REQUEST FOR BOARD ACTION

ITEM NO. 4

DATE OF MEETING: August 10, 2015

REQUESTED BY: Melissa Pedersen, Clerk to the Board

SHORT TITLE: Approval of Minutes: Regular Meeting: July 27.

BACKGROUND: N/A.

SPECIFIC ACTION REQUESTED: Review and approve the minutes.

MONDAY, JULY 27, 2015 – 4:00 p.m.

The Pender County Board of Commissioners met in regular session on Monday, July 27, 2015 at the Commissioner's Public Assembly Room, 805 S. Walker St., Burgaw, NC 28425.

MEMBERS PRESENT: Chairman David Williams, presiding; Vice-Chairman George Brown; Commissioners Fred McCoy, David Piepmeyer, and Demetrice Keith.

OTHERS PRESENT: Randell Woodruff, County Manager; Trey Thurman, County Attorney; Melissa Pedersen, Clerk to the Board; Sylvia Blinson, Interim Finance Director; 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
Chairman Williams offered the Invocation.

PLEDGE
Commissioner Piepmeyer led the Pledge of Allegiance.

ADOPTION OF AGENDA
Commissioner Brown made a motion to adopt the agenda as written. Commissioner McCoy seconded the motion and it was unanimously approved.

PUBLIC INFORMATION
1. Recognition of Sylvia Blinson, Interim Finance Director for Her Service to Pender County.
Mr. Williams read the Resolution recognizing Ms. Blinson. Mr. Brown made a motion to approve the Resolution as written. Ms. Keith seconded the motion and it was unanimously approved. Mr. Williams then presented Ms. Blinson with the Resolution.

RECESS
Chairman Williams recessed the meeting at 4:05 p.m. to hold a reception for Ms. Blinson. The Board reconvened at 4:28 p.m.

PUBLIC INFORMATION
2. Presentation on the Tri-County Homeless Continuum of Care – System Overview and Opportunities for Collaboration and Support.
Mr. Chris May with the Cape Fear Council of Governments introduced Ms. Cecelia Peers, the Continuum of Care Administrator with the Cape Fear Council of Governments. Ms. Peers stated that this presentation was created to look at opportunities for Pender County to be engaged in a proactive, integrated, collaborative approach on the issue of homelessness within the Cape Fear Area. Ms. Peers also presented a timeline of homelessness response including major legislation that addresses this issue. She then explained to the Board what the Continuum of Care does on the local level and explained sources of funding. Ms. Peers also explained the opportunities for increased support and coordination in Pender County. Ms. Keith asked if the Continuum of Care has defined a target group for homeless in Pender County. Ms. Peers stated that she has not identified the target group for Pender County but explained the

steps she plans to take to do so. Mr. Williams also noted that being involved with the Council of Governments helps to know more of what is going on in and around the region and stated that Mr. May will be a great resource for her.

3. Discussion of the Upcoming Fireball Run to be held September 29-30, 2015 in both Pender and Onslow Counties.

Tourism Director Tammy Proctor explained: On September 29-30, 2015, The Greater Topsail Area Chamber of Commerce & Pender County Tourism, four towns, and two counties have a wonderful opportunity to spotlight the Coastal Region of North Carolina and join the race to recover America's missing children. Fireball Run, a program that is 75 percent travelogue and 25 percent economic development, is rolling onto Onslow and Pender Counties September 29. This is the first time the show will feature North Carolina. Ms. Proctor spoke about the event in detail by discussing that the show has three components to it. First, it highlights America's missing children. Second, the show will spotlight the Topsail Area and will be great for tourism. Third, are the participants in the show who are leaders in industry who may have never considered this area for economic development. Ms. Proctor stated that there are 50 teams and each team has a flier for a missing child. In the past eight seasons, 44 children have been recovered because of this show. Ms. Proctor further explained that this project has been in the works for 18 months. Ms. Proctor also explained the events that are planned for this show.

20. Resolution Authorizing Advance of Two Million Nine Hundred Fifty Thousand Dollars ($2,950,000.00) from Fund Balance for School Bond Construction Projects.

Chairman Williams introduced the item and asked other Board members for comment. Mr. Williams stated that the source of the money to be advanced would be the County fund balance. Meetings were held with BOE to discuss the timing of issuance of the bonds. County staff felt that it was necessary to know what budget would be adopted before determining the amount and timing of an advance of money from fund balance and subsequent sale of the bonds. County Staff has consulted with the Local Government Commission and received approval to advance the requested amounts from the County fund balance. The funds the County would advance would be repaid to the fund balance out of the first round of bond sales which would take place during the 2015-16 fiscal year. The LGC prefers that a bond sale not take place until the projects are further along and some projects have bids. This LGC position is designed to be sure the bond funds will be adequate to complete any projects which are started. Mr. Williams asked for any comments from commissioners. Mr. Brown stated his concerns. He noted that these projects are separate from the current mediation process. In conclusion to Mr. Brown's comments, he demanded oversight on these projects and requests that a condition be placed that in order to release funds, contracts need to be reviewed and approved by the Board of Commissioners. Mr. Thurman stated that the Board should know by the end of next week whether or not the County would be going to court. Ms. Keith asked if approving this item would help in the mediation process. Mr. Thurman stated that these Bonds are not a part of the mediation and by statute cannot be part of the mediation process. Mr. McCoy added that he was also concerned with the legal costs and added that he will be protective over the Fund Balance. Mr. McCoy added that he will support this item with hesitation. Mr. Piepmeyer added that the Fund Balance is supposed to protect the citizens of Pender County in the event of a catastrophic event such as a hurricane. He further added that a lawsuit would cost the citizens big. Discussion ensued regarding what is available in the Fund Balance. Mr. Brown stated that approving this items will cost the Fund Balance 1/3 of its balance. Mr. Brown reiterated that these issues are separate issues, but that they do overlap. Proceeding with caution was thoroughly discussed. There being no further discussion, Mr. Brown made a motion that the Board approve this item with the condition that all contracts be reviewed and approved by the Board of Commissioners as it relates to the School Bond. Mr. McCoy seconded the motion and it item was approved 4-1 with Commissioner Piepmeyer voting in opposition.

PUBLIC COMMENT

Johnny Stringfield of Burgaw, NC – Mr. Stringfield spoke regarding getting a recreation center and some afterschool programs in Burgaw. He also announced that he is running for Burgaw Commissioner along with Linetta McCallister and Shiree Shepard. He also spoke in favor of Dr. Shiver and stated his concern over the situation with Dr. Shiver. He asked Commissioner Keith for insight on the situation. Ms. Keith responded that she has known Dr. Shiver for many years but that because it was a personnel issue, she could not comment on the issue but that she does support Dr. Shiver. Mr. Stringfield also took a moment to campaign for his spot on the Burgaw Town Commission.

Linetta McCallister of Burgaw, NC – Ms. McCallister came to the podium to state that she was also running for the Burgaw Town Commission.

Dr. Rachel Stephens, President of the Pender County NAACP – Dr. Stephens spoke to the Commissioners regarding the issue with Dr. Shiver. She focused on the letter that was sent by Ms. Moser. Dr. Stephens also reviewed the disciplinary history of Dr. Shiver since Ms. Moser was appointed as Health and Human Services Director.

Cynthia Beahl of 114 Blackwater Drive Watha, NC – Ms. Beahl spoke in favor of Dr. Shiver. She stated that the employees of DSS feel like they are now being micromanaged. She added that DSS employees do their work and that they miss Dr. Shiver.

Dwight Strickland of 181 Willard Rd - Willard, NC – Mr. Strickland, former County Commissioner and former Chairman, also came and spoke in favor of Dr. Shiver. He asked that the investigator be looked at closer.

Cleveland Simpson of Rocky Point, NC – Mr. Simpson, another former County Commissioner and former Chairman, stated that he is not fully unbiased as Dr. Shiver is also his niece. Because of this he focused on the worth of public servants. He also comments that Pender County is a revolving door for employees. He added that the working environment is not a good one. He closed by asking the Board to look at the record of Pender County's Social Services Department.

James Fullwood of Burgaw, NC – Mr. Fullwood also spoke in favor of Dr. Shiver. He gave a brief history of Dr. Shiver's family and education. He also spoke regarding of her credentials.

Irene Wallace of Burgaw, NC – Ms. Wallace also stated that she was concerned about the issue with Dr. Shiver and that she is sorry that Dr. Shiver is having to go through this.

CONSENT AGENDA

Chairman Williams presented the items on the Consent Agenda and asked for any discussion or questions. Ms. Keith stated that she had a question on item 11. She asked where these funds are coming from. Ms. Blinson explained the Budget Amendment and Mr. McCoy added that these funds have been donated. Mr. McCoy also talked for a moment about the Equine Program. There being no further discussion, Mr. McCoy made a motion to approve the consent agenda. Ms. Keith seconded the motion and it was unanimously approved.

4. Approval of Minutes: Special Meeting: June 29, Special Joint Meeting: June 29, and Regular Meeting: July 7.

5. Resolution Authorizing Approval of Annual Settlement of the Pender County Tax Collector.
6. Resolution Authorizing, Empowering and Commanding the Tax Collector of Pender County to Collect Taxes.
7. Approval of a Budget Ordinance Amendment for Adoption Funds: $12,000.
8. Approval of a Budget Amendment to Increase in Health Department Revenues and Expenditures for Fiscal Year 2015-2016: Preparedness $20,000.
9. Approval of a Budget Amendment to Increase in Health Department Revenues and Expenditures for Fiscal Year 2015-2016: Adult Health $21,250.
10. Approval of a FY 15-16 Budget Ordinance to increase Health Department Expenditures for Fiscal Year 2015-2016, moving designated funds received in Donations from General Fund to the Animal Shelter: $5,078.15.
11. Approval of a FY 15-16 Budget Ordinance to increase Health Department Expenditures for Fiscal Year 2015-2016, Moving Designated Funds Received in Donations from General Fund to the Animal Shelter: $9,593.

EXCUSE COMMISSIONER

Mr. McCoy made a motion to excuse Mr. Brown at 5:53 p.m. Mr. Piepmeyer seconded the motion and it was unanimously approved.

ROCKY POINT/TOPSAIL WATER & SEWER DISTRICT CONSENT AGENDA

The Board of Commissioners convened as the Rocky Point Water & Sewer District Board at 5:55 p.m.

Chairman Williams presented the items on the Rocky Point/Topsail Water & Sewer District Consent Agenda and asked for any discussion or questions. Mr. Piepmeyer asked that these items be discussed.

12a. Approval by the Board of Directors of the Rocky Point/Topsail Water & Sewer District of an Annual Estimated Purchase Order to Amerochem Corporation for Water Treatment Plant Chemicals (Ferric): $132,000.

Utilities Director Michael Mack explained: Amerochem Corporation is a major utilities chemical company and has provided Ferric for the water treatment plant since it went online in 2012. Staff is pleased with the service and pricing. Funds have been budgeted for this expenditure from the Supplies line items: 77-403372 for $132,000. Mr. Mack stated that last year $80,000 was budgeted and $112,000 was spent. Mr. Piepmeyer asked where this company was located. Mr. Mack stated that he was not sure but that the company is located in North Carolina. Mr. Piepmeyer also asked if Mr. Mack went out for competitive bids. Mr. Mack stated that they do not get bids but they do shop around for prices to include shipping and timing. There being no further discussion, Mr. McCoy made a motion to approve the item. Mr. Piepmeyer seconded the motion and it was unanimously approved.

12b. Approval by the Board of Directors of the Rocky Point/Topsail Water & Sewer District of an Annual Estimated Purchase Order to Brenntag Mid-South Corporation for Water Treatment Plant Chemicals (Caustic): $88,000.

Utilities Director Michael Mack explained: This is the same as item 12a. Brenntag Mid-South is a major utilities chemical company and has provided Caustic for the water treatment plant since it went online in 2012. Staff is pleased with the service and pricing. Funds have been budgeted for this expenditure under the Supplies line item: 77-403372 for $88,000. Mr. Mack stated that last year $100,000 was budgeted and $105,000 was spent. Mr. Mack added that it depends on what comes out of the river as to what chemicals are needed. Mr. Mack added that staff budgeted for less than spent last year because staff is working to cut back on chemicals. Mr. Mack also stated that this company is located in the western piedmont area.

There being no further discussion, Mr. Piepmeyer made a motion to approve the item. Ms. Keith seconded the motion and it was unanimously approved.

12c. Approval by the Board of Directors of the Rocky Point/Topsail Water & Sewer District of an Annual Estimated Purchase Order to HD Waterworks for Water and Sewer Installation and Repair Supplies: $80,000.

Utilities Director Michael Mack explained: HD Waterworks is a major utilities supply company and has provided the supplies for water service installations and inventory materials used for system repairs since the formation of PCU. Mr. Mack noted that this is the company that water meters, piping supplies, fittings, and hydrants are purchased from. He stated that staff is pleased with the service and materials they provide. Funds have been budgeted for this expenditure under the Supplies line item 072-403308 for $80,000. Mr. Mack stated that $75,000 was spent last year, and with the projected growth staff is asking for $80,000. Discussion ensued regarding other utility companies damaging PCU equipment and what is mostly spent from these purchases. Recouping damages was also discussed. There being no further discussion, Mr. McCoy made a motion to approve the item. Mr. Piepmeyer seconded the motion and it was unanimously approved.

12d. Approval by the Board of Directors of the Rocky Point/Topsail Water & Sewer District of an Annual Estimated Purchase Order to Environmental Chemists (Envirochem) for Testing and Sampling of the District's Water & Sewer Systems: $50,000.

Utilities Director Michael Mack explained: NCDENR permits for the operation of PCU water and sewer systems mandate periodic sampling and testing. This testing must be done by a State approved laboratory. Envirochem is a State approved laboratory and they have provided excellent services and staff recommends Pender County continue to utilize their services. These services have been budgeted under line items Rocky Point Topsail WSD: Contracted Services 072-404500 for $25,000 and Surface Water Treatment Plant 77-404500 for $25,000. There being no further discussion, Mr. Piepmeyer made a motion to approve the item. Mr. McCoy seconded the motion and it was unanimously approved.

12e. Approval by the Board of Directors of the Rocky Point/Topsail Water & Sewer District of a Purchase Order to Utility Service Company, Inc. for the Annual Maintenance of the Three (3) Elevated Water Tanks and One (1) Ground Storage Tank within the District: $53,150.

Utilities Director Michael Mack explained: Pender County Utilities has a multi-year contract with Utility Service Company, Inc. to provide annual maintenance of the elevated water storage tank including: inspections, cleanings, washouts, disinfection, repairs, painting, renovations, and emergency repair services. Staff is pleased with the service they provide. Funds have been budgeted for this expenditure. Mr. Piepmeyer asked when these contracts end and when does staff go out for bids. Mr. Mack explained that these are 10 year contract cycles and what is covered by the contract. Mr. Mack stated that this 10 year cycle ends in 2018 at which time staff will go out for competitive bids. There being no further discussion, Mr. Piepmeyer made a motion to approve the item. Ms. Keith seconded the motion and it was unanimously approved.

12f. Approval by the Board of Directors of the Rocky Point/Topsail Water & Sewer District of a Purchase Order to GE Analytical Instruments for the Annual Preventative Maintenance, Calibration/Certification, and Extend Warranty for the TOC Analyzer equipment at the Water Treatment Plant Lab in the amount of $9,353.40.

There being no discussion, Mr. Piepmeyer made a motion to approve the item. Ms. Keith seconded the motion and it was unanimously approved.

MAPLE HILL WATER & SEWER DISTRICT CONSENT AGENDA

The Board of Commissioners convened as the Maple Hill Water & Sewer District Board at 6:13 p.m.

Chairman Williams presented the items on the Maple Hill Water & Sewer District Consent Agenda and asked for any discussion or questions. There being no discussion, Mr. McCoy made a motion to approve the Maple Hill Water & Sewer District Consent Agenda as written. Mr. Piepmeyer seconded the motion and it was unanimously approved as follows:

13a. Approval by the Board of Directors of the Maple Hill Water & Sewer District of an Annual Estimated Purchase Order to Environmental Chemists (Envirochem) for FY 15/16 Testing and Sampling of the District's Water & Sewer Systems: $5,000.

13b. Approval by the Board of Directors of the Maple Hill Water & Sewer District of a Purchase Order to Utility Service Company, Inc. for the Annual Maintenance of the Maple Hill Elevated Water Storage Tank: $11,500.

APPROVALS AND RESOLUTIONS

The Board reconvened as the Pender County Board of Commissioners at 6:13 p.m.

14a. Approval of Annual Execution of Leases for the Solid Waste Convenience Sites that are Not Owned by the County.

Utilities Director Michael Mack explained: Pender County leases seven (7) of the twelve (12) convenience center sites from individual property owners. These are the sites where household waste is collected and managed for the benefit of County residents who pay the Solid Waste Fee. Each site is rented for $1,500 annually and this is the proposed rate again for the current fiscal year. The sites that are leased are: Atkinson, Canetuck, Maple Hill, Montague, Shiloh, Whitestocking, and Willard. Mr. McCoy stated that the Whitestocking site needs some work on the landscaping explaining that grass had not been cut in a while. Mr. Mack stated that he will take care of it. There being no further discussion, Mr. McCoy made a motion to approve the item. Ms. Keith seconded the motion and it was unanimously approved.

14b. Approval of a Purchase Order to Waste Industries for Solid Waste Disposal and Hauling Services for FY 15/16: $4,185,000.

Utilities Director Michael Mack explained: Mr. Mack stated that the figure in the short title is incorrect. He explained that the figures in the body of the text were correct. Pender County is in year ten of a thirteen year contract with Waste Industries to provide waste management, hauling and disposal of municipal solid waste, construction/demolition waste, and recycling at the county owned/managed convenience sites and the Transfer Station. The contract contains a provision for annual adjustments tied to the Consumer Price Index (CPI-U) Urban-Unadjusted-Water and Sewer and Trash Collection Services for the period of December to December of each prior year. Based on that calculation, Waste Industries is entitled to a 4.0% increase in the cost of services for this fiscal year. Funds have been budgeted for this expenditure and staff recommends approval as follows:

C&D Disposal/Tipping	75-409900	$ 185,000
Hauling/Disposal	75-409200	$1,338,750
Transfer Station	75-409400	$ 180,000
Solid Waste Collection	75-409300	$2,715,000
County Dumpsters	500-407500	$ 70,000
	TOTAL	***$4,488,750***

Discussion ensued regarding recycling and its benefits, how often this is billed and paid, and auditing of the monthly bill. Mr. Piepmeyer asked what was spent last year. Mr. Mack stated that about $4.28 million

was spent in Fiscal Year 2014-2015. Mr. Mack also stated that this increase comes from projected growth. Mr. Woodruff stated that not tonight, but soon, the Purchase Order Process does need to be revamped. There being no further discussion, Mr. Piepmeyer made a motion to approve the item. Ms. Keith seconded the motion and it was unanimously approved.

14c. Approval of a One-Year Purchase Order to Central Carolina Tire for Scrap Tire Hauling and Disposal for FY 15/16: $80,000.

Utilities Director Michael Mack explained: Pender County has had a contract with Central Carolina Tire to manage trailers for the disposal of scrap tires at some of the convenience sites, the Transfer Station and at two dealerships in Pender County since 1994. The fee averages $80,000 per year; however, the County receives both a scrap tire excise tax and a scrap tire grant that covers 90% of this cost. The County has attempted to identify other entities that could potentially provide the same service at a better cost, however; Central Carolina Tire, US Tire and Liberty Tire are all related entities all listing their principal place of business at 1616 McKoy Town Rd., Cameron, NC. Staff has contacted NC DENR who confirmed that this entity does have an exclusive lock on the tire recycling/processing market. Funds have been budgeted for this expenditure and staff recommends approval. There being no discussion, Mr. Piepmeyer made a motion to approve the item. Ms. Keith seconded the motion and it was unanimously approved.

15. Approval of a Purchase Order to Benjamin Heck Electrician for Purchase of 150 kW Backup Generator for Wastewater Treatment Plant Pump Station.

Utilities Director Michael Mack explained: NCDENR rules require a backup generator at all electrical pumps and controls in both water and wastewater systems that normally run on commercial power in the event of a commercial power outage. Until the permanent generator for the WWTP that will be provided by the WWTP Contractor is set in place sometime next year, PCU needs to provide a "temporary" backup generator to run the electrical wastewater pumps that will be set by the Phase I contractor into the pump station within the next two months. Currently, PCU is renting diesel powered pumps to run the pump station because of the delays in having the defective pump station wet well replaced by the Phase I contractor. Once the permanent generator for the entire WWTP is installed, this generator will be used as an emergency backup generator for any PCU water or wastewater pump station or for other County emergency needs. Three written quotes were received for a "trailer mounted" 150 kW generator with a 24 hour capacity fuel tank for mobile transportation and use. PCU received quotes from Cummins Atlantic, LLC ($52,000 + tax); Power Pro-Tech Services ($42,073.44 + tax); and Benjamin Heck Electric ($38,900 + tax). Funding for this purchase is included in the PCP-WWTP Capital Project Budget and no additional appropriation is required. Staff is recommending award of the Purchase Order to Benjamin Heck Electric for a 150 kW trailer mounter generator in the amount of $38,900. Discussion ensued on the need for this generator regarding commercial power outages, other generators that are in County inventory, and a recent lightning strike that was a direct hit to the treatment plant.. Mr. Mack also stated that this generator is on a trailer and can be moved elsewhere when needed. Discussion ensued as to when the generator can be used, maintenance of the generator, and the life expectancy of the generator. There being no further discussion, Ms. Keith made a motion to approve the item. Mr. McCoy seconded the motion and it was unanimously approved.

16. Approval of Offer of Surplus Land to Pender County by the Pender County Board of Education for the Proposed Shiloh Fire Department Substation.

Mr. Woodruff explained: Tim Rossell on the behalf of Shiloh Fire Department has requested that Pender County Schools swap a small parcel of land at the Malpass Corner Elementary School so they could build a fire substation to serve the community. Mr. Rossell stated that the station will help reduce the insurance

burden for property owners in the area significantly. It will also be beneficial to the elementary school located on the site. The Pender County Board of Education agreed to consider the request and directed staff to proceed with the proposal. During the title search by the attorney it was determined that a small parcel in the southwestern corner of the property was not titled to Pender County Schools. The school has maintained and treated the property as its own property for over 20 years. Rick Biberstein has prepared a quitclaim deed that has been signed by the adjoining land owners with exception of one who lives out if the state and has not yet responded. The Pender County Board of Education has declared the land surplus and offered the land to Pender County. If it is refused, the land can then be offered to Shiloh Fire Department for the purpose of constructing a fire substation. The Pender County Board of Education has declared its interest in the property to be surplus and requests that the Pender County Board of Commissioners support declaring the land surplus and given to the Shiloh Fire Department. Mr. Rossell explained that they have been working for 9 and ½ months to get this deed completed. Ms. Keith asked why they were here with this request. Mr. Thurman explained the process of how to surplus property and quitclaim deeds. Mr. Rossell stated that they do not know who owns this property and that is why this process is taking place. There being no further discussion, Mr. Piepmeyer made a motion to decline this property and recommend it be given to the Shiloh Fire Department. Ms. Keith seconded the motion and it was unanimously approved.

17. Approval of a Contract to Allow Communication Specialists Company of Wilmington, LLC, to Install Communication Equipment on the Maple Hill Water Tower to Provide for Broadband Services.

Planning Director Kyle Breuer explained: Over the past year and a half, Pender County staff has been working to solicit interest in improved broadband access. This effort included solicitation of need and representation of that need to various internet service providers (ISP's), staff provided an update of this effort to the Board of Commissioners in March, 2015. Communication Specialists Company of Wilmington, LLC (COMSPECO), has requested approval to install fixed wireless communication equipment on the Maple Hill water tank structure. This vertical asset will allow COMSPECO to provide a service within the Maple Hill community which has been identified as an underserved area for broadband connectivity. Public Utilities as well as legal counsel have reviewed the contract for clarity and form, there will be no disruption to utilities services by allowing COMSPECO to locate on the water tank structure. With this agreement, COMPSECO will provide a wireless circuit to four community facilities to include: Pender EMS & Fire, Station 8, Maple Hill Volunteer Fire Department, Maple Hill wastewater treatment plant, and the Maple Hill Civic Club. Ms. Keith asked why this is not being offered on the west side of Pender County. Mr. Breuer explained that this is the first step to being able to provide this service countywide due to the location. Mr. Piepmeyer made a motion to approve the item and Mr. McCoy seconded the motion. Discussion quickly ensued regarding the bonding process and the connection of equipment to the tank. Mr. Mack stated that the installation was very benign and was only attached by a clip system. Other identified sites were also discussed. There being no further discussion, the item was unanimously approved.

18. Resolution in Support of "Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails."

Mr. Woodruff stated that this was a big issue at the NACo Conference. Ms. Keith stated that she sat in on a workshop regarding this issue. She further discussed that Mecklenburg County has this system in place and elaborated on how it is working in Mecklenburg County. Mr. Woodruff stated that approving this resolution does not commit Pender County to anything but rather sends a statement to Raleigh and Washington. Mr. Woodruff stated that this is a bigger issue in the urban areas, but a program like this will help individuals get the help and treatment they need. Ms. Keith added that this also helps with the over-

crowding issue. She also stated that Ms. Peers with the Continuum of Care would be a great resource to partner with to help initiate this program. There being no further discussion, Ms. Keith made a motion to approve this item. Mr. Piepmeyer seconded the motion and it was unanimously approved.

19. Resolution to Support Governor Pat McCrory's Connect NC Bond Proposals.
Discussion ensued regarding the bond program as it relates to the Hampstead Bypass project as well as other projects. Mr. Williams pointed out the language in the drafted resolution to include the bypass. Ms. Keith asked how it is shovel ready. The permits for this project were discussed relating to the expiration of these permits. There being no further discussion, Mr. Piepmeyer made a motion to approve the resolution contingent that Pender County is included on the list. Mr. McCoy seconded the motion and it was unanimously approved.

MOORES CREEK WATER & SEWER DISTRICT
The Board convened as the Moores Creek Water and Sewer District Board at 7:03 p.m.

21. Resolution by the Board of Directors of the Moore's Creek Water and Sewer District Approving the Final Plans and Specifications for the Moore's Creek Water and Sewer District Phase 1 Water Distribution System.
Utilities Director Michael Mack explained: The Moore's Creek Water and Sewer District (MCWSD) engaged Highfill Infrastructure Engineering in September 2014 to develop Final Design and Bidding documents for the Moore's Creek Water and Sewer District Phase 1 Water Distribution System. Plans are now complete and in accordance with the USDA – RD permanent financing agreement, the District must approve a resolution providing formal approval of the project plans and specifications. PCU has reviewed the plans and specifications and recommends approval. Mr. Mack also gave an update on the process of the project. Mr. McCoy asked about the interest rate. Mr. Mack stated that the interest rate would be a maximum of 3.25% and that the project must be to substantial completion by November of 2016. Mr. Piepmeyer stated that he would like to actually see the plans before voting on this item. Mr. Woodruff asked if this project was budgeted for. Mr. Mack stated that it was and added that it was also subsidized by the USDA. There being no further discussion, the Board gave a nod to table this item until the August 10, 2015 meeting. Discussion took place on how to present the plans to the Board.

CENTRAL PENDER WATER & SEWER DISTRICT

22. Resolution by the Board of Directors of the Central Pender Water and Sewer District Approving the Final Plans and Specifications for the Central Pender Water and Sewer District Phase 1 Water Distribution System.
After discussion from the previous item, the Board gave a nod to table this item until the August 10, 2015 meeting.

APPOINTMENTS
The Board reconvened as the Pender County Board of Commissioners at 6:13 p.m.

23. Approval of Pender County's Voting Delegate to the 2015 NCACC Annual Conference.
Ms. Pedersen explained: Boards of County Commissioners can designate a commissioner as a voting delegate to the NCACC Annual Conference. The 2015 NCACC Annual Conference is August 20-23, 2015 in Pitt County. Ms. Keith has agreed to represent Pender County. Mr. Williams thanked Ms. Keith for representing Pender County. There being no discussion, Mr. McCoy made a motion to appoint Ms. Keith as the voting delegate for the NCACC Annual Conference. Mr. Piepmeyer seconded the motion and it was unanimously approved.

DISCUSSION

24. Discussion on Reinstating a Lease Program for Flood Buyout Properties.

Planning Director Kyle Breuer explained: Due to ongoing flood risks and past events, Pender County, through assistance with State and Federal programs, has acquired properties that are severely flood prone and have experienced loss. These properties are deeded to Pender County with various restrictions on use and reporting requirements. Historically, Pender County has issued a "license" for an adjacent property owner to lease the buyout property. The license is accompanied with an agreement (see Limited License Agreement attached) further restricting the property to maintenance use only and indemnifies the County from any claims or causes throughout the term of the license. According to records available, the license was issued following payment to recover administrative costs to issue said license. Due to an increased desire from various property owners across the County, Staff is requesting discussion and direction from the Board as to the future of this program. Mr. Piepmeyer asked for clarity on what numerous requests meant. Mr. Breuer gave some clarity and discussion ensued on the differences in what is allowed on these properties by FEMA regulations and County regulations and what these properties can be used for. After some discussion, the Board gave a nod for staff to gather more information for creating a program for leasing these properties and a listing of where each of these properties are located in terms of what is also usable by Pender County.

RECESS

Chairman Williams recessed the meeting at 7:25 p.m. The Board reconvened at 7:32 p.m.

25. Discussion on Potential Revisions to the Pender County Code, Article V, Discharge of Firearms in Close Proximity to Places of Human Habitation.

Planning Director Kyle Breuer explained: During the July 7, 2015 regular meeting of the Board of County Commissioners, the Board directed Staff to review the provision within the County Code regarding the discharge of firearms in close proximity to places of human habitation. On July 13, 2015, Staff met with Mr. Neal Shulman to discuss the provision within the county code. Mr. Shulman requested that the Board consider discussing and amending the current ordinance to closely reflect the State of North Carolina's Outdoor Heritage Act, which recently allowed the provision to hunt on Sunday's. Specifically, the provision to require a "distance of 500 yards of a place of worship or any accessory structure thereof, or within 500 yards of a residence not owned by the landowner, is prohibited" is being requested as well as to amend the current County Code to add to the definition of Place of human habitation to include posted or occupied property. Staff is requesting the Board to discuss and provide direction as to the provisions of the County Code, Article V, Discharge of Firearms in Close Proximity to Places of Human Habitation, and potential future amendments. Mr. Breuer further stated that he has included the ordinance in the packets and asked for any questions. Discussion ensued regarding the ordinance, Sunday hunting law, appropriate shooting distances, requested changes to the ordinance, ideas for changing the ordinance, and researching neighboring counties laws on this topic. Mr. Breuer stated that he will bring this back to the Board in a few months.

ITEMS FROM THE COUNTY ATTORNEY

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

Mr. Thurman also updated the Board regarding the REDLG agreement. He stated that they are working back and forth and that there is no exposure of risk to the County. Mr. Williams publically thanked Jimmy Smith with Four County for going above and beyond for Pender County.

Mr. Thurman also mentioned the purchase of property and what the Board would consider the minimum threshold. The Board asked that staff work to come up with a policy for the next meeting.

ITEMS FROM THE COUNTY MANAGER

Mr. Woodruff stated that staff was ready to proceed in interviewing for the Tax Assessor position. Mr. Woodruff asked for a nod from the Board to proceed. The Board gave a nod for staff to begin interviewing for the position.

Mr. Woodruff also reminded the Board about the Cooperative Extension Lunch from 2-3:30 in the Agriculture Building prior to the August 10, 2015 meeting.

ITEMS FROM COUNTY COMMISSIONERS

Ms. Keith – Ms. Keith stated that she enjoyed the NACo Conference. She stated that she met people from all over the country, and encouraged the other commissioners to get involved and attend.

Mr. Piepmeyer – Mr. Piepmeyer stated that he was concerned as to why the ITS Purchase Orders have not been resubmitted for Board approval. Brief discussion took place regarding the ITS Department and the cost of operation as it relates to other County departments. He also stated that he is waiting for more information regarding unfunded mandates. Mr. Piepmeyer also stated his interest for Credit Card payments to be accepted by the Pender County Tax office. Ms. Blinson stated that this is being worked on and that Finance has a meeting with PayPal tomorrow regarding this issue. Lastly, Mr. Piepmeyer also mentioned that he had talked with Roy Horne who thanked the Board for his increase. He also mentioned about the enclosed office space for the Veterans Services Office.

Mr. McCoy – Mr. McCoy once again thanked Ms. Blinson for her hard work and dedication to Pender County. Mr. McCoy also stated that he was offended by the attacks tonight to Ms. Moser stating that this is a personnel issue and Ms. Moser should not have to deal with the attacks from the public.

Mr. Williams – Mr. Williams stated that the next mediation session will be Wednesday at 10 am at the Pender Resource Center.

CLOSED SESSION

At 8:07 p.m., Ms. Keith 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; 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. Piepmeyer seconded the motion and it was unanimously approved. The Board exited the Closed Session at approximately 9:23 p.m. There were no announcements made upon exiting closed session.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:23 p.m.

Respectfully Submitted,

Melissa Pedersen

Melissa Pedersen, Clerk to the Board

Reviewed By:

Ann Coombs, Administrative Assistant