



**REQUEST FOR BOARD ACTION**

**ITEM NO. 5**

**DATE OF MEETING:** June 6, 2016

**REQUESTED BY:** Melissa Long, Clerk to the Board

**SHORT TITLE:** Approval of Minutes: Budget Work Sessions: May 9, May 19, May 23, and Regular Meeting: May 16.

**BACKGROUND:** N/A.

**SPECIFIC ACTION REQUESTED:** Review and approve the minutes.

**BUDGET WORK SESSION**  
**MAY 9, 2016**

The Pender County Board of Commissioners met in Budget Work Session with County Departments on Thursday, May 9, 2016 at the Pender County Public Assembly Room, 805 S. Walker Street, Burgaw, North Carolina.

In attendance were: Chairman George Brown; Vice-Chairman Fred McCoy; Commissioners Demetrice Keith, David Piepmeyer, and David Williams; County Manager Randell Woodruff; Kathy Brafford, Finance Director; Chris King, Senior Accountant; Denise Mulhollen, Human Resources Director; and other staff.

Chairman Brown called the Work Session to order at 4:00 p.m.

Each Department Manager was available to answer questions that the Board may have. Mr. Woodruff had provided advance copies of the recommended Department Budgets.

The following Departments reported:

**Tax Assessor** – At approximately 4:00 p.m. Tax Assessor Justian Pound appeared before the Board to answer any questions the Board might have regarding the Tax Assessors budget. There are no major changes to this budget, other than a request for an Assistant Tax Assessor. New software was discussed with regards to the revaluation which is coming in two years. Pender County has about 500,000 parcels of property and typically 10% of those are disputed.

**Tax Collector** – At approximately 4:15 p.m. Tax Collector Barbara Murray appeared before the Board to answer any questions the Board might have regarding the Tax Collectors Budget. Ms. Murray noted that there were not significant changes in the Tax Collections Budget. The conditions of the Howard Holly Building were discussed including leaks in the building, inadequate restroom facilities, and lack of space.

**Register of Deeds** – At approximately 4:17 p.m. Register of Deeds Sharon Willoughby appeared before the Board to answer any questions the Board might have regarding the Register of Deeds Budget. Ms. Willoughby stated that there were not any major changes to this budget from the last. She did add that staffing is adequate but tight when someone is out and that there are more transactions that are now being done electronically. Ms. Willoughby stated that a new staff member may be needed next year. The Board thanked Ms. Willoughby for all of the work she does for Pender County.

**Parks & Recreation** – At approximately 4:35 p.m. Planning and Community Development Director Kyle Breuer and Parks & Recreation Manager Dee Turner appeared before the Board to answer any questions the Board might have regarding the Parks & Recreation Budget. The discussion began by reviewing revenue and the projected growth in revenue with the opening of the Shooting Range. Ms. Turner stated that she hopes to be able to use school facilities in conjunction with programs. The shooting range, lights at Hampstead Kiwanis Park, parking at Pender Memorial Park, Proposed fields for Rocky Point, other capital projects, and the order of these projects with regard to priority were also discussed. The Shooting Range was discussed at length. The need for another staff person was also discussed as well as the splitting of duties.

The Board took a break from approximately 5:34 p.m. until 5:42 p.m.

**Planning** – At approximately 5:42 p.m. Planning and Community Development Director Kyle Breuer appeared before the Board to answer questions the Board might have about the Planning and Community Development Budget. Mr. Breuer began by explaining that revenue for FY 2015-2016 has already exceeded what was budgeted.

Other highlights of FY 15-16 were then discussed. First, Mr. Breuer gave an update on the Comprehensive Plan adding that he will be applying for grants to help offset the cost and have staff assist in the process. Bike trails and positions were then discussed. Mr. Breuer explained the two positions that were requested but not recommended including a part-time GIS position and additional position to help with work load. A possible County Wide Credit Card Fee policy was then discussed. Salary adjustments were then discussed as well as where that money could possibly come from. The comprehensive plan was then discussed again at length as well as the growth in Pender County since the beginning of the fiscal year and the projected growth expected in the future.

**Health** – At approximately 6:15 p.m. Health and Human Services Director Carolyn Moser and Donna Ramos appeared before the Board to answer any questions the Board might have regarding the Health Department Budget including Environmental Health and the Animal Shelter. Ms. Moser stated that the Budget for the Health Department has been cut by 3% even though vehicle maintenance and other services have been added to the Budget. Vehicles and vehicle maintenance were discussed at length including where the savings from Health Insurance is going. Ms. Moser further stated that there are no plans to go up on fees. She recognized Jewel Horton from the animal shelter and added that the mobile dental unit will need to be serviced this summer.

**DSS** – At approximately 6:45 p.m. Health and Human Services Director Carolyn Moser and Jackie Jordan McLeod appeared before the Board to answer any questions the Board might have regarding the Social Services Budget. Ms. Moser recognized Ms. Jackie Jordan McLeod who has been with Pender County for 32 years. Group Insurance savings, Foster Care, Day Care, turnover in CPS, cuts, and training were all discussed.

There being no further discussion, the Budget Work Session adjourned at approximately 7:05 p.m.

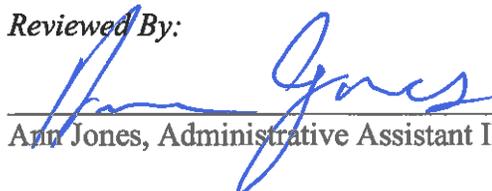
*Respectfully Submitted,*



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Melissa Long, Clerk to the Board

*Reviewed By:*



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Ann Jones, Administrative Assistant II

**BUDGET WORK SESSION**  
**MAY 19, 2016**

The Pender County Board of Commissioners met in Budget Work Session with County Departments on Thursday, May 19, 2016 at the Pender County Public Assembly Room, 805 S. Walker Street, Burgaw, North Carolina.

In attendance were: Chairman George Brown; Vice-Chairman Fred McCoy; Commissioners Demetrice Keith and David Piepmeyer; County Manager Randell Woodruff; Melissa Long, Clerk to the Board; Kathy Brafford, Finance Director; Chris King, Senior Accountant; and other staff.

Chairman Brown called the Work Session to order at 4:05 p.m.

Each Department Manager was available to answer questions that the Board may have. Mr. Woodruff had provided advance copies of the recommended Department Budgets.

The following Departments reported:

**Pender Adult Services** – At 4:13 p.m. the Board discussed the budget request for Pender Adult Services. Mr. Woodruff stated that there was \$130,000 recommended for Pender Adult Services. Programs and Transportation funds/services were discussed.

**Soil & Water** – At 4:18 p.m. the Board discussed the budget request for Soil & Water. Mr. Woodruff stated that \$82,836 was requested for this fiscal year which was less than they were appropriated last year. Mr. Woodruff recommended that amount in the Budget for Soil & Water.

**Forestry** – At 4:20 p.m. Hagen Blake from Forestry Service appeared before the Board to answer any questions the Board might have regarding the Forestry budget request. Mr. Woodruff stated that he is recommended \$210,000 in this year's budget as opposed to the \$230,000 budgeted last year and requested this year adding that only \$185,000 was spent last year. Mr. Blake stated that this program is on a reimbursement process and as long as there are no fires or emergencies, the Forestry Service will be able to manage though it may be tough. Discussion ensued as to how the \$20,000 reduction effects the program. Ms. King added that the total budgeted amount has not been used in the last several years.

**Courts** – At 4:26 p.m. Clerk of Court Robert Kilroy appeared before the Board to answer any questions the Board might have regarding the Clerk of Court Budget request. Mr. Kilroy stated that other than the issues with the courthouse security, he is okay with the recommended budget. Mr. Kilroy added that the upstairs courtroom will need a new coat of paint. Foundation as well as the mold and mildew issues were also discussed at length. Drainage, the basement, assessments on the issues with the building, and Courthouse Security were discussed further.

**Emergency Management** – At 4:48 p.m. Emergency Management Director Tom Collins appeared before the Board to answer any questions the Board might have regarding the Emergency Management Budget. Mr. Collins stated that this budget speaks for itself. Fire investigations and fatalities for this fiscal year were discussed. The need for warehouse space was then discussed. Mr. Collins noted that staff has considered and looked into the Shell Building, the BASF building, and Dell Labs and it has been recommended to convert the Shell Building if possible. Using the Shell building for Emergency Management, Pender EMS and Fire, the Sheriff's Department, and other state agencies was discussed and the benefits it would bring to the region. Contingency, volunteer programs, as well as river flooding were also discussed.

**Fire Departments** – At 5:13 p.m. Fire Marshal Tommy Batson appeared before the Board to answer any questions the Board might have regarding the Fire Department Budgets. Mr. Batson noted that there were no tax increases requested for this year. Mr. Batson further explained that the biggest issue is with available manpower. He further stated that the Maple Hill Volunteer Fire Department is at an ISO rating of 9S and in order to keep that ISO, they need help with manpower. A solution for this has been requested and funded in the recommended budget. This solution will cost as the Fire Department will contract with Pender EMS and Fire to put staff in the department during the day. The Board as well as Chief Harold Motley of the Maple Hill Volunteer Fire Department discussed how this agreement would work with the Board. It was discussed that this may become a solution for all rural fire departments that request help.

The Board took a break from 5:44 p.m. until 5:54 p.m.

**Pender EMS & Fire** – At 5:54 p.m. Chief Woody Sullivan appeared before the Board to answer questions the Board might have about the Pender EMS & Fire Budget. Revaluation, S.A.F.E., 911 calls were discussed. Chief Sullivan stated that ED North has really helped his organization with call times as it saves about two hours per call by being able to use ED North instead of going all the way to New Hanover. The proposed agreement with the Maple Hill Volunteer Fire Department was also discussed. Mercedes emblems on ambulances and the use of the shell building were also discussed.

**Non-Departmental** – At 6:15 p.m. the Board discussed the Non-Departmental Budget. Retiree Healthcare, the employee luncheon, and Workman's Comp were discussed. Vehicles were discussed at length. Bank service charges and a policy for nightly deposits were also discussed. The discussion ensued regarding changing banks and what that would entail. The Board asked for a plan to be delivered as to steps on making this happen.

There being no further discussion, the Budget Work Session adjourned at 7:00 p.m.

*Respectfully Submitted,*



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Melissa Long, Clerk to the Board

*Reviewed By:*



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Ann Jones, Administrative Assistant II

**BUDGET WORK SESSION**  
**MAY 23, 2016**

The Pender County Board of Commissioners met in Budget Work Session with County Departments on Thursday, May 23, 2016 at the Hampstead Annex Auditorium, 15060 US Hwy 17 N, Hampstead, North Carolina.

In attendance were: Chairman George Brown; Vice-Chairman Fred McCoy; Commissioners Demetrice Keith, David Piepmeyer, and David Williams; County Manager Randell Woodruff; Melissa Long, Clerk to the Board; Kathy Brafford, Finance Director; Chris King, Senior Accountant; and other staff.

Chairman Brown called the Work Session to order at 4:05 p.m.

Each Department Manager was available to answer questions that the Board may have. Mr. Woodruff had provided advance copies of the recommended Department Budgets.

The following Departments reported:

**ITS** – At 4:09 p.m. ITS Director Erik Harvey and Mark Mitchell appeared before the Board to answer any questions the Board might have regarding the ITS Budget. Discussion began with equipment lease versus purchase. Discussion also ensued regarding ITS services that have been moved back into the departmental budgets and how that effects both the ITS budget as well as individual departmental budgets. The Board also requested a summary of ITS budget, both broken out as well as under the ITS umbrella for comparison. Upon request of the Board, Mr. Harvey discussed the \$110,000 increase for leasing and equipment. Contracted Services was then discussed. Mr. Harvey also noted that he thought an ITS Department assessment is a great idea and he looks forward to their findings to help improve the ITS department. Lastly, Mr. Harvey gave an update on the ability to use credit cards at the tax office.

**Schools** – At 4:30 p.m. Dr. Terri Cobb along with the Pender County Board of Education and some of her staff appeared before the Board to discuss the Budget Request from Pender County Schools. Dr. Cobb began by passing out a prepared PowerPoint presentation. Dr. Cobb discussed growth, challenges, bonds, unfunded and underfunded mandates, lottery funds, and specific budget requests for the upcoming fiscal year. Local funds regarding Personnel and Mandates and Services were discussed including: Teacher Supplements, Coaching Supplements, Assistant Principals, Nurses, Substitutes, JROTC, Administrative Personnel, Staff Development, Charter Schools, Telephone, Electrical Services, Water and Sewer, Trash, Contracted Repairs, Postage, Fuel, Internet, Security, and Insurance. Books, Online Classes, and County-wide connectivity were discussed. Growth was also discussed at length. Dr. Cobb also added that they will be coming back to the Board with the growth study and a strategic plan for future growth.

**Public Works** – At 6:00 p.m. Utilities Director Michael Mack and Administrative Officer Pat Simmons appeared before the Board to answer any questions the Board might have regarding the Public Works Budget. Ms. Simmons presented an organizational chart of the department to the Board and began by discussing the Building Maintenance budget. Howard Holly renovations and issues, Courthouse needs, space needs, and DSS Building issues were discussed at length. It was noted that sky enterprises is where staff orders the chemical for the boiler at the Courthouse. Ditching and prioritization of projects were discussed. Contracting of custodial services was then discussed with regard to savings and human resources. Ms. Simmons also updated the Board regarding the mold issue at the Courthouse and how staff has combated that problem. At 6:41 p.m., Ms. Simmons discussed Mosquito control. She noted the decrease in temporary wages may be an issue depending on the season Pender County has. Supplies were also discussed. At 6:50 p.m., Ms. Simmons discussed Vehicle Maintenance. Ms. Simmons stated that staff has requested \$10,000 for the computer program and that was cut to \$2,000. Ms.

Simmons stated that they will need at least \$3,000 and will be short if the budget is not corrected. At 6:53 p.m., Ms. Simmons discussed Grounds, Temporary Wages, Contracted Services, Supplies, as well as the expansion of Millers Pond Park and Hampstead Kiwanis Park.

The Board took a break from 7:00 p.m. until 7:11 p.m.

**Utilities** – At 7:12 p.m. Utilities Director Michael Mack appeared before the Board to answer any questions the Board might have regarding the Utilities Budget.

**071 – Maple Hill Water:** This fund is not subsidized by the General Fund. This system was started in 1992 and currently services 345 customers in the Maple Hill community. Mr. Mack advised that there is no change with this budget.

**073 – Maple Hill Sewer:** Mr. Mack stated that as residents are passing away, there is more sewer not being used because no one is moving into the property, therefore, this budget has decreased.

**072 – Rocky Point/Topsail Water:** The treatment plant payment was briefly discussed. Mr. Mack then pleaded his case for more staff. Mr. Mack stated that he requested four positions, but only one was approved. In his eight year tenure, there have only been two added position but the customer base has almost doubled. First, Mr. Mack stated he is requesting a meter reader adding that they have been borrowing a technician from the field to fill in. Next, he requested a technician due to another unfunded mandate that Pender County must participate in NC One Call (811). Before being added to 811, Pender County was getting about 100 locate requests per month. Once Pender County is part of 811, PCU will received locates for every NC One Call plus be charged \$0.80 per call. Mr. Mack then requested a new Clerk for the front office to help with the increased customer base with payments, applications, and requests. Discussion ensued regarding requested positions, funds, and Utilities Fund Balance.

**76 – Scotts Hill Water:** Mr. Mack stated that there is no rate increase for this budget as it has remained the same and the budget remains the same as the current fiscal year.

**77 – Water Treatment Plant:** There is no revenue for this account and is covered by the Pender County Fund Balance at this time. This budget was recommended as requested.

**78 – Wastewater Treatment Plant:** Construction on this plant is almost complete. Mr. Mack added that there should be a ribbon cutting on the facility sometime in August.

**Solid Waste** – At 7:39 p.m. Utilities Director Michael Mack remained before the Board to answer any questions the Board might have regarding the Solid Waste Budget. Mr. Mack stated that this is an enterprise fund. Due to growth and the gap between the growth and when the revenue is collected, the Solid Waste fee is recommended to be increased from \$185 to \$220 per year. Mr. Mack added that without this 19% increase there would be a \$750,000 shortfall. Extensive discussion of fees and options as well as the correlation between the CO and stickers ensued.

**Sheriff** – At 7:57 p.m. Sheriff Carson Smith appeared before the Board to answer any questions the Board might have regarding the Sheriff's Department Budget. Sheriff Smith began by discussing personnel requests and passing out a map of calls countywide to show how busy the department is. Sheriff Smith used response times as an example of the personnel requests. Sheriff Smith then discussed opening up the Sheriff's department annex on the East Side. Discussion then ensued regarding Courthouse Security and his request. The Board gave the nod to find \$150,000 to cut and make sure 7 bailiffs are included in the budget for Courthouse Security. Equipment for Courthouse Security and vehicles were then discussed at length. Salary compression was also discussed. Sheriff Smith noted his difficulty in hiring good deputies because of salary constraints. Sheriff Smith then reviewed the Jail and Animal Control Budgets and stated he was okay with the recommended budgets for these departments. Sheriff Smith then discussed the Federal Seizure (Funds 13 & 14). He added that he would like to start a Marine Safety Program with these funds and have both a deputy and a paramedic on the water during the season to assist with Pender EMS. Lastly Sheriff Smith discussed the EM 911 Call Center budget noting that staff is still waiting

on the state to come through for the telephone system. Sheriff Smith ended by inviting the Commissioners to ride along with a deputy one night to get a sense of the routine of working with the Sheriff's department.

**Outside Agencies** – At 6:15 p.m. the Board discussed the Outside Agency Budget Requests.

- (8:45 p.m.) Willard Outreach – Clifton West, President of Willard Outreach was present to discuss with the Board the budget request for Willard Outreach. Mr. West described the immediate need of Willard Outreach as Liability Insurance. He passed around some pictures of the facility. Mr. West then discussed Upgrades to the facility that are needed as well as the programs that are offered.
- (9:00 p.m.) Cape Fear Community College – Jim Morton, Vice President of Business and Financial Services at Cape Fear Community College spoke regarding their budget request adding that they are working on some upgrades to the facility. The Board agreed that Cape Fear Community College has a great return on investment.

**Recess** - The Board recessed the meeting at 9:27 p.m. and will reconvene on Thursday, May 26, 2016 at 4:00 p.m. in the Commissioners Chambers in Burgaw.

On Thursday, May 26, 2016, the Board continued their recess until Tuesday, May 31, 2016 at 3:30 p.m.

### **BUDGET WORK SESSION MAY 31, 2016**

The Pender County Board of Commissioners reconvened in Budget Work Session with County Departments on Tuesday, May 31, 2016 at the Pender County Public Assembly Room, 805 S. Walker Street, Burgaw, North Carolina.

In attendance were: Chairman George Brown; Vice-Chairman Fred McCoy; Commissioners Demetrice Keith, David Piepmeyer, and David Williams; County Manager Randell Woodruff; Melissa Long, Clerk to the Board; Kathy Brafford, Finance Director; Chris King, Senior Accountant; and other staff.

Chairman Brown called the Work Session back to order at 3:32 p.m.

The Board began by discussing the proposal of contracting out custodial services. The Board asked Ms. Mulhollen if she was aware of the the issues brought up by Ms. Simmons. She stated she was aware of the issues, also that there was no issue with employee "E" whom Ms. Simmons recommended retaining on staff. Discussion then ensued regarding the use of the Hampstead Annex and wear and tear on the building. Charging a deposit for the use of that building was also discussed. Next, the Board discussed the proposed Solid Waste fee increase, who pays the fee, and options to save on Solid Waste.

At 3:49 p.m., the Board continued the Outside Agency discussion. Bob Holm from the Greater Currie Community Action Group (GCCAG) spoke to the Board regarding their plan and a possible partnership with Pender County. Discussion of Grants, Donations, options, investments, and partnerships that may help the group was discussed. The Board stated that there would not be funding in this fiscal year, but with the suggestions from the Board a plan could possibly be worked out in the future. Discussion ensued regarding other Outside Agencies. The Board requested that the Hwy 17 Association be removed. Ms. Keith asked about Willard Outreach. Ms. Brafford stated that \$3,200 was budgeted in the Parks and Recreation Budget. Discussion then ensued regarding services on the western side of the county.

At 4:17 p.m. Revenue discussion ensued. Mr. Woodruff stated that staff was really conservative with revenue projections for the next fiscal year. He noted a bill that was introduced in the General Assembly and explained

the effects it could have on Pender County. The tier system was also discussed and how to change tiers or appeal Pender County's tier rating. Other topics discussed were a small Fund Balance appropriation, positions, Comprehensive Plan, vehicles, credit ratings, and Beach Renourishment.

At 4:52 p.m. the Board discussed Debt Services. The BASF (Commerce Park Property) is now paid for. Debt service for schools was discussed at length including old bond debt, new bond debt, and tax increase. The bonds for County projects were also discussed.

At 4:58 p.m. the Board discussed Transfers. Mr. Woodruff read through the transfers. The Board discussed the Solid Waste Transfer and the Maple Hill Fire Department transfer briefly.

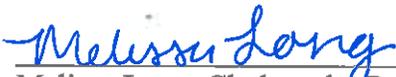
At 5:06 p.m. the Board discussed the Medical Examiner budget. Brief discussion ensued as to who on staff should oversee the Medical Examiner budget as right now Finance is handling this. The various payees for the medical examiner budget and options for the medical examiner were also discussed.

At 5:11 p.m. the Board discussed Industrial Incentives. The Board briefly discussed the Shell Building and its options.

At 5:13 p.m. the Board began wrapping up the discussion beginning with Solid Waste. In regards to Solid Waste, recycling was discussed with regard to costs and options to cut costs. Options for the Shell Building and Office space was then discussed. Options for the Shell Building included a Jail, Courthouse Annex, Health and Human Services Building, and EMS/Emergency Management/Sheriff's Department storage. After extensive discussion, the Board agreed to remove the Bank of America Lease and the Assistant County Manager from the budget and keep the Risk Manager in the Budget.

There being no further discussion, the Budget Work Session adjourned at 5:44 p.m.

*Respectfully Submitted,*



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Melissa Long, Clerk to the Board

*Reviewed By:*



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Ann Jones, Administrative Assistant II

**MONDAY, MAY 16, 2016 – 4:00 p.m.**

The Pender County Board of Commissioners met in regular session on Monday, May 16, 2016 at the Commissioner's Public Assembly Room, 805 S. Walker St., Burgaw, NC 28425.

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

**OTHERS PRESENT:** Randell Woodruff, County Manager; Trey Thurman, County Attorney; Melissa Long, Clerk to the Board; Kathy Brafford, Finance Director; other staff and members of the Press and public.

#### **CALL TO ORDER**

Chairman Brown called the meeting to order at 4:01 p.m. and thanked and welcomed all to the meeting.

#### **INVOCATION**

Commissioner Piepmeyer offered the invocation.

#### **PLEDGE**

Commissioner Williams led the Pledge of Allegiance.

#### **ADOPTION OF AGENDA**

Mr. McCoy made a motion to adopt the agenda as written. Mr. Williams seconded the motion and it was unanimously approved.

#### **PUBLIC COMMENT**

No one wished to speak under Public Comment.

#### **CONSENT AGENDA**

Chairman Brown presented the items on the Consent Agenda and asked for any discussion or questions. Mr. Williams made a motion to approve the consent agenda as written. Mr. McCoy seconded the motion and the consent agenda was unanimously approved as follows:

1. Approval of Minutes: Budget Work Session: April 14 and Regular Meeting: May 2.
2. Approval of the Housing Department's 2016-17 Annual Plan.
3. Resolution Authorizing Approval of Surf City Pyrotechnic Display on July 3, 2016, in Accordance with North Carolina General Statute 14-413.
4. Resolution Authorizing Approval of Union Rescue Pyrotechnic Display on July 2, 2016, in Accordance with North Carolina General Statute 14-413.
5. Approval of a Budget Amendment to Approve an Increase in Health Department Revenues and Expenditures for Fiscal Year 2015-2016: Migrant Farm Workers' Grant Program \$9,500.

#### **APPROVALS AND RESOLUTIONS**

6. **Resolution to Approve the Sale of School Bonds and Refunding Bonds in the Amount of \$18 Million in School Bonds and up to \$15 Million in Refunding Bonds.**

Mr. Bob Jessup, Bond Counsel explained: This is the final step that needs to be made to sell these bonds. Mr. Jessup explained the projects and how the Bonds will be sold in relation to those projects.

Mr. Jessup then explained the change in the amount from the original draft of the resolution which is now \$27 million as it was just a place holder when the draft was sent over before a meeting with staff. This will reimburse the \$6 million that has already been advanced by the County to the School Board for all six projects as well as the \$18 million for the four smaller projects. The bidding status for the four smaller projects was also discussed. Mr. Jessup then noted that Ted Cole with Davenport was present to answer any questions as well as members from Pender County Schools. Discussion ensued regarding the updated resolution as it was not presented to the Board prior to the meeting. Mr. Piepmeyer asked that information be presented before meetings with enough time to review for consideration. Discussion then ensued as to the changes in the resolution: a) Increase up to \$27 million from \$18 million; b) Allows for Term Bonds; and c) Date changes. Mr. Thurman included that the proposed sale is June 7 and the Board will meet again June 6 should any last minute issues come up. Mr. McCoy asked about the interest rates of the bonds. Mr. Cole discussed the interest rates. Mr. Cole also reiterated that the amount in the resolution is a "not to exceed" amount and can be brought down based on the actual amount of the bids. There being no further discussion, Mr. Williams made a motion to approve the resolution with changes: a) Increase up to \$27 million from \$18 million; b) Allows for Term Bonds; and c) Date changes. Mr. Piepmeyer seconded the motion and it was unanimously approved.

**7. Proclamation of May as Foster Care Month.**

Health and Human Services Director Carolyn Moser began by recognizing Bertram Wilson and his staff who work so hard with the Foster Care Program. Chairman Brown read the proclamation. Ms. Moser and the Board thanked staff for their hard work. Mr. Williams made a motion to adopt the proclamation. Mr. McCoy seconded the motion and it was unanimously approved.

**8. Proclamation of Elder Abuse Awareness.**

Health and Human Services Director Carolyn Moser began by recognizing Jackie Williams, Alicia Williamson, and Allison Medders for their work with Adult Protective Services. Chairman Brown read the proclamation. Ms. Moser and the Board thanked staff for their hard work. Mr. Williams made a motion to adopt the proclamation. Ms. Keith seconded the motion and it was unanimously approved.

**9. Approval of a Purchase Order to Elections Systems & Software (ES&S) for Voting Equipment Licensing and Support in the amount of \$40,831.32 Including NC Taxes.**

Elections Director Dennis Boyles explained: Pender County purchased state certified voting equipment from Elections Systems & Software in March 2006. Then, Commissioner Chairman, Steve Holland signed a contract obligating the county to annual licensing and support fees for the life of this equipment as required by G. S. § 163-165.9(b2). These funds are due and payable by July 1st of each year. Mr. McCoy asked if this item had been budgeted for and Mr. Boyles confirmed it had. There being no further discussion, Mr. McCoy made a motion to approve the item. Mr. Williams seconded the motion and it was unanimously approved.

**10. Resolution Authorizing Appropriation of \$23,900 to make septic system repairs at Country Court Apartments.**

Housing Director Judy Herring explained: Country Court Apartments, a County owned property, has failing septic systems at three of the four buildings at the site. A repair permit has been issued for repairs. Requests for proposals were made and three bids obtained. Staff accepted the lowest responsible bid. That bid was from RSC Engineering. The bid price is \$23,900. The property does not have sufficient capital reserves to pay for repairs; therefore, staff is asking the County to pay for the

repairs. The repairs are needed immediately and cannot wait for the property to “save” enough capital reserve funds. Copies of all three bids received were provided to the Board. Discussion ensued as to the history of Country Court Apartments, the tenants who live there, emergency fund for the project, contingency, and specifics on the loan that is on the property including what is owed and renovation plans. The Board agreed that just like any other project they would like to see a future plan for this property. There being no further discussion, Mr. Williams made a motion to approve the item. Mr. McCoy seconded the motion and it was unanimously approved.

**11. Approval of the Cape Fear Workforce Development Consortium Agreement and to Appoint Commissioner Brown to the Workforce Development Consortium Board.**

Mr. Brown explained Cape Fear Workforce Development Consortium Agreement to the Board and the reason for this request. Mr. Williams made a motion to approve the resolution and appointment of Mr. Brown to the Workforce Development Consortium Board. Mr. Piepmeyer seconded the motion and it was unanimously approved.

**12. Approval of a Data Transfer Agreement By and Between Pender County and the Rocky Point/Topsail Water and Sewer District and Pluris Hampstead, LLC for the Provision of Monthly Water Usage Data from the District to Pluris for Billing of their Commercial Sewer Customers.**

Utilities Director Michael Mack explained: Pluris Hampstead, LLC has established a sanitary sewer system to serve the Hampstead and Scotts Hill areas of Pender County. As such, they have requested Pender County Utilities provide them with the monthly water usage data for those commercial sewer customers within the Pluris service area for their billing purposes. Currently, Pluris Hampstead is serving the Topsail Elementary/Middle and High Schools and is expecting to add the Hampstead Town Center soon. This request is only for their commercial sewer customers. The terms of the agreement stipulate that Pluris Hampstead agrees to pay \$2.00 per account, per month for the water usage data for commercial sewer customers in an Excel format. This charge will increase by ten percent after the first five years of the Agreement and every five years thereafter. Payment shall be made within thirty days of the date the District sends the billing data to Pluris. The District also agrees to provide Pluris reports of any commercial customer move-ins or move-outs that occurred during the month and of any water meter change outs. The Pluris Water and/or Sewer Customer Application requires the applicant to agree to Pender County Utilities providing their water usage data to Pluris for the purpose of calculating their sewer bill based on the volume of water used each month. Mr. Thurman has worked directly with the attorney representing Pluris Hampstead to clearly define the terms and conditions of the Data Transfer Agreement. This agreement is for twenty-five years. Mr. Thurman also commented on the agreement. There being no further discussion, Mr. Piepmeyer made a motion to approve the item. Mr. Williams seconded the motion and it was unanimously approved.

**13. Resolution Approving Execution of a Twelve-Month Contract with the Most Responsive and Responsible Low Bidder, Phillip’s Lawn Care, for Mowing the Pender Commerce Park Roadsides and Expanded Shoulder Area for an Amount of \$12,000.00.**

Utilities Director Michael Mack explained: Pender County Utilities solicited bids for mowing of the Pender Commerce Park Roadsides and Expanded Shoulder Area. On May 2, 2016 staff conducted a bid opening with the following results:

CONTRACTOR	BID AMOUNT (TWELVE MONTH TOTAL)
K&H Landscaping & Maintenance, LLC	\$8,640.00
Phillip’s Lawn Care Services	\$12,000.00

Barnhill Services	\$22,500.00
The Rashid Group, LLC	\$85,440.00

Staff recommends approval of this award to Phillip’s Lawn Care Services based on previous unsatisfactory experience with K & H Landscaping & Maintenance on the 13 Solid Waste Convenience Sites. Discussion ensued regarding the differences in bid prices, the reasoning for contracting this mowing out, and the process if this contractor is also unsatisfactory. There being no further discussion, Mr. Williams made a motion to approve the item. Mr. McCoy seconded the motion and it was unanimously approved.

**APPOINTMENTS**

**14. Approval of Appointment to the Pender County Board of Adjustment.**

Ms. Long explained: Christopher Smith is applying to serve on the Board of Adjustment for the first time. Mr. Smith has lived in Pender County since 1993 and served 10 years on the Planning Board in the past (2002-2012). Mr. Smith lives in District 5 which is currently vacant. This appointment will be for three years. These positions have been properly advertised. There being no discussion, Mr. McCoy made a motion to approve the appointment. Mr. Williams seconded the motion and it was unanimously approved.

**ITEMS FROM THE COUNTY ATTORNEY**

Mr. Thurman stated there was an item for closed session, item #3.

**ITEMS FROM THE COUNTY MANAGER**

Mr. Woodruff mentioned to the Board that when they have time, those attending County Assembly Day on May 18 should discuss travel plans and arrangements.

**ITEMS FROM COUNTY COMMISSIONERS**

Ms. Keith – Ms. Keith stated that she met with the Greater Currie Community Action Group recently and they discussed the Moores Creek Water District. Ms. Keith said that it was mentioned that there were concerns that citizens were getting refunds for taps already paid. Mr. Mack spoke stating that those were residents that would not be serviced under phase one and that their applications will be kept on file for further phases.

Mr. McCoy – Mr. McCoy commented on Spring Fest, adding that he attended the festival. He thanked the Health Department and Sheriff’s Department for participating in the event.

Mr. Piepmeyer – Mr. Piepmeyer stated that he met last week with David Wasserman and Representative Chris Millis regarding the Hampstead Bypass Funding Formula. He discussed and explained the specifics of the meeting. Mr. Piepmeyer further stated that he had received a phone call from Tom Eggleston, Commissioner at Topsail Beach regarding requesting additional funds for beach renourishment adding that Topsail Commissioners will be coming to the June 6 meeting to talk to the Board. Mr. Piepmeyer also suggested holding a joint meeting with Surf City Commissioners and Topsail Beach Commissioners in the fall. Lastly, Mr. Piepmeyer asked that the Sheriff present a state of affairs presentation at the June 6 meeting.

Mr. Williams – Mr. Williams stated that Representative Millis has introduced a Bill (HB 1106) in the house that will reallocate about \$500 Million back to Transportation Projects included in the Connect NC Bond. He asked that the Board consider a resolution at the next meeting in regards to HB 1106. Mr. Williams then made comments on beach renourishment with regards to the tax base.

Mr. Brown – Mr. Brown stated that he will be presenting two Golden Leaf scholarships next week for \$12,000 each. The first will be on Monday at Topsail High School at 5:30 p.m. and the other at Heidi Trask High School on Wednesday morning.

### **CLOSED SESSION**

At 5:26 p.m., Mr. Williams 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. Mr. McCoy seconded the motion and it was unanimously approved. The Board exited the Closed Session at approximately 6:24 p.m. No announcement was made following closed session.

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

#### **15. Resolution Requesting Approval of a Conditional Zoning Map Amendment from RP, Residential Performance zoning district to RA-CD 2, Rural Agricultural conditional zoning district.**

Chairman Brown opened the Public Hearing at 7:00.

Senior Planner Megan O'Hare explained: Charlotte P. Kelly, applicant and owner, is requesting a conditional zoning map amendment for one (1) tract totaling approximately 0.47 acres from RP, Residential Performance zoning district to RA-CD 2, Rural Agricultural zoning district. The request is to allow only the following NAICS uses: 453 Miscellaneous Store Retailers, 7222 Limited Service Eating Places and 445 Food and Beverage Stores. Ms. O'Hare discussed the specifications and reasons of the request. Brief discussion ensued as to the county-wide rezoning and understanding of the request. Ms. Kelly spoke to the Board and began by thanking the Planning Board for all of their help. Ms. Kelly then made comments on the rezoning in 2003 and that she did not know about it and found out when her new tenant moved in. She requested that the Board refund some of her money since she was unaware of the rezoning adding that there is a trash dump on the site. Ms. Kelly also noted the drop in assessed value for the property since beginning this process. The Board assured Ms. Kelly that all notices had been given as provided by the statute and apologized for the position that Ms. Kelly is in but added that they are not in the position to refund money. Mr. Williams stated that Ms. Kelly can appeal the property value if she wishes. There being no further discussion Mr. Brown closed the Public Hearing at 7:12 p.m. Ms. Keith made a motion to approve the rezoning. Mr. Williams seconded the motion and it was unanimously approved.

#### **16. Resolution Requesting Approval of a General Use Rezoning from IT, Industrial Transitional zoning district to RP, Residential Performance zoning district.**

Chairman Brown opened the Public Hearing at 7:13.

Senior Planner Megan O'Hare explained: Adam Batchler, on behalf of Batchlers, LLC. owner, is requesting approval of a general use rezoning of one (1) tract totaling approximately 6.023 acres from

IT, Industrial Transitional zoning district to RP, Residential Performance zoning district. Ms. O'Hare discussed the specifications of the request. Mr. Batchler spoke to the Board briefly stating that this request is just so he can put a home on the property and move his family up from Wilmington in order to shorten the commute. There being no discussion, Chairman Brown closed the Public Hearing at 7:17 p.m. Mr. McCoy made a motion to approve the rezoning. Mr. Williams seconded the motion and it was unanimously approved.

**17. Resolution Requesting Approval of a General Use Rezoning from RA, Rural Agricultural zoning district to RP, Residential Performance zoning district.**

Chairman Brown opened the Public Hearing at 7:17.

Senior Planner Megan O'Hare explained: Charles M. Elam II, applicant, on behalf of Southeast Custom Homes Inc., owner, is requesting approval of a Zoning Map Amendment of one (1) tract totaling approximately 39.48 acres from the RA, Rural Agricultural zoning district to the RP, Residential Performance zoning district. Ms. O'Hare discussed the specifications and reasons of the request. There was one person who was signed up to speak:

- Barbara Graham of 19030 Hwy 210, Rocky Point spoke regarding the issues that she has with this request. Her concerns included: advertising (not in Star News), site access, selling her property, traffic, and impacts on schools and population.

There being no further discussion, Chairman Brown closed the Public Hearing at 7:33. Mr. Williams made a motion to approve the item. Mr. Piepmeyer seconded the motion and it was unanimously approved.

**18. Resolution Requesting Approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance to amend Section 4.14 Zoning District Dimensional Requirements, in order to align the minimum structure separation requirements with the setback requirements.**

Chairman Brown opened the Public Hearing at 7:33.

Senior Planner Megan O'Hare explained: Stroud Engineering, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 4.14 Zoning District Dimensional Requirements, in order to align the minimum structure separation requirements with the setback requirements in the GB, General Business zoning district. Staff is in agreement that it is good practice to have structure separation requirements the same as setback standards, and is proposing similar amendments in the RA, Rural Agricultural, RP, Residential Performance, OI, Office Institutional and EC, Environmental Conservation zoning districts. Ms. O'Hare further discussed the specifications of the request. Mr. Fentress briefly spoke to the Board requesting this change be made for consistency. Discussion ensued regarding how the current ordinance reads and its effects as well as how the requested changes will work. There being no further discussion, Chairman Brown closed the Public Hearing at 7:39 p.m. Mr. Williams made a motion to approve the item. Mr. Piepmeyer seconded the motion and it was unanimously approved.

**19. Resolution Requesting Approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance: Article 1 General Provisions, Article 6 Development Requirements and Content, Article 7 Design Standards, Article 11 Enforcement and Penalties, Appendix A, and add Articles 12 and 13.**

Chairman Brown opened the Public Hearing at 7:43.

Senior Planner Megan O'Hare explained: Pender County, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance: Article 1 General

Provisions, Article 6 Development Requirements and Content, Article 7 Design Standards, Article 11 Enforcement and Penalties, Appendix A, and add Articles 12 and 13. Specifically, the request is to amend: the Traffic Impact Analysis requirements (Section 6.1.2.A.15, Section 6.1.3.A.7, Section 6.1.4.A.16, Section 6.3.C.7 and Section 6.4.A.20); replace references to the Coastal Pender Collector Street Plan with the Pender County Collector Street Plan (Sections 1.5, Section 7.2.6, 7.2.7, 7.5.1); and to incorporate the Addressing and Road Naming Ordinances into the Unified Development Ordinance (Articles 11, 12, and 13 and Appendix A). Ms. O'Hare further discussed the specifications of the request. There being no discussion, Chairman Brown closed the public Hearing at 7:43 p.m. Mr. McCoy made a motion to approve the text amendment. Mr. Williams seconded the motion and it was unanimously approved.

Mr. Thurman brought up the issue regarding sales tax recovery in the amount of \$240,000 in regards to school invoices and payments. Mr. Thurman stated that he tried to get clarity in the fall, but it looks like the County would be able to recover the full amount if done soon. Discussion ensued as to what recovering the sales tax would entail, the savings from collecting, and the cost to collect. The Board asked that staff set up a meeting with the schools to sort the matter out.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:53 p.m.

*Respectfully Submitted,*



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Melissa Long, Clerk to the Board

*Reviewed By:*



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Ann Jones, Administrative Assistant II