REQUEST FOR BOARD ACTION

ITEM NO. 1

DATE OF MEETING: December 14, 2015

REQUESTED BY: Melissa Pedersen, Clerk to the Board

SHORT TITLE: Approval of Minutes: Regular Meeting: November 23.

BACKGROUND: N/A.

SPECIFIC ACTION REQUESTED: Review and approve the minutes.

MONDAY, NOVEMBER 23, 2015 – 4:00 p.m.

The Pender County Board of Commissioners met in regular session on Monday, November 23, 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; Kathy Brafford, Finance Director; 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 McCoy offered the Invocation.

PLEDGE
Commissioner Piepmeyer led the Pledge of Allegiance.

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

PUBLIC INFORMATION

1. Proclamation by the Pender County Board of Commissioners Commending Zachary Howard for Achieving the Eagle Scout Award.

Mr. Williams explained: Zachary Howard achieved the rank of Eagle Scout on October 7, 2015. Mr. Williams asked Mr. Howard to step to up to the podium. He read the proclamation. Mr. Howard's grandparents were present to see him accept the proclamation. Mr. Howard thanked them for their support.

2. Recognition of Fire Marshal, Tommy Batson for Being Awarded the Burgaw Fire Department Life Saving Award.

Mr. Williams explained: The Board of Commissioners and County Manager would like to recognize Mr. Batson for receiving the Life Saving Award from the Town of Burgaw. Due to the quick and courageous actions of Mr. Batson on December 12, 2014 at a structure fire located at 1178 New Rd, Burgaw, a life was saved. Mr. Batson was presented an award from the Burgaw Commissioners on November 10, 2015. Mr. Williams presented Mr. Batson with a certificate signed by he and Mr. Woodruff.

3. Recognition of Allen Wilson of the Pender County Health Department.

Mr. Williams read the certificate prepared for Mr. Wilson for his life saving actions. Health and Human Services Director Carolyn Moser came to the podium and explained the events that led to this

recognition: Recently Alan Wilson, a front desk receptionist at the Health Department, received a call from an individual who was extremely agitated and threatening to harm others. The individual claimed to have lost his wife, child, father and personal belongings, including his home. He stated that he had multiple firearms in his possession and was going to harm others if he could not get some help. Allen spoke to the individual in a calm voice while getting the attention of his co-workers to have them call 911. Alan was able to get the man's name and address and keep the individual on the phone until law enforcement arrived on the scene. No one was harmed. It was Mr. Wilson's actions that helped save lives and Pender County would like to recognize him for his quick thinking and hard work to not only help this individual, but save his life as well as others. Mr. Brown added that he talked to Police Chief Spivey and Councilman Gary Doetsch of Carolina Beach and they both said to thank Mr. Wilson as this gentleman needed help and Mr. Wilson took the extra steps to help this individual. Mr. Brown added that this is a great example of local governments working together.

PUBLIC COMMENT

No one wished to speak under Public Comment.

CONSENT AGENDA

Chairman Williams presented the items on the Consent Agenda and asked for any discussion or questions. 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 Meeting: November 9.
5. Approval of a FY 2015-2016 Budget Ordinance Amendment to Increase Revenues and Expenditures for Line Item 630-407400 – Library Capital Outlay.

APPROVALS AND RESOLUTIONS

6. **Resolution to Approve Contracts for the Purchase of Land in Surf City for a new K-8 School as Well as the Purchase of Three (3) Access Routes to the Proposed School Site: $135,000.00.**

Attorney Rick Biberstein explained: He is the attorney representing the Board of Education in the property acquisition for the Surf City School. The Board of Commissioners previously approved $950,000.00 for the purchase of the Surf City Schools site on July 27, 2015. The total cost of the school property and the access routes is $1,085,000.00. An additional $135,000.00 will be needed to complete the purchases of all said properties. Mr. Biberstein reviewed the property and access routes with the Board. Mr. Williams also added that the Board of Education looked at several sites and this site was the best option. Mr. Biberstein also added that these sellers had to be persuaded and were not classified as willing sellers. There being no further discussion, Mr. Brown made a motion to approve the resolution. Mr. Piepmeyer seconded the motion and it was unanimously approved.

7. **Resolution Accepting Play Together Construction Grant from Trillium Health Resources.**

Parks & Recreation Supervisor Dee Turner explained: Pender County applied for the Play Together Construction Grant with Trillium Health Resources in September, 2015 for inclusive playground equipment. Trillium Health Resources has awarded Pender County $550,000 to up fit the existing playgrounds at Hampstead Kiwanis and Pender Memorial Parks focusing on handicap accessible features and surfacing that will enable and encourage those with disabilities to further utilize the active play areas within the parks. Staff will work with Trillium Health Resources and the Parks and

Recreation Advisory Board to implement this grant. Staff will provide updates as the funding and construction progresses. The Board, along with Ms. Turner were presented the check for $550,000 for this grant. There being no discussion, Mr. Piepmeyer made a motion to accept the grant. Mr. Brown seconded the motion and it was unanimously approved.

8. Approval of Purchase Order for Gregory Construction for Installation of Pilings at Millers Pond Park; $15,997.

Parks & Recreation Supervisor Dee Turner explained: Pender County advertised for bids for the installation of forty one pilings for the fishing pier and canoe/kayak launch at Millers Pond Park. Bids were also solicited from eleven local contractors which bid documents and plans were electronically sent to the contractors. Bids were received from four contractors. Gregory Construction Company was the lowest responsible bidder.

The bids received were as follows:

Gregory Construction Company	$ 15,997
Pippin Marine Construction	$ 16,400
Allied Marine Contractors	$ 22,625
Logan Marine	$ 24,600

Funds are budgeted for this item in 60-407477-6081 Millers Pond Park. Discussion ensued regarding the start of the project, expansion and future plans of the park, historical resources, signage, and the fishing pier. There being no further discussion, Mr. Brown made a motion to approve the resolution. Mr. McCoy seconded the motion and it was unanimously approved.

9. Approval of Purchase Order to Demco for the Purchase of Two Library Book Drops: $11,100.

Library Director Mike Taylor explained: The County budgeted $10,000 for this purchase to replace two outdoor book drops which are aging and increasingly malfunctioning in Burgaw and Hampstead. The book drop brand and model which the Library wants to purchase cost $1,010.00 more than is budgeted. Donations have been given to cover the difference. The Friends of Pender County Library in Burgaw and the Topsail Township Friends of the Library are each donating $510.00 to increase the capital outlay line item by $1,010.00 to a grand total of $11,010.00. A Budget Ordinance Amendment for this amount has been submitted separately for Board approval. The four quotes for the same brand and model of book drop, including freight, were as follows: $11,010.00 (Demco, the winning bid). Other bids are $11,678.00 (Brodart), $12,946.63 (TLS), and $13,025.98 (Kingsley Companies). There being no discussion, Mr. McCoy made a motion to approve the item. Mr. Brown seconded the motion and it was unanimously approved.

10. Approval of a Purchase Order to Carolina Advanced Digital, Inc. for Barracuda Backup Server Annual Support & Licensing Agreement in the amount of $31,480.24.

ITS Director Erik Harvey explained: In FY 12-13, Pender County purchased Barracuda's Backup Appliance. The Barracuda Backup Appliance provides a data protection solution for physical, virtual, and web based system environments by backing them up locally and replicating backups to cloud storage. Pender County has immediate and unlimited access to Barracuda's Support Services to address any issues that may arise with the backup appliance 24x7. Our annual support and licensing agreement allows for firmware updates which include features and functionality optimization as well as cloud replication of local backups for additional redundancy. Three quotes were obtained. Carolina Advance Digital was selected based on lowest cost:

Carolina Advance Digital: $31,480.24
SHI: $34,102.74
CDWG: $40,462.57

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

11. Approval of a Purchase Order to Landmark Audio/Video for Board of Commissioner's Meeting Room Sound Equipment upgrade in the amount of $11,371.58.

ITS Director Erik Harvey explained: The Board of Commissioner's Meeting Room is currently experiencing various sound issues during meetings. After evaluating the current sound equipment, wiring, mics, and speakers with an audio/video expert it was determined that the mixer and amplifier are not functioning properly. A new mixer and amplifier will resolve the buzzing sounds that is heard throughout the meeting room. Due to the mixer not working properly the gain capabilities on the mixer will not allow the speaker's microphone(s) to be heard. The current ceiling speakers do not work and will be replaced. Additional speakers were added to this request to ensure that the audience can hear what is being presented in the back of the room. Additional in/out ports are needed to capture audio to be streamed to the website and captured for minute taking purposes. A number of microphones are broke and their necks do not extend out far enough for the speaker to be heard. Due to the different meeting configurations needed in the meeting room a wireless handheld mic and XLR connector/wall plate will be added. Three quotes were requested and two were received. Landmark Audio/Video was selected based on lowest cost.

Landmark Audio/Video: $11,371.58
Sound Decisions: $11,784.00

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

12. Approval of a Contract with Bradley Auction Service for Disposal of County Owned Vehicles and County Surplus Items Through a County Public Auction on Saturday, December 19, 2015.

Public Works Director Michael Mack explained: The Pender County Public Works Department recommends the Board of Commissioners approve a contract with Bradley Auction Service for disposal of county surplus equipment, furniture, and vehicles through a public auction. Proposals were solicited and received from four auctioneering services:

- Howell's Auction (Commission-8%)
- Barnyard Auctions (Commision-6%) charge a commission for their services and are not recommended.
- Bradley Auction (Buyer's Fee-8%)
- Floyd's Auction (Buyer's Fee-9%) charge their fee to the buyers and the County therefore, incurs no cost for their service.

Bradley Auctions will handle all monetary requirements and auction logistics. The County used Bradley Auctions in 2012 for the last County auction and found their services to be very efficient and effective and all items were sold. Mr. Mack explained that this will be a rain or shine event. Mr. Williams also noted that Commissioners could not bid on these items. There being no further discussion, Mr. Brown made a motion to approve the item. Mr. McCoy seconded the motion and it was unanimously approved.

APPOINTMENTS

13. Approval of Appointment to the Tourism Development Authority.

Ms. Pedersen explained: Lisa Norman-Sparrow is applying to serve on the Tourism Development Authority for the first time. Ms. Norman-Sparrow has been a resident of Pender County for four years. She is the owner of Starfish Rentals & Realty and is applying to serve in a Collector position for the Board. This appointment will be for three years. There being no discussion, Mr. Piepmeyer made a motion to approve the appointment. Mr. Brown seconded the motion and it was unanimously approved.

14. Approval of Appointment to the Pender Fire & EMS Advisory Board.

Ms. Pedersen explained: Christopher Medlin is applying to serve on the Pender EMS & Fire Board for the first time. Mr. Medlin has been a resident of Pender County for 20 years and states that he would like to be more involved. Mr. Medlin lives in District 1 which is currently open on this Board. This appointment will be for three years. James Peay is also applying to serve on the Pender EMS & Fire Board for the first time. Mr. Peay has been a resident of Pender County his whole life and is currently a volunteer firefighter. Mr. Peay lives in District 3 which is currently open on this Board. This appointment will be for three years. Mr. Brown made a motion to appoint James Peay to the Pender Fire & EMS Board for District 3. Mr. Piepmeyer seconded the motion and it was unanimously approved. Mr. Williams stated that he had received a couple phone calls regarding the appointment for the District 1 seat and asked that it be tabled until the December meeting.

15. Approval of Appointments to the Pender County Fire Commission.

Ms. Pedersen explained: Tommy Batson is applying to serve on the Fire Commission for the first time. Mr. Batson is the new Fire Marshal for Pender County. David Stancil is applying to serve on the Fire Commission for the first time. Mr. Stancil is the Assistant Chief for Pender Fire & EMS. Robert Phiel is applying to serve on the Fire Commission for the first time. Mr. Phiel has been recommended to the Board by Mr. Batson. James (Cliff) DuBose is applying to serve on the Fire Commission for the first time. Mr. DuBose is the Chief for the Shiloh VFD. There being no discussion, Mr. McCoy made a motion to approve all four appointments. Mr. Brown seconded the motion and it was unanimously approved.

DISCUSSION

16. Discussion Regarding the Board of Commissioners Meeting Schedule: Possible Change Back to First and Third Monday.

Mr. Williams stated that the Board briefly discussed changing the meeting schedule back to the first and third Monday in September but requested that it be brought back in November for discussion. Discussion took place as to the reasoning for the switch, the Board of Education meeting schedule, and conflicts with other Board meeting times which the Commissioners serve. There being no further discussion, Ms. Keith made a motion to switch the meeting schedule to the first and third Monday effective in January. Mr. Piepmeyer seconded the motion and it was unanimously approved.

17. Discussion of Future Board of Commissioners Retreat with Regard to Schedule and Discussion Topics.

Mr. Woodruff stated that he has tentatively set February 17-18, 2016 for the next Board of Commissioners retreat. Discussion ensued regarding location, facilitator, and topics. Mr. Woodruff asked that the Board start thinking about topics and pass them along to staff. Mr. Piepmeyer stated

that the Board should look at set goals from last year and see what progress has been made. After much discussion, the Board planned to hold the retreat in Burgaw all day Thursday, February 18 and Friday morning, February 19. Mr. Woodruff said that he would check with Chris May to see if he is available on those days and start building an agenda.

ROCKY POINT WATER & SEWER DISTRICT

The Board convened as the Rocky Point Water & Sewer Board at 5:02 p.m.

18. Resolution by the Board of Directors of the Rocky Point/Topsail Water & Sewer District Authorizing an Annual Estimated Purchase Order to Calgon Carbon Corporation for two (2) new vessels of Granular Activated Carbon (GAC) at the Water treatment plant: $90,000.

Utilities Director Michael Mack explained: Calgon Carbon Corporation is one of only two available vendors of Granular Activated Carbon (GAC) required at the water treatment plant. Their pricing was $56,000 less than the other available vendor and even $22,000 less than last year. Two vessels of GAC need replaced each year to keep our finished drinking water in compliance with the TTHM and MAA5 regulations. One vessel will be replaced in December and the other in June of 2016. Staff is pleased with the service and pricing. Funds have been budgeted for this expenditure. Mr. Mack explained what the chemical does. There being no further discussion, Mr. McCoy made a motion to approve the resolution. Mr. Brown seconded the motion and it was unanimously approved.

Mr. Williams stated that he had received a complaint from a resident on St. John's Church Road regarding brown water. He further stated that this was the first call in a long time that he has received. Mr. Mack explained the process of flushing lines adding that it is typically complaint driven. Mr. Williams requested that this road be added to flush periodically. It was also noted that complaints are down since bringing the plant online.

While at the podium, Mr. Mack presented the board with an Engineering Excellence Award that was presented to Pender County Utilities and CDM Smith on November 5, 2015 for the Water Treatment Plant.

The Board reconvened as the Board of Commissioners at 5:08 p.m.

ITEMS FROM THE COUNTY FINANCE DIRECTOR

Ms. Brafford stated that staff has sent the auditors everything for the audit and she has not received the audit draft yet. Mr. Williams asked that she call Ms. Edmundson at the LGC and let her know that Pender County is not the hold up. The bid process for auditors was also discussed.

ITEMS FROM THE COUNTY ATTORNEY

Mr. Thurman stated there were no items for closed session. Mr. Thurman also discussed architect contracts for the School Bonds. Mr. Thurman stated that the changes that were made were non-substantive.

ITEMS FRIOM THE COUNTY MANAGER

Mr. Woodruff stated that last week he attended a meeting regarding the Wallace Airport stating that it is a great asset to Pender County. Mr. Woodruff explained that Mr. Livingston will come before the Board in February for an update. Mr. Woodruff also stated that he, Mr. Piepmeyer, and Mr. Breuer had a very positive meeting with Transportation Secretary Tennyson last week. Mr. Piepmeyer

seconded the comments regarding the meeting with Secretary Tennyson. Mr. Woodruff ended by stating that he would be attending the Economic Scorecard meeting tomorrow with Mr. Williams and members of Wilmington Business Development.

ITEMS FROM COUNTY COMMISSIONERS

Ms. Keith – Ms. Keith stated that she has been contacted by the Greater Currie Community Action Group regarding getting a Fire Department/Substation in the Currie area. Chief Woody Sullivan approached the podium and explained that Atkinson Fire Department is working on getting a Substation to the Currie area.

Mr. Piepmeyer – Mr. Piepmeyer began by commending staff for much improvement with Purchase Order requests. Mr. Williams seconded Mr. Piepmeyer's comments. Mr. Piepmeyer then discussed the offshore drilling meeting he attended on November 20 and gave the highlights of the meeting. Lastly, Mr. Piepmeyer discussed the WMPO meeting he attended last week with regard to an agenda item to rename the Hampstead Bypass as well as the I-140 stretch of road. Mr. Piepmeyer explained how this item came about and his stance on the issue. Mr. Piepmeyer stated that he does not want Hampstead and Pender County to lose its identity.

Mr. McCoy – Mr. McCoy stated that he attended the Meals on Wheels Gala at Pender Adult Services last week and that his only complaint was that the dance floor was too small. Mr. McCoy also commented that the ceiling in the Annex is coming along great. Lastly, Mr. McCoy stated that he also attended a meeting for the Wallace Airport last week. After some discussion on the Airport, Mr. Brown asked that the Airport information be included on the Pender County Website.

RECESS

The Board recessed at 5:57 p.m. and reconvened at 7:02 p.m.

PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP AMENDMENTS/ RESOLUTIONS

19. Resolution Requesting Approval of a Special Use Permit (SUP) for the Operation of a Vegetative Recycling Center.

Chairman Williams opened the Public Hearing at 7:03 p.m. Mr. Thurman swore in witnesses.

Senior Planner Megan O'Hare explained: Four Points Recycling, LLC., applicant, on behalf of Stacy Hollis Family LTD. Partnership, owner, is requesting approval of a Special Use Permit for the operation of a vegetative recycling center (NAICS 562219; Other Nonhazardous Waste Treatment and Disposal). The property is zoned GB, General Business zoning district and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; NAICS 562219, Other Nonhazardous Waste Treatment and Disposal is permitted via Special Use Permit in the GB, General Business zoning district. The subject property is located at 25540 US HWY 17 and may be further identified by Pender County PIN 4226-97-4215-0000. Ms. O'Hare reviewed the specifications and conditions of the Special Use Permit. Mr. Williams asked about whether there were any state violations. Ms. O'Hare stated that there were none to her knowledge. Mr. Piepmeyer asked about the easement and whether or not staff had received approval for use of the easement yet, adding that the driveway could be moved but the applicant would have to account for the guard rail that is currently in place.

- Attorney Robert Kenan spoke on behalf of the applicant. He elaborated on access to the property. Discussion ensued regarding the ingress and egress to the property. Mr. Kenan also stated that he could answer any questions regarding violations.
- Ray Peele, applicant came to the podium and answered questions from the Board regarding violations.
- Jason Thompson of Wilmington spoke in opposition of this application for Special Use Permit. Mr. Thompson stated that Mr. Peele does not have a permit, but just a letter of notification from the state. Mr. Thompson also spoke to safety with the ingress and egress.

Discussion ensued as to whether Mr. Peele has a permit or not. Both Ms. O'Hare and Mr. Kenan stated that Mr. Peele was issued a letter of notification and discussed the requirements and conditions of this letter of notification. Mr. Kenan reiterated that Mr. Peele is in compliance with the letter of notification. The issues and violations in New Hanover County were discussed at length. Mr. Williams added that the decision on whether to approve the Special Use Permit or not cannot be based on what happened in New Hanover County. Mr. Piepmeyer asked Mr. Thompson what his profession is. Mr. Thompson stated that he owns nine businesses, two of which are recycling but he added that he is not a competitor of Mr. Peele. Mr. Thurman asked that the Board accept the documents submitted by Mr. Thompson as evidence. There being no further discussion, Mr. Williams closed the public hearing at 7:42 p.m. Mr. McCoy made a motion to approve the Special Use Permit contingent upon proper ingress and egress. Mr. Piepmeyer seconded the motion and it was approved 4-1 with Mr. Brown voting in opposition.

20. Resolution Requesting Approval of a Special Use Permit (SUP) Revision for the Construction and Operation of a Solar Farm.

Chairman Williams opened the Public Hearing at 7:44 p.m. Mr. Thurman swore in witnesses.
Senior Planner Megan O'Hare explained: Bearford Solar II, LLC, applicant, on behalf of Bearford, LLC, owner, is requesting a revision of a Special Use Permit (SUP 11451) for the construction and operation of a solar farm (NAICS 221119) originally issued September 28, 2015 (SUP 11451) for a ± 32.81 acre project area. The requested revision to the SUP will modify the aforementioned project area to include an additional ±53 acre solar farm. The property is zoned RA, Rural Agricultural zoning district and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; other electric power generation (NAICS 221119) is permitted via Special Use Permit. There is one (1) tract associated with this request and is located at 478 Old Savannah Road (SR 1347). The subject property may be further identified by Pender County PIN 3321-14-2767-0000. Ms. O'Hare reviewed the specifications and conditions of the Special Use Permit.

- Mark Tucker, attorney for the applicant specified that this project is separate from the Bearford Solar, LLC project that was previously approved by the board. Mr. Tuck handed out an aerial map of the property. Mr. Ticker than handed out a packet of information on the solar farm. He then reviewed the site map as to where on the property this farm would be located as well as access to the solar farm. Mr. Williams asked if this farm is the same as the other project.
- Leslie Williams, developer stated that the manufacturer may be different but the technology and plans are the same for this project as the other solar farm project. Mr. Brown asked about environmental issues.
- George Richley, Engineer with Ballantine and Associates in Chapel Hill explained the water runoff for this project and stated that there are no environmental issues associated with solar farms.

Discussion then ensued regarding the easement for the project. Mr. Thurman asked that the Board admit the affidavits presented into evidence. There being no further discussion, Mr. Williams closed the public hearing at 8:01 p.m. Mr. McCoy made a motion to approve the Special Use Permit Revision. Mr. Brown seconded the motion and it was unanimously approved.

21. Resolution Requesting Approval of a Special Use Permit (SUP) for the Operation of a Cottage Occupation for Gunsmithing.

Chairman Williams opened the Public Hearing at 8:02 p.m. Mr. Thurman swore in witnesses.
Senior Planner Megan O'Hare explained: Hope Lettieri, applicant and owner, is requesting approval of a Special Use Permit for the operation of a cottage occupation for the use of gunsmithing (NAICS 322994). The property is zoned RP, Rural Performance zoning district and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; cottage occupations are permitted via Special Use Permit. There is one (1) tract associated with this request and is located at 9180 Old River Road (SR 1411). The subject property may be further identified by Pender County PIN 3246-28-7530-0000. Ms. O'Hare reviewed the specifications and conditions of the Special Use Permit.

- Hope Lettieri, applicant clarified that there would be no change to the outside structure, only the inside space by increasing utilization.
- Thomas Grivan stated that he is a gunsmith and clarified what the ATF considers as manufacturing firearms. Mr. Grivan stated that this will be primarily for small firearms for repair with an occasional custom build for the right money. Mr. Breuer stated that the language for this comes from the NAICS.
- Marie Brown of 9124 Old River Road spoke in opposition of the Special Use Permit due to safety concerns and noise.

Mr. Williams asked for clarification on the ordinance regarding distance from a dwelling for shooting. Ms. Lettieri stated that she verified with the Sheriff's department that 200 feet is the distance away from a dwelling that you are allowed to shoot. Mr. Williams asked about any violations from the Sheriff. Ms. Lettieri stated that the Sheriff has been called out one time and it was verified that everything regarding the setup was legal. There being no further discussion, Mr. Williams closed the public hearing at 8:19 p.m. Mr. McCoy made a motion to approve the Special Use Permit. Mr. Brown seconded the motion and it was approved 4-1 with Ms. Keith voting in opposition.

22. Resolution Requesting Approval of a Conditional Rezoning from RP, Residential Performance Zoning District to RM, Residential Mixed Zoning District.

Chairman Williams opened the Public Hearing at 8:20 p.m.
Senior Planner Megan O'Hare explained: Grey Bull Inc., applicant, on behalf of Linda Taylor, owner, is requesting approval of a Zoning Map Amendment for a conditional rezoning of one (1) tract totaling approximately 120.87 acres from RP, Residential Performance zoning district to RM CD1, Residential Mixed conditional zoning district. The subject property is located to the east of US HWY 17, to the south and west of the residential subdivision Forest Sound, and to north of the residential subdivision Hampstead on the Sound in Hampstead and may be further identified by Pender County PIN 3292-27-2690-0000. Ms. O'Hare reviewed the specifications.

The Board Recessed from 8:36 p.m. until 8:42 p.m.

Upon reconvening, Ms. O'Hare reviewed the conditions of the rezoning.

- Robert Jackson with Grey Bull, Inc. spoke to the Board regarding the request with regard to how this neighborhood was designed and the people they worked with through this process. Discussion ensued regarding concerns, buffers, and traffic flow with a focus on construction traffic.
- Attorney Rick Biberstein spoke to the Board regarding the HOA agreement highlighting the conditions in the Special Use Permit.
- Patricia Fields of 1724 Corcus Ferry Road, Hampstead – Ms. Fields spoke to the Board regarding concerns on ingress and egress issues. Discussion ensued again regarding traffic flow and the median project on US Hwy 17.
- Mack Taylor spoke on behalf of the Taylor family regarding the integrity of Grey Bull, Inc. and asked for the publics support.

Discussion ensued between the commissioners acknowledging the concerns of the public and those who live in the area. There being no further discussion, Mr. Williams closed the public hearing at 9:24 p.m. Mr. Piepmeyer made a motion to approve the conditional rezoning contingent that the applicant shall direct site work of all construction of the project to ingress on Second Street and egress on Forest Sound Road. Mr. Brown seconded the motion and it was unanimously approved.

23. Resolution Requesting Approval of a General Use Rezoning from GB, General Business Zoning District to RP, Residential Performance Zoning District.

Chairman Williams opened the Public Hearing at 9:26 p.m.

Senior Planner Megan O'Hare explained: David A. West, applicant, on behalf of David West et al, owner, is requesting approval of a Zoning Map Amendment for a general use rezoning of four (4) tracts totaling approximately 65.56 acres from GB, General Business zoning district to RP, Residential Performance zoning district. The subject properties are located near the intersection of US HWY 117 and Anderson Rd (SR 1315) in the Union Township and may be further identified by Pender County PINs; 3313-88-8748-0000, 3313-99-5261-0000, 3313-79-6117-0000 and 3313-98-366s8-0000. Ms. O'Hare reviewed the specifications and conditions.

- Chris Debnam of 9332 HWY 117 spoke on behalf of the applicant regarding the reason for the request.

There being no further discussion, Mr. Williams closed the public hearing at 9:31 p.m. Ms. Keith made a motion to approve the rezoning. Mr. Brown seconded the motion and it was unanimously approved.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:32 p.m.

Respectfully Submitted,

Melissa Pedersen

Melissa Pedersen, Clerk to the Board

Reviewed By:

Ann Coombs, Administrative Assistant II