REQUEST FOR BOARD ACTION

ITEM NO. 4

DATE OF MEETING: January 20, 2015

REQUESTED BY: Melissa Pedersen, Administrative Assistant

SHORT TITLE: Approval of Minutes: Regular & Closed Session January 5, 2015.

BACKGROUND: N/A.

SPECIFIC ACTION REQUESTED: Review and approve the minutes.

MONDAY, JANUARY 5, 2015 – 4:00 p.m.

The Pender County Board of Commissioners met in regular session on Monday, January 5, 2015 at the Commissioner's Public Assembly Room, 805 S. Walker St., Burgaw, NC 28425.

MEMBERS PRESENT: David Williams, Chairman, presiding; Vice Chairman George Brown; Commissioners Fred McCoy, David Piepmeyer, and Jimmy Tate.

MEMBERS ABSENT: None.

OTHERS PRESENT: Bob Murphy, Interim County Manager and Clerk to the Board; Trey Thurman, County Attorney; Melissa Pedersen, Deputy Clerk to the Board; other staff and members of the Press and public.

CALL TO ORDER
Chairman Williams called the meeting to order at 4:01 p.m. and thanked and welcomed all to the meeting.

INVOCATION
Commissioner McCoy offered the Invocation.

PLEDGE
Commissioner Piepmeyer led the Pledge of Allegiance.

Commissioner Brown began the meeting by asking all the veterans to stand in recognition of their service.

PUBLIC HEARING

1. **Interim County Manager Bob Murphy: Public Hearing and Consideration of Preliminary Resolution on Financing for Various County Projects, Including Old Topsail School Renovation and Pender Commerce Park Wastewater Treatment Plant.**

Chairman Williams opened the Public Hearing at 4:05 p.m. Bob Jessup of the firm Sanford Holshouser representing Pender County's Bond Counsel explained: The purpose of this public hearing is to take the next step in the package for county financing for various county projects including a public hearing required by the statutes and gave the board a tentative schedule for the remainder of the loan process. There was no one present from the public for comment. The Public Hearing closed at 4:06 p.m. Discussion ensued regarding whether the items for financing were considered in the budget; reasons for including smaller projects; the interest rate and financing outlook; determining the cost of projects; rate of return for the Fuel Depot; and length of time before the Fuel Depot is operational. Mr. McCoy made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved.

PUBLIC INFORMATION

2. **Carolyn Moser, Health and Human Services Director: Presentation of 2014 Community Health Assessment.**

Carolyn Moser, Health and Human Services Director explained: The Community Health Assessment is required to be done every four years. The Health Department works closely with the Institute of Health and multiple county and community agencies when putting this report together. Ms. Moser stated that this report features some great statistical data that will be very helpful when applying and obtaining grants. Ms. Moser stated that this Community Health Assessment lays the ground work for the next four years for some of the priorities that the health department as well as the community need to address. Ms. Moser stated that the three issues that come to the top in Pender County are mental health and substance abuse,

diabetes, and increased access to physical activity. Because of these results, the Health Department will be partnering with the Hospital, Parks and Recreation, Planning, and every community agency that was involved in this study. The Health Department will also be developing some Health Action Plans that will be sent to the state to record progress that is made annually with some of these items. Ms. Moser stated that she is available for comment and that the 2014 Community Health Assessment will placed in each of the libraries, as well as in the Health Department, and on the Health Departments webpage. She said that anyone who wants a copy may call or stop by the Health Department to obtain a copy. Ms. Moser then asked for comments. Mr. Williams commended Ms. Moser and her staff for putting this together. Mr. Brown thanked Ms. Moser and stated that there is a lot of good information in this document. Mr. Piepmeyer asked a few questions and discussion ensued regarding the suicide rate in Pender versus North Carolina; suicide prevention; water bacteria concerns; well installation processes; and water inspection results and how it relates to this study. Mr. McCoy also commended and thanked Ms. Moser for her work and stated that he is hearing good things about the Health Department in the community. Mr. Tate mentioned that this presentation may be good to bring to the Pender County Council on Community Affairs. She stated that if that was something they Council wanted to see, she would be glad to make a presentation. Ms. Moser then thanked the Board of Commissioners for their interest.

3. **Commissioner George Brown: Introduction of New Rocky Point Fire Chief Chris Tucker.**
Commissioner Brown introduced Rocky Point Fire Department's new Fire Chief, Chris Tucker. Mr. Brown also mentioned that the new Rocky Point Sub Station has now opened and the southern part of Rocky Point will now see a savings on their ISO rating with Homeowners Insurance. Mr. Tucker introduced himself. Mr. Tucker then added to what Mr. Brown had stated regarding ISO ratings. Mr. Tucker explained how an ISO rating is determined and said that opening this substation will save residents in southern Rocky Point $400-$1,000 per year on their Homeowners Insurance. Mr. Tucker stated that it will take $60-$70k to finish the substation, but that it is up and running and they have been approved for a loan to finish this project. Mr. Williams clarified that the building was obtained by the Fire Department, not built, and that is why it still needs to be completed. Mr. McCoy asked if the department was able to get enough volunteers. Mr. Tucker explained that the department is well above its required 28 personnel which they maintain at all times. He stated that they have more candidates going to school and joining than in the history of the department. Mr. Brown thanked Mr. Tucker. Mr. Tucker thanked the Board of Commissioners for their time. Mr. Williams also asked Mr. Tucker to thank Chief Moss for his service.

PUBLIC COMMENT
Hampstead Business Owner Rachel Gaines said that the business owners and operators in Hampstead would respectfully like to submit the ongoing petition for the needed sign revisions for the Unified Development Ordinance (UDO) containing 446 signatures. Ms. Gaines asked if the UDO had been changed since it was approved in 2010. Mr. Breuer discussed that the UDO was changed in 2012; however, the time allowance was not changed. Mr. Williams stated that Pender County's allowance for time for temporary signs is longer than neighboring jurisdictions. Ms. Gaines asked if this could be a priority that the board review the ordinance. Mr. Williams stated that the Board of Commissioners would take that into consideration.

CONSENT AGENDA
Chairman Williams presented the five items on the Consent Agenda and asked for any discussion or questions. There being none, Mr. Brown made a motion to approve the Consent Agenda, Mr. McCoy seconded the motion and the Consent Agenda was unanimously approved as follows:

4. Approval of Minutes: Regular & Closed Session December 1, 2014.

5. Resolution Authorizing Approval of Tax Releases and Refunds to the Individuals Listed Herein.
6. Resolution Authorizing Budget Ordinance Amendment to Increase Revenue from a Federal Library Services and Technology Act Grant and Increase Library Expenditures: $5,000.
7. Resolution Authorizing FY 2013-14 Budget Ordinance Amendment Increasing State Aid to Public Library Fund Revenue and Library Department Expenditures by $6,806.
8. Resolution Authorizing Budget Ordinance Amendment for Davenport and Company for Professional Assistance Related to Financial Advice, Counsel and Other Associated Services: $26,618.
9. Resolution Authorizing Budget Ordinance Amendment for Pender Commerce Park Construction: $3,298,124.
10. Resolution Requesting an Amendment to the 2014/15 Budget for the HCV Program to Include an Appropriation for Family Self-sufficiency Program Revenue and Expenses.

RESOLUTIONS

11. **Resolution Authorizing Approval of Purchase Order to Blue Tone for the Development of the New Tourism Website: $6,300, Plus an Annual Hosting Cost of $599; & Purchase Order to Luna Ads to Facilitate the Design of the New Website: $3,000.**

Tourism Director Monique Baker explained: Pender County Tourism needs a website that can be viewed on mobile devices. She explained that Pender County's ITS department was not able to provide such a website but are able to provide the funding to have one created and hosted by a third party. Mr. Tate was concerned at the price of the service versus the benefits. After some discussion, Mr. Harvey made a recommendation that we go through with this resolution. He also mentioned that this resolution does not cover the needs of all departments and reminded the Board of Commissioners that Pender County needs a web administrator and the issues the county faces without one. After more discussion, Mr. Tate made a motion to approve the resolution, Mr. McCoy seconded the motion and it was unanimously approved by a 5-0 vote.

12. **Resolution Approving Installation of "In God We Trust" Motto in the Commissioners' Meeting Room.**

Commissioner Brown thanked the Board for their consideration and quickness on this resolution. Mr. Mack had prepared a template and presented a sample of the lettering to the Board for review. After some discussion Mr. Brown made a motion to approve the resolution, Mr. Piepmeyer seconded the motion and it was unanimously approved by a 5-0 vote.

13. **Resolution Requesting Use of County Courthouse Annex Parking Lot and $300 Funding for El Puente Multicultural Festival.**

Irene Edwards of El Puente NC came before the Board to request use of the Courthouse Annex Parking lot for a Multicultural Festival on October 17, 2015. She also asked the Board of Commissioners to sponsor a tent for $300. She explained that the festival needs three tents and that the Town of Burgaw is also sponsoring one. Mr. Williams, as well as other Commissioners were concerned that sponsoring a tent would set a precedent for other organizations and festivals to request the same. Mr. Brown was concerned that it would seem as if the Board was sponsoring an organization with tax payer money. Mr. Brown explained that there would need to be county agencies using the tent to provide county services before the Board could take a vote on sponsoring it. After some discussion, Mr. McCoy made a motion to allow El Puente NC use of the Courthouse Annex Parking lot for a Multicultural Festival on October 17, 2015, Mr. Brown seconded the motion and it was unanimously approved by a 5-0 vote.

14. **Resolution Authorizing Budget Ordinance Amendment to Transfer Funds for the Finance Department's Budget.**

Interim Finance Director, Sylvia Blinson explained: The Finance Department has looked at a couple of budgets in the County including the Finance budget and there are some line items that need adjustment. Ms. Blinson is requesting money to be moved from Non-Departmental funds to Finance since some of the Non-Departmental funds pertaining to the Auditors has not been spent due to things being done in house. Ms. Blinson explained that money has been moved for training for the new Senior Accountant as well as a new Finance Director. Ms. Blinson did note that if the money is not needed it will not be spent. Those funds not spent will be moved back into the General Fund. After some discussion Mr. McCoy made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved by a 5-0 vote.

15. **Resolution Authorizing Budget Ordinance Amendment for the County Manager's Budget.**

Mr. Murphy commented that this resolution is for the same reason as the Finance budget resolution. After a little discussion, Mr. Brown made a motion to approve the resolution, Mr. McCoy seconded the motion and it was unanimously approved by a 5-0 vote.

16. **Resolution Approving Funding for Pender Youth Football and Cheerleading Association.**

Commissioner Brown introduced Carla Burbick with the Pender Youth Football and Cheer Association. Mr. Brown stated that the Pender Youth Cheerleaders have advanced to the National Competition in Orlando, FL. Mr. Brown also noted that the Board of Commissioners usually donates $1500 to teams who go to compete on a national level. Ms. Burbick noted that groups that place in the top ten the previous year compete in the world competition, which this team will be doing this year. After some discussion Mr. Brown made a motion to approve the resolution, Mr. McCoy seconded the motion and it was unanimously approved by a 5-0 vote.

APPOINTMENTS

17. **Resolution Authorizing Approval of Appointment to the Pender County Planning Board.**

Ms. Pedersen explained: William Marshburn has served nine years on the Planning Board representing an At-Large position. Mr. Marshburn's term expires January 31st and he wishes to be re-appointed and he is eligible to serve one more year. John Fullerton is applying to serve on the Planning Board for the first time. The position open is the Professional category; the positions were duly advertised. Mr. Brown made a motion to approve the following appointments: William Marshburn is appointed to the Pender County Planning Board to serve a one-year term representing an At-Large position, with term to expire January 31, 2016; John Fullerton is appointed to the Pender County Planning Board to serve a three-year term representing a Professional position, with term to expire January 31, 2018. Mr. McCoy seconded the motion and the appointments were unanimously approved.

18. **Resolution Authorizing Appointment of Commissioner as Voting Delegate for the 2015 NCACC Legislative Goals Conference.**

Mr. Tate asked Mr. Brown if he would like to represent Pender County as the Voting Delegate for the 2015 NCACC Goals Conference. Mr. Brown accepted the appointment. There being no discussion, Mr. Tate made a motion to approve the resolution, Mr. McCoy seconded the motion and it was unanimously approved by a 5-0 vote.

ITEMS FROM THE COUNTY ATTORNEY

Mr. Thurman stated there will be items for Closed Session, Item #'s 3, 4 and 6.

ITEMS FROM THE COUNTY MANAGER

Mr. Murphy thanked Ms. Pedersen for manning the office during the Christmas Holiday since she started with no real assistance. Mr. Murphy also stated that Ms. Pedersen scheduled for the Clerks School through the school of government saying that the goal is to get Ms. Pedersen certified as a Municipal/County Clerk.

Mr. Murphy also stated that Mr. Tony Masiero has accepted a position with Brunswick County as an Assistant Tax Administrator. His last day will be January 16, 2015.

ITEMS FROM THE COUNTY COMMISSIONERS

Mr. Tate thanked Mr. Williams for his attentiveness in a resolution to represent at Judge Faison's mothers services on Saturday. He stated that he attended the service on Saturday at Pender High School and it was well attended as she was one of our icons and leaders in the community. Mr. Tate also thanked Mr. Thurman for his attentiveness. Mr. Tate also thanked Mr. Williams for attending the Council on Community Affairs meeting a few weeks ago. Mr. Tate thanked Mr. Brown for his helping Ms. Banks and Ms. Williams with a water issue near the Pike Creek Baptist Church area but that they are still not fully connected, but asked Mr. Mack to take note. Mr. Tate ended by thanking Mr. Masiero for his years of service to Pender County and congratulated him on his new endeavor and stated that he will be missed in Pender County.

Mr. Brown thank Mr. Masiero for all his help over the years and wished him luck in the future. Mr. Brown also brought up the noise ordinance. He was contacted by a resident who has a neighbor who is practicing with a band during the day. He asked the Board for clarity and if there was something that could be done to help this resident. After some discussion, Trey said that he will contact the Sherriff to get their input as to what they see and their suggestions before moving forward.

Mr. Williams stated that he has spoken with Mayer Guy of Surf City who as requested a light be put up at the Convenience Site on JH Batts Road because they are still open when it is dark. Mr. Williams also mentioned trash billing for campgrounds. He stated that an email has gone out to the other commissioners and asked that they take a look at it.

Mr. McCoy talked about the candlelight vigil at the courthouse just before Christmas in support of our law enforcement officers. He said he attended that event and feels strongly that we should be in support of our law enforcement and he appreciates all that they do.

CLOSED SESSION

At 5:53 p.m., Mr. Brown made a motion to enter into closed session, pursuant to NCGS 143-318.11: 3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded; 5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option,

exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; and 6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy matters may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting. Mr. Tate seconded the motion and it was unanimously approved. The Board exited the Closed Session at approximately 7:01 p.m. There were no announcements made upon exiting the Closed Session

ADJOURNMENT

There being no further business, the meeting adjourned at 7:01 p.m.

Respectfully Submitted,

Melissa Pedersen

Melissa Pedersen, Deputy Clerk to the Board

Reviewed By:

Bob Murphy, Clerk to the Board/Ann Coombs, Administrative Assistant