

MONDAY, MARCH 10, 2008

The Pender County Board of Commissioners met in regular session on Monday, March 10, 2008 at the Surf City Community Center, 201 Community Center Drive, Surf City, North Carolina.

MEMBERS PRESENT: Chairman James David Williams, Jr., presiding; Vice Chairman Jimmy Tate; and Commissioners Norwood Blanchard, George Brown and F.D. Rivenbark.

MEMBERS ABSENT: None.

OTHERS PRESENT: Al Greene, Interim County Manager and Clerk to the Board; Trey Thurman, County Attorney; Glenda Pridgen, Deputy Clerk to the Board; other staff and members of the Press and public.

CALL TO ORDER

Chairman Williams called the meeting to order at 1:00 p.m., welcomed all and thanked the Town of Surf City for the use of their facility.

INVOCATION

Chairman Williams offered the Invocation.

PLEDGE OF ALLEGIANCE

Commissioner Rivenbark led the Pledge of Allegiance.

Mr. Williams introduced Ms. Inez Bradt, a citizen and champion for working to keep litter off the ground and waterways. Ms. Bradt thanked the Board for funding over the years for the work she does for the environment. Ms. Bradt showed the Stewardship Award for Environmental Awareness pin she received from PenderWatch and Conservancy, an environmental protection group.

Surf City Mayor Zander Guy recognized some of his Council members, said he appreciates what the Board does for Surf City and welcomed the Board to hold its annual retreat in Surf City.

PUBLIC INFORMATION

There were no public information items.

CONSENT AGENDA

Mr. Williams presented the six items on the Consent Agenda and asked for any questions or discussion. It was noted that there is some public concerns with regards to **Item Number 5. – Resolution by the Pender County Board of Commissioners Opposing Division of Water Quality – Proposed Changes to Title 15A, DENR.** Mr. Greene asked the Board to consider tabling this item until he can schedule a workshop for the Board with the Division of Water Quality to discuss the proposed rule changes to the CAMA Stormwater Requirements. Mr. Rivenbark made a motion to approve the Consent Agenda as amended, Mr. Tate seconded the motion and the Board voted unanimously to approve the Consent as follows:

1. Resolution Approving Tax Releases and Refunds to the Individuals Listed Herein.
2. Budget Ordinance Amendment: Health Department: Family Planning: \$4,735 Increase.
- 3a. Resolution Accepting Petition to Add Clayton Lane in Rocky Point to the State Maintained System and Authorizing the County Manager to Submit the Petition to N.C. Department of Transportation.
- 3b. Resolution Accepting Petition to Add Hardison Drive in Hampstead to the State Maintained System and Authorizing the County Manager to Submit the Petition to N.C. Department of Transportation.
- 3c. Resolution Accepting Petition to Add Bluff Oak Drive in Currie to the State Maintained System and Authorizing the County Manager to Submit the Petition to N.C. Department of Transportation.
4. Resolution by the Pender County Board of Commissioners: Maintenance of Drainage Outfalls.

6. Proclamation by the Pender County Board of Commissioners: Spring Litter Sweep: April 19 – May 3, 2008.

RESOLUTIONS

7. Resolution Approving a Three-Year Contract Extension with Maximus, Inc.: \$4,500.

Mr. Greene explained that Maximus has prepared the Cost Allocation Plan for Pender County for the last sixteen years, identifying central service costs refunded to the County. He said it is an on-going process that needs to continue in order for the County to be compensated by the State. Mr. Tate made a motion to approve the resolution, Mr. Rivenbark seconded the motion and it was unanimously approved.

8. Resolution Approving Payment to Professional Mail Services, Inc.: \$9,094.55.

Tax Assessor Coby Heath explained that this is the first year they had a professional mail service to do a total mail-out of listing abstracts and Utilities' solid waste stickers. He said the mail-out generated additional revenues of approximately \$95,000 from new information about property owned and not previously reported. Mr. Brown made a motion to approve the resolution, Mr. Tate seconded the motion and it was unanimously approved.

9. Resolution Authorizing the Issuance of a Purchase Order to AT&T to Provide Metro Ethernet Telecommunication Access from the Hampstead County Departments to the Burgaw County Departments: \$25,422.02

IT Director Erik Harvey explained that this upgraded technology will help the Permitting Technicians in Hampstead by bringing added benefits such as reliability and speed, which was not afforded in the previous proposed plan, which was the Wireless Link from Burgaw to Hampstead. Mr. Rivenbark made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved.

10. Resolution Authorizing the Issuance of a Purchase Order to AT &T to Upgrade our Core Hardware and Software for the Cisco Avvid Phone/Data System for the Next Five Years: \$98,156.

Mr. Harvey explained that this Purchase Order to AT&T is for upgrade to our Core Hardware and Software for the Cisco AVVID Phone/Data System and will be for the next five years. He said some of the updates that will be made are caller ID and 911 PinPoint Mapping for employees. Mr. Harvey explained that currently, all 911 calls made from employees show that they are coming from 300 E. Fremont St. where the central telecommunication network is located, and this is where emergency responders will respond; the upgrade will let calls show the direct employee extension the call is coming from. Mr. Tate made a motion to approve the resolution, Mr. Blanchard seconded the motion and it was unanimously approved.

11. Resolution to Authorize James Fields, Supervisor of Public Works/Mosquito Control Division, or Patricia Simmons, Administrative Assistant, to Sign and Execute all Necessary Papers and Documents in Connection with the Department of Environment, Health and Natural Resources for Aid in Mosquito Control.

Mr. Greene said this resolution is simply to allow Mr. Fields or Ms. Simmons to sign the papers necessary in connection with the annual grant request made to the Department of Environment, Health and Natural Resources for aid in the control of mosquitoes. Mr. Rivenbark made a motion to approve the resolution, Mr. Tate seconded the motion and it was unanimously approved.

12. Resolution to Adopt the Pender County Hazard Communication Program.

Emergency Management Director Eddie King explained that following recent inspections by representatives of the North Carolina Department of Labor, Occupational Safety and Health Division, it has been determined that the County is required to have a Hazard Communication Program Policy as a part of the county employee safety program. He said the Hazard Communication Program will be one more component of the Pender County Risk Control Manual and that it was taken from the N.C. Departments of Labor's website. Mr. Brown made a motion to approve the resolution, Mr. Tate seconded the motion and it was unanimously approved.

13. Resolution by the Pender County Board of Commissioners: Country Club Road & U.S. Highway 17 Traffic Signal Light.

Mr. Williams read the resolution and there was some discussion of the traffic situation at Country Club Road and US Highway 17. Mr. Rivenbark made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved.

14. Resolution Regarding Employee/Workforce Compensation.

This item resulted from a discussion at the February 18, 2008 meeting when Commissioner Tate made a motion to give all employees a one-time 5% bonus now. Mr. Greene explained that at the last meeting, there was discussion concerning low morale among employees because the anticipated Class and Compensation Study had not been done. He said that at that meeting, staff was instructed to research the issue and bring a recommendation back to the Board. Mr. Tate said the Board needs to provide some kind of incentive for employees and said he is bothered by getting reports from department heads saying they are losing good employees to other counties. Mr. Williams said he agrees with Mr. Tate. Mr. Tate made a motion to accept the Manager's recommendation - a one-time bonus of \$1,000 to full-time employees employed as of 9/27/07; \$500 to part-time employees employed as of 9/27/07; and a 3% across-the-board pay increase for all current employees, for this fiscal year. Mr. Rivenbark seconded the motion and it was unanimously approved.

DISCUSSIONS

15. Requirement that Items which are going to be Considered/Voted Upon by the Board of Commissioners are Listed on the Agenda.

Commissioner Brown had requested this item. Mr. Brown said he realizes there will be some possible untimely items that won't be listed on the agenda prior to the meeting, but we could put in a clause saying anything that is approved and not listed ahead of time has to have a 5-0 vote to pass. Mr. Blanchard said he had surveyed several people about this, including people from the Black Community, that said they don't see any problem with additional items being brought up; he asked where this request is coming from. Mr. Brown responded the request is coming from him and reiterated that if it's an item not listed on the agenda it should require a 5-0 vote in order to be discussed. Mr. Tate asked Mr. Blanchard to verify that he had surveyed people and Mr. Blanchard responded affirmatively. Mr. Tate said it is concerning to him that Mr. Blanchard said he heard from members of the Black Community because no one from the Black Community had contacted him. He asked if the item can be tabled until he can talk to his constituents. Mr. Brown said he wants to have open meetings and the public has a right to know what's going on. Mr. Tate asked what concerns these folks have. Mr. Rivenbark said any Commissioner should be able to come into a meeting and bring an item. Mr. Williams said that having items listed on the agenda sends a message to the public saying we're not going to do anything that's not good for the whole county. Mr. Brown said tabling it won't help because it's been brought up before and said he doesn't understand why it can't be voted upon. Mr. Brown made a motion to approve the request but it died for lack of a second.

16. Readdress Appointment to the Pender County Planning Board Made on January 22, 2008.

Chairman Williams said Mark Walton resigned from the Planning Board last week, that there are now two vacancies and that we have two qualified applicants. Mr. Brown said he has admitted before that he made a mistake when he voted at the time Mr. Reynolds was replaced on the Planning Board by Mr. Hiram Williams. Chairman Williams asked if Mr. Reynolds is put back on the Planning Board, will he be put back as Chairman and Mr. Thurman responded that is up to the Planning Board. Mr. Brown made a motion to re-appoint Kevin Reynolds and appoint Hiram Williams to the Pender County Planning Board. Mr. Tate seconded the motion and it was unanimously approved. The appointments are as follows: Mr. Reynolds to serve a three-year term representing a Business position, with term to expire January 31, 2011; Mr. Williams to serve the remainder of the three-year term vacated by Mark Walton representing a Technical position, with term to expire January 31, 2010.

APPOINTMENTS

17. Resolution Approving Re-appointment of Citizen to the Southeastern Economic Development Commission.

It was verified by staff that this appointment will not be replacing anyone currently sitting on this board. Mr. Blanchard made a motion to approve the resolution, Mr. Rivenbark seconded the motion and it was unanimously approved.

18. Resolution Approving Appointment of a 2008 Pender County Board of Equalization and Review.

Mr. Tate asked what the criteria for appointing people to this board are and Tax Assessor Coby Heath responded he inherited the Board when he was hired. Mr. Rivenbark said the original intent was for each Commissioner to have someone representing his/her district. Mr. Blanchard made a motion to approve appointment of the 2008 Pender County Board of Equalization and Review, Mr. Brown seconded the motion and it was unanimously approved.

19. ITEMS FROM THE COUNTY MANAGER, COUNTY ATTORNEY, COUNTY COMMISSIONERS

Mr. Rivenbark said he attended the 2008 NACo Legislative Conference in Washington, DC, of which he's a member of the Agriculture Committee. He said some of the topics covered were CDBG issues and Bio Fuels.

Mr. Tate said he attended a portion of the Conference which included some very informative workshops. Mr. Tate said he would like to be put on the next agenda the process of each board appointment – whether the appointment is made by district, category, etc. Mr. Greene asked if we can bring this information to the Board at an April meeting and Mr. Tate agreed.

Mr. Brown offered condolences to Mr. Heath on the recent passing of his father.

Mr. Williams also offered condolences to Mr. Heath. Mr. Williams asked for a moment of silence for Pender County Inspector Greg Mosher who recently passed away. He noted Mr. Mosher's love for his job and what a dedicated employee he was. Mr. Williams said he wants to hold a closed session to discuss personnel – the County Manager applications.

Mr. Thurman said the Courts will possibly have to utilize the Board's Meeting Room the week of March 24th and beginning the week of March 31st for three weeks. He said the Courthouse and Annex had been overbooked and that nobody's being blamed for the overbooking.

Mr. Tate asked about the water bond for his district for the November ballot and if we're on top of it. Mr. Thurman responded affirmatively.

PUBLIC COMMENT

There was no public comment.

CLOSED SESSION

At 1:55 p.m. Mr. Rivenbark made a motion to enter into closed session pursuant to NCGS 143-318.11: (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. The Closed Session will not include discussion of the appointment of a member of the public body, or a vacancy on the public body, and any final action on appointment, discharge or removal by the public body will be made in open session. Mr. Tate seconded the motion and the Board unanimously approved going into Closed Session. The Board came out of closed session at 2:15 p.m. There were no announcements upon exiting Closed Session.

ADJOURNMENT

There being no further business, the meeting continued to the Board Retreat at 2:30 p.m.

Respectfully Submitted,

Glenda Pridgen

Glenda Pridgen, Deputy Clerk to the Board

Reviewed By:

Melinda Knoerzer

Melinda Knoerzer, Deputy Clerk to the Board
