied stating the following:

1. Mr. Rodney Tart is scheduled to spend the last week of this month in our office as part of his overall review;
2. He is going to be auditing our operations for efficiency and proficiency to include in his report;
3. He is stating that it will be the end of July, 2013 before he is ready to tabulate everything and be able to make a presentation; **and**
4. The Bid Opening for the Interconnection Project between Water District I and II is scheduled for Wednesday, May 22, 2013, at 2:00 P.M.

### **Agenda Item #17: ORDINANCE - APPROVAL to RESCIND and REPLACE EXISTING SEWER USE ORDINANCE, COLUMBUS COUNTY:**

Kip McClary, Public Utilities Director, requested Board approval to rescind and replace the following existing Sewer Use Ordinance. (This will be the first reading.)

**NOTE: For accuracy of recommended changes, a comparison is recommended of this information to the latest version adopted on June 04, 2007.**

### **TABLE OF CONTENTS**

	<b>Page #</b>
<b>SECTION 1 - GENERAL PROVISIONS</b>	
1.1 Purpose and Policy	2
1.2 Definitions and Abbreviations	2
<b>SECTION 2 - GENERAL SEWER USE REQUIREMENTS</b>	
2.1 Prohibited Discharge Standards	8
2.2 National Categorical Pretreatment Standards	8
2.3 Local Limits	9
2.4 State Requirements	9
2.5 Right of Revision	9
2.6 Dilution	9
2.7 Pretreatment of Wastewater	9
2.8 Accidental Discharge/Slug Control Plans	10
2.9 Hauled Wastewater	10
2.10 Standards and Requirements for Food Service Establishments	11

<b>SECTION 3 - FEES</b>	
3.1 Purpose	13
3.2 User Charges	13
3.3 Surcharges	13
3.4 Pretreatment Program Administration Charges	13
<b>SECTION 4 - WASTEWATER DISCHARGE PERMIT APPLICATION AND ISSUANCE</b>	
4.1 Wastewater Dischargers	14
4.2 Wastewater Permits	14
<b>SECTION 5 - REPORTING REQUIREMENTS</b>	
5.1 Baseline Monitoring Reports	20
5.2 Compliance Schedule Progress Reports	20
5.3 Reports on Compliance with Categorical Pretreatment Standard Deadline	21
5.4 Periodic Compliance Reports	21
5.5 Reports of Changed Conditions	21
5.6 Reports of Potential Problems	22
5.7 Reports from Unpermitted Users	22
5.8 Notice of Violation/Repeat Sampling and Reporting	22
5.9 Notification of the Discharge of Hazardous Waste	22
5.10 Analytical Requirements	23
5.11 Sample Collection	23
5.12 Timing	23
5.13 Record Keeping	23
5.14 Electronic Reporting	24
<b>SECTION 6 - COMPLIANCE MONITORING</b>	
6.1 Monitoring Facilities	25
6.2 Inspection and Sampling	25
6.3 Search Warrants	25
<b>SECTION 7 - CONFIDENTIAL INFORMATION</b>	26
<b>SECTION 8 - ENFORCEMENT</b>	
8.1 Administrative Remedies	27
8.2 Civil Penalties	28
8.3 Other Available Remedies	29
8.4 Remedies Nonexclusive	29
<b>SECTION 9 - ANNUAL PUBLICATION OF SIGNIFICANT NONCOMPLIANCE</b>	30
<b>SECTION 10 – ADJUDICATORY HEARINGS</b>	31
<b>SECTION 11 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS</b>	
11.1 Upset	32
11.2 Prohibited Discharge Standards Defense	32
11.3 Bypass	32
<b>SECTION 12 - SEVERABILITY</b>	34
<b>SECTION 13 - CONFLICT</b>	35
<b>SECTION 14 - EFFECTIVE DATE</b>	36
<b>SECTION 1 - GENERAL PROVISIONS</b>	
<b>1.1 Purpose and Policy</b>	

This ordinance sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for Columbus County, hereafter referred to as the County, and enables the County to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code §1251 et seq.) and the General Pretreatment Regulations

(40 CFR, Part 403).

The objectives of this ordinance are:

- (a) To prevent the introduction of pollutants and wastewater discharges into the county wastewater system that will interfere with the operation of the system or contaminate the resulting sludge;
- (b) To prevent the introduction of pollutants and wastewater discharges into the county wastewater system which will pass through the system, inadequately treated, into any waters of the State or otherwise be incompatible with the system;
- (c) To promote reuse and recycling of industrial wastewater and sludges from the county system;
- (d) To protect both county personnel who may be affected by sewage, sludge, and effluent in the course of their employment as well as protecting the general public;
- (e) To provide for equitable distribution of the cost of operation, maintenance and improvement of the county wastewater system; and
- (f) To ensure that the county complies with its NPDES or Non-discharge Permit conditions, sludge use and disposal requirements and any other Federal or State laws to which the county wastewater system is subject.

This ordinance provides for the regulation of direct and indirect contributors to the county wastewater system, through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This ordinance shall apply to all users of the county wastewater system, as authorized by N.C.G.S. 160A-312 and/or 153A-275]. The County shall designate an administrator of the Publicly Owned Treatment Works or POTW and pretreatment program hereafter referred to as the County Manager. Except as otherwise provided herein, the POTW Director shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to or imposed upon the County Manager may be delegated by the County Manager to other County personnel. By discharging wastewater into the County wastewater system, industrial users agree to comply with the terms and conditions established in this Ordinance, as well as any permits, enforcement actions, or orders issued hereunder.

## 1.2 Definitions and Abbreviations

- (a) Unless the context specifically indicates otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated:
  - (1) Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. §1251, et seq.
  - (2) Approval Authority. The Director of the Division of Water Quality of the North Carolina Department of Environment and Natural Resources or his designee.
  - (3) Authorized Representative of the Industrial User.
    - (i) If the industrial user is a corporation, authorized representative shall mean:
      - A) the president, secretary, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
      - B) the manager of one or more manufacturing, production, or operation facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
    - (ii) If the industrial user is a partnership or sole proprietorship, an authorized representative shall mean a general partner or the proprietor, respectively.
    - (iii) If the industrial user is a Federal, State or local government facility, an authorized representative shall mean a director or highest official appointed

- or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (iv) The individuals described in paragraphs i-iii above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the County.
  - (v) If the designation of an authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of this section must be submitted to the County Manager prior to or together with any reports to be signed by an authorized representative.
- (4) Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g. mg/l).
  - (5) Building Sewer. A sewer conveying wastewater from the premises of a user to the POTW.
  - (6) Bypass. The intentional diversion of waste streams from any portion of a user's treatment facility.
  - (7) Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standard.
  - (8) Control Authority. Refers to the POTW organization of the POTW organizations Pretreatment Program approval has not been withdrawn.  
~~Director. The person designated by the County to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this ordinance, or his duly authorized representative.~~
  - (9) Environmental Protection Agency, or EPA. The U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
  - (10) Food Service Establishment means any food service facility, with the exception of private residences, discharging kitchen or food preparation wastewater such as restaurants, motels, hotels, cafeterias, delicatessens, meat cutting preparation, bakeries, catering establishments, hospitals, schools, bars, food courts, food manufacturers, grocery stores, lounges, nursing homes, churches, Bed & Breakfast Homes and Inns, etc. and any other facility that, in the opinion of the Utilities Director would require a grease trap installation by virtue of its operation. The definition includes, but is not limited to, any establishment required to have a North Carolina Department of Health food service license.
  - (11) Grab Sample. A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.
  - (12) Grease means a material either liquid or solid, composed primarily of fat, oil and grease from animal or vegetable sources. The terms “fats, oil, and grease (FOG)”, “oil and grease” or “oil and grease substances” shall all be included within this definition.
  - (13) Grease Interceptor or Grease Traps means devices located underground, outside or under sinks or fixtures of the food service establishments designed to collect, contain or remove food wastes and grease from the wastestream while allowing the balance of the liquid waste to discharge to the wastewater collection system. Grease Interceptors and Grease Traps shall have a means of inspection, cleaning and maintenance. For the purpose of this definition, the terms are used interchangeably, however, grease interceptors are usually large and normally located outside the establishment while grease traps are normally sized for under-the-counter use and located inside the establishment under sinks and fixtures.
  - (14) Holding Tank Waste. Any waste from holding tanks, including but not limited to such holding tanks as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
  - (15) Indirect Discharge or Discharge. The discharge or the introduction from any nondomestic source regulated under section 307(b), ©, or (d) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).
  - (16) Industrial User or User. Any person which is a source of indirect discharge.
  - (17) Interference. The inhibition, or disruption of the POTW treatment processes,

operations, or its sludge process, use, or disposal, which causes or contributes to a violation of any requirement of the POTW's NPDES or Non-discharge Permit or prevents sewage sludge use or disposal in compliance with specified applicable State and Federal statutes, regulations, or permits. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with section 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA)(42 U.S.C. §6901, et seq.), the Clean Air Act, the Toxic Substances Control Act, the Marine Protection Research and Sanctuary Act (MPRSA) or more stringent state criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

- (18) Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- (19) National Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and © of the Act (33 U.S.C. §1317) which applies to a specific category of industrial users, and which appears in 40 CFR Chapter 1, Subchapter N, Parts 405-471.
- (20) National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 2.1 of this ordinance and are developed under the authority of 307(b) of the Act and 40 CFR, section 403.5.
- (21) New Source.
  - (i) Any building, structure, facility, or installation from which there may be a discharge of pollutants, the construction of which commenced after the publication of proposed categorical pretreatment standards under section 307© of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with section 307©, provided that:
    - (A) the building, structure, facility, or installation is constructed at a site at which no other source is located; or
    - (B) the building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
    - (C) the production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
  - (ii) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of section (i)(B) or © above but otherwise alters, replaces, or adds to existing process or production equipment.
  - (iii) For purposes of this definition, construction of a new source has commenced if the owner or operator has:
    - (A) Begun, or caused to begin, as part of a continuous on-site construction program:
      - 1 Any placement, assembly, or installation of facilities or equipment; or
      - 2. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
    - (B) Entered into a binding contractual obligation for the purchase of facilities or equipment that are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this definition.
- (22) Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished

- product.
- (23) National Pollution Discharge Elimination System, or NPDES, Permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. §1342), or pursuant to N.C.G.S. 143-215.1 by the State under delegation from EPA.
- (24) Non-discharge Permit. A permit issued by the State pursuant to G.S. 143-215.1(d) for a waste which is not discharged directly to surface waters of the State or for a wastewater treatment works which does not discharge directly to surface waters of the State.  
~~Non-discharge Permit. A disposal system permit issued by the State pursuant to N.C.G.S. 143-215.1.~~
- (25) Pass Through. A discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or with discharges from other sources, causes a violation, including an increase in the magnitude or duration of a violation, of the POTW's NPDES, collection system, or Non-discharge Permit, or a downstream water quality standard.
- (26) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all Federal, State, and local government entities.
- (27) pH. A measure of the acidity or alkalinity of a substance, expressed as standard units, and calculated as the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- (28) Pollutant. Any "waste" as defined in N.C.G.S. 143-213(18) and dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, county, and agricultural waste and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, metals, BOD, COD, toxicity, or and odor).
- (29) POTW Director. The chief administrative officer of the Control Authority and his/her delegate.  
~~POTW Director. The County administrator designated with the responsibility for the pretreatment program and enforcement of this Sewer Use Ordinance.~~
- (30) POTW Treatment Plant. That portion of the POTW designed to provide treatment to wastewater.
- (31) Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW collection system and/or treatment plant. The reduction or alteration may be obtained by physical, chemical, or biological processes, or process changes or other means, except as prohibited by 40 CFR Part 403.6(d).  
~~Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollution into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes or other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.~~
- (32) Pretreatment Program. The program for the control of pollutants introduced into the POTW from non-domestic sources which was developed by the County in compliance with 40 CFR 403.8 and approved by the approval authority as authorized by N.C.G.S. 143-215.3(a)(14) in accordance with 40 CFR 403.11.
- (33) Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment, other than a pretreatment standard.
- (34) Pretreatment Standards. Any prohibited discharge standards, categorical standards, or and local limit which applies to an industrial user.
- (35) Publicly Owned Treatment Works (POTW) or County Wastewater System. A treatment works as defined by section 212 of the Act, (33 U.S.C. §1292) which is owned in this instance by the County. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of county sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to the POTW treatment plant. For the purposes of this ordinance, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the County who are, by contract or agreement with the County, or in any other way, users of the POTW of

the County.

- (36) Severe Property Damage. Substantial physical damage to property, damage to the user's treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (37) Significant Industrial User or SIU. An industrial user that discharges wastewater into a publicly owned treatment works and that:  
~~Significant Industrial User. Any industrial user of the wastewater disposal system who~~
- (i) Discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewaters); or  
~~has an average daily process wastewater flow of 25,000 gallons or more, or~~
  - (ii) contributes more than 5% of any design or treatment capacity (i.e., allowable pollutant load) of the wastewater treatment plant receiving the indirect discharge, or
  - (iii) is subject to Categorical Pretreatment Standards under 40 CFR Part 403.6 and 40 CFR chapter I, Subchapter N, Parts 405-471; or  
~~is required to meet a National categorical pretreatment standard, or~~
  - (iv) is found by the County, the Division Of Water Quality or the U.S. Environmental Protection Agency (EPA) to have the potential for impact, either singly or in combination with other contributing industrial users, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or compliance with any pretreatment standards or requirements.
- (38) Significant Noncompliance ~~or Reportable Noncompliance~~. A status of noncompliance defined as follows:
- ~~(f) Violations of wastewater discharge limits:~~
    - (A) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six (66) percent or more of all the measurements taken for the same pollutant parameter (not including flow) during a six month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR Part 403.3(l);
    - (B) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three (33) percent or more of all the measurements taken for the same pollutant parameter during a six-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR Part 403.3(l) multiplied by the applicable TRC; (TRC = 1.4 for BOD, TSS, fats, oil and grease, 1.2 for all other pollutants (except flow and pH));
    - (C) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR Part 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the Control Authority and/or POTW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
    - (D) Any discharge of a pollutant or wastewater that has caused imminent endangerment to human health, welfare or to the environment or has resulted in either the Control Authority's or the POTW's, if different from the Control Authority, exercise of its emergency authority under 40 CFR Part 403.8(f)(1)(vi)(B) and Section [8.1(e)] of this SUO to halt or prevent such a discharge;
  - ~~(A) Chronic Violations. Sixty-six percent or more of the measurements exceed (by any magnitude) the same daily maximum limit or the same average limit in a six-month period.~~
  - ~~(B) Technical Review Criteria (TRC) violations. Thirty-three percent or more of the measurements equal or exceed the TRC times the limit (maximum or average) in a six-month period. There are two groups of TRCs:~~
    - ~~For the conventional pollutants: BOD, TSS, fats, oil and grease TRC = 1.4~~
    - ~~For all other pollutants TRC = 1.2~~
  - ~~(C) Any other violation(s) of an effluent limit (average or daily maximum) that the control authority believes has caused, alone or in combination with other discharges, interference or pass-through, or endangered the health of the~~

- ~~sewage treatment plant personnel or the public.~~
- ~~(D) Any discharge of a pollutant that has caused imminent endangerment to human health/welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.~~
- E) Violations of compliance schedule milestones, contained in a pretreatment permit or enforcement order, for starting construction, completing construction, and attaining final compliance by 90 days or more after the schedule date.
- (F) Failure to provide reports for compliance schedule, self-monitoring data, baseline monitoring reports, 90-day compliance reports, and periodic compliance reports within 30 45 days from the due date.
- (G) Failure to accurately report noncompliance.
- (H) Any other violation or group of violations that the control authority considers to be significant.
- (39) Slug Load or Discharge. Any discharge at a flow rate or concentration which has a reasonable potential to cause Interference or Pass-Through, or in any other way violates the POTW's regulations, local limits, or Industrial User Permit conditions. This can include but is not limited to spills and other accidental discharges; discharges of a non-routine, episodic nature; a non-customary batch discharge; or any other discharges that can cause a violation of the prohibited discharge standards in section 2.1 of this ordinance.
- (40) Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1987.
- (41) Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (42) Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.
- (43) Upset. An exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities lack of preventive maintenance, or careless or improper operation.
- (44) Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, mobile sources, treatment facilities and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which are contributed into or permitted to enter the POTW.
- (45) Wastewater Permit. As set forth in section 4.2 of this ordinance.
- (46) Waters of the State. All streams, rivers, brooks, swamps, sounds, tidal estuaries, bays, creeks, lakes, waterways, reservoirs ~~lakes, ponds, marshes, watercourse, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems~~ and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.
- (b) This ordinance is gender neutral and the masculine gender shall include the feminine and vice-versa.
- (c) Shall is mandatory; may is permissive or discretionary.
- (d) The use of the singular shall be construed to include the plural and the plural shall include the singular as indicated by the context of its use.
- (e) The following abbreviations when used in this ordinance, shall have the designated meanings:
- (1) BOD Biochemical Oxygen Demand
  - (2) CFR Code of Federal Regulations
  - (3) COD Chemical Oxygen Demand
  - (4) EPA Environmental Protection Agency
  - (5) gpd Gallons per day
  - (6) l Liter
  - (7) mg Milligrams
  - (8) mg/l Milligrams per liter
  - (9) N.C.G.S. North Carolina General Statutes

- (10) NPDES National Pollution Discharge Elimination System
- (11) O & M Operation and Maintenance
- (12) POTW Publicly Owned Treatment Works
- (13) RCRA Resource Conservation and Recovery Act
- (14) SIC Standard Industrial Classification
- (15) SIU Significant Industrial User
- (16) SWDA Solid Waste Disposal Act
- (17) TSS Total Suspended Solids
- (18) TKN Total Kjeldahl Nitrogen
- (19) U.S.C United States Code.

## SECTION 2 - GENERAL SEWER USE REQUIREMENTS

### 2.1 Prohibited Discharge Standards

- (a) General Prohibitions. No user shall contribute or cause to be contributed into the POTW, directly or indirectly, any pollutant or wastewater which causes interference or pass through. These general prohibitions apply to all users of a POTW whether or not the user is a significant industrial user or subject to any National, State, or local pretreatment standards or requirements.
- (b) Specific Prohibitions. No user shall contribute or cause to be contributed into the POTW the following pollutants, substances, or wastewater:
  - (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21.
  - (2) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than one half inch (½") in any dimension.
  - (3) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
  - (4) Any wastewater having a pH less than 5.0 or more than 12 or wastewater having any other corrosive property capable of causing damage to the POTW or equipment.
  - (5) Any wastewater containing pollutants, including oxygen-demanding pollutants, (BOD, etc) in sufficient quantity, (flow or concentration) either singly or by interaction with other pollutants, to cause interference with the POTW.
  - (6) Any wastewater having a temperature greater than 150° F (66° C), or which will inhibit biological activity in the POTW treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104° F (40° C).
  - (7) Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
  - (8) Any trucked or hauled pollutants, except at discharge points designated by the County Manager in accordance with section 2.9 of this ordinance.

Pollutants, substances, wastewater, or other wastes prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the county wastewater system. All floor drains located in process or materials storage areas must discharge to the industrial user's pretreatment facility before connecting with the system.

When the County Manager determines that a user(s) is contributing to the POTW, any of the above-enumerated substances in such amounts which may cause or contribute to interference of POTW operation or pass through, the County Manager shall:

- 1) advise the user(s) of the potential impact of the contribution on the POTW in accordance with section 8.1; and
- 2) take appropriate actions in accordance with section 4 for such user to protect the POTW from interference or pass through.

### 2.2 National Categorical Pretreatment Standards

Users subject to categorical pretreatment standards are required to comply with applicable standards as set out in 40 CFR Chapter 1, Subchapter N, Parts 405-471 and incorporated herein.

- (a) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the County Manager may impose equivalent

- concentration or mass limits in accordance with 40 CFR 403.6©.
- (b) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the County Manager shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).
  - (c) A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
  - (d) A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.
  - (e) A user may request a removal credit adjustment to a categorical standard in accordance with 40 CFR 403.7.

### 2.3 Local Limits

An industrial waste survey is required prior to a User discharging wastewater containing in excess of the following average discharge limits.

BOD	250	mg/l	
TSS	250	mg/l	
NH3	25	mg/l	
Arsenic	0.003	mg/l	
Cadmium	0.003	mg/l	
Chromium	0.05	mg/l	(total chromium)
Copper	0.061	mg/l	
Cyanide	0.015	mg/l	
Lead	0.049	mg/l	
Mercury	0.0003	mg/l	
Nickel	0.021	mg/l	
Silver	0.005	mg/l	
Zinc	0.175	mg/l	

Industrial Waste Survey information will be used to develop user-specific local limits when necessary to ensure that the POTW's maximum allowable headworks loading are not exceeded for particular pollutants of concern. User-specific local limits for appropriate pollutants of concern shall be included in wastewater permits. The County Manager may impose mass based limits in addition to, or in place of concentration based limits.

### 2.4 State Requirements

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this ordinance.

### 2.5 Right of Revision

The County reserves the right to establish limitations and requirements which are more stringent than those required by either State or Federal regulation if deemed necessary to comply with the objectives presented in section 1.1 of this ordinance or the general and specific prohibitions in section 2.1 of this ordinance, as is allowed by 40 CFR 403.4.

### 2.6 Dilution

No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the National categorical pretreatment standards, unless expressly authorized by an applicable pretreatment standard, or in any other pollutant-specific limitation developed by the County or State.

### 2.7 Pretreatment of Wastewater

- (a) Pretreatment Facilities  
Users shall provide wastewater treatment as necessary to comply with this ordinance and wastewater permits issued under section 4.2 of this ordinance and shall achieve compliance with all National categorical pretreatment standards, local limits, and the prohibitions set out in section 2.1 of this ordinance within the time limitations as

specified by EPA, the State, or the County Manager, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the County for review, and shall be approved by the County Manager before construction of the facility. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the County under the provisions of this ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be approved by the County Manager prior to the user's initiation of the changes.

(b) Additional Pretreatment Measures

1. Whenever deemed necessary, the County Manager may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this ordinance.
2. The County Manager may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
3. Grease, oil, and sand interceptors shall be provided when, in the opinion of the County Manager, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the County Manager and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense.
4. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

## 2.8 Accidental Discharge/Slug Control Plans

- (a) The County Manager shall evaluate whether each significant industrial user needs a plan or other action to control and prevent slug discharges and accidental discharges as defined in Section 1.2(a) (39). All SIUs must be evaluated within one year of being designated an SIU. The County Manager may require any user to develop, submit for approval, and implant such a plan or other specific action. Alternatively, the County Manager may develop such a plan for any user.
- (b) All SIUs are required to notify the POTW immediately of any changes at its facility affecting the potential for spills and other accidental discharge, discharge of a non-routine, episodic nature, a non-customary batch discharge, of a slug load. Also see Sections 5.5 and 5.6.
- (c) An accidental discharge/slug control plan shall address, at a minimum, the following:
  - (1) Description of discharge practices, including nonroutine batch discharges;
  - (2) Description of stored chemicals;
  - (3) Procedures for immediately notifying the County Manager of any accidental or slug discharge, as required by section 5.6 of this ordinance; and
  - (4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

## 2.9 Hauled Wastewater

- (a) Septic tank waste may be introduced into the POTW only at locations designated by the County Manager, and at such times as are established by the County Manager. Such waste shall not violate section 2 of this ordinance or any other requirements established by the County. The County Manager may require septic tank waste haulers to obtain wastewater

- discharge permits.
- (b) The County Manager shall require haulers of industrial waste to obtain wastewater discharge permits. The County Manager may require generators of hauled industrial waste to obtain wastewater discharge permits. The County Manager also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this ordinance.
  - (c) Industrial waste haulers may discharge loads only at locations designated by the County Manager. No load may be discharged without prior consent of the County Manager. The County Manager may collect samples of each hauled load to ensure compliance with applicable standards. The County Manager may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
  - (d) Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

### **Requirement for Fats, Oil and Grease Interceptors and Grease Traps:**

Oil and Grease Interceptors or Grease Traps shall be provided when, in the opinion of the County Manager, they are necessary for the proper handling of wastewater containing excessive amounts of fats, oil and grease; except that such interceptors or grease traps shall not be required for residential users. All interceptors or grease traps shall be of type and capacity approved by the County and shall be so located to be easily accessible for cleaning and inspection. Such interceptors or grease traps shall be installed, inspected, cleaned, maintained, and repaired regularly, as needed, by the owner, leaseholder or operator at their expense for continuous, satisfactory and effective operation.

## **2.10 Standards and Requirements for Food Service Establishments**

### **(a) General Requirements**

- (1) All Food Service Establishments shall provide means of preventing adverse impacts from grease and oil discharges to the POTW. This requirement is in addition to any applicable requirements of the North Carolina Plumbing Code.
- (2) Grease interceptors shall be adequately sized, with no interceptor less than 1000 gallons total capacity unless such interceptors are not feasible to install and approved by the County. Grease interceptors will be designed, constructed and installed for adequate load-bearing capacity.
- (3) For cases in which “outdoor” grease interceptors are infeasible to install, Food Service Establishments will be required to install approved “under-the-counter” grease traps.
- (4) A grease trap(s) may be installed in lieu of a grease interceptor, at the discretion of the County. This determination will be based on engineering concepts that dictate the grease interceptor installation is not feasible. The design and location of grease traps must be approved by the County prior to installation.
- (5) Alternative grease removal devices or technologies such as automatic grease removal systems shall be subject to approval by the County prior to installation. Approval of the device shall be based on demonstrated removal efficiencies and reliability of operation. The County may approve these types of devices depending on manufacturers’ specifications on a case-by-case basis.
- (6) All grease traps or interceptors must be installed by a properly licensed plumbing contractor.
- (7) In the event a Food Service Establishment’s grease handling facilities are nonexistent, under-designed or substandard in accordance with this Article, the owner will be notified of the deficiencies and of the required improvements necessary. The owner may be given a compliance deadline not to exceed six (6) months to correct deficiencies and to conform to the requirements of this standard.
- (8) The inlet chamber of interceptors will incorporate an open sanitary tee, which extends 16 inches below the operating water level of the vessel. The outlet chamber of the interceptor will incorporate an open sanitary tee that extends to within 12 inches of the bottom of the vessel. The sanitary tees (both inlet and outlet) will not be capped but open for visual inspection of the wastestream.
- (9) All grease interceptors, whether singular or two tanks in series, must have each

- chamber directly accessible from the surface to provide means for servicing and maintaining the interceptors in working order and operating condition.
- (10) Sizing of “under-the-counter” grease trap units will be in accordance with recommended ratings for commercial grease traps as published by the Plumbing and Drainage Institute or by other acceptable engineering practice or recommendation.
  - (11) All pot and pan wash, pre-rinse sinks of automatic dishwashers, can wash, wok ovens, food prep sinks, mop sinks and other grease laden drains shall discharge to a grease interceptor or grease trap.
  - (12) Where automatic dishwashers are installed, the discharge from those units will discharge directly into the building drainage system without passing through a grease interceptor or grease trap, unless otherwise directed by the County.
  - (13) Where food waste grinders are installed, the wastestream from those units shall discharge directly into the building drainage system without passing through the grease interceptor or grease trap.
  - (14) Grease interceptors are not to be installed within a drive-thru pick up area or underneath menu boards or in the vicinity of menu boards.
  - (15) No new Food Service Establishments will be allowed to initiate operations until all grease-handling facilities are installed, inspected and approved by the County. The County may elect to request from the appropriate building official that certificates of occupancy be withheld until compliance with the County’s grease handling facility requirements are fully met.
  - (16) Establishments whose grease handling facilities or methods are not adequately maintained to prevent fats, oils and grease (FOG) from entering the sewerage system in quantities which cause or contribute to interference shall be notified of any noncompliance and required to provide corrections as necessary.
  - (17) All Food Service Establishment grease handling facilities shall be subject to review, evaluation, and inspection by County representatives during normal working hours. Results of inspections will be made available to owners, or operator. The County may make recommendations for corrective actions and improvements.
  - (18) Food Service Establishments receiving unsatisfactory evaluation or inspections may be subject to penalties or other corrective actions as provided for in this Article.
  - (19) Food Service Establishments that continue to violate the County’s Fats, Oil and Grease Standards and Requirements may be subject to additional enforcement action including termination of services. Additionally, failure to comply may result in the notification of the Columbus County Health Department for request of enforcement action that may lead to revocation of food service permit.
  - (20) Food Service Establishments whose operations cause or allow excessive FOG to be discharged or accumulate in the County’s collection system may be liable to the County for costs related to County service calls for line blockages, line cleaning, line and pump repairs, etc. including all labor, materials and equipment costs. If the blockage results in a Sewer System Overflow (SSO) and the County is penalized for the SSO, the penalty may be passed along to the Food Service Establishment.
  - (21) Regularly scheduled maintenance of grease interceptors and grease traps is required to insure adequate operation. In maintaining the grease interceptors and/or grease traps, the owner, leaseholder, or operator shall be responsible for the proper removal and disposal of grease by appropriate means and shall maintain an on-site record of dates and means of disposal.
  - (22) The owner shall be responsible for ensuring that no grease from a grease interceptor or grease trap is reintroduced back into the interceptor or into the County sewerage system.
  - (23) The exclusive use of enzymes, grease-consuming bacteria, grease solvents, emulsifiers, etc. (in lieu of physical cleaning) is not considered acceptable grease trap maintenance practice.
  - (24) Any Food Service Establishment whose discharge to the sewerage system is determined by the County to cause interference in the conveyance or operation of the sewerage system may be required to sample the grease interceptor and/or grease trap discharge and have the sample analyzed for FOG at the expense of the owner, leaseholder, or operator. Results of such analyses shall be reported to the County.
  - (25) All grease interceptors and/or grease traps shall be designed and installed to allow for complete access for inspection and maintenance of the inner chamber(s) and viewing and sampling of effluent discharged to the sewer system. These chambers shall not be visually obscured with soil, mulch, floorings or pavement of any substance.
  - (26) Food Service Establishments shall adopt Best Management Practices (BMPs) for

handling sources of floatable fats, oils and greases originating within their facility. The County may render advice regarding the minimization of wastes.

(b) Exceptions

Under certain circumstances, the interceptor size and location may need special exception to this standard. If an exception to this standard is requested, the owner must demonstrate that the size and/or location of the grease interceptor or grease trap will not cause the facility any problems in meeting the discharge requirements of the County.

## SECTION 3 - FEES

### 3.1 Purpose

It is the purpose of this chapter to provide for the recovery of costs from users of the wastewater disposal system of the County for the implementation of the program established herein. The applicable charges or fees shall be set forth in a schedule of sewer use charges and fees by the County Manager and approved by the County Board of Commissioners. A copy of these charges and fees will be made available from the County Manager.

### 3.2 User Charges

A user charge shall be levied on all users including, but not limited to, persons, firms, corporations or governmental entities that discharge, cause or permit the discharge of sewage into the POTW.

- (a) The user charge shall reflect, at least, the cost of debt service, operation and maintenance (including replacement) of the POTW.
- (b) Each user shall pay its proportionate cost based on volume of flow.
- (c) The Manager of the County shall review annually the sewage contributions of users, the total costs of debt service, operation and maintenance of the POTW and will make recommendations to the Council or Board serving the County for adjustments in the schedule of charges and fees as necessary.
- (d) Charges for flow to the POTW not directly attributable to the users shall be distributed among all users of the POTW based upon the volume of flow of the users.

### 3.3 Surcharges

The amount of the surcharges will be based upon the volume of flow and the character and concentration of the constituents of the wastewater:

- (a) The volume of flow used in determining the total discharge of wastewater for payment of user charges and surcharges shall be based on the following:
  - (1) Metered water consumption as shown in the records of meter readings maintained by the County; or
  - (2) If required by the County or at the individual discharger's option, other flow monitoring devices which measure the actual volume of wastewater discharged to the sewer. Such devices shall be accessible and safely located, and the measuring system shall be installed in accordance with plans approved by the County. The metering system shall be installed and maintained at the users' expense according to arrangements that may be made with the County.
  - (3) Where any user procures all or part of his water supply from sources other than the County, the user shall install and maintain at his own expense a flow-measuring device of a type approved by the County.
- (b) The character and concentration of the constituents of the wastewater used in determining surcharges shall be determined by samples collected and analyzed by the County. Samples shall be collected in such a manner as to be representative of the actual discharge and shall be analyzed using procedures set forth in 40 CFR Part 136.
- (c) The determination of the character and concentration of the constituents of the wastewater discharge by the County Manager or his duly appointed representatives shall be binding as a basis for charges.

### 3.4 Pretreatment Program Administration Charges

The schedule of charges and fees adopted by the County may include charges and fees for:

- (a) reimbursement of costs of setting up and operating the Pretreatment Program;
- (b) monitoring, inspections and surveillance procedures;

- (c) reviewing slug control plans, including accidental and/or slug load discharge procedures and construction plans and specifications;
- (d) permitting;
- (e) other fees as the County may deem necessary to carry out the requirements of the Pretreatment Program.

## SECTION 4

### WASTEWATER DISCHARGE PERMIT APPLICATION AND ISSUANCE

#### 4.1 Wastewater Dischargers

It shall be unlawful for any person to connect or discharge to the POTW without first obtaining the permission of the County. When requested by the County Manager, a user must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request. The County Manager is authorized to prepare a form for this purpose and may periodically require users to update this information.

#### 4.2 Wastewater Permits

All significant industrial users shall obtain a significant industrial user permit prior to the commencement of discharge to the POTW. Existing industrial users who are determined by the County Manager to be significant industrial users shall obtain a significant industrial user permit within 180 days of receiving notification of the County Manager's determination. Industrial users who do not fit the significant industrial user criteria may at the discretion of the County Manager be required to obtain a wastewater discharge permit for non-significant industrial users.

- (a) **Significant Industrial User Determination**  
All persons proposing to discharge non-domestic wastewater, or proposing to change the volume or characteristics of an existing discharge of non-domestic wastewater shall request from the County Manager a significant industrial user determination. If the County Manager determines or suspects that the proposed discharge fits the significant industrial user criteria he will require that a significant industrial user permit application be filed.
- (b) **Significant Industrial User Permit Application**  
Users required to obtain a significant industrial user permit shall complete and file with the County, an application in the form prescribed by the [County Manager], and accompanied by an application fee in the amount prescribed in the schedule of charges and fees. Significant industrial users shall apply for a significant industrial user permit within 90 days after notification of the County Manager's determination in [4.2(a)] above. The application shall include at a minimum:
  - (A) name of industrial user;
  - (B) address of industrial user;
  - (C) standard industrial classification (SIC) code(s) or expected classification and industrial user category;
  - (D) wastewater flow;
  - (E) types and concentrations (or mass) of pollutants contained in the discharge;
  - (F) major products manufactured or services supplied;
  - (G) description of existing on-site pretreatment facilities and practices;
  - (H) locations of discharge points;
  - (I) raw materials used or stored at the site;
  - (J) flow diagram or sewer map for the industrial user;
  - (K) number of employees;
  - (L) operation and production schedules; and
  - (M) description of current and projected waste reduction activities in accordance with G.S. 143-215.1(g);

~~(b) — Significant Industrial User Permit Application~~

~~Users required to obtain a significant industrial user permit shall complete and file with the County, an application in the form prescribed by the County Manager, and accompanied by an application fee in the amount prescribed in the schedule of charges and fees. Significant industrial users shall apply for a significant industrial user permit within 90 days after notification of the POTW Director's determination in 4.2(a) above. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:~~

- ~~(1) — Name, address, and location, (if different from the address);~~
- ~~(2) — Standard Industrial Classification (SIC) codes for pretreatment, the industry as a whole, and any processes for which categorical pretreatment standards have been promulgated;~~

- (3) ~~Analytical data on wastewater constituents and characteristics including but not limited to those mentioned in section 2 of this ordinance, any of the priority pollutants (section 307(a) of the Act) which the applicant knows or suspects are present in the discharge as determined by a reliable analytical laboratory, and any other pollutant of concern to the POTW; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to section 304(g) of the Act and contained in 40 CFR, Part 136, as amended and as required in Section 5.10 and 5.11;~~
- (4) ~~Time and duration of the indirect discharge;~~
- (5) ~~Average daily and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;~~
- (6) ~~Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, floor drains, sewer connections, direction of flow and appurtenances by the size, location and elevation;~~
- (7) ~~Description of activities, facilities and plant processes on the premises including all materials which are or could be accidentally or intentionally discharged;~~
- (8) ~~Where known, the nature and concentration of any pollutants in the discharge which are limited by any County, State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards;~~
- (9) ~~If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be longer than the compliance date established for the applicable pretreatment standard. The following conditions apply to this schedule:~~
- (i) ~~The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards. No increment in the schedule shall exceed nine (9) months;~~
- (ii) ~~No later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the POTW Director including, at a minimum, whether or not it complied with the increment of progress, the reason for any delay, and if appropriate, the steps being taken by the user to return to the established schedule. In no event shall more than nine (9) months elapse between such progress reports to the County Manager.~~
- (10) ~~Each product produced by type, amount, process or processes and rate of production;~~
- (11) ~~Type and amount of raw materials processed (average and maximum per day);~~
- (12) ~~Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;~~
- ~~(13) If subject to a categorical standard, a baseline monitoring report in accordance with 40 CFR 403.12(b) and 15A NCAC 2H .0908(a), as outlined in section 5.1 of this ordinance.~~
- (14) ~~Any other information as may be deemed by the County Manager to be necessary to evaluate the permit application.~~

(c) Application Signatories and Certification

All wastewater discharge permit applications and user reports must be signed by the current authorized representative of the user on file with the County as defined in Section 1.2(a) (3) and contain the following certification statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

(d) Application Review And Evaluation

The County Manager will evaluate the data furnished by the user and may require additional information.

- (1) The County Manager is authorized to accept applications for the County and shall refer all applications to the POTW staff for review and evaluation.
- (2) Within 30 days of receipt the County Manager shall acknowledge and accept the complete application; or if not complete, shall return the application to the applicant with a statement of what additional information is required.

(e) Tentative Determination and Draft Permit

- (1) The POTW staff shall conduct a review of the application and an on-site inspection

- of the significant industrial user, including any pretreatment facilities, and shall prepare a written evaluation and tentative determination to issue or deny the significant industrial user permit.
- (2) If the staff's tentative determination in Paragraph (1) above is to issue the permit, the following additional determinations shall be made in writing:
    - (I) proposed discharge limitations for those pollutants proposed to be limited;
    - (ii) a proposed schedule of compliance, including interim dates and requirements, for meeting the proposed limitations; and
    - (iii) a brief description of any other proposed special conditions which will have significant impact upon the discharge described in the application.
  - (3) The staff shall organize the determinations made pursuant to Paragraphs (1) and (2) above and the general permit conditions of the County into a significant industrial user permit.
- (f) Permit supporting documentation. The Control Authority staff shall prepare the following documents for all Significant Industrial User permits.
- (1) An allocation table (AT) listing permit information for all Significant Industrial Users, including but not limited to permit limits, permit effective and expiration dates, and a comparison of total permitted flows and loads with Division approved maximum allowable loadings of the POTW, including flow, on forms or in a format approved by the Division. The AT shall be updated as permits are issued or renewed, and as permits are modified where the permitted limits or other AT information is revised.
  - (2) The basis, or rationale, for the pretreatment limitations, including the following:
    - (A) documentation of categorical determination, including documentation of any calculations used in applying categorical pretreatment standards; and
    - (B) documentation of the rationale of any parameters for which monitoring has been waived under 40 CFR Part 403.12(e)(2).

~~(f) — Permit Synopsis~~

~~A fact sheet providing a brief synopsis of the application shall be prepared by the POTW staff for submission to the applicant and the approval authority and shall be made available to the public upon request. The contents of such fact sheets shall include at least the following information:~~

~~(1) a sketch and detailed description of the industrial facilities and pretreatment facilities including the location of all points of discharge to the POTW and all established compliance monitoring points;~~

~~(2) a quantitative description of the discharge described in the application which includes at least the following:~~

- ~~(i) the rate or frequency of the proposed discharge; if the discharge is continuous, the average daily flow;~~
- ~~(ii) the actual average daily discharge in pounds per day of any limited pollutant and any pollutant identified in the application as known or suspected present; and;~~
- ~~(iii) the basis for the pretreatment limitations including the documentation of any calculations in applying categorical pretreatment standards;~~

(g) Final Action On Significant Industrial User Permit Applications

- (1) The County Manager shall take final action on all applications not later than 90 days following receipt of a complete application.
- (2) The County Manager is authorized to:
  - (i) issue a significant industrial user permit containing such conditions as are necessary to effectuate the purposes of this ordinance and N.C.G.S. 143-215.1;
  - (ii) issue a significant industrial user permit containing time schedules for achieving compliance with applicable pretreatment standards and requirements;
  - (iii) modify any permit upon not less than 60 days notice and pursuant to section 4.2(I) of this ordinance;
  - (iv) revoke any permit pursuant to section 8.1 of this ordinance;
  - (v) suspend a permit pursuant to section 8.1 of this Ordinance;
  - (vi) deny a permit application when in the opinion of the County Manager such discharge may cause or contribute to pass-through or interference of the wastewater treatment plant or where necessary to effectuate the purposes of G.S. 143-215.1.

~~(h) Hearings: The local government may conduct hearings in accordance with its regular hearing procedure.~~

- (1) ~~Initial Adjudicatory Hearing. An applicant whose permit is denied, or is granted subject to conditions he deems unacceptable, a permittee/user assessed a civil penalty under section 8.2, or one issued an administrative order under section 8.1 shall have the right to an adjudicatory hearing before a hearing officer designated by the POTW Director upon making written demand, identifying the specific issues to be contested to the POTW Director within 30 days following receipt of the significant industrial user permit, civil penalty assessment, or administrative order. Unless such written demand is made within the time specified herein, the action shall be final and binding. The hearing officer shall make a final decision on the contested permit, penalty, or order within 45 days of the receipt of the written demand for a hearing. The POTW Director shall transmit a copy of the hearing officer's decision by registered or certified mail.~~
- ~~(i) New Permits. Upon appeal, including judicial review in the General Courts of Justice, of the terms or conditions of a newly issued permit, the terms and conditions of the entire permit are stayed and the permit is not in effect until either the conclusion of judicial review or until the parties reach a mutual resolution.~~
- ~~(ii) Renewed Permits. Upon appeal, including judicial review in the General Courts of Justice, of the terms or conditions of a renewed permit, the terms and conditions of the existing permit remain in effect until either the conclusion of judicial review or until the parties reach a mutual resolution.~~
- (2) ~~Final Appeal Hearing. Any decision of a hearing officer made as a result of an adjudicatory hearing held under section 4.2(h)(1) above may be appealed, to the Council or Board serving the County upon filing a written demand within 10 days of receipt of notice of the decision. Hearings held under this Subdivision shall be conducted in accordance with Local hearing procedures. Failure to make written demand within the time specified herein shall bar further appeal. The Council or Board serving the County shall make a final decision on the appeal within 90 days of the date the appeal was filed and shall transmit a written copy of its decision by registered or certified mail.~~
- (3) ~~Official record. When a final decision is issued under section 4.2(h)(2) above, the Council or Board serving the County shall prepare an official record of the case that includes:~~
- ~~(i) All notices, motions, and other like pleadings;~~
- ~~(ii) A copy of all documentary evidence introduced;~~
- ~~(iii) A certified transcript of all testimony taken, if testimony is transcribed. If testimony is taken and not transcribed, then a narrative summary of any testimony taken.~~
- ~~(iv) A copy of the final decision of the Council or Board serving the County.~~
- (4) ~~Judicial Review. Any person against whom a final order or decision of the Council or Board serving the County is entered, pursuant to the hearing conducted under section 4.2(h)(2) above, may seek judicial review of the order or decision by filing a written petition within 30 days after receipt of notice by registered or certified mail of the order or decision, but not thereafter, with the Superior Court of Columbus County along with a copy to the County. Within 30 days after receipt of the copy of the petition of judicial review, the Council or Board serving the County shall transmit to the reviewing court the original or a certified copy of the official record.~~
- (h) Permit Modification
- (1) Modifications of permits shall be subject to the same procedural requirements as the issuance of permits except as listed below. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance
- (i) changes in the ownership of the discharge when no other change in the permit is indicated,
- (ii) a single modification of any compliance schedule not in excess of four months,
- (iii) modification of compliance schedules (construction schedules) in permits for new sources where the new source will not begin to discharge until control facilities are operational.
- (2) Within 9 months of the promulgation of a National categorical pretreatment standard, the wastewater discharge permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a National categorical pretreatment standard, has not previously submitted an application for a wastewater discharge permit as required by section 4.2(b), the user shall apply for a wastewater discharge permit within 180 days after the promulgation of the applicable National categorical pretreatment standard.

- (3) A request for a modification by the permittee shall constitute a waiver of the 60-day notice required by G.S. 143-215.1(b) for modifications.
- (I) Permit Conditions
    - (1) The County Manager shall have the authority to grant a permit with such conditions attached as he believes necessary to achieve the purpose of this ordinance and N.C.G.S. 143-215.1. Wastewater permits shall contain, but are not limited to, the following:
      - (i) a statement of duration ( in no case more than five years);
      - (ii) a statement of non-transferability;
      - (iii) applicable effluent limits based on categorical standards or local limits or both;
      - (iv) applicable monitoring, sampling, reporting, notification, and record keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State and local law;
      - (v) requirements for notifying the POTW in the event of an accidental discharge or slug load as defined in Section 1.2(a) (39);
      - (vi) requirements to implement a Plan or other controls for prevention of accidental discharges and/or slug loads as defined in Section 1.2(a) (39), if determined by the County Manager to be necessary for the User and,
      - (vii) requirements for immediately notifying the POTW of any changes at its facility affecting the potential for spills and other accidental discharges, or slug load as defined in 1.2(a) (39). Also see Sections 5.5 and 5.6;
      - (viii) a statement of applicable civil and/or criminal penalties for violation of pretreatment standards and requirements and any applicable compliance schedule.
    - (2) In addition, permits may contain, but are not limited to, the following:
      - (i) Limits on the average and/or maximum rate of discharge, and/or requirements for flow regulation and equalization.
      - (ii) Limits on the instantaneous, daily and/or monthly average and/or maximum concentration, mass, or other measure of identified wastewater pollutants or properties.
      - (iii) Requirements for the installation of pretreatment technology or construction of appropriate containment devices, etc., designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works.
      - (iv) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the county wastewater system.
      - (v) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the system.
      - (vi) Requirements for installation and maintenance of inspection and sampling facilities and equipment.
      - (vii) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
      - (viii) Requirements for immediate reporting of any instance of noncompliance and for automatic resampling and reporting within thirty (30) days where self-monitoring indicates a violation(s).
      - (ix) Compliance schedules for meeting pretreatment standards and requirements.
      - (x) Requirements for submission of periodic self-monitoring or special notification reports.
      - (xi) Requirements for maintaining and retaining plans and records relating to wastewater discharges as specified in section 5.13 and affording the County Manager, or his representatives, access thereto.
      - (xii) Requirements for prior notification and approval by the County Manager of any new introduction of wastewater pollutants or of any significant change in the volume or character of the wastewater prior to introduction in the system.
      - (xiii) Requirements for the prior notification and approval by the County Manager of any change in the manufacturing and/or pretreatment process used by the permittee.
      - (xiv) A statement that compliance with the permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State

pretreatment standards, including those which become effective during the terms of the permit.

- (xv) Other conditions as deemed appropriate by the County Manager to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.

(j) Permit Duration

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date.

(k) Permit Transfer

Wastewater permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.

(l) Permit Reissuance

A significant industrial user shall apply for permit reissuance by submitting a complete permit application in accordance with section 4.2 a minimum of 180 days prior to the expiration of the existing permit.

## SECTION 5 - REPORTING REQUIREMENTS

### 5.1 Baseline Monitoring Reports

- (a) Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the County Manager a report which contains the information listed in paragraph (b), below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the County Manager a report which contains the information listed in paragraph (b), below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (b) Users described above shall submit the information set forth below.
  - (1) Identifying Information. The name and address of the facility, including the name of the operator and owner.
  - (2) Environmental Permits. A list of any environmental control permits held by or for the facility.
  - (3) Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
  - (4) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403,6(e).
  - (5) Measurement of Pollutants.
    - (i) The categorical pretreatment standards applicable to each regulated process.
    - (ii) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the County Manager, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in section 5.10 of this ordinance.
    - (iii) Sampling must be performed in accordance with procedures set out in section 5.11 of this ordinance and 40 CFR 403.12(b) and (g), including 40 CFR 403.12(g) (4).
  - (6) Certification. A statement, reviewed by the user's current authorized representative as defined in Section 1.2(a) (3) and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment

is required to meet the pretreatment standards and requirements.

- (7) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in section 5.2 of this ordinance.
- (8) Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with section 4.2© of this ordinance.

## 5.2 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by section 5.1(b) (7) of this ordinance:

- (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (b) No increment referred to above shall exceed nine (9) months;
- (c) The user shall submit a progress report to the County Manager no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- (d) In no event shall more than nine (9) months elapse between such progress reports to the County Manager.

## 5.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the County Manager a report containing the information described in section 5.1(b)(4-6) of this ordinance. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6©, this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with section 4.2© of this ordinance.

## 5.4 Periodic Compliance Reports

County may sample and analyze user discharges in lieu of requiring the users to conduct sampling and analysis.

- (a) All significant industrial users shall, at a frequency determined by the County Manager but in no case less than once every six months, submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the applicable flows for the reporting period. Sampling and analysis must be performed in accordance with procedures set out in section 5.10 and 5.11 of this ordinance. All periodic compliance reports must be signed and certified in accordance with section 4.2© of this ordinance.
- (b) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- (c) If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the County Manager, using the procedures prescribed in section 5.10 of this ordinance, the results of this monitoring shall be included in the report.

### 5.5 Reports of Changed Conditions

Each user must notify the County Manager of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change. The permittee shall not begin the changes until receiving written approval from the Control Authority and/or Municipality. See Section 5.6(d) for other reporting requirements.

- (a) The County Manager may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under section 4.2 of this ordinance.
- (b) The County Manager may issue a wastewater discharge permit under section 4.2 of this ordinance or modify an existing wastewater discharge permit under section 4.2 of this ordinance in response to changed conditions or anticipated changed conditions.
- (c) For purposes of this requirement, significant changes include, but are not limited to, flow or pollutant increases of twenty percent (20%) or greater, and the discharge of any previously unreported pollutants.

### 5.6 Reports of Potential Problems

- (a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, as defined in Section 1.2(a) (39), that may cause potential problems for the POTW, the user shall immediately telephone and notify the County Manager of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- (b) Within five (5) days following such discharge, the user shall, unless waived by the County Manager, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.
- (c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph (a), above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- (d) All SIUs are required to notify the POTW immediately of any changes at its facility affecting the potential for spills and other accidental discharge, discharge of a non-routine, episodic nature, a non-customary batch discharge, or a slug load as defined in Section 1.2(a) (39).

### 5.7 Reports from Unpermitted Users

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the County Manager as the County Manager may require.

### 5.8 Notice of Violation/Repeat Sampling and Reporting

- (a) If sampling performed by a user indicates a violation, the user must notify the County Manager within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the County Manager within thirty (30) days after becoming aware of the violation. If allowed by the County Manager, the user is not required to resample:
  - (i) if the County Manager monitors at the user's facility at least once a month; or
  - (ii) if the County Manager samples between the user's initial sampling and when the user receives the results of this sampling.
- (b) If the County Manager has performed the sampling and analysis in lieu of the industrial user ~~does not require the user to perform any self-monitoring~~ and the POTW sampling of the user indicates a violation, the County Manager shall repeat the sampling and obtain the results of the repeat analysis within thirty (30) days after becoming aware of the violations, unless one of the following occurs:
  - (i) the County Manager monitors at the user's facility at least once a month; or

- (ii) the County Manager samples the user between their initial sampling and when the POTW receives the results of this initial sampling; or
- (iii) The County Manager requires the user to perform sampling and submit the results to the County Manager within the 30 day deadline of the POTW becoming aware of the violation.

### **5.9 Notification of the Discharge of Hazardous Waste**

The County prohibits the discharge of any hazardous wastes without notification and approval of the County Manager.

- (a) Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharge during the calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharge. However, notifications of changed conditions must be submitted under section 5.5 of this ordinance. The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of sections 5.1, 5.3, and 5.4 of this ordinance.
- (b) Dischargers are exempt from the requirements of paragraph (a), above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specific in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
- (c) In the case of any new regulation under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the County Manager, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- (d) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (e) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

### **5.10 Analytical Requirements**

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed by a laboratory certified by the state to perform the wastewater analyses in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard or unless otherwise performed in accordance with procedures approved by EPA or the County. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA and County.

### **5.11 Grab and Composite Sample Collection**

- (a) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and

maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

- (b) Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, volatile organic compounds, and any other pollutants as required by 40 CFR 136. The POTW shall determine the number of grabs necessary to be representative of the User's discharge. See 40 CFR 403.12(g) (5) for additional grab sample number requirements for BMR and 90 Day Compliance Reports. Additionally, the County Manager may allow collection of multiple grabs during a 24 hour period which are composited prior to analysis as allowed under 40 CFR 136.
- (c) Composite Samples: All wastewater composite samples shall be collected with a minimum of hourly aliquots or grabs for each hour that there is a discharge. All wastewater composite samples shall be collected using flow proportional composite collection techniques, unless time-proportional composites or grab sampling is authorized by the County Manager. When authorizing time-proportional composites or grabs, the samples must be representative and the decision to allow the alternative sampling must be documented.

### **5.12 Timing**

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

### **5.13 Record Keeping**

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the County, or where the user has been specifically notified of a longer retention period by the County Manager.

### **5.14 Electronic Reporting**

The County Manager may develop procedures for receipt of electronic reports for any reporting requirements of this Ordinance. Such procedures shall comply with 40 CFR Part 3. These procedures shall be enforceable under Section 8 of this Ordinance.

## **SECTION 6 - COMPLIANCE MONITORING**

### **6.1 Monitoring Facilities**

The County requires the user to provide and operate at the user's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises, but the County may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the requirements of the County and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the County.

### **6.2 Inspection and Sampling**

The County will inspect the facilities of any user to ascertain whether the purpose of this ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the County, approval authority and EPA or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination and copying or in the performance of any of their duties. The County, approval authority and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the County, approval authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. Denial of the POTW Director's County's, approval authority's, or EPA's access to the user's premises shall be a violation of this ordinance. Unreasonable delays may constitute denial of access.

### 6.3 Search Warrants

If the County Manager, approval authority, or EPA has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the County designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the County Manager County, approval authority, or EPA may seek issuance of a search warrant from the court having jurisdiction within the County.

### SECTION 7 - CONFIDENTIAL INFORMATION

~~Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the POTW Director that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. Any such request must be asserted at the time of submission of the information or data.~~

~~When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available upon written request to governmental agencies for uses related to this ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, Non-discharge permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.~~

~~All records relating to compliance with Pretreatment Standards shall be made available to officials of the approval authority and EPA upon request.~~

- (a) Information and data provided by an industrial user to the County Manager pursuant to this ordinance identifying the nature and frequency of a discharge, shall be available to the public without restriction. All other information which may be so submitted by an industrial user to the County Manager in connection with any required reports shall also be available to the public unless the industrial user or other interested person specifically identifies the information as confidential upon submission and is able to demonstrate to the satisfaction of the County Manager that the disclosure of such information or a particular part thereof to the general public would divulge methods or processes entitled to protection as trade secrets.
- (b) Information provided by an industrial user to the County Manager that is determined to be entitled to confidential treatment shall be made available upon written request to the Division of Water Quality or any state agency for uses related to the Pretreatment Program, the National Pollutant Discharge Elimination System (NPDES) Permit, collection system permit, stormwater permit, and/or Non-discharge permit, and for uses related to judicial review or enforcement proceedings involving the person furnishing the report.
- (c) Information and data received by the Division or other state agency under paragraph (b)

above shall be subject to the processes set forth in G.S. 143-215.3C.

## **SECTION 8 - ENFORCEMENT**

### **8.1 Administrative Remedies**

#### **(a) Notification Of Violation**

Whenever the County Manager finds that any industrial user has violated or is violating this Ordinance, wastewater permit, or any prohibition, limitation or requirements contained therein or any other pretreatment requirement the County Manager may serve upon such a person a written notice stating the nature of the violation. Within 30 days from the date of this notice, an explanation for the violation and a plan for the satisfactory correction thereof shall be submitted to the County by the user. Submission of this plan does not relieve the discharger of liability for any violations occurring before or after receipt of the notice of violation.

#### **(b) Consent Orders**

The County Manager is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the discharger to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as an administrative order issued pursuant to section 8.1(d), below.

#### **(c) Show Cause Hearing**

The County Manager may order any industrial user who causes or is responsible for an unauthorized discharge, has violated this ordinance or is in noncompliance with a wastewater discharge permit to show cause why a proposed enforcement action should not be taken. In the event the County Manager determines that a show cause order should be issued, a notice shall be served on the user specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.

The County Manager shall review the evidence presented at the hearing and determine whether the proposed enforcement action is appropriate.

A show cause hearing under this section is not a prerequisite to the assessment of a civil penalty under section 8.2 nor is any action or inaction taken by the County Manager under this section subject to an administrative appeal under Section 10.

#### **(d) Administrative Orders**

When the County Manager finds that an industrial user has violated or continues to violate this ordinance, permits or orders issued hereunder, or any other pretreatment requirement the County Manager may issue an order to cease and desist all such violations and direct those persons in noncompliance to do any of the following:

- (1) Immediately comply with all requirements;
- (2) Comply in accordance with a compliance time schedule set forth in the order;
- (3) Take appropriate remedial or preventive action in the event of a continuing or threatened violation;
- (4) Disconnect unless adequate treatment facilities, devices or other related appurtenances are installed and properly operated within a specified time period.

#### **(e) Emergency Suspensions**

The County Manager may suspend the wastewater treatment service and/or wastewater permit when such suspension is necessary in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment, interferes with the POTW or causes the POTW to violate any condition of its NPDES or Non-discharge permit.

Any user notified of a suspension of the wastewater treatment service and/or the wastewater permit shall immediately stop or eliminate the contribution. A hearing will be held within 15 days of the notice of suspension to determine whether the suspension may be lifted or the user's waste discharge permit terminated. In the event of a failure to comply voluntarily with the suspension order, the County Manager shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The County Manager shall reinstate the wastewater permit and the wastewater treatment service upon proof of the elimination of the noncompliant discharge. The industrial user shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the County Manager prior to the date of the above-described hearing.

(f) Termination of Permit or Permission to Discharge

The County Manager may revoke a wastewater discharge permit or permission to discharge for good cause, including, but not limited to, the following reasons:

- (1) Failure to accurately report the wastewater constituents and characteristics of his discharge;
- (2) Failure to report significant changes in operations, or wastewater constituents and characteristics;
- (3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or,
- (4) Violation of conditions of the permit or permission to discharge, conditions of this ordinance, or any applicable State and Federal regulations.

Noncompliant industrial users will be notified of the proposed termination of their wastewater permit and will be offered an opportunity to show cause under section 8.1 of this ordinance why the proposed action should not be taken.

## 8.2 Civil Penalties

- (a) Any user who is found to have failed to comply with any provision of this ordinance, or the orders, rules, regulations and permits issued hereunder, may be ~~fin~~ assessed a civil penalty up to twenty-five thousand dollars (\$25,000) per day per violation.

Penalties between \$10,000 and \$25,000 per day per violation may be assessed against a violator only if:

- (I) For any class of violation, only if a civil penalty has been imposed against the violator within the five years preceding the violation, or
  - (ii) In the case of failure to file, submit, or make available, as the case may be, any documents, data, or reports required by this ordinance, or the orders, rules, regulations and permits issued hereunder, only if the County Manager determines that the violation was intentional and a civil penalty has been imposed against the violator within the five years preceding the violation.
- (b) In determining the amount of the civil penalty, the County Manager shall consider the following:
- (i) The degree and extent of the harm to the natural resources, to the public health, or to public or private property resulting from the violation;
  - (ii) The duration and gravity of the violation;
  - (iii) The effect on ground or surface water quantity or quality or on air quality;
  - (iv) The cost of rectifying the damage;
  - (v) The amount of money saved by noncompliance;
  - (vi) Whether the violation was committed willfully or intentionally;
  - (vii) The prior record of the violator in complying or failing to comply with the pretreatment program;
  - (viii) The costs of enforcement to the County.
- (c) Appeals of civil penalties assessed in accordance with this section shall be as provided in section 4.2(h).

## 8.3 Other Available Remedies

Remedies, in addition to those previously mentioned in this ordinance, are available to the County Manager who may use any single one or combination against a noncompliant user. Additional available remedies include, but are not limited to:

## (a) Criminal Violations.

The District Attorney for the applicable Judicial District may, at the request of the County, prosecute noncompliant users who violate the provisions of N.C.G.S. 143-215.6B. [Note: Under North Carolina law, it is a crime to negligently violate any term, condition, or requirement of a pretreatment permit, or negligently fail to apply for a pretreatment permit, issued by local governments (G.S. 143-215.6B(f)), to knowingly and willfully violate any term, condition, or requirement of a pretreatment permit, or knowingly and willfully fail to apply for a pretreatment permit, issued by local governments (G.S. 143-215.6B(g)), to knowingly violate any term, condition, or requirement of a pretreatment permit issued by local governments, or knowingly fail to apply for a pretreatment permit, knowing at the time that a person is placed in imminent danger of death or serious bodily injury, (G.S. 143-215.6B(h)), and to falsify information required under Article 21 of Chapter 143 of the General Statutes (G.S. 143-215.6B(I)).]

## (b) Injunctive Relief

Whenever a user is in violation of the provisions of this ordinance or an order or permit issued hereunder, the County Manager, through the City Attorney, may petition the Superior Court of Justice for the issuance of a restraining order or a preliminary and permanent injunction which restrains or compels the activities in question.

## (c) Water Supply Severance

Whenever an industrial user is in violation of the provisions of this ordinance or an order or permit issued hereunder, water service to the industrial user may be severed and service will only recommence, at the user's expense, after it has satisfactorily demonstrated ability to comply.

## (d) Public Nuisances

Any violation of the prohibitions or effluent limitations of this ordinance or of a permit or order issued hereunder, is hereby declared a public nuisance and shall be corrected or abated as directed by the County Manager. Any person(s) creating a public nuisance shall be subject to the provisions of the appropriate ordinances of the County governing such nuisances, including reimbursing the POTW for any costs incurred in removing, abating or remedying said nuisance.

**8.4 Remedies Nonexclusive**

The remedies provided for in this ordinance are not exclusive. The County Manager may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the County's enforcement response plan. However, the County Manager may take other action against any user when the circumstances warrant. Further, the County Manager is empowered to take more than one enforcement action against any noncompliant user.

**SECTION 9 - ANNUAL PUBLICATION OF SIGNIFICANT NONCOMPLIANCE**

At least annually, the County Manager shall publish in a newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW, a list of those industrial users which were found to be in significant noncompliance, also referred to as reportable noncompliance, in 15A NCAC 2H .0903(b) ~~(10)~~ (34), with applicable pretreatment standards and requirements, during the previous 12 months.

**SECTION 10 – ADJUDICATORY HEARINGS**

Hearings: The local government may conduct hearings in accordance with its regular hearing procedure.

- (a) Initial Adjudicatory Hearing. An applicant whose permit is denied, or is granted subject to conditions he deems unacceptable, a permittee/user assessed a civil penalty under section 8.2, or one issued an administrative order under section 8.1 shall have the right to an adjudicatory hearing before a hearing officer designated by the County Manager or other hearing officer appointed by the County Manager upon making written demand, identifying the specific issues to be contested, to the County Manager within 30 days following receipt of the significant industrial user permit, civil penalty assessment, or administrative order.

Unless such written demand is made within the time specified herein, the action shall be final and binding and further appeal is barred. For modified permits, only those parts of the permit being modified may be adjudicated. The hearing officer shall make a final decision on the contested permit, penalty, or order within 45 days of the receipt of the written demand for a hearing. The County Manager shall transmit a copy of the hearing officer's decision by registered or certified mail as described in paragraph © below. The terms and conditions of a permit under appeal shall be as follows.

- (i) **New Permits.** Upon appeal, including judicial review in the General Courts of Justice, of the terms or conditions of a newly issued permit, the terms and conditions of the entire permit are stayed and the permit is not in effect until either the conclusion of judicial review or until the parties reach a mutual resolution.
- (ii) **Renewed Permits.** Upon appeal, including judicial review in the General Courts of Justice, of the terms or conditions of a renewed permit, the terms and conditions of the existing permit remain in effect until either the conclusion of judicial review or until the parties reach a mutual resolution.
- (iii) **Terminated Permits.** Upon appeal, including judicial review in the General Courts of Justice, of a terminated permit, no permit is in effect until either the conclusion of judicial review or until the parties reach a mutual resolution.
- (b) **Final Appeal Hearing.** Any decision of a hearing officer made as a result of an adjudicatory hearing held under section 4.2(h)(1) paragraph (a) above may be appealed, to the Council or Board serving the County upon filing a written demand within 10 days of receipt of notice of the decision. Hearings held under this Subdivision shall be conducted in accordance with Local hearing procedures. Failure to make written demand within the time specified herein shall bar further appeal. The Council or Board serving the County shall make a final decision on the appeal within 90 days of the date the appeal was filed from receipt of the demand filed under paragraph (a) and shall transmit a written copy of its decision by registered or certified mail as described in paragraph © below. The decision is a final decision for the purpose of seeking judicial review.
- (c) **Official record.** When a final decision is issued under section 4.2(h)(2) paragraph (b) above, the Council or Board serving the County shall prepare an official record of the case that includes:
  - (i) All notices, motions, and other like pleadings;
  - (ii) A copy of all documentary evidence introduced;
  - (iii) A certified transcript of all testimony taken, if testimony is transcribed. If testimony is taken and not transcribed, then a narrative summary of any testimony taken.
  - (iv) A copy of the final decision of the Council or Board serving the County.
- (d) **Judicial Review.** Any person against whom a final order or decision of the Council or Board serving the County is entered, pursuant to the hearing conducted under section 4.2(h)(2) paragraph (b) above, may seek judicial review of the order or decision by filing a written petition request for review by the Superior Court of Columbus County within 30 days after receipt of notice by registered or certified mail of the order or decision, but not thereafter, with the Superior Court of Columbus County along with a copy to the County. Within 30 days after receipt of the copy of the petition of judicial review written request for review by the Court, the Council or Board serving the County shall transmit to the reviewing court the original or a certified copy of the official record.

## **SECTION 11 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS**

### **11.1 Upset**

- (a) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of paragraph (b), below, are met.
- (b) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (1) An upset occurred and the user can identify the cause(s) of the upset;
  - (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
  - (3) The user has submitted the following information to the County Manager within twenty-four (24) hours of becoming aware of the upset [if this information is provided orally, a written submission must be provided within five (5) days]:
    - (i) A description of the indirect discharge and cause of noncompliance;
    - (ii) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;

- and
- (iii) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- (c) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- (d) Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.
- (e) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

## 11.2 Prohibited Discharge Standards Defense

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in section 2.1 (a) of this ordinance or the specific prohibitions in sections 2.1(b)(2), (3), and (5 - 7) of this ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- (a) A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
- (b) No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the County was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

## 11.3 Bypass

- (a) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (b) and © of this section.
- (b)
  - (1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the County Manager, at least ten (10) days before the date of the bypass, if possible.
  - (2) A user shall submit oral notice to the County Manager of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of this time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The County Manager may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
- (c)
  - (1) Bypass is prohibited, and the County Manager may take an enforcement action against a user for a bypass, unless
    - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
    - (iii) The user submitted notices as required under paragraph (b) of this section.
  - (2) The County Manager may approve an anticipated bypass, after considering its adverse effects, if the County Manager determines that it will meet the three conditions listed in paragraph (c)(1) of this section.

## SECTION # 12 - SEVERABILITY

If any provision, paragraph, word, section or article of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

**SECTION 12 13 - CONFLICT**

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

**SECTION 13 14 - EFFECTIVE DATE**

This ordinance shall be in full force and effect on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**INTRODUCED** the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**FIRST READING:** \_\_\_\_\_, 20\_\_.

**SECOND READING:** \_\_\_\_\_, 20\_\_.

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

AYES:

NAYS:

ABSENT:

NOT VOTING:

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Chairman, Columbus County Commissioners

ATTEST: \_\_\_\_\_ (Seal) County Clerk

Published the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Commissioner Prevatte made a motion to approve and adopt the Sewer Use Ordinance, Columbus County, on its first reading, seconded by Commissioner McKenzie. The motion unanimously passed.

**Agenda Item #18: MENTAL HEALTH - APPOINTMENT TO EASTPOINTE HUMAN SERVICES:**

Ken Jones, CEO of Eastpointe, requested the Board to appoint a Commissioner Representative to the Eastpointe Human Services.

Commissioner Byrd made a motion to re-appoint Commissioner James E. Prevatte to the Eastpointe Human Services Board, seconded by Commissioner Burroughs. The motion unanimously passed.

After discussion was conducted, there was a general consensus for a letter to be prepared and mailed to Ken Jones, CEO, Eastpointe Human Services, for the nine (9) mandated positions to be rotated around all the counties on a regular basis.

**Agenda Item #19: RECORDS RETENTION and DISPOSITION SCHEDULE - APPROVAL of UPDATES:**

North Carolina Department of Cultural Resources requested Board approval for the following sections - County Management, Register of Deeds and County Tax Administration, of the Records Retention and Disposition Schedule.

Vice Chairman Bullard made a motion to approve the updates to the Records Retention and Disposition Schedule for County Management, Register of Deeds and County Tax Administration, seconded by Commissioner Byrd. The motion unanimously passed.

**Agenda Item #20: RESOLUTION - APPROVAL and ADOPTION of RESOLUTION to SUPPORT the 2013-2015 FUNDING for CLEAN WATER MANAGEMENT TRUST FUND:**

Chairman McDowell requested Board approval and adoption of the following Resolution to Support the 2013-2015 Funding for Clean Water Management Trust Fund.

**RESOLUTION to SUPPORT the 2013-2015 FUNDING for CLEAN WATER MANAGEMENT TRUST FUND**

**WHEREAS**, the 1996 General Assembly established the Clean Water Management Trust Fund to provide an innovative and non-regulatory approach to the protection and restoration of the surface waters all across the state; **and**

**WHEREAS**, the Clean Water Management Trust Fund is a non-regulatory program established to help meet infrastructure needs of municipalities and counties, restore degraded surface water, protect watersheds, increase recreational opportunities, and enhance quality of life in this state, all critical components for communities to obtain a competitive edge in their economic development; **and**

**WHEREAS**, the Clean Water Management Trust Fund has funded 452 infrastructure projects to assist North Carolina communities balance infrastructure needs with environmental protection and to help struggling communities become self reliant with future infrastructure needs; **and**

**WHEREAS**, infrastructure needs across the state addressing drinking water, wastewater, and storm water are estimated at \$16.6 billion between 2005 and 2030; **and**

**WHEREAS**, the Clean Water Management Trust Fund has leveraged more than \$1 billion of private, local and federal funds to support projects; **and**

**WHEREAS**, the General Assembly has reduced funding for the Clean Water Management Trust Fund by 78% since 2010; **and**

**WHEREAS**, limited funding for the Clean Water Management Trust Fund left 88% of 2012 critical local needs unmet; **and**

**WHEREAS**, our economic vitality, health and ability to sustain ourselves and the natural environment all rely on clean water; **and**

**WHEREAS**, surface water must be protected to ensure sufficient drinking water supply for the state's growing industrial base and population; **and**

**WHEREAS**, Clean Water Management Trust Fund has provided grant(s) to various cities and towns to protect, restore or enhance surface water quality for the benefit of the state's agriculture, military, recreation and tourism economies and to protect our natural heritage for the benefit of all North Carolinians.

**NOW, THEREFORE, BE IT RESOLVED** by the Columbus County Board of Commissioners, at its meeting on May 20, 2013, that we support the Clean Water Management Trust Fund and that the fund receive an increase in recurring funding from the Governor and the North Carolina General Assembly for the 2013-2015 Biennial Budget.

**APPROVED and ADOPTED** this the 20<sup>th</sup> day of May, 2013.

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**  
/s/ **CHARLES T. McDOWELL, Chairman**  
**ATTESTED BY:**  
/s/ **JUNE B. HALL, Clerk to Board**

Commissioner Byrd made a motion to approve and adopt the Resolution to Support the 2013-2015 Funding for Clean Water Management Trust Fund, seconded by Commissioner Burroughs. The motion unanimously passed.

21. **Appointments/Re-Appointments/Replacements to Committees/Boards/Councils:** June B. Hall, Clerk to the Board, is requesting the following appointments/re-appointments/replacements be made.

COMMITTEE	DISTRICT /EB	PERSON(S)	EXPIRE DATE	BOARD ACTION
Department of Aging Advisory Council	VII	Frances Ellington Doris Dockery	06-30-2013 06-30-2013	<b>Re-Appoint</b> <b>Re-Appoint</b>
Emergency Communications Oversight Committee	VII	Ronald B. Hayes <b>(Resigned)</b>	12/2014	<b>Edwin Ezzell</b>
Home and Community Care Block Grant for Aging Service Advisory Council	VII	J.D. Gore Ken Buck	06-30-2013 06-30-2013	<b>Re-appoint</b> <b>Re-appoint</b>

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

At 7:52 P.M., Commissioner McKenzie made a motion to recess Regular Session and enter into a **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Vice Chairman Bullard. The motion unanimously passed.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

May 06, 2013 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

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

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to MONTHLY WATER BILLS for APRIL, 2013:**

Kip McClary, Public Utilities Director, requested Board approval of the adjustments to the monthly water bills for April, 2013.

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

**Agenda Item #24: CONSENT AGENDA ITEMS:**

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

**A. Budget Amendments:**

TYPE	ACCOUNT	DETAILS	AMOUNT
<b>Expenditures</b>	10-9800-598005	Transfer to Debt Service	389,100
	30-9830-810015	Courthouse Annex Project	300,000
	30-9830-820016	Courthouse Annex Interest payment	89,100
<b>Revenues</b>	10-3991-499101	Fund Balance Appropriated	389,100

	30-3983-498001	Transfer from General Fund	389,100
<b>Expenditures</b>	10-4155-522000	Food and Provisions	500
	10-4155-526000	Office Supplies	1,000
	10-4155-531100	Travel	1,000
<b>Revenues</b>	10-3416-436025	NC JCPC Grant	(2,500)

#### B. Tax Refunds and Releases:

<i>Property Value</i>		Amount:	\$442.54
Brown, Macon O (Sr) & Stephanie Troy	PROPERTY: 27802	Total:	\$518.56
Value: \$54,300.00 Year: 2012	Account: 15-05257	Bill#:	2165
Release portion of value on dwelling. Corrected square footage and deleted upstairs value. Release Acme Delco(65.16), release Columbus Rescue(10.86)			
<i>Property Value</i>		Amount:	\$23.77
Buffkin, Monty (Jr)	PROPERTY: 00000	Total:	\$278.00
Value: \$2,916.00 Year: 2011	Account: 01-06192	Bill#:	28160
Release property value on M/H. DBL Act#09-00730 and Act#06-03908 for 2013. Release North Whiteville(25.00) release Whiteville Rescue(.58) release late list(2.44) release Water III(3.21)			
<i>Property Value</i>		Amount:	\$17.14
Faulk, Larry Carson	PROPERTY: 00000	Total:	\$21.63
Value: \$2,103.00 Year: 2012	Account: 06-09517	Bill#:	10085
Release value of 2005 15' Tracker boat. Repoed in 2011. Release Yam City Fire(2.10), release Columbus Rescue(.42) release late list(1.97)			
<i>Property Value</i>		Amount:	\$342.30
Hanson, Robin L.	PROPERTY: 95493	Total:	\$401.10
Value: \$42,000.00 Year: 2012	Account: 15-00468	Bill#:	15477
Release value of Dw/MH. DBL with Prop#83597. Release Acme Delco(50.40), release Columbus Rescue(8.40)			
<i>Property Value</i>		Amount:	\$12.51
Nye, Benjamin Earl Jr.	PROPERTY: 00000	Total:	\$14.96
Value: \$6,049.00 Year: 2012	Account: 13-04543	Bill#:	28652
Release value of boat. Junked in 2011. Release Klondyke Fire(1.07), release Columbus Rescue(.31) release late list (1.07)			
<i>Property Value</i>		Amount:	\$360.97
Singletary, Myrtle Hazel Long Heirs	PROPERTY: 13644	Total:	\$406.37
Value: \$4,700.00 Year: 03-12	Account: 07-14780	Bill#:	99999
Release value of land. DBL Act#07-06363 James Mark Gore, Release Nakina Fire(36.32), release Columbus Rescue(9.08)			
<i>Property Value</i>		Amount:	\$25.62
Thompson, Janice Small	PROPERTY: 00000	Total:	\$30.95
Value: \$3,143.00 Year: 2012	Account: 01-06119	Bill#:	39618
Release value of mobile home sold and rebilled act#01-06736 Robert Cribb. Release Williams Fire(1.89), release Columbus Rescue(.63) release late list(2.81)			
<i>Refunds</i>		Amount:	\$0.00
Hinson, Larry	PROPERTY: 00000	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 01-61926	Bill#:	0
Refund prepaid user fee. Paid for trash can that was actually moved to prop#92131Tim Myers.			
<i>Refunds</i>		Amount:	\$0.00
Snowten, Alisha	PROPERTY: 00000	Total:	\$353.85
Value: \$0.00 Year: 2011	Account: 16-05606	Bill#:	99999
Refund portion of user fees. No can sent to this address.			
<i>User Fee</i>		Amount:	\$0.00
Adams, Charles T.	PROPERTY: 10043	Total:	\$218.00
Value: \$0.00 Year: 2012	Account: 06-00025	Bill#:	97637
Release user fee. Can picked up 4-19-10 Dwelling vacant.			
<i>User Fee</i>		Amount:	\$0.00
Brown, Gertrude (Heirs)	PROPERTY: 9614	Total:	\$218.00

# 367

Value: \$0.00	Year: 2012	Account: 05-00720	Bill#: 2006
Release user fee. Dwelling vacant.			
<i>User Fee</i>			Amount: \$0.00
Brown, Joseph Edward & Beverly		PROPERTY: 9616	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 05-00820	Bill#: 2105
Release user fee. Dwelling vacant. Can picked up 2011			
<i>User Fee</i>			Amount: \$0.00
Elliott, William		PROPERTY: 13702	Total: \$654.00
Value: \$0.00	Year: 2012	Account: 07-05145	Bill#: 9171
Release 3 user fees. 1 house and 2 mobile homes vacant.			
<i>User Fee</i>			Amount: \$0.00
Evans, Frankie		PROPERTY: 13223	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 07-01143	Bill#: 9636
Release user fee. Dwelling vacant.			
<i>User Fee</i>			Amount: \$0.00
Faulk, Dorothy		PROPERTY: 12931	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 07-03105	Bill#: 9989
Release user fee.			
<i>User Fee</i>			Amount: \$0.00
Floyd, Vickie Rhea		PROPERTY: 1645	Total: \$436.00
Value: \$0.00	Year: 2012	Account: 01-28202	Bill#: 10707
Release 2 user fees. Both dwellings vacant.			
<i>User Fee</i>			Amount: \$0.00
Hutsell, Uleah P.		PROPERTY: 75641	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 03-11737	Bill#: 18509
Release user fee. Dwelling vacant. Can picked up 4/5/07			
<i>User Fee</i>			Amount: \$0.00
Kinlaw, David (Jr. ) ETAL		PROPERTY: 11326	Total: \$131.00
Value: \$0.00	Year: 2012	Account: 06-22243	Bill#: 21104
Release user fee. Only 3 cans and billed for 4.			
<i>User Fee</i>			Amount: \$0.00
Long, Kelley D.		PROPERTY: 76018	Total: \$441.00
Value: \$0.00	Year: 11-12	Account: 06-23583	Bill#: 99999
Release user fee for yrs 2011-2012. M/H used for storage.			
<i>User Fee</i>			Amount: \$0.00
McPherson, John Phillip (II) & Carolyn		PROPERTY: 6202	Total: \$262.00
Value: \$0.00	Year: 2012	Account: 01-02365	Bill#: 25524
Release user fees. Only has 2 cans.			
<i>User Fee</i>			Amount: \$0.00
Nichols, Ronald Cornelius (Heirs)		PROPERTY: 19733	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 11-02507	Bill#: 27947
Release user fee. Can picked up 4-18-12.			
<i>User Fee</i>			Amount: \$0.00
Patrick, Larry Ray (Sr) * Deborah Sue		PROPERTY: 75699	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 04-00058	Bill#: 29298
Release user fee. Not liveable and vacant.			
<i>User Fee</i>			Amount: \$0.00
Pierce, James Edward (Heirs)		PROPERTY: 19830	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 11-19860	Bill#: 29864
Release user fee. Dwelling vacant. Can picked up 2003			
<i>User Fee</i>			Amount: \$0.00
Ranson, Herbert (Deceased) c/o Charles		PROPERTY: 00000	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 05-05442	Bill#: 31468
Release user fee. Dwelling vacant.			
<i>User Fee</i>			Amount: \$0.00
Rivon, Maria		PROPERTY: 94782	Total: \$441.00
Value: \$0.00	Year: 11-12	Account: 14-03054	Bill#: 99999
Release user fees. No can ever sent.			
<i>User Fee</i>			Amount: \$0.00
Snowten, Alisha		PROPERTY: 00000	Total: \$512.15

Value: \$0.00	Year: 2012	Account: 16-05606	Bill#: 99999
Release user fees. Yrs 2009,2010,2012 No can sent to this address.			
<i>User Fee</i>			Amount: \$0.00
Southern, Mary Ella		PROPERTY: 75048	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 01-87523	Bill#: 36687
Release user fee. Mobile home vacant.			
<i>User Fee</i>			Amount: \$0.00
Thompson, Janice Small		PROPERTY: 00000	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 01-06119	Bill#: 36918
Release user fee. Mobile sold.			
<i>User Fee</i>			Amount: \$0.00
Thurman, Laconya t.		PROPERTY: 20279	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 11-05542	Bill#: 39889
Release user fee. Dwelling vacant.			
<i>User Fee</i>			Amount: \$0.00
Worthington, Robert Randy		PROPERTY: 00000	Total: \$218.00
Value: \$0.00	Year: 2012	Account: 02-09322	Bill#: 45222
Release user fee. Dwelling vacant.			

**Agenda Item #25: COMMENTS:**

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

**A. Department Heads:**

1. **Algernon McKenzie, Social Services Director:** Commissioner Prevatte, I need a contact person for the Eastpointe Board of Directors because we need some services provided by them.
2. **Tony Soles, Maintenance Director:** I have an update on the switch over at the Sheriff's Department from using propane gas to natural gas. We have had a complete six (6) month period of using natural gas as follows:

<u>Period</u>	<u>Cost</u>
October, 2011 - March, 2012	\$26,972 Propane Gas
October, 2012 - March, 2013	<u>\$ 9,069</u> Natural Gas
<b>SAVINGS:</b>	<b>\$17,903</b>

3. **Gary Lanier, Economic Development Director:** stated the following:
  - a. Senate Bill 127 that passed the Senate and now is in the house, in committee, would eliminate the regional partnerships;
  - b. The regional partnership is one of our big marketing tools, and helps sell this region;
  - c. This could have a negative impact on our county as well as other rural counties; **and**
  - d. Letters and contact with the House of Representative members and the Senate members would be helpful;

**MOTION:**

Commissioner McKenzie made a motion for a Resolution of Support for the continuation of the funding of the regional Economic Development Commissions to be prepared and forwarded to our local legislators, seconded by Commissioner Burroughs. The motion unanimously passed.

**B. Board of Commissioners:**

1. **Commissioner Russ:** stated the following:
  - a. The luncheon that was planned for Ed Worley has been postponed;
  - b. I would like to echo what Darren Currie and Mayor Randy Britt has stated about the closing of BB&T in Lake Waccamaw and Fair Bluff; **and**
  - c. I received a letter from someone relative to the hydrilla project at Lake Waccamaw that has not been signed thanking the Board of Commissioners and the Town of Lake Waccamaw for their donation.

2. **Commissioner McKenzie:** stated the following:
  - a. I need some assistance from the Board;
  - b. In Evergreen, there are twenty-two (22) houses that are affected by the six (6) mile fire district limit that they have;
  - c. We have talked to representatives and they are considering extending the fire district by one (1) mile;
  - d. We have talked to our representative and he has stated that he will put that in the form of a bill and see if he can get it passed;
  - e. We need to put this request in the form of a letter of support or a resolution of support from the Board of Commissioners to help him with that process;
  - f. I went to a Wellness Center Meeting and there seem to be a question in the mind of the hospital if we really wanted a Wellness Center in Columbus County, and through discussion, I think we got that question cleared up; **and**
  - g. I talked to our Aging Director, Ed Worley, today and he seems to be doing a lot better and is ready to go.

**MOTION:**

Commissioner McKenzie made a motion for a Resolution of Support to be prepared and forwarded to our representatives for Evergreen Fire Department to extend their fire district from a six (6) mile district to a seven (7) mile district, seconded by Commissioner Byrd. The motion unanimously passed.

3. **Commissioner Prevatte:** We had a good Senior Picnic with a good turn out, and everyone seemed to have a good time.
4. **Chairman McDowell:** stated the following:
  - a. We did have a good Senior Picnic;
  - b. I wish each and everyone a very nice and safe Memorial Day weekend; **and**
  - c. I understand that on May 22, 2013, there will be a County Assembly Day and two (2) of our Board members are interested in attending, and the Clerk will handle the arrangements.

**Agenda Item #26: ADJOURNMENT:**

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

**APPROVED:**

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

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**CHARLES T. McDOWELL, Chairman**

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

**Monday, May 20, 2013**

**7:52 P.M.**

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

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:52 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

May 06, 2013 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Vice Chairman Bullard made a motion to approve the May 06, 2013 Columbus County Water and Sewer District I Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to MONTHLY WATER BILLS for APRIL, 2013:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District I.

**April 2013 Adjustments for Water District I**

<b>DATE</b>	<b>ACCT #</b>	<b>ACCT NAME</b>	<b>ADJ</b>	<b>REASON FOR ADJUSTMENT</b>
4/3/2013	601400.00 98	ALEXANDER BROOKS	\$(39.00)	POSTING ERROR
4/3/2013	601400.00 98	ALEXANDER BROOKS	\$(30.00)	POSTING ERROR

DATE	ACCT #	ACCT NAME	ADJ	REASON FOR ADJUSTMENT
4/3/2013	601350.00 98	DAISY BROOKS	\$39.00	POSTING ERROR
4/8/2013	300240.00 98	LARRY HARRELSON	\$(28.00)	INCORRECT METER READING
4/5/2013	300960.00 97	JAMIE BARNES	\$50.00	METER TAMPERING
4/17/2013	706400.00 95	NICHOLAS MARTIN	\$(8.00)	INCORRECT METER READING
4/29/2013	601410.00 98	EVELYN ARSON	\$55.00	RETURNED CHECK
4/29/2013	601410.00 98	EVELYN ARSON	\$25.00	RETURNED CHECK FEE

Vice Chairman Bullard made a motion to approve the adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District I, seconded by Commissioner McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

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

**APPROVED:**

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

\_\_\_\_\_  
**CHARLES T. McDOWELL Chairman**

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

**Monday, May 20, 2013**

**7:52 P.M.**

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

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:52 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

May 06, 2013 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Vice Chairman Bullard made a motion to approve the May 06, 2013 Columbus County Water and Sewer District II Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to MONTHLY WATER BILLS for APRIL, 2013:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District II.

**April 2013 Adjustments for Water District II**

<b>DATE</b>	<b>ACCT #</b>	<b>ACCT NAME</b>	<b>ADJ AMT</b>	<b>REASON FOR ADJUSTMENT</b>
4/8/2013	111840.00 98	MARY SMITH	\$(24.00)	COUNTY LEAK
4/4/2013	131649.00 98	KAREN WILLIAMSON	\$(61.00)	CUSTOMER LEAK

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTMENT
4/8/2013	131250.00 98	BLANCHE WILLIAMSON	\$(164.00)	CUSTOMER LEAK
4/12/2013	111726.00 95	MACIAS LLC	\$(593.00)	CUSTOMER LEAK
4/25/2013	130080.00 96	KIRSTY CARTRETTE	\$(73.00)	CUSTOMER LEAK
4/29/2013	111285.00 98	ELIZABETH NORRIS	\$(90.00)	CUSTOMER IS DECEASED
4/29/2013	131380.00 98	ALLEN PREVATTE	\$25.00	RETURNED CHECK
4/29/2013	131380.00 98	PRISCILLA BROWN	\$25.00	RETURNED CHECK
4/29/2013	131380.00 98	PRISCILLA BROWN	\$25.00	RETURNED CHECK FEE
4/29/2013	110066.00 97	RONNIE JEFFERIES	\$245.00	REPLACED METER, SETTER, BOX, SERVICE CALL

Vice Chairman Bullard made a motion to approve the adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District II, seconded by Commissioner McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

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

**APPROVED:**

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

\_\_\_\_\_  
**CHARLES T. McDOWELL Chairman**

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

**Monday, May 20, 2013**

**7:52 P.M.**

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

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:52 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

May 06, 2013 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Vice Chairman Bullard made a motion to approve the May 06, 2013 Columbus County Water and Sewer District III Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to MONTHLY WATER BILLS for APRIL, 2013:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District III.

**April 2013 Adjustments for Water District III**

<b>DATE</b>	<b>ACCT #</b>	<b>ACCT NAME</b>	<b>ADJ AMT</b>	<b>REASON FOR ADJUSTM</b>
4/1/2013	360126.00 98	DERRICK EDWARDS	\$(30.00)	INTERNET PAYMENT

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTM
4/4/2013	340380.00 96	SARAH GRAY	\$25.00	SERVICE CALL
4/4/2013	370570.00 97	JIMMY HURST	\$(30.00)	POSTING ERROR
4/29/2013	331500.00 98	MICHAEL EDWARDS	\$25.00	POSTING ERROR
4/29/2013	380820.00 92	CRYSTAL PATTERSON	\$445.00	CUSTOMER LEAK

Vice Chairman Bullard made a motion to approve the adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District III, seconded by Commissioner McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

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

**APPROVED:**

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

\_\_\_\_\_  
**CHARLES T. McDOWELL Chairman**

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

**Monday, May 20, 2013**

**7:52 P.M.**

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

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:52 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

May 06, 2013 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Vice Chairman Bullard made a motion to approve the May 06, 2013 Columbus County Water and Sewer District IV Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to MONTHLY WATER BILLS for APRIL, 2013:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District IV.

**April 2013 Adjustments for Water District IV**

<b>DATE</b>	<b>ACCT #</b>	<b>ACCT NAME</b>	<b>ADJ AMT</b>	<b>REASON FOR ADJUSTMENT</b>
4/8/2013	430569.00 98	ROSS SUTTONE	\$(5.00)	BILLING ERROR

DATE	ACCT #	ACCT NAME	ADJ AMT	REASON FOR ADJUSTMENT
4/8/2013	430250.00 98	THEODORE SHAW	\$(110.00)	INCORRECT METER READING
4/8/2013	430249.00 98	THEODORE SHAW	\$(110.00)	INCORRECT METER READING
4/8/2013	430135.00 98	JAMES KEITH	\$(326.00)	CUSTOMER LEAK
4/26/2013	430063.00 98	WENDY CLEWIS	\$26.00	RETURNED DRAFT
4/26/2013	430063.00 98	WENDY CLEWIS	\$25.00	RETURNED DRAFT FEE
4/26/2013	430063.00 98	WENDY CLEWIS	\$26.00	RETURNED DRAFT 2ND
4/26/2013	430063.00 98	WENDY CLEWIS	\$25.00	RETURNED DRAFT FEE 2ND

Vice Chairman Bullard made a motion to approve the adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District IV, seconded by Commissioner McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

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

**APPROVED:**

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

\_\_\_\_\_  
**CHARLES T. McDOWELL Chairman**

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

**Monday, May 20, 2013**

**7:52 P.M.**

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

**COMMISSIONERS PRESENT:**

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

**APPOINTEES PRESENT:**

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

**MEETING CALLED TO ORDER:**

At 7:52 P.M., Chairman Charles T. McDowell called the **combination meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting to order.

**Agenda Item #22: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of BOARD MEETING MINUTES:**

May 06, 2013 **Combination Meeting** of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting (**5 sets**).

Vice Chairman Bullard made a motion to approve the May 06, 2013 Columbus County Water and Sewer District V Board Meeting Minutes, as recorded, seconded by Commissioner Prevatte. The motion unanimously passed.

**Agenda Item #23: COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V - APPROVAL of ADJUSTMENTS to MONTHLY WATER BILLS for APRIL, 2013:**

Kip McClary, Public Utilities Director, requested Board approval of the following adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District V.

**April 2013 Adjustments for Water District V**

<b>DATE</b>	<b>ACT #</b>	<b>ACCT NAME</b>	<b>ADJ AMT</b>	<b>REASON FOR ADJUST</b>
4/9/2013	709934.00 98	HERMAN KING	\$(420.00)	CUSTOMER LEAK
4/29/2013	800489.00 98	DALLIE CANADY	\$25.00	RETURNED DRAFT

# 531

DATE	ACT #	ACCT NAME	ADJ AMT	REASON FOR ADJUST
4/29/2013	800489.00 98	DALLIE CANADY	\$25.00	RETURN DRAFT FEE
4/29/2013	709999.50 98	EVA GORE	\$(25.00)	POSTING ERROR
4/29/2013	709999.50 98	EVA GORE	\$(5.00)	POSTING ERROR
4/29/2013	709999.00 98	CHESTER JENERETTE	\$25.00	POSTING ERROR
4/29/2013	709967.50 98	BETTY HENNAGEN	\$122.00	RETURNED CHECK
4/29/2013	709967.50 98	BETTY HENNAGEN	\$25.00	RETURN CHECK FEE
4/29/2013	800505.00 98	ETHEL ARMAKOVITCH	\$(41.00)	METER CHANGE OUT

Vice Chairman Bullard made a motion to approve the adjustments to the monthly bills for April, 2013 for Columbus County Water and Sewer District V, seconded by Commissioner McKenzie. The motion unanimously passed.

**ADJOURNMENT:**

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

**APPROVED:**

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

\_\_\_\_\_  
**CHARLES T. McDOWELL Chairman**