

C E R T I F I C A T E

I, the undersigned as Attorney for the Leland Sanitary District, do hereby certify that the Leland Sanitary District was formed in accordance with the provisions of Article 12 of Chapter 130 of the General Statutes of the State of North Carolina; that all procedural aspects of North Carolina General Statute 130-124 have been complied with resulting in a declaration by the Department of Human Resources of the State of North Carolina that the Leland Sanitary District is created and established as a sanitary district (copy of declaration enclosed).

I further certify that the Leland Sanitary District having been formed in accordance with the General Statutes of the State of North Carolina has all the requisite powers stated in General Statute 130-128, and is thereby constituted a body politic and corporate and further and specifically has the power to issue bonds and notes under the Local Government Finance Act as contained in the General Statutes of the State of North Carolina.

I further certify that in accordance with the Statutes of the State of North Carolina the Brunswick County Board of Commissioners on Monday, June 21, and Wednesday, June 23, 1976 appointed five (5) members to the Leland Sanitary District Board, which were: Mrs. Virginia Browning, Mrs. Jennie E. Mintz, Mr. Joe Gainey, Mr. T. A. Moore and Mr. Lewis Brown. At the organizational meeting of the Leland Sanitary District the Board of Directors elected Mrs. Virginia Browning as Chairman and Mrs. Jennie E. Mintz as Secretary.

The Leland Sanitary District therefore is properly organized and has at all times since organization retained and does now retain full statutory powers as outlined in Article 12, Chapter 30, of the General Statutes of the State of North Carolina.

INTRODUCTION

The Leland Sanitary District is a duly organized sanitary district pursuant to Article 12 of Chapter 130 of the General Statutes of the State of North Carolina. The district was formed for the purpose of providing treated water to the citizens within the boundary of said district. The Leland Sanitary District is comprised of several unincorporated communities and high density population in the northeastern portion of Brunswick County. A legal description of the Leland Sanitary District is as follows:

Lying and being entirely within Brunswick County, North Carolina and BEGINNING at a point at the intersection of the center line of Seaboard Coastline Railroad with the median high-water mark of the western bank of the Cape Fear River at a point where such railroad crosses said River near Eagles Island and runs thence along and with the centerline of said Railroad in a southwesterly direction to the juncture of the northwest spur and southwest spur of said Railroad at or near its intersection of Secondary Road #1430 north of Navassa, North Carolina; runs thence along and with the northwest spur of the Seaborad Coastline railroad in a northwesterly direction to a point 500 feet west of the intersection of the centerline of State Road 1426 and the centerline of the northwest spur of the Seaboard Coastline Railroad; runs thence in a southerly direction parallel with and 500 feet west of the centerline of State Road 1426 to a point 500 feet north of the centerline of U. S. Highway 74/76 thence in a northwesterly direction 500 feet from the centerline of and parallel to U. S. Highway 74/76 to a point where the centerline projected of the United States Department of Transportation's Sunny Point Railroad would intersect a point 500 feet north of the centerline of the west bound lane of U. S. Highway 74/76 and runs thence along and with the projected and actual centerline of the United States Department of Transportation's Sunny Point Railroad in a southerly direction to a point 500 feet south of the intersection of the centerline of U. S. Highway 17 with the centerline of the United States Department of Transportation's Sunny Point Railroad; runs thence in a northeasterly direction parallel with and 500 feet south of the centerline of U. S. Highway 17 to the center of the run of Jackie's Creek; runs thence in an easterly direction along and with the run of Jackie's Creek to the median of the high-water mark on the west bank of the Brunswick River; runs thence with and along the median high-water mark of the Brunswick and Cape Fear River in a northerly direction to the place and point of beginning.

On March 1, 1976 a petition executed by fifty-one percent of the resident freeholders within the proposed district was presented to the Board of Commissioners of Brunswick County. The petition requested the formation of the Leland Sanitary District. The Board of Commissioners of Brunswick County directed that the petition be submitted to the Department of Human Resources, and that the

1976, in the North Brunswick High School. Additionally, notification was posted at the Brunswick County Courthouse from February 5 to March 11, 1976.

On March 11, 1976 a joint hearing was held between the Board of Commissioners of Brunswick County and representatives of the Department of Human Resources to inquire into the question of the formation of the district. Subsequent to the public hearing and on March 15, 1976, at a regular meeting of the Brunswick County Board of Commissioners, the Board of Commissioners adopted a resolution approving the creation of the district and requesting the Commission for Health Services of the Department of Human Resources to create the district as soon as possible.

Accordingly, at a regular meeting of the Commission for Health Services of the North Carolina Department of Human Resources held in Pinehurst, North Carolina, on 8 May, 1976, the Commission for Health Services duly created the Leland Sanitary District pursuant to the General Statutes of the State of North Carolina. Said order was signed by Jacob Koomen, MD MPH, Director, on 17 May 1976 and notice forwarded to Brunswick County Board of Commissioners on May 18, 1976.

Subsequent to the formation of the Leland Sanitary District by the Department of Human Resources, the Board of Commissioners of Brunswick County in regular meetings resolved that the district should be composed of five commissioners, with the following persons named as the original five commissioners:

- (1) Mr. T. A. Moore
- (2) Mrs. Jennie Mintz
- (3) Mr. Lewis Brown
- (4) Mr. Joe Gainey
- (5) Mrs. Virginia Browning

The organizational meeting of the Leland Sanitary District was held pursuant to notice on 13 July 1976.

Following herein are copies of the Petition, Minutes of the Board of Commissioners of Brunswick County and Resolution by Commission for Health Services establishing the Leland Sanitary District.

MINUTES OF SPECIAL MEETING
BRUNSWICK COUNTY BOARD OF COMMISSIONERS

MARCH 11, 1976

Pursuant to the Notice of Special Meeting which was served upon each Commissioner and posted on the Bulletin Board of the Brunswick County Courthouse and attached hereto, the Brunswick County Board of Commissioners met in special session, March 11, 1976 at North Brunswick High School, Leland North Carolina to hold a public hearing on the proposed Leland Sanitary District. Present for the meeting were:

Steve J. Varnum, Chairman
Willie E. Sloan, Vice-Chairman
Franky Thomas, Commissioner
Eva D. Butler, Jr., Commissioner
W. T. Russ, Jr., Commissioner

Staff present: Don C. Flowers, Jr., County Manager
James R. Prevatte, Jr., County Attorney
Judy Holden, Clerk to the Board
Johnny Sutton, County Planning Director
Jerry Harrison, Safety & Zoning Director

Other Officials present:
Mr. Mike Bell, N. C. Department of Human Resources

The meeting was called to order at 7:30 p.m. by Chairman Varnum. Approximately 33 persons were in attendance from the area to discuss and present their views on the creation of the Sanitary District. After introduction of Officials present by the Chairman, Mr. J. W. Johnson presented a brief report on the steps leading up to the public hearing. These are summarized as follows:

1. Pearson & Whitman, requested by citizens in Leland, conducted a feasibility study and had drawn up the proposed district based on information obtained from petitions circulated in the area, to determine the number of water users. It was determined by Pearson & Whitman that this proposed area did have a sufficient number of users to support the system.
2. A second petition was circulated and 51% of the resident freeholders in the proposed district were obtained.

Mr. Sutton continued stating that this petition requesting the creation of a Sanitary District was presented to and accepted by the Board of Commissioners at their January 5th regular meeting. The Board of Commissioners at that time requested that the Department of Human Resources hold a joint public meeting on the proposed Leland Sanitary District.

When questioned about the steps which now would be followed in creating the district, Mr. Bell responded that he would make a report back to the Commission on Health Services who in turn would, based on his report, the needs and response of the citizens of the area, etc., pass a resolution creating the District.

From that point the District would be established and it would be the responsibility of the County Board of Commissioners to appoint a 3 or 5 member board to govern the Sanitary District until the next general election wherein the citizens of the District would elect those members.

Mr. Bell reported on the duties and powers of the Commission as set out in the North Carolina General Statutes.

After further discussion from the public Mr. Bell asked for a show of

Minutes of Special Meeting--Brunswick County Board of Commissioners--March 11, 1976

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Steve J. Varren
STEVE J. VARENN, CHAIRMAN

Willie E. Sloan
WILLIE E. SLOAN, VICE-CHAIRMAN

Frank Thomas
FRANK THOMAS

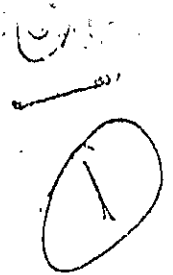
Wm. D. Butler, Jr.
Wm. D. BUTLER, JR.

W. T. Ross, Jr.
W. T. ROSS, JR.

Judy E. Gorden
Judy E. GORDEN, Clerk to the Board



P E T I T I O N



TO: THE BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY, NORTH CAROLINA

WE, the undersigned being fifty one (51%) of the free holders or resident freeholders within the area bounded as hereinafter described, respectively petition the BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY, NORTH CAROLINA, to incorporate such described area as a Sanitary District, under Article 12, Chapter 130, General Statutes of North Carolina, as amended, to be known as LELAND SANITARY DISTRICT and that such Sanitary District be invested with all the powers, rights, duties, and obligations contained in such article.

In support of this petition, we advise the BRUNSWICK COUNTY BOARD OF COMMISSIONERS that the area hereinafter described is located entirely within Brunswick County, North Carolina that such area is not within the boundaries of or governed by any municipality, other than Brunswick County, North Carolina; that such area is a densely populated area without municipal water, fire or sewage facilities; that the incorporation of such area as a Sanitary District is necessary to preserve and promote the public health and welfare of the inhabitants thereof.

The territory and area of the proposed "LELAND SANITARY DISTRICT" is bounded and particularly described as follows:

Lying and being entirely within Brunswick County, North Carolina and BEGINNING at a point at the intersection of the center line of Seaboard Coastline Railroad with the median highwater mark of the western bank of the Cape Fear River at a point where such railroad crosses said River near Eagles Island and runs thence along and with the center line of said Railroad in a southwesterly direction to the juncture of the northwest spur and southwest spur of said Railroad at or near its intersection of Secondary Road #1430 north of Navassa, North Carolina; runs thence along and with the northwest spur of the Seaboard Coastline railroad in a northwesterly direction to a point 500 feet west of the intersection of the center line of State Road 1426 and the center line of the northwest spur of the Seaboard Coastline Railroad; runs thence in a southerly direction parallel with and 500 feet west of the center line of State Road 1426 to a point 500 feet north of the center line of U.S. Highway 74/76

United States Department of Transportation's Sunny Point Railroad; runs thence in a northeasterly direction parallel with and 500 feet south of the center line of U.S. Highway 17 to the center of the run of Jackie's Creek; runs thence in an easterly direction along and with the run of Jackie's Creek to the median of the highwater mark on the west bank of the Brunswick River; runs thence with and along the median highwater mark of the Brunswick and Cape Fear River in a northerly direction to the place and point of beginning.

NAME	ADDRESS
<u>Dillon S. Mangum</u>	<u>P.O. Box 267 Leland, N.C.</u>
<u>J. W. Raymond</u>	<u>Rt 3 Box 247 Leland, N.C.</u>
<u>John E. Jones</u>	<u>P.O. 3, Box 246, Leland, N.C.</u>
<u>Paul B. Bannister</u>	<u>P. 3, Box 241, Leland, N.C.</u>
<u>F. L. Simpson</u>	<u>P. 3 Box 239 Leland, N.C.</u>
<u>Hubert Ford SR</u>	
<u>B. W. L. Leland</u>	<u>Leland, N.C. Box 131</u>
<u>Willard M. Mangum</u>	<u>P.O. 133 Leland, N.C.</u>
<u>W. H. Breen</u>	<u>P.O. Box 418 Leland, N.C.</u>
<u>E. W. Orcock</u>	<u>P.O. Box 115, Leland</u>
<u>Cecil T. Laine</u>	<u>P.O. Box 368 Leland, N.C.</u>
<u>William M. Mangum</u>	<u>RT 3 Box 239, 73</u>
<u>John M. Leland</u>	<u>P.O. Box 236 Leland, N.C.</u>
<u>Mrs. Mrs. M. A. Seppi</u>	<u>Rt. 3 Box 227 Leland, N.C.</u>
<u>John C. Leland</u>	
<u>Mrs. Juanita Hayes</u>	<u>Rt 3, Box 226 Leland, N.C.</u>
<u>William L. Hayes</u>	<u>Rt 3, Box 228 Leland, N.C.</u>
<u>J. H. Coulter</u>	<u>Rt 3 Box 218 Leland, N.C.</u>
<u>Michael Cowan</u>	<u>Rt 3 Box 218 Leland, N.C.</u>
<u>D. G. Bollinger Jr</u>	<u>Rt. 3 Box 214 Leland, N.C.</u>
<u>Cap Butler</u>	<u>Rt 3 Box 255</u>
<u>J. J. Butler</u>	<u>Leland, N.C.</u>
<u>D. L. Howell</u>	<u>Leland, N.C.</u>

LELAND SANITARY DISTRICT

INTRODUCTION

The Leland Sanitary District is a duly organized sanitary district pursuant to Article 12 of Chapter 130 of the General Statutes of the State of North Carolina. The district was formed for the purpose of providing treated water to the citizens within the boundary of said district. The Leland Sanitary District is comprised of several unincorporated communities and high density population in the northeastern portion of Brunswick County. A legal description of the Leland Sanitary District is as follows:

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On March 1, 1976 a petition executed by fifty-one percent of the resident freeholders within the proposed district was presented to the Board of Commissioners of Brunswick County. The petition requested the formation of the Leland Sanitary District. The Board of Commissioners of Brunswick County directed that the petition be submitted to the Department of Human Resources. and that the

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Subsequent to the formation of the Leland Sanitary District by the Department of Human Resources, the Board of Commissioners of Brunswick County in regular meetings resolved that the district should be composed of five commissioners, with the following persons named as the original five commissioners:

- (1) Mr. T. A. Moore
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The organizational meeting of the Leland Sanitary District was held pursuant to notice on 13 July 1976.

Following herein are copies of the Petition, Minutes of the Board of Commissioners of Brunswick County and Resolution by Commission for Health Services establishing the Leland Sanitary District.

P E T I T I O N

TO: THE BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY, NORTH CAROLINA

WE, the undersigned being fifty one (51%) of the free holders or resident freeholders within the area bounded as hereinafter described, respectively petition the BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY, NORTH CAROLINA, to incorporate such described area as a Sanitary District, under Article 12, Chapter 130, General Statutes of North Carolina, as amended, to be known as LELAND SANITARY DISTRICT and that such Sanitary District be invested with all the powers, rights, duties, and obligations contained in such article.

In support of this petition, we advise the BRUNSWICK COUNTY BOARD OF COMMISSIONERS that the area hereinafter described is located entirely within Brunswick County, North Carolina that such area is not within the boundaries of or governed by any municipality, other than Brunswick County, North Carolina; that such area is a densely populated area without municipal water, fire or sewage facilities; that the incorporation of such area as a Sanitary District is necessary to preserve and promote the public health and welfare of the inhabitants thereof.

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<u>J. [unclear]</u>	<u>Rt 3 Box 247 Leland, N.C.</u>
<u>John E. [unclear]</u>	<u>Co. 3, Box 246, Leland, N.C.</u>
<u>Charles B. [unclear]</u>	<u>P. 3, Box 241, Leland, N.C.</u>
<u>F. L. [unclear]</u>	<u>P. 3 Box 239 Leland, N.C.</u>
<u>Therbert [unclear] SR</u>	
<u>B. W. [unclear]</u>	<u>Leland, N.C. Box 131</u>
<u>Bilbert W. [unclear]</u>	<u>PO 5-83 LELAND, N.C.</u>
<u>W. H. [unclear]</u>	<u>PO Box 418 Leland, N.C.</u>
<u>E. W. [unclear]</u>	<u>PO Box 115 Leland, N.C.</u>
<u>Percy T. [unclear]</u>	<u>PO, Box 368 Leland, N.C.</u>
<u>William [unclear]</u>	<u>RT/3 Box 297</u>
<u>John [unclear]</u>	<u>PO Box 236 Leland, N.C.</u>
<u>Mrs. Mrs. [unclear]</u>	<u>Rt. 3 Box 227 Leland, N.C.</u>
<u>Miss C. [unclear]</u>	
<u>Mrs. Juanita [unclear]</u>	<u>Rt 3, Box 220 Leland, N.C.</u>
<u>Willie S. [unclear]</u>	<u>Rt 3, Box 228 Leland, N.C.</u>
<u>J. H. [unclear]</u>	<u>Rt 3 Box 218 Leland, N.C.</u>
<u>Michael [unclear]</u>	<u>Rt 3 Box 218 Leland, N.C.</u>
<u>D. G. [unclear]</u>	<u>Rt. 3 Box 214 Leland, N.C.</u>
<u>Pat [unclear]</u>	<u>Rt 3 Box 255</u>
<u>J. J. [unclear]</u>	<u>Leland, N.C.</u>
<u>D. L. [unclear]</u>	<u>Leland, N.C.</u>

All Citations and Notices provided for in this Ordinance shall be issued by an official of the Office of the Tax Supervisor of Brunswick County after inspection and discovery of a violation of the Ordinance. A Notice or Citation shall be deemed issued by the placing of the Notice or Citation in the mailing system or by the posting or affixing of the Notice or Citation upon the door or usual entrance to the mobile home which is in violation. The Notice or Citation shall be deemed received the day following the issuance thereof. The penalty may be recovered by Brunswick County in a civil action in the nature of debt if the offender does not pay the penalty within a period of thirty (30) days after such offender has been cited for violation of this Ordinance as heretofore provided.

(c) This Ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction upon application therefore by Brunswick County.

(d) This Ordinance may be enforced by any one or more of the remedies authorized by this Section.

(e) Each day of continuing violation of or failure to comply with this Ordinance by any owner of a mobile home shall be a separate and distinct violation or failure to comply which is subject to any one or more of the remedies authorized by this Section.

SECTION 4.3. SEVERABILITY.

If any Section, provision, or part of this Ordinance shall be adjudged invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the Ordinance as a whole or of any other Section, Provision, or part hereof.

SECTION 4.4 EFFECTIVE DATE.

This Ordinance shall become effective on January 1, 1976.

Commissioner Russ seconded the motion and after full discussion, motion carried unanimously.

Mr. Johnny Sutton, Planning Director, informed the Board that only 299 resident freeholders had signed petitions requesting formation of the Leland Sanitary District and that a total of 458 would be needed to satisfy the bond attorney's which would be 51% of the resident freeholders of the Leland area. Mr. Sutton went on to say that he would be forwarding the petitions back to Mr. J. W. Johnson, coordinator for the project, along with a list of the remaining resident freeholders in Leland.

Commissioner Thomas moved to direct Mr. Johnny Sutton, Planning Director, upon verification of 51% of the resident freeholders on said petitions, to request the Department of Human Resources to set a date for a joint public hearing. Commissioner Russ seconded the motion, and after full discussion, motion unanimously carried.

Commissioner Russ moved to recess for lunch. Commissioner Thomas seconded the motion and after full discussion, motion unanimously carried at 12:00 p.m.

1:35 P.M. Meeting was called back to order by Vice-Chairman Sloan.

Mr. Wilbur Rabon, Secondary Roads Councilman; Mr. Ted Funderbuck, District Engineer; J. R. Robinson, District Engineer; Jack Murdock, Secondary Roads Officer; and Mr. Larry Peters, Assistant Secondary Roads Officer were present for discussion of neighborhood road maintenance by the Department of Transportation in Brunswick County. The Board also discussed the pros and cons of the County

Minutes of Regular Meeting--Brunswick County Board of Commissioners--March 1, 1976

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WHEREAS, these plans or programs will require state and local government participation in the initial planning stages, as well as for implementation,

THEREFORE BE IT RESOLVED by the Brunswick County Board of Commissioners that the Civil Preparedness Coordinator for Brunswick County be appointed as the Local Energy Field Agent to assist in said plans and programs.

Commissioner Thomas' motion was seconded by Commissioner Russ and unanimously carried.

Mr. Jerry Harrison reported to the Board that funds for the Section 8 Rental Housing Assistance Program had been approved for 100 units. The Board concurred to designate Mr. Harrison as administrator for this program until such time it proved feasible to hire full time administrator.

Mr. Johnny Sutton, Planning Director reported that he and Commissioner Butler had met with the City of Southport and it was agreed upon by the City that they would appoint a three-person committee to work with the County's appointees in preparing alternate proposals for a historic preservation program. Chairman Varnam asked the commission members to submit names for the County's three-person committee at their next regular meeting.

Upon Mr. Sutton's recommendation, Commissioner Thomas moved to amend the January 5, 1976 minutes as they pertained to the Leland Sanitary District Petition, paragraphs 8 and 9 to read as follows:

AMENDMENT
JANUARY 5, 1976 REGULAR MEETING
BRUNSWICK COUNTY BOARD OF COMMISSIONERS

Johnny Sutton, Planning Director, presented to the Board a petition submitted by Mr. J. W. Johnson requesting the creation of a Sanitary District in the Leland area. Mr. Sutton explained that 50% of the resident property owners signatures would be required in order to set up the Sanitary District and the Planning Department was in the process of verifying the petitions submitted.

After discussion as to the importance of the Sanitary District in Phase II of the County's Water System, Commissioner Thomas made a motion to accept the petition submitted by J. W. Johnson requesting creation of the Leland Sanitary District and request the Department of Human Resources to hold a joint public hearing with the Board of Commissioners upon verification of the signatures on the petition.

Commissioner Russ seconded the motion and after full discussion, motion was unanimously approved.

Commissioner Russ seconded the motion and after full discussion, motion unanimously was approved.

Mr. Johnny Sutton requested that the Commissioners create a Courthouse Advisory Committee to aid in planning facilities for the "New" Courthouse.

Thereby Commissioner Thomas moved for the passage of the following resolution:

RESOLUTION BY THE BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY

CREATING A COURTHOUSE ADVISORY COMMITTEE

WHEREAS, Brunswick County is required by state law to relocate its court related facilities to the Supply-Bolivia Area; and

WHEREAS, such relocation will require construction of new

NORTH CAROLINA
BRUNSWICK COUNTY:

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and duly commissioned, qualified, and authorized by law to administer oaths, personally appeared Edward T. Harter

who being first duly sworn, deposes and says: that he is the (owner, publisher or employee authorized to make the affidavit) of the STATE PORT PILOT, published, issued and entered as second class in the Town of Southport, in said County and State; that the notice or other legal advertisement, a true copy of which is attached hereto, published in The State Port Pilot on the following dates:

February 11, 18, 25; March 3, 10, 1976

and that the said newspaper in which such notice, paper, document or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and specifications of section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of section 1-597 of the General Statutes of North Carolina.

This 15th day of March, 1976

Edward T. Harter
(Signature Of Person Making Affidavit.)

Sworn to and subscribed before me, this 15 day

March, 1976

Notary Public
Notary Public

My Commission expires February 1, 1976

Paste Clipping
of
Advertisement
Here.

PUBLIC NOTICE

Joint Public Hearing Concerning Creation

Of

Leland Sanitary District

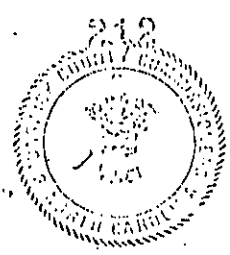
Public Notice is hereby given that the North Carolina Department of Human Resources and the Brunswick County Commissioners will hold a joint public hearing to discuss and receive comments on the creation of a Sanitary District pursuant to G. S. 130 Article 12 in the Leland, Weyassa, Belville

BRUNSWICK COUNTY PLANNING BOARD

Office of the County Planner

P. O. Box 876
Southport, North Carolina 28461

Telephone: 457-5528
Area Code 919



March 15, 1976

To Whom It May Concern:

This is to certify that notice of the public hearing held Thursday March 11, 1976 for creation of the Leland Sanitary District was posted from February 5, 1976 to March 11, 1976 in the Brunswick County Court House on the Public Notice Bulletin in the Court House.

Sincerely,

Johnny C. Sutton
Johnny C. Sutton
County Planner

Sworn to and subscribed before me this 15 day of March 1976.

My Commission expires February 1, 1976

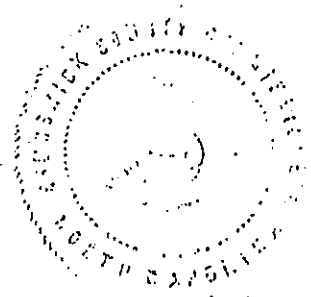
Walter H. Hays
Notary

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NOTICE OF SPECIAL MEETING
OF
THE BOARD OF COMMISSIONERS FOR THE COUNTY
OF
BRUNSWICK, NORTH CAROLINA
TO BE HELD ON THURSDAY, MARCH 11, 1976

NOTICE is hereby given of a special meeting of the Board of Commissioners of Brunswick County, North Carolina, to be held on the 11th day of March, 1976 at 7:00 p.m. at North Brunswick High School, Leland, North Carolina for the purpose of holding a public hearing on the proposed Leland Sanitary District.

Dated and posted this the 9th day of March, 1976



BRUNSWICK COUNTY BOARD OF COMMISSIONERS

BY: Steve Varian
STEVE VARIAN, CHAIRMAN

ATTEST:

Judy B. Holden
Judy B. Holden, Clerk to the Board

I, certify that a copy of the foregoing notice was served upon Willie E. Sloan, Franky Thomas, Ira D. Butler, Jr. and W. T. Russ, Jr., they along with the undersigned constituting the entire Board of Commissioners of Brunswick County, North Carolina, this the 9th day of March, 1976 by hand and by posting a copy of this notice on the bulletin board in the Brunswick County Courthouse, Southport, North Carolina on said date.

Steve Varian
STEVE VARIAN, CHAIRMAN

MINUTES OF SPECIAL MEETING
BRUNSWICK COUNTY BOARD OF COMMISSIONERS

MARCH 11, 1976

Pursuant to the Notice of Special Meeting which was served upon each Commissioner and posted on the Bulletin Board of the Brunswick County Courthouse and attached hereto, the Brunswick County Board of Commissioners met in special session, March 11, 1976 at North Brunswick High School, Leland North Carolina to hold a public hearing on the proposed Leland Sanitary District. Present for the meeting were:

Steve J. Varnum, Chairman
Willie E. Sloan, Vice-Chairman
Franky Thomas, Commissioner
Ira D. Butler, Jr., Commissioner
W. T. Russ, Jr., Commissioner

Staff present: Don C. Flowers, Jr., County Manager
James R. Prevatte, Jr., County Attorney
Judy Holden, Clerk to the Board
Johnny Sutton, County Planning Director
Jerry Harrison, Safety & Zoning Director

Other Officials present:
Mr. Mike Bell, N. C. Department of Human Resources

The meeting was called to order at 7:30 p.m. by Chairman Varnum. Approximately 33 persons were in attendance from the area to discuss and present their views on the creation of the Sanitary District. After introduction of Officials present by the Chairman, Mr. J. W. Johnson presented a brief report on the steps leading up to the public hearing. These are summarized as follows:

1. Peirson & Whitman, requested by citizens in Leland, conducted a feasibility study and had drawn up the proposed district based on information obtained from petitions circulated in the area, to determine the number of water users. It was determined by Peirson & Whitman that this proposed area did have a sufficient number of users to support the system.
2. A second petition was circulated and 51% of the resident freeholders in the proposed district were obtained.

Mr. Sutton continued stating that this petition requesting the creation of a Sanitary District was presented to and accepted by the Board of Commissioners at their January 5th regular meeting. The Board of Commissioners at that time requested that the Department of Human Resources hold a joint public meeting on the proposed Leland Sanitary District.

When questioned about the steps which now would be followed in creating the district, Mr. Bell responded that he would make a report back to the Commission on Health Services who in turn would, based on his report, the needs and response of the citizens of the area, etc., pass a resolution creating the District.

From that point the District would be established and it would be the responsibility of the County Board of Commissioners to appoint a 3 or 5 member board to govern the Sanitary District until the next general election wherein the citizens of the District would elect these members.

Mr. Bell reported on the duties and powers of the Commission as set out in the North Carolina General Statutes.

After further discussion from the public Mr. Bell asked for a show of

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Steve J. Varian
STEVE. J. VARIAN, CHAIRMAN

Willie E. Sloan
WILLIE E. SLOAN, VICE-CHAIRMAN

Frank Thomas
FRANK THOMAS

Wm. D. Butler, Jr.
WYD. BUTLER, JR.

W. T. Russ, Jr.
W. T. RUSS, JR.

Judy B. Eiden
Judy B. Eiden, Clerk to the Board



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I am writing this letter to speak for both myself and my husband. We could like to know how this board of commissioners could appoint such a man as Tom Young, Jr. to the County Planning Board and also to the Resource Development Commission. If the way Mr. Young has planned Evergreen Estates is an example of the type of members that are on this board, we sure feel sorry for this county. He has built on wet land with a high water table. He has made no attempt to reconcile the problems or to work with the people who are affected by the problems such as myself and others in similar situations. This is not to mention the shoddy workmanship that was done on these houses. The Brunswick County Board of Health is still perching and approving lots in Evergreen Estates knowing of the septic tank problems and drainage problems that exist. Mr. Young has also been advertising these lots for sale in the State Port Pilot knowing also of these problems. I feel that the people who would buy these lots would be taken unfair advantage of along with those of us who are already suffering the consequences.

We have already notified the Consumer Protection Agency in Raleigh, N.C., Senator Robert Morgan, Congressman Charlie Rose and the United States Department of Agriculture in Washington, D. C. We have made them aware of the fact that the County Commissioners appoint people such as this to the County Planning Board.

Even after appointing Mr. Young to the Planning Board and being aware of the problems that have arisen since his appointment, Commissioner Sloan went ahead and appointed this man to the Resources Development Commission with the majority of the Commissioners approving this appointment.

We believe that the Board of Commissioners should take steps to make higher standards in selecting and appointing members to both the County Planning Board and the Resource Development Commission. You should appoint people to serve on these boards from varied walks of life instead of the majority of the members being either a developer or in real estate.

If the Board of Commissioners and state officials, including the health department believe that this matter of drainage at Evergreen Estates is either closed or of something of the past, you're all badly mistaken. Higher officials have been contacted and the pursuit of this matter will continue.

Very truly yours,

s/ Gordon Moyer
s/ Marlene Moyer

The Board thanked Mrs. Moyer for bringing this problem to their attention and informed her that they would look into the situation. However, it was felt by all members present that they should have been among the first to be notified rather than the last. It was pointed out by the Chairman that drainage problems of this nature would fall under the Health Department for inspection, follow-up, etc. rather than the Board but that any time a citizen requests the Board to aid them in solving problems, it was followed through.

Mrs. Mary Gornto, Brunswick County Bicentennial Director, presented an invitation to the Board and public to attend the Town Meeting being held in the Brunswick County Courthouse, 7:30 p.m., March 15, 1976. Mrs. Gornto stated that this was the second in a series of three Bicentennial Quorum meetings.

Commissioner Thomas moved for the adoption of the following resolution:

WHEREAS, said Sanitary District will assist in distributing a much needed supply of water in the Leland area;

THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Brunswick County does hereby;

- 1) approve the creation of the Leland Sanitary District
- 2) request that the petition to create said Sanitary District be presented to the Commission of Health Services at their next meeting; and
- 3) request that the Commission for Health Services create as expeditiously as possible the Leland Sanitary District

Commissioner Butler seconded the motion and after full discussion, motion unanimously carried.

Mr. Johnny Sutton, Planning Director, requested that the Board appoint a three-person committee to work with the City of Southport's appointments to prepare alternate proposals for a historic preservation program. All members agreed to appoint Mrs. Lucille Blake, Leland, N. C., Mrs. M. H. Rourke, Charlotte, N. C. and Commissioner Ira Butler, Jr. to the committee.

Commissioner Butler moved for the passage of the following resolution requesting the Department of transportation add the Bishop Store Road to the State System:

North Carolina

County of Brunswick

Road description: Bishop Store Road (Div. File # 162-B) located at the eastern most intersection of U. S. 17 and N. C. 87

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Brunswick requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road system; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation and Highway Safety for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Brunswick that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

Commissioner Thomas seconded the motion and after full discussion, unanimously carried.

Mr. Robert Britton, General Manager of "Revolution", stated that May 15, 1976 was the opening date for "Revolution", and requested that the County donate \$10,000 to assist in financing the drama. No action was taken by the Board.

Chairman Varman reported that the County had received LEAA funds for consolidated dispatching in the amount not to exceed \$16,428. Commissioner Butler moved to enter into contract between LEAA for said funds. Commissioner Thomas seconded the motion and after full discussion, motion unanimously carried. (Contract attached hereto--attachment No. 2)

Commissioner Ira Butler offered the following resolution and moved for its adoption:

Mr. Flowers presented the following report to the Board and action taken:

- 1) Upon recommendation of the County Manager, Commissioner Butler made a motion to allow CEB Corporation to come in and explain their Deferred Compensation Plan to the County Employees to see whether or not they wished to participate in the plan. Commissioner Russ seconded the motion and after full discussion, motion carried unanimously.
- 2) Upon motion by Commissioner Thomas, seconded by Commissioner Russ, a budget transfer totaling \$17,900 was approved to provide fencing, rest rooms, wells, etc at the ball fields and recreation facilities in the County. The transfer as presented to the Board is as follows:

Transfer From:		Transfer To:
Account Number:		Account Number:
565-02	Salaries \$ 9,000	565-73 Capital Outlay-Other
565-03	Per Diem 750	\$17,900
565-12	Printing 250	
565-13	Utilities 3,000	
565-17	Maint. & Repair Tk. 400	
565-26	Advertising 300	
565-31	Auto-Supply 200	
565-33	Departmental Supply 2,000	
565-71	Capital Outlay-Land 2,000	

- 3) The Contracts for the Mosquito Control Program as it pertains to the Municipalities had been forwarded to the Health Department for their handling.
- 4) Request has been forwarded to the Department of Transportation asking that they fund both turn lanes at the Brunswick Memorial Hospital.
- 5) The Board acknowledged the Fourth of July Committee request for funds and asked the Manager to send the funds as provided in the 1975-76 Budget.
- 6) Relocation of trailers for Family Planning was still being investigated.
- 7) Mr. Jerry Harrison, Safety and Public Service Director, gave the Board a brief of the Community Development Grant being sought by the County.

The Board concurred to allow the Chairman to appoint a temporary electrical inspector until Mr. R. A. Russ, who is recuperating from illness, could take over.

Upon the recommendation of the County Attorney as to the procedure to following in changing the number of Commissioners for the Leland Sanitary district from three to five, Commissioner Thomas introduced and moved for the passage of the following resolution.

RESOLUTION

BE IT RESOLVED that the Leland Sanitary District shall be composed of five Commissioners

Upon motion by Commissioner Thomas, seconded by Commissioner Sloan the Board reappointed Mr. Joseph Jenkins and Mr. Robert Bellamy to the Recreation Commission for a term of three years.

Commissioner Sloan made a motion to appoint Mr. Edward (Porky) Mintz of Bolivia as recommended by Mr. Abner Knowles. Commissioner Thomas seconded the motion and after full discussion, motion carried unanimously.

Commissioner Russ made a motion to appoint Mr. David Redwine to the Recreation Commission for a term of three years. Commissioner Thomas seconded the motion and after full discussion, motion carried unanimously.

Chairman Varnam announced that Mrs. Mary Russ, Home Economic Extension Agent, had been appointed Acting County Extension Chairman for Brunswick County effective July 1, 1976 until a new chairman was appointed. (Letter from Mr. George Hyatt, Jr., Associate Dean and Director, State Agricultural Extension Service attached hereto--attachment No. 1).

Upon motion by Commissioner Russ, second by Commissioner Sloan the Chairman was authorized to sign a \$1,000 Art grant award on behalf of the Board. (Copy of Grant award attached hereto--attachment No. 2).

At the request of Mr. Johnny Sutton, Planning Director, Commissioner Russ made a motion to amend the Office Space Study to include storage area for the Mosquito Control Department. Commissioner Thomas seconded the motion and after full discussion, motion carried unanimously.

Mr. Sutton informed the Board of the need to notify the Coastal Resources Commission whether or not the County intends to issue permits in the AEC area.

Therefore Commissioner Thomas made a motion authorizing Mr. Sutton to write a letter to the Coastal Resources Commission notifying the Commission of the County's intention of being a permit letting agency in the areas of environmental concern. Commissioner Russ seconded the motion and after full discussion, motion carried unanimously.

5:30 p.m. Upon motion by Commissioner Butler, seconded by Commissioner Russ, meeting was adjourned until Wednesday, June 23, 1976 at 9:00 a.m.

Reajourned Regular Meeting
Wednesday, June 23, 1976

The meeting was called to order by Chairman at 10:05 a.m.

Due to illness of the Clerk, Commissioner Thomas made a motion to appoint Mrs. Regina McKeithan as the Temporary Clerk to the Board. Commissioner Russ seconded the motion and motion carried unanimously.

✓ Mr. J. W. Wooten declined his appointment to the Leland Sanitar District Commission. Therefore Commissioner Thomas made a motion to appoint Mr. Joe Gainey to the Commission. Commissioner Russ seconded the motion. and after full discussion, motion carried.

JAMES E. HOLSINGER, JR.
GOVERNOR
PHILLIP J. KIRK, JR.
SECRETARY

STATE OF NORTH CAROLINA
DEPARTMENT OF HUMAN RESOURCES
Division of Health Services

JACOB KOOMEN, M.D.
DIRECTOR

P. O. Box 2091

Raleigh 27602

May 18, 1976

Mr. Steve Varnum, Chairman
Brunswick County Board of Commissioners
P. O. Box 876
Southport, North Carolina 28461

Dear Mr. Varnum:

We are enclosing two certified copies of the resolution adopted by the Commission for Health Services at its regular meeting held in Pinchurst, North Carolina on May 8, 1976. This resolution creates the Leland Sanitary District.

After the Brunswick County Board of Commissioners has appointed a Board of Commissioners for the Leland Sanitary District, it would be appreciated if you would transmit to the Sanitary District Board one certified copy of the resolution creating the District. It would also be appreciated if you would notify this office of the Chairman and the members of the Sanitary District Board and how the Board Chairman can be contacted.

If we can be of further service regarding this matter, please call on us.

Very truly yours,

Marshall Staton
Marshall Staton, Chief
Sanitary Engineering Section

Enclosures (2)

cc: Mr. Donald Flowers
Mr. Johnny Sutton
Mr. Richard Walker
Mr. N. P. Bell

RESOLUTION OF THE COMMISSION FOR HEALTH SERVICES
NORTH CAROLINA DEPARTMENT OF HUMAN RESOURCES
CREATING THE LELAND SANITARY DISTRICT LOCATED IN
BRUNSWICK COUNTY, NORTH CAROLINA

At a regular meeting of the Commission for Health Services, North Carolina Department of Human Resources, held in Pinchurst, North Carolina, on the eighth day of May, 1976, the roll call was as follows: to-wit:

<u>Present</u>	<u>Absent</u>
Dr. Paul Manessa	Dr. Buford Kidd
Dr. Jesus Moradich	
Dr. Richard Bolton	
Mrs. Evelyn Alexander	
Dr. Faye Eagles	
Dr. Maurice Kamp	
Mr. Thomas Davis	
Mr. Grady Hunter	
Dr. William Rippy	
Dr. John Chambliss	
Mr. Clyde W. Kiker	

On the motion of Dr. Eagles, which was duly seconded by Mrs. Alexander, the following resolutions were adopted creating Leland Sanitary District in Brunswick County, North Carolina, in accordance with provisions of the General Statutes of North Carolina, G.S. 130-123, G.S. 130-124, G.S. 130-125.

BE IT RESOLVED: That the Commission for Health Services, upon giving due consideration to the proposal to create the Leland Sanitary District, Brunswick County, North Carolina, find the following facts relating thereto, to-wit:

- (A) That the petition, containing the names of over fifty-one persons (51%) of the resident freeholders requesting the creation of said proposed sanitary district as prescribed by law, was filed with the Board of Commissioners of Brunswick County, North Carolina, and duly accepted by said Board.
- (B) That the Commission for Health Services was duly notified through the Chairman of the Board of Commissioners of Brunswick County; the Director, Division of Health Services of the Department of Human Resources, and the Chairman of the Board of Commissioners of Brunswick County mutually set the date and place for the joint public hearing to be held on March 11, 1976, at 7:30 P.M., at the North Brunswick High School which is located within the proposed district.
- (C) That notice of the joint public hearing was duly given the general public by posting a notice on the bulletin board at the Brunswick County Courthouse and by publishing the notice of the public hearing for five (5) successive weeks in "The State Post Pilot" which has a general circulation within the territory to be included in the proposed sanitary district.
- (D) That a joint public hearing was held by the Board of Commissioners of Brunswick County and the representative of the Division of Health Services of the Department of Human Resources, to-wit: Mr. M. P. Bell, Regional Engineer, Sanitary Engineering Section, upon the question of creating the Leland Sanitary District, Brunswick County.
- (E) That at said joint public hearing no opposition to the creation of the sanitary district was made. Therefore, the Board of Commissioners of Brunswick County and the representative of the Division of Health Services agreed that the creation of Leland Sanitary District should be approved. The Board of Commissioners of Brunswick County adopted a resolution to that effect and requested the Commission for Health Services to create the District. The representative of the Division of Health Services recommends to the Commission for Health Services at its next regular meeting that the proposed Leland Sanitary District be created and established.

THEREFORE, BE IT RESOLVED FURTHER: That, in the opinion of the Commission for Health Services, the territory described in said petition should be created as a sanitary district for the purpose of preserving and promoting the public health and welfare in the area described and that the same be and is hereby created and established as a sanitary district, in accordance with and pursuant to the provisions of the General Statutes of North Carolina, G.S. 130-125.

The said district as described in the said petition and resolution heretofore adopted is hereby described and set out as follows, to-wit:

Lying and being entirely within Brunswick County, North Carolina and BEGINNING at a point at the intersection of the center line of Seaboard Coastline Railroad with the median highwater mark of the western bank of

May, 1976, relative to the creation of the Leland Sanitary District local 41
County, North Carolina.

Witness my hand, this 17th day of May, 1976.

Jacob Koomen
Jacob Koomen, M.D., M.P.H.
Director

Subscribed and sworn to before me on
this the 17th day of May, 1976.

Charles E. Henderson
Notary Public

My Commission expires April 18, 1981.