

## MONDAY, JULY 12, 2010

The Pender County Board of Commissioners met in regular session on Monday, July 12, 2010 at the Pender County Public Assembly Room, 805 South Walker Street, Burgaw, North Carolina.

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

**MEMBERS ABSENT:** David Williams.

**OTHERS PRESENT:** Rick Benton, 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 Tate called the meeting to order at 4:00 p.m. and thanked and welcomed all to the meeting.

### INVOCATION

Commissioner Rivenbark offered the Invocation.

### PLEDGE OF ALLEGIANCE

Commissioner Brown led the Pledge of Allegiance.

### EXCUSE COMMISSIONER

Chairman Tate noted Mr. Williams wasn't able to attend today's meeting. Mr. Rivenbark made a motion to excuse Mr. Williams, Mr. Brown seconded the motion and it was unanimously approved by a 4-0 vote.

### PUBLIC INFORMATION

#### 1. **Ms. Monique Baker, Tourism Director: Update on Tourism Authority Activities.**

Ms. Baker gave an update on the activities of the Tourism Development Authority, including the Authority winning the (DMANC) "Destination Marketing Initiatives Web Based Gold Award Small Budget," and the fact that travel is up 1% over last year. Ms. Baker's Power Point presentation included: [www.visitpender.com](http://www.visitpender.com) statistics on visitors, visits and pageviews; additional Webstats from December 1, 2009 to June 30, 2010; Twitter statistics since March, 2010; Facebook statistics; new advertising campaign, including *Wilmington Today*, *Topsail Magazine*, *Raleigh News & Observer*, and *Our State Magazine*; new commercials; and new promotional video. In response to question by Mr. Tate, Ms. Baker discussed some of the key words used to access the website.

#### 2. **Mr. Mike Taylor, Library Director: Update on Development of Topsail Regional Library.**

Mr. Taylor noted the building committee team for the new library has been working with the architects throughout the process providing feedback, and noted the building committee team was composed of Hampstead Branch Manager Marsha Dees, Library Board Chair Kathy Sabella, Topsail Township Friends of the Library President Kay Guimond, and himself. Mr. Taylor introduced Architect & Project Manager Eric Sowers, and Design Architect Louis Cherry of Cherry Huffman Architects. Mr. Cherry introduced the Schematic Design Narrative, of which a copy had been pre-delivered to Board members. The Schematic Design Narrative included; Executive Summary; Site Narrative; Architectural Narrative;

Materials & Finishes; Code Summary; Structural Narrative; Plumbing, Mechanical & Electrical Narrative; Building Program; First Floor Plan; and Second Floor Plan. Mr. Cherry provided an explanation of each category. Board members asked various questions and Mr. Cherry provided answers. A citizen asked about the entrance to the Library and Mr. Cherry responded the entry drives would be located on the south side of the property connecting with US Highway 17.

**3. Pender County Public Schools System Quarterly Bond Project Update.**

Schools Maintenance Services Director David Smith gave a quarterly update on the Bond Project: July-September, 2010. Mr. Smith's update included: Heide Trask Auditorium/Gymnasium Project-work completed April-June, and work expected to be accomplished during July-September; West Pender Middle Renovations: work completed April-June, and work expected to be accomplished during July-September; Rocky Point Primary Addition/Renovations: work completed April-June and work expected to be accomplished during July-September; Topsail Middle School Renovations: no work completed during April-June and, work expected to be accomplished during July-September; Penderlea Elementary School: work completed during April-June, and no bond work scheduled in the next quarter; Topsail Elementary School: work completed April-June, and will be reviewing this project for further improvements; and Topsail High School: project completed and now doing projects that were not part of the building contract, and expenditures for this quarter will be approximately \$39,818.

With respect to the Heide Trask Auditorium/Gymnasium Project, Mr. Blanchard asked if the contractor is on schedule and Mr. Smith replied they are a month ahead of schedule. With respect to the Topsail Middle School Renovations, Mr. Smith noted they had advertised for bids for new windows. With respect to Topsail High School, Mr. Brown asked if the press box for the baseball team was provided by the Booster Club and Mr. Smith responded affirmatively. Mr. Blanchard said he likes the way the Schools did this update and it will be good to get it in this format every quarter. He thanked Mr. Smith for this presentation. Mr. Tate agreed with Mr. Blanchard on the format of the presentation, thanked Mr. Smith for the presentation, and noted he is glad they got wireless at Topsail Middle and Penderlea Elementary Schools.

**4. Mr. Tom Collins, Emergency Management Director: Hurricane Season Briefing 2010 and NC Oil Spill Plan and Response.**

Mr. Collins delivered a PowerPoint presentation on the two items. Mr. Collins noted there is nothing in the Atlantic Ocean right now, but the 2010 hurricane season is predicted to be an active year; with this in mind, the Emergency Management Office has been busy preparing County agencies and the public to get ready for the hurricane season; the agencies in the County are currently training and planning for any hurricane response that might hit the State of North Carolina anywhere on the east coast; the nation's worst oil spill is ongoing, and how prepared is the State of North Carolina and Pender County if the oil moves up the east coast or if an incident occurs in this area. The presentation on hurricanes included: Predictions; Watches and Warnings; EOC Upgrades; Software Upgrades; C3 Application Tracking Software; Training and Exercises; Accomplishments, including 2010 Hazard Mitigation Plan passed state review and is now at FEMA for review; Public Information; and Additional Information. Mr. Collins noted they are looking for alternatives other than schools for shelters. Mr. Blanchard suggested looking into the possibility of using trailers that the carnival people on Highway 53 have. Mr. Brown asked how much time is involved in getting FEMA reimbursements and Mr. Collins said it is possible to see checks turned around in 2-3 weeks if everything is in place. The presentation on the oil spill included: Review of State of North Carolina; NC's Coastal Oil Spill Potentials; Mobil Oil Exploration Plans Led to Mandate for NC Spill Plan; Discharges Unlawful in North Carolina; SERC Planning Responsibility; Agency Cooperation Required; Trucks from DOT; SERC Shall Develop Plan; Purpose

of Plan; Direction and Control; Scope of NC Plan; SERT Leader-NCM Director; State Jurisdiction; Plan's Mission Statement; Concept of Operations; Response Operations: Priorities; Initial Response; More Initial Actions; Training; Spill Operations; Local Government Representative; Federal Authority; Spill Communications; USCG in NC; and Pender County Issues. Mr. Collins noted: he had attended a meeting today concerning the oil spill with Congressman Mike McIntyre and others; four states are involved in the spill; a little eddy in the gulf containing the oil is the only thing keeping it from getting to North Carolina; and if it reaches us, we see only little tar balls. Mr. Collins also gave some statistics on the number of people working, the number of ships involved and the agencies involved.

**5. Mr. Shannon Bennett, Deputy Fire Chief and President/Chairman of the Board, Long Creek-Grady Volunteer Fire and Rescue, Inc.**

Mr. Bennett explained: At the time of the inspection in April 2010, the department was at the State and County required rating of 9S/9E; on June 28, 2010 the department was officially notified that they had achieved a lower insurance rating of a "Class 6", with the new rating going into effect October 1, 2010; with the new rating, the department will be saving homeowners on an average between \$250 to almost \$500 based on homes between \$100,000 to \$300,000 and also depending on the homeowners' policy and other variables; a Class "6" is the best available insurance rating for homeowners, with a rating of 5 and lower benefiting businesses only; the rating applies to any insured home within five miles of the fire station; homeowners don't have to be within 1000' of a rated fire hydrant to enjoy the new rating; now that the department has achieved this new rating, they now feel like they have a better selling point for adding a fire substation in the Blueberry Rd. & Highway 421 area; they feel like a fire station in this area is the best spot to ensure the new Pender Business Park is within the 5 mile district along with most all of the residential area up to their adjoining current insurance district; and with adding that additional station they will save the citizens in that area even more money because they are in Rated Class 10, which means no protection. Mr. Bennett thanked all the dedicated and hardworking volunteers of the department, and thanked Rocky Point VFD, Burgaw VFD, Pender County EM/FMO, Pender County Water Department, Pender County GIS, and Pender County 911. Mr. Blanchard asked if the State notifies homeowners' insurance when they change the rating. Mr. Bennett said they do, but he would still advise the homeowners to notify them. Mr. Blanchard mentioned the possibility of the Murphy Family donating land for the substation. Mr. Brown asked if they know how many homes are involved and Mr. Bennett responded he doesn't know. Mr. Tate commended and thanked Mr. Bennett and the department for an outstanding accomplishment.

**PUBLIC COMMENT**

Mr. Thurman Casey of Rocky Point spoke on behalf of the Rocky Point VFD. He said they had worked on trying to get a substation and had been donated an acre of land on Shaw Highway but a proposed development in the area didn't pan out and they are waiting until revenues start coming in from the development.

Mr. Thomas Hines of the Willard/Penderlea area asked why people in his area of the County have to haul tires 25 or 30 miles to get rid of them. Mr. Hines explained: he had been told he could take his tires to the White Stocking Convenience site; he took them there only to be told the trailer was full and he couldn't leave them; he had to take the tires back home; and there is plenty of room at the dumpster at Strickland's Store in Willard to put a trailer. Mr. Tate said he agrees with Mr. Hines and said the Willard area always gets inconvenienced. Mr. Mack said Mr. Hines should have been allowed to leave the tires. He explained they had to cut back on tire sites because of hauling costs. Mr. Tate had discussion with Mr. Mack of putting a tire trailer at the Willard site and Mr. Brown discussed what the cost would be to have one at every site. Mr. Mack explained that all sites used to take tires because the

County's mowers could haul them to the four trailers, but now the mowers don't have the ability to haul the tires because of the County's additional parks and grounds. Mr. Tate asked about taking mattresses to the Willard site and said each site should get equal services.

Mr. Tommy Hale of Rocky Point spoke concerning people bringing trash to the Rocky Point Convenience Center that are not Pender County residents. He said people are coming in without stickers and the attendants are letting them dump, especially people from New Hanover County, and said it has been going on for at least fifteen years. Mr. Tate instructed the Manager and Attorney to get together with Waste Industries and let them know we have serious problems with this. Mr. Brown added that he has seen it being done before. Mr. Hale said Waste Industries is getting paid to haul the trash away and the more tonnage they get, the more they get paid. Mr. Hale also spoke about the fire departments and said they have lost their focus with the influx of funding. He asked why they are getting so much county funding now when they used to survive by holding fund raisers, etc. Mr. Hale said the County should go with county-wide fire and rescue.

Mr. Charles Jacobs of the Edgecombe Community thanked Mr. Tate for the \$1,000 he designated to the community and asked Mr. Blanchard to make a donation out of his \$10,000 budget stipulation. Mr. Blanchard said he hadn't allocated all his money yet, but he is trying to do the most for the most people in the County.

Mr. Johnny Stringfield spoke about trying to get use of Schools for various programs; getting people from the Schools to run the programs; the Board of Commissioners using Fund Balance to give more to the Schools, give for a recreation center and for basketball courts; Prestige Label Company leaving Burgaw; and the creation of other jobs in the County. With respect to using schools for programs, Mr. Stringfield noted Mr. Kenny Keith of the Schools said he is willing to open the schools up for use for community programs. Mr. Tate noted Superintendent Sholar and School Board Chairperson Katherine Herring are willing to work with community organizations. Ms. Sholar said their problem is it puts a dilemma on operating costs, such as increased energy costs. Board members discussed the County's Fund Balance, recreations centers, donations from citizens for parks and other recreation activities, property for recreation activities, and the fact that Prestige Label is leaving the County. It was noted that none of the Commissioners were aware that Prestige was leaving. Mr. Rivenbark noted the County gave Prestige an incentive to buy large equipment and add positions; Mr. Benton said they had met their five-year obligation.

Ms. Jean Walker said she is a candidate for Clerk of Superior Court and she would like the privilege of taking on the wonderful tradition of former Clerks Frances Basden and Mary Ann Briley.

### **CONSENT AGENDA**

Mr. Tate presented the twenty-five items on the Consent Agenda and asked for any questions or discussion. Mr. Brown said Items 13i and 13j are the same items which he voted against approving the budget and he can't in clear conscience vote for them on the Consent Agenda because it would contradict his vote on the budget. Mr. Rivenbark made a motion to pull the two items, Mr. Brown seconded the motion and it was approved by a 3-1 vote, with Mr. Blanchard voting against it. Mr. Rivenbark made a motion to approve the Consent Agenda, minus Items 13i and 13j, Mr. Brown seconded the motion and the Board voted 3-1 (with Mr. Blanchard voting against it) to approve the Consent Agenda as follows:

6. Approval of Minutes for the Regular & Closed Session Meetings of June 21, 2010.

7. Resolution Approving Tax Releases and Refunds as Listed Herein.
8. Resolution Approving the Payment of Membership Dues: The School of Government: \$5,291; North Carolina Association of County Commissioners: \$6,576; Cape Fear Council of Governments: \$21,203 (\$5,000 goes for Rural Transportation Planning Organization).
9. Resolution Authorizing a Purchase Order to Fairway Ford for Purchase of Vehicles: \$694,661.
- 10a. Resolution to Approve Contract Service Renewals over \$5,000.00 for the Information Technology Services (ITS) Department for FY 2010-2011.
- 10b. Resolution to Approve FY 10/11 Information Technology Services (ITS) Department Capital Outlay and Other Equipment Items in the Amount of \$99,300.00.
- 11a. Resolution Authorizing Purchase Order to Quality Maps for the Printing, Tax and Shipping of 4,000 Pender County Maps in the Amount of \$5,499.56.
- 11b. Resolution Authorizing Purchase Order to Journal Communications for the NC Division of Tourism's Travel Guide and Website Advertising Package in the Amount of \$10,230.
12. Resolution Supporting Application for National Parks Service Rivers, Trails, and Conservation Assistance Program for Technical Planning Assistance for the West Pender Rail-Trail Project.
- 13a. Resolution to Approve a Purchase Order for Health Department Healthy Carolinians Program for Fiscal Year 2010-2011: \$9,200.
- 13b. Resolution to Approve a Purchase Order for Health Department Medical Professional Liability Renewal for Fiscal Year 2010-2011: \$9,438.52.
- 13c. Resolution to Approve a Purchase Order for Health Department Veterinary Services for Fiscal Year 2010-2011: \$10,000.
- 13d. Resolution to Approve Purchases Orders for Health Department Radiology and Mammography Services Contracts for Fiscal Year 2010-2011: \$14,870.
- 13e. Resolution to Approve Purchase Orders for Health Department After Hours Services and Flu Vaccine for Fiscal Year 2010-2011: \$32,500.
- 13f. Resolution to Approve Purchase Orders for Health Department Specialized Laboratory Testing For Fiscal Year 2010-2011: \$58,000.
- 13g. Resolution to Approve Purchase Orders for Health Department Consultant Services Contracts for Fiscal Year 2010-2011: \$108,088.
- 13h. Resolution to Approve Purchase Orders for Health Department Medical & Dental Supplies/Equipment and Waste Removal Service Contracts for Fiscal Year 2010-2011: \$122,500.
- 14a. Resolution Approving Bond Order for Refunding Bonds.
- 14b. Resolution Approving Publication of Bond Order.
15. Resolution Approving Purchase Order for Annual Renewal of Licenses and Maintenance Agreement for Library Automation System with Library Corp.: \$12,384.
16. Resolution Approving Designation of F.D. Rivenbark as Pender County's Voting Delegate to the 2010 NCACC Annual Conference.
- 17a. Resolution Approving Execution of Leases and Authorizing Purchase Orders for Payment of Rent for the Solid Waste Convenience Sites that are Not Owned by the County: \$10,500.
- 17b. Resolution Authorizing a Contract and Purchase Order to JC Lawn Care for Lawn Maintenance Services at the Solid Waste Convenience Sites and Transfer Station: \$11,990.

Mr. Blanchard made a motion to approve Items 13i and 13j, but the motion died for lack of a second. There then ensued discussion of the items, including whether or not they can be tabled until after the results of the Health Department assessment is complete and whether or not services will be stopped if the items are not approved. Board of Health Chairperson Roberta Bost told the Board that the Board of

Health strongly supports these items and that they need approval. Mr. Blanchard made a motion to approve the two items, Mr. Rivenbark seconded the motion and the remainder of the Consent Agenda items were approved as follows by a 3-1 vote, with Mr. Brown voting against it:

- 13i. Resolution to Approve Purchase Orders for Health Department Pediatric Services and Adult Primary Care Contracts for Fiscal Year 2010-2011: \$449,941.
- 13j. Resolution to Approve Purchase Orders for Health Department Dental Service Contracts for Fiscal Year 2010-2011: \$585,050.

#### **MAPLE HILL WATER & SEWER DISTRICT (MHW&SD) CONSENT AGENDA ITEMS**

The Board convened as the Maple Hill Water & Sewer District at 6:25 p.m. and reconvened as the Board of Commissioners at 6:26 p.m. Utilities Director Michael Mack explained this is an annual, routine item for testing and sampling of the District's Water and Sewer Systems. Mr. Blanchard made a motion to approve the Maple Hill Water & Sewer District Consent Agenda, Mr. Rivenbark seconded the motion and the Board voted unanimously, by a 4-0 vote, to approve the Maple Hill Water & Sewer District Consent Agenda as follows:

- 18. Resolution by the Board of Directors of the Maple Hill Water & Sewer District Authorizing a Purchase Order to Utility Service Company, Inc. for the Annual Maintenance of the Maple Hill Elevated Water Storage Tank: \$8,895.

#### **ROCKY POINT/TOPSAIL WATER & SEWER DISTRICT (RPTW&SD) CONSENT AGENDA ITEMS**

The Board convened as the RPTW&SD at 6:26 p.m. and reconvened as the Board of Commissioners at 6:30 p.m. Mr. Mack explained that these too are annual, routine items for the RPTW&SD. Mr. Rivenbark made a motion to approve the RPTW&SD Consent Agenda, Mr. Brown seconded the motion and the Board voted unanimously, by a 4-0 vote, to approve the RPTW&SD Consent Agenda as follows:

- 19a. Resolution by the Board of Directors of the Rocky Point/Topsail Water & Sewer District Authorizing a Purchase Order to Environmental Chemists (Envirochem) for Testing and Sampling of the District's Water and Sewer Systems: \$20,000.
- 19b. Resolution by the Board of Directors of the Rocky Point/Topsail Water & Sewer District Authorizing a Purchase Order to Utility Service Company, Inc. for the Annual Maintenance of the Three (3) Elevated Water Tanks and One (1) Ground Storage Tank within the District: \$44,000.
- 19c. Resolution by the Board of Directors of the Rocky Point/Topsail Water & Sewer District Authorizing a Purchase Order to HD Waterworks for Water Installation and Repair Supplies: \$75,000.
- 19d. Resolution by the Board of Directors of the Rocky Point/Topsail Water & Sewer District Authorizing a Purchase Order to T & D Quality Utilities, Inc. for Water and Sewer System Installations and Repair: \$130,000.

#### **RESOLUTIONS**

- 20. **Resolution Authorizing the Revision of the Pender County Tourism Development Authority Bylaws Article II, Section 2 to Add Three Permanent Non-Voting Ex-Officio Members.**

Mr. Benton explained the resolution is to add three permanent non-voting ex-officio members to the two that are now in effect. Mr. Blanchard made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved by a 4-0 vote.

**21. Resolution Authorizing Budget Ordinance Amendment Authorizing 7 additional DSS Staff for 2010-2011: \$126,307.00.**

Mr. Benton explained: during the 2010-2011 Budget Preparation process, the Pender County Department of Social Services requested seven additional positions, but the positions were not approved at that time; Dr. Shiver is now requesting the positions be authorized by a Budget Ordinance Amendment; if the proposed budget amendment is approved, it will increase operating costs on a recurring basis; it is being funded with excess fund balance; for FY 11-12, the Board will be required to support the positions with property tax revenue; and he recommends the workload for the positions be evaluated prior to the adoption of the FY 11-12 budget to assess the need to retain the positions for FY 11-12. Mr. Tate said he supports this resolution and noted he was told that in one instance, 24 people were waiting in the DSS lobby before 9:00 in the morning. Mr. Brown asked if the County would be funding one-half of the positions and Dr. Shiver responded affirmatively. She said the rest will be funded with State and Federal funding. Mr. Blanchard said he is concerned about hiring seven new people at one time. Dr. Shiver read statistics on case loads, citing the need for the positions. Mr. Rivenbark noted the stress related illnesses of DSS employees because of their heavy workloads. Mr. Blanchard reiterated he can't vote to approve hiring seven new people at one time. Mr. Rivenbark made a motion to approve the Budget Ordinance Amendment, Mr. Brown seconded the motion and it was approved by a 3-1 vote, with Mr. Blanchard voting against it.

**22. Resolution Approving a Purchase Order to Lee Cowper General Contractors for the Industrial Shell Building Construction Project: \$1,248,500.**

Mr. Benton explained the County is partnering with Pender Progress Corporation and others to construct an industrial shell building; while Pender Progress Corporation is the owner of the project and the funding recipient, the agreement provides that the County will manage and administer the project funds; in doing so, the County will follow its normal purchasing and financial guidelines; and Pender Progress received four bids on the project and Lee Cowper General Contractors was the low bidder. Mr. Blanchard made a motion to approve the resolution, Mr. Rivenbark seconded the motion and it was unanimously approved by a 4-0 vote.

## **APPOINTMENTS**

**23. Resolution to Consider Appointments to the Pender County Parks & Recreation Board.**

Ms. Pridgen explained the vacancies on the Parks & Recreation Advisory Board and the applications that were received. Mr. Brown said he wants to hold off on appointing someone to the vacancy in his district because he had previously spoken to someone who was interested in it and he needs to see if they are still interested. Mr. Rivenbark made a motion to table making an appointment to District 3, Mr. Blanchard seconded the motion and it was unanimously approved by a 4-0 vote. Mr. Brown noted he had discussed with Mr. Williams the Parks and Recreation appointment to District 1. Mr. Brown made a motion to appoint Brad George to serve a three-year term on the Parks and Recreation Board representing District 1, with term to expire June 30, 2013. Mr. Blanchard seconded the motion and it was unanimously approved by a 4-0 vote. Mr. Rivenbark made a motion to re-appoint Barbara Smith to serve a three-year term on the Parks and Recreation Board representing District 4, with term to expire June 30, 2013. Mr. Blanchard seconded the motion and it was unanimously approved by a 4-0 vote. Mr. Blanchard made a motion to appoint Susan Bullers to serve a three-year term to the Parks and Recreation Board representing District 5, with term to expire June 30, 2013. Mr. Brown seconded the

motion and it was unanimously approved by a 4-0 vote. Ms. Pridgen was instructed to send a letter to Applicant Bernie Wooten saying we will keep his application on file in case a vacancy becomes available in his district.

#### **ITEMS FROM THE COUNTY MANAGER/COUNTY ATTORNEY**

Mr. Benton and Mr. Thurman said they would have items for closed session.

#### **ITEMS FROM THE COUNTY COMMISSIONERS**

Mr. Tate said he is concerned about taking the 1% teacher supplement away during the budget process. He said it is hard enough to attract qualified teachers to the County and now we are taking away from them. Mr. Tate said we are asking Superintendent Sholar to "do more with less." Mr. Tate instructed the Manager to put this on the next agenda as a voting item, to give the teachers the 1% supplement back, and to put his name on it. Mr. Rivenbark and Mr. Brown supported Mr. Tate on this item.

At 7:12 p.m. Mr. Rivenbark made a motion to excuse Mr. Tate, Mr. Brown seconded the motion and it was unanimously approved by a 4-0 vote. Mr. Tate passed the gavel to Mr. Blanchard. The Board then took a break until 7:00 p.m.

#### **PUBLIC HEARING**

##### **24. Public Hearing and Resolution Regarding Issuance of Recovery Zone Facility Bonds for the Woodbury Wellness Center Expansion and Renovation Project.**

The public hearing opened at 7:00 p.m. and closed at 7:01 p.m. Mr. Benton introduced and explained the resolution, stressing that the bonds will not constitute a debt, or pledge of the faith and credit of the State of North Carolina, Pender County, or the Authority. Mr. Benton introduced Bond Attorney Mary Nash Rusher. Ms. Rusher explained: Woodbury can get a lower interest rate by going this route; the bonds will be purchased by Southwest Bank; it is required that a public hearing be held by the local authority; and the bonds do not constitute a debt of the State of North Carolina or any political subdivision thereof, including the Authority or the County, or a pledge of the faith and credit of the State of North Carolina or any political subdivision thereof, including the Authority or the County.

#### **CLOSED SESSION**

It was noted that the Chairman had suggested letting the Intern sit in on the Closed Session.

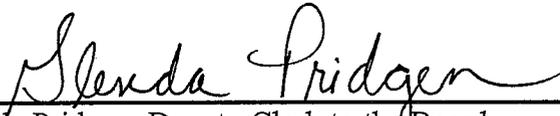
At 7:13 p.m., Mr. Rivenbark made a motion to enter into closed session, pursuant to NCGS 143-318.11 (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded; (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in open

session; and (5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. Mr. Brown seconded the motion and the Board unanimously approved going into Closed Session by a 4-0 vote. At 9:20 p.m., Mr. Rivenbark made a motion to exit the Closed Session, Mr. Brown seconded the motion and it was unanimously approved by a 3-0 vote. Upon exiting the Closed Session, Mr. Benton announced the Board discussed personnel issues but no action was taken.

**ADJOURNMENT**

There being no further business the meeting adjourned at 9:21 p.m.

Respectfully Submitted,



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Glenda Pridgen, Deputy Clerk to the Board

Reviewed By:



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Rick Benton, Clerk to the Board