REQUEST FOR BOARD ACTION

ITEM NO. _2_

DATE OF MEETING: February 17, 2015

REQUESTED BY: Melissa Pedersen, Administrative Assistant

SHORT TITLE: Approval of Minutes: Special Meeting January 26, 2015 as well as Regular & Closed Session February 2, 2015.

BACKGROUND: N/A.

SPECIFIC ACTION REQUESTED: Review and approve the minutes.

MONDAY, JANUARY 26, 2015 – 5:00 p.m.

The Pender County Board of Commissioners met in a special session with the Pender County School Board on Monday, January 26, 2015 at the Pender Resource Center Board Room, 798 US Hwy 117 South, Burgaw, NC 28425.

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

MEMBERS ABSENT: Commissioner Fred McCoy.

OTHERS PRESENT: Trey Thurman, County Attorney; Melissa Pedersen, Deputy Clerk to the Board; School Board Members: Karen Rouse, Chair, Brad George, Vice Chair, Kathrine Herring, Kenneth I. Lanier, Jr.; Rod Malone, School Board Attorney; School Leadership Team Members: Dr. Terri Cobb, Superintendent, Dr. Pamela Breedlove, David Smith, Alfredia Moore, and Tonya Brown; Beth Gardner, Pender County Schools Secretary; other members of the Press and Public.

CALL TO ORDER

Pender County School Board Chairman Karen Rouse called the meeting to order at 5:03 p.m. Mr. Piepmeyer thanked both Boards for taking the time to meet regarding the projects that are part of the approved School Bond Referendum.

Pender County Schools Superintendent, Dr. Terri Cobb began the meeting by giving a presentation on the purpose of the bond and the actions steps that were taken up to the voters' approval of the bond. Dr. Cobb also presented a breakdown of the projects and their projected costs covered by the bond.

David Smith then took the podium to discuss considerations and assumptions along with action steps since the bond was approved. Mr. Smith presented to both boards the architects that were selected as well as the projects they were awarded. He also presented an estimated timeline to both boards as to when the projects should be completed. Discussion ensued between both boards regarding contingency funds; population growth and need; the selection of architects; communication of status with citizens; release of funds for projects; and future meeting times between both boards.

Both boards agreed that this meeting was a positive one. It was suggested that both groups continue to meet on a regular basis throughout the bond process. Both Pender County Commissioner Chairman Williams and Pender County School Board Chairman Rouse agreed that they would discuss a meeting process with their boards and report back.

CLOSED SESSION

At 6:50 p.m., School Board Member Kenneth Lanier made a motion to enter into closed session, pursuant to NCGS 143-318.11(a) (5), to instruct the Board's agents concerning the negotiations involving the acquisition of real property. Kathrine Herring seconded the motion and it was unanimously approved.

At 6:51 p.m., Mr. Brown made a motion to enter into closed session, pursuant to NCGS 143-318.11(a) (5), to instruct the Board's agents concerning the negotiations involving the acquisition of real property. Mr. Piepmeyer seconded the motion and it was unanimously approved.

The Boards exited the Closed Session at approximately 7:31 p.m. There were no announcements made upon exiting the Closed Session.

ADJOURNMENT

There being no further business, the Pender County Board of Commissioners meeting adjourned at 7:31 p.m.

Respectfully Submitted,

Melissa Pedersen

Melissa Pedersen, Deputy Clerk to the Board

Reviewed By:

Randell Woodruff, Clerk to the Board

MONDAY, FEBRUARY 2, 2015 – 4:00 p.m.

The Pender County Board of Commissioners met in regular session on Monday, February 2, 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 David Piepmeyer, Jimmy Tate.

MEMBERS ABSENT: Commissioner Fred McCoy.

OTHERS PRESENT: Randell Woodruff, 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 4:02 p.m. and thanked and welcomed all to the meeting.

INVOCATION
Commissioner Tate offered the Invocation.

PLEDGE
Commissioner Piepmeyer led the Pledge of Allegiance.

EXCUSE COMMISSIONER
Mr. Tate made a motion to excuse Mr. McCoy, Mr. Brown seconded the motion and it was unanimously approved by a 4-0 vote.

Chairman Williams began the meeting by commending the Board of Commissioners for voting in favor of the "In God We Trust" addition. He also thanked staff for getting the plaque installed for tonight's meeting.

PUBLIC INFORMATION

1. **Discussion of Architect Selections and Land Acquisition for School Bond Project.**
   Dr. Cobb, Pender County Schools Superintendent, explained: Both the Pender County Board of Commissioners and the Pender County School Board met on January 26, 2015 to discuss the projects covered under the approved bond referendum. Dr. Cobb highlighted some key points from the meeting on January 26, 2015. Dr. Cobb reviewed the costs of the Bond projects and reviewed some considerations and assumptions. Mr. Brown then asked how the Board of Education came up with the savings figure of $3 Million by keeping the project managed internally. Dr. Cobb introduced David Smith, Director of Maintenance to answer those questions. Mr. Smith stated that a Project Management Firm charges three to five percent of the project costs for their services. It has been his experience that those costs can be saved by managing the projects from within. Mr. Tate then asked about all of Mr. Smith's other duties and if either the projects or his regular duties would suffer. Mr. Smith stated that his duties have changed because he now has five directors under him, whom are able to take up some extra duties of his during this project time. He also included that he has spent at least 50% of his time since planning for these bonds began in 2012 working on these projects. Dr. Cobb stated that Mr. Brown's questions are very valid and that they have weighed the options. Mr. Smith then proceeded to review the Bond Approval Action Steps that have already been taken. He also talked about the architect selections.

Discussion ensued between Mr. Brown and Mr. Smith regarding prototype designs for schools and architect design fees. Mr. Smith then continued with the School Board request of $1,375,000 in funding for the architect and testing/surveying of the Surf City site. Mr. Piepmeyer asked if there was a timeline for the entire project with regard to payment dates. Mr. Smith stated that he would get that information to the architects and forward it to both Boards as soon as possible. Mr. Williams stated that he would like to know ahead of time when funds would be needed for the project so that the county can keep a good cash flow without slowing anyone down. Mr. Brown stated most of the board members have never been involved with a bond process and he would like to see the timelines before he votes on anything. Mr. Thurman noted that according to the procedures of the LGC, there would be no sale of bonds until there has been at least one project under contract. Mr. Williams followed up by stating that a commitment of this type of money would need to be done with a formal vote, with a resolution including as much information as they have. Mr. Piepmeyer included to the discussion that the more information that is provided, the less questions that the Board would have. Mr. Tate asked that Dr. Cobb make the PowerPoint presentation from today available online so that the public could see it. Dr. Cobb ended by stating that the Board of Education has a meeting after this one and they will go back and share with their Board the comments and concerns of the Board of Commissioners. She also stated that she will work closely with Mr. Woodruff on meeting dates throughout the projects. Mr. Piepmeyer requested that Mr. Smith could provide the packages to Mr. Woodruff for the three selected architects stating that it might answer a lot of the Board's questions. Mr. Brown stated that if the Schools wanted to go ahead with the testing, they could and once approved, the county could then reimburse funds. Dr. Cobb said that she would bring that to her Board. Dr. Cobb thanked the Board for their time.

2. **Discussion of Pistol and Rifle Range to be Added Within Holly Shelter Game Lands.**
Kyle Breuer, Planning Director, introduced Mark Hamlett, PE, North Carolina Wildlife Resources Commission. Mr. Hamlett explained: In an effort to improve game lands throughout the State of North Carolina, the North Carolina Wildlife Resources Commission has expressed interest in developing firing ranges in select areas across the State. This is in part to aid in the management of small arm/rifle practice firing and the minimization of open field firing where not necessary. When the range is built, shooting will be restricted to only the range. The primary purpose of the proposed site is to provide an area where sportsmen/sportswomen can practice shooting rifle and small arms. Secondary purposes include increased NCWRC presence in the area, improved environmental awareness and stewardship, and improved management of the Holly Shelter game lands. The location of the range would be two miles from Hwy 53 with quick access to I-40. The closest home would be 0.6 miles from the range. The range would include a 200 Yard Rifle Range, a 25 Yard Pistol Range, a 10 Station Firing Structure, an ADA Accessible Parking Lot, and Sidewalks. Mr. Williams interjected that there is no permitting from the county required and that this project is in the works. Mr. Hamlett showed a design of the property and proposed range. Mr. Hamlett also provided a project schedule for the Board. Mr. Hamlett then mentioned a possible partnership with Pender County in which the county would provide a Range Officer on site during hours, provide routine maintenance, and be allowed to charge a small fee to use the site to cover these expenses. In return, the North Carolina Wildlife Resources Commission could add bathrooms to the design, a 3-D archery range, and possibly more Firing Stations. Discussion ensued regarding a partnership with regard to costs to the county, certification for a Range Officer, operation procedures of other facilities, safety issues, insurance liability, and adding a resolution to the agenda for March.

PUBLIC COMMENT
No one wished to speak under Public Comment.

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

3. Approval of Minutes: Regular & Closed Session January 20, 2015.
4. Resolution Requesting the Appropriation from Fund Balance Occupancy Taxes Collected Last Year but Never Transferred to the Tourism Development Authority (TDA) fund. Also Transferring Funds Unspent in the Tourism Office for FY 2012-13 and FY 2013-14 per Procedure That has Been in Place Since 2003.
5. Resolution Accepting Petition to Old Swann Point Ave. in Swann Plantation Subdivision, Rocky Point, to the State Maintained System, and Authorizing the County Manager to Submit the Petition to N.C. Department of Transportation.
6. Resolution Adopting an Order for the Tax Collector to Advertise 2014 Taxes.
7. Resolution Authorizing Approval of Tax Releases and Refunds to the Individuals Listed Herein.

RESOLUTIONS

8. **Resolution Authorizing Purchase Order to LunaAds for the Design, Printing and Shipping of 30,000 Pender County Visitors' Guides: $15,255.00.**
Tourism Director Monique Baker explained: The Visitors' Guides will be distributed to our Pender County tourism organizations & partners, NC Welcome Centers, inquiries and leads. Cape Fear Publications Distribution will distribute it to the Southeastern NC hotels, restaurants, and attractions. Funds for these flyers have been budgeted for. Kathy Luna with Luna Ads was present to display what the visitors guide would look like. Discussion ensued as to the effectiveness of these visitors' guides with the move into more technology as advertising. Following discussion, Mr. Piepmeyer made a motion to approve the resolution, Mr. Brown seconded the motion and the resolution was approved by a 4-0 vote.

9. **Resolution Authorizing the Creation of a New Department Code and a Budget Amendment for the Pender County Juvenile Crime Prevention Council.**
Dee Turner, Chairperson of the Juvenile Crime Prevention Council explained: This amendment is for accounting purposes to allow Pender County to produce the financial report required by the State of North Carolina Department of Public Safety. This new department code and budget amendment will separate Psychological Services from the other Juvenile Crime Prevention Council funded programs as request by the Area Consultant. Ms. Turner noted that this is just a housekeeping item. Mr. Tate asked if these funds stay in Pender County or if they are outsourced to New Hanover County. Ms. Turner stated that Teen Court through ADR is housed in New Hanover County but Pender County does have a coordinator. She continued that Anger Management is through Coastal Horizons which is here in Pender County and the Community Services/Restitution program is through Brigade Boys and Girls Club and is held in New Hanover County but also has sites in Pender County. Ms. Turner also noted that these are just pass through funds from the state to the county and the county disburses the funds. Mr. Tate made a motion to approve the resolution, Mr. Brown seconded the motion and the resolution was approved by a 4-0 vote.

Mr. Brown asked for an update on Millers Pond Park. Ms. Turner noted that she has met with the contractor and the restrooms are in construction at the picnic shelter and that they are currently in the design phase for the kayak launch. Ms. Turner stated that they are on schedule to have the park reopened by the beginning to mid part of April. Mr. Brown requested a sign be put at the park with that information. Ms. Turner stated that she would follow up on placing a sign at the park.

SOCIAL SERVICES BOARD

The Board convened as the Social Services Board at 5:28. Chairman Williams asked if there was any business that needed attention. There being none, the Board reconvened as the Board of Commissioners at 5:28 p.m.

APPOINTMENTS

10. **Resolution Authorizing Approval of Appointments to the Pender County Council on Community Affairs.**

Ms. Pedersen explained: Bob Holm is applying to serve on the Council of Community Affairs for the first time in an At-Large Position. Mr. Holm lives in District Four but that seat had been filled so he has requested to represent the open At-Large position. Mr. Holm has been a resident of Pender County for about 8 years. This appointment will be for one year. Ms. Pedersen noted that Mr. Holm attended the Council's meeting in January. Mr. Tate told the board that Mr. Holm had some great input. Mr. Brown made a motion to approve the appointment, Mr. Tate seconded the motion and the appointment was approved by a 4-0 vote.

Ms. Pedersen further explained that there was an open seat for District One and two applicants from District Two who were applying for this position. Tony Musolino is applying to serve on the Council of Community Affairs for the first time. Mr. Musolino has been a resident of Pender County for 28 years. Also, Kevin Piacenza is applying to serve on the Council of Community Affairs for the first time. Mr. Piacenza has been a resident of Pender County since 2012. The Commissioners reviewed both applications, noting both applicants were qualified to serve on the board. Mr. Brown noted that Mr. Piacenza's diverse background would be great for this committee. Mr. Tate asked about additional members and if it was allowed in the Bylaws. Mr. Breuer stated that he was unaware of the Bylaws allowing for extra members. Mr. Brown made a motion to approve the appointment of Kevin Piacenza to the Pender County Council on Community Affairs for the District One seat, Mr. Piepmeyer seconded the motion and the appointment was approved by a 4-0 vote.

11. **Resolution Authorizing Approval of Appointment to the Lower Cape Fear Water & Sewer Board.**

Ms. Pedersen explained: Norwood Blanchard is applying to serve as a civilian representative on the Lower Cape Fear Water & Sewer Board. Mr. Blanchard has been a resident of Pender County and has served on this board in the past. This appointment will be for three years. After brief discussion, Mr. Brown made a motion to approve the appointment, Mr. Tate seconded the motion and the appointment was approved by a 4-0 vote.

12. **Resolution Authorizing Approval of Appointment to the Pender County Fire Commission.**

Ms. Pedersen explained: Chief Kristopher Tucker of the Rocky Point Fire Department is applying to serve on the Fire Commission Board for the first time. He is applying to replace Chief Josh Moss who is the former Fire Chief of the Rocky Point Fire Department. This appointment will be for three years. Mr. Brown made a motion to approve the appointment, Mr. Tate seconded the motion and the appointment was approved by a 4-0 vote.

DISCUSSION

13. **Discuss a Possible Amendment to the BOCC Meeting Schedule to Allow Commissioners to Attend School Board Meetings Which Conflicts with Current BOCC Schedule.**
Mr. Piepmeyer explained: As the schedule sits, it conflicts with the meeting times of the school board. Changing the schedule will allow the Board of Commissioners to attend the School Board meetings as they work through the School Bond projects. The Board of Commissioners will consider moving meetings from the current 1st and 3rd Monday Schedule to a 2nd and 4th Monday Schedule. Mr. Piepmeyer then asked for some discussion. Mr. Brown stated that he thought it was a great idea to be involved more with the School Board. Mr. Tate stated that change is good and agreed with a 2nd and 4th Monday schedule. Mr. Brown noted that another option would be to have earlier meetings instead of changing the dates. He also noted that the 4th Monday of the Month is the DSS meeting which will be a conflict at first. The Board decided not to change the next meeting but asked for a vote on the next agenda to change the meetings schedule beginning in April.

ITEMS FROM THE COUNTY ATTORNEY

Mr. Thurman stated that the unemployment hearing was held on January 29, 2015 for the former Finance Officer. He told the Board that he will let them know the outcome when it is decided.

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

ITEMS FROM THE COUNTY MANAGER

Mr. Woodruff asked for feedback regarding having a retreat for budget and strategic as well as comprehensive planning. This meeting could be held mid-March and do either a day or a day and a half and have a representative from the School of Government speak. Mr. Williams asked that Mr. Woodruff email some suggestions for how he likes to run a retreat and they would set that up.

Mr. Woodruff also spoke about the Highway 17 Association. He mentioned that the association was in trouble and that the county might think about helping them out because it was an important association for our area. Mr. Williams said that the county might need to look at hiring a consultant to get what we need to work for us in Raleigh. Mr. Tate stated that we have heard presentations, but we have not seen many results. He suggested that Pender, New Hanover, and Brunswick collaborate and get a representative or a Government Affairs person to handle these issues for this area. Mr. Woodruff backed up Mr. Tate's comments stating that it was a great investment in Beaufort County and Pender County could really benefit from having a lobbyist to do things that the legislators cannot do. Mr. Breuer also agreed with the discussion and added that New Hanover and Brunswick currently do not support the Highway 17 Association and Onslow did not contribute funding this fiscal year. Mr. Woodruff added in that the political power has shifted more toward the urban areas whereas Mecklenburg County has more legislators than all of Eastern North Carolina. Mr. Tate stated that is why Pender County needs to try to collaborate with New Hanover and Brunswick counties. He added that come budget time, he will be asking for a Government Affairs person because if the Board wants to see Pender expand, it has to be positioned to do so.

ITEMS FROM THE COUNTY COMMISSIONERS

Mr. Tate – Mr. Tate spoke with Steven King who is Governor McCrory's Eastern Regional Director and was a Wayne County Commissioner before being recruited by Governor McCrory. Mr. Tate stated that he would like to invite Mr. King to speak and bring an update of the Governor's Initiative. He also stated that Mr. King is keen on Special Economic Development. Mr. Tate also recognized Chief Rossell with the

Shiloh Fire Department who was joined by Fire Marshall Charles Newman, for receiving a superior rating of seven. Mr. Tate thanked them for all of their hard work. Chief Rossell thanked the Board for adding a paid staff member to the department noting that it helped in achieving this rating. Mr. Newman stated that this department was very prepared for this inspection. He added that several other departments have or will have this inspection as well. Mr. Tate also thanked Mr. Newman for all he does. Mr. Tate then recognized Mr. Brown for attending the NCACC Legislative conference and thanked him for helping make rural internet get to the top 45 priority list. Mr. Breuer gave a quick update on this topic and stated that he hoped to have some good news soon. Mr. Tate also commended Mr. Breuer for his leadership on the Council of Community Affairs.

Mr. Brown – Mr. Brown backed Mr. Tate's comments on the NCACC meeting. Mr. Brown also noted that Veterans were another large issue and they talked about asking the state for assistance for veterans.

Mr. Piepmeyer – Mr. Piepmeyer mentioned the WMPO meeting this past week and announced that there would be a STIP Information Session at James Sprunt Community College on March 19, 2015 from 4-7 p.m. Mr. Piepmeyer also stated that he attended the Topsail Island Protection Committee meeting, mentioning the dredging and the progress that has been made. He stated that the committee is happy with the sand that has been placed on the beach and the quality of it. He also stated that the project is ahead of schedule and should be completed sometime in March. Mr. Piepmeyer asked about putting something on a future agenda in regards to the Bond process and the responsibilities of the County. Mr. Woodruff said that he could check with Bob Jessup or Ted Cole to present something. Mr. Brown suggested having a representative from the School of Government come work with the Board. Mr. Woodruff recommended making that part of the upcoming retreat. Mr. Piepmeyer closed by asking about the monthly financial reports and if they could be presented to the board. Mr. Woodruff stated that he would work with Ms. Blinson on providing that report.

Mr. Williams – Mr. Williams began by mentioning the shooting range that is coming to Pender County, and that it was a good thing. He further commented on all of the good things Pender County is doing and the fact that it is growing, and that he is proud of that. Mr. Williams also stressed customer service, for every department stating that there is always room for improvement.

Mr. Tate – Pender High School recently hosted the HOSA competition in which the students are introduced to the Health Sciences. The students were able to raise $1500 this year towards their state competition, but because of hosting the regional competition, they have spent about $900 of that. Mr. Tate added that with the economic hardships in the district, it is difficult for parents to pay for their children to attend these events out of town and stated he is even ready to give a personal donation. Mr. Tate said that he would like the board consider donating $1500 to help these children attend the state competition. He said he believes that learning and getting experience in this field will aid in the advancement of healthcare in Pender County. Mr. Williams stated that to give Pender High the donation that it would needed to be voted on. Discussion ensued regarding HOSA itself, the competition date, when the money would need to be paid, and any president that might be set. After said discussion, the board decided to put the item on the next agenda.

CLOSED SESSION

At 6:39 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; 4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session; 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 7:21 p.m. There were no announcements made upon exiting the Closed Session.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:21 p.m.

Respectfully Submitted,

Melissa Pedersen

Melissa Pedersen, Deputy Clerk to the Board

Reviewed By:

Randell Woodruff, Clerk to the Board/Ann Coombs, Administrative Assistant