

MONDAY, APRIL 2, 2012

The Pender County Board of Commissioners met in regular session on Monday, April 2, 2012 at the Public Assembly Room, 805 S. Walker St., Burgaw, NC 28425.

MEMBERS PRESENT: Chairman George Brown, presiding; Vice Chairman Jimmy Tate; and Commissioners F.D. Rivenbark, Chester Ward and David Williams.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mickey Duvall, 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 Brown called the meeting to order at 4:00 p.m. and thanked and welcomed all to the meeting.

INVOCATION

Commissioner Tate offered the Invocation.

PLEDGE OF ALLEGIANCE

Commissioner Williams led the Pledge of Allegiance.

Mr. Rivenbark explained that his face is all bandaged up because of surgery from skin cancer.

PUBLIC HEARING

1. **Public Hearing and Resolution Authorizing Approval of the Housing Department's 2012 Annual Plan.**

Housing Director Judy Herring explained: The Housing Department is required to submit an annual plan and a 5 year plan; the 5 year plan was submitted in 2010; one minor change was made to the 2010 Annual Plan-to do more outreach outside of high poverty areas; this public hearing is required to receive citizen comments; and if there are no comments, the 2012 Annual Plan will be adopted and submitted to the US Department of Housing and Urban Development. The public hearing opened at 4:05 p.m. No one from the public wished to speak and the public hearing was closed. Mr. Williams made a motion to approve the Annual Plan, Mr. Tate seconded the motion and it was unanimously approved.

PUBLIC INFORMATION

2. **Town of Wallace Manager Matt Livingston: Presentation on Planning for Airport Expansion - Henderson Field.**

Town of Wallace Manager Matt Livingston said he is making this presentation on behalf of the Town of Wallace Mayor, who could not attend, and the Airport Commission. Mr. Livingston delivered a Power Point presentation entitled "Airport Planning & Development – Henderson Field." Mr. Livingston explained and demonstrated each individual category and answered questions. Airport Director Bill Cook and Consultant Paul Smith of WK Dickson also explained some categories and answered questions. The presentation included: Current Airport Property-the Board of Commissioners helped purchase last year; 2011 Accomplishments, including start up of Land Acquisition-Phase I; The Ultimate Layout Plan-5500' Runway; 2012 Plans and Goals-complete Land Acquisition-Phase I, and start up of Land Acquisition-Phase II; Property Acquisition-acquiring property is the number one priority right now. Mr. Brown spoke about Imminent Domain and Mr. Livingston said they have been

in contact with the current landowners and they anticipate landowners to sell their property voluntarily but offers have not been made yet; Aircraft Parking Apron-Airport is really in Pender County-demonstrated Pender County Line and Wallace Town limit line at request of Board members; 2012 Project Costs and Funding-All the improvements will be inside Pender County, vast majority of funding is state and federal but grants require 10% local match, which would amount to \$66,912 by the Town and \$66,912 by Pender County; 2013-2016 Plans and Goals, including Wallace Airport Road Relocation; Runway & Parallel Taxiway; 2013-2016 Project Costs; and Non-Traditional Funding. The entire presentation is on file with the permanent records in the Clerk to the Board's office. There was discussion and questions by Board members, including fuel prices, tax base for Pender County, and environmental concerns. Mr. Smith noted there were remnants of an old gas station on the site that could have caused potential groundwater issues, but it had been resolved through DEHNR. Mr. Tate said Wallace and the Airport have been all inclusive of Pender County, and this is good economic development for the County and the Town. Board members requested that Mr. Livingston provide them with updated fuel sales numbers.

3. Superintendent Dr. Terri Cobb: Presentation on School Board Budget.

Schools Superintendent Dr. Terri Cobb, staff, and Board of Education members were present for this presentation. Dr. Cobb distributed handouts and delivered a Power Point presentation entitled "Pender County Schools – Our School District At-A-Glance." Mr. Brown noted Dr. Cobb had previously shared this information with him and Mr. Tate at a meeting with her Board, and he wanted all Board of Commission members to see the presentation. Dr. Cobb explained this presentation includes what was presented at the School Board meeting Mr. Brown referred to, and includes other information that the School Board had asked her to include. She explained and/or demonstrated each individual category and answered questions; staff and Board of Education members also explained some categories and answered questions. The presentation included: What-Student Achievement, Comparison Data, Funding, and Reductions; Why-Transparency, Increase Understanding Among Board Members, and Increase Understanding Among Community; and What Results are we Getting. Mr. Tate said these results are really impressive data and asked if there were statistics on east versus west data, would the grades still be as high. Dr. Cobb said it would vary from subject to subject. Other information provided included: Key Initiatives and Programs-beginning next year, students will be compared nationwide as well as statewide; Comparison of Base Population and Average Daily Membership (ADM). Dr. Cobb explained she had spoken to former County Manager Rick Benton and Mr. Benton indicated he chose these districts because of the comparable size to Pender. Mr. Brown said the comparisons were made not based on only student enrollment, but other factors such as tax collections, etc., and the comparisons were based more on population; Student Membership; Comparison of Student Achievement; Performance-SAT Scores, Composite ABC EOG Scores, Dropout Rates, and Graduation Rates; Comparison of Per Pupil Funding. Mr. Williams said we were never compared to others for total spending. Both Mr. Williams and Mr. Brown clarified that no one was specifically targeting anyone. Mr. Brown asked why Pender receives substantially less funding from State and Federal sources. School Board member Tom Roper said we are penalized in the "low wealth formula," and while he is not advocating raising taxes, the fact is that the school funding is penalized based on the County tax rate. Other information provided included: Funding-State Funding Per Pupil, Federal Funding Per Pupil, Local Funding Per Pupil, and Total Funding Per Pupil; Local Teacher Supplements-we give supplements to recruit and retain highly qualified, effective teachers, however, supplements have not increased since 2,000; Local Funding and Student Enrollment-Current Expense & Capital Outlay-includes Schools Resource Officers; Combined State and Federal Reductions-the 2012-2013 projected reductions is purely a guess and is based on what the State has given us to this point; Impact of State/Federal Reductions During the Last Four Years; Employee Salaries-Mr. Williams asked if the statement "supplements have remained the same since 2000" means percentage-wise and Dr. Cobb

responded "yes." School Finance Officer Betsy Chestnutt explained there have been no teacher raises and the supplements remain roughly the same; Position Reductions-Teachers have received no increases since 2007-2008, resulting in lost positions; Capital Outlay-the amount of funding decreased, while the square footage increased; Public School Bonds (2006 Bond)-can only be used for purposes outlined at the identified locations; How are We Managing the Business of Our Business & What Can the Community Expect; Focusing on 2012-2013; Budget Drivers; Budget Priorities; Budget Assumptions-this Budget will Require Amendments; Local Budget Request-formal budget request will be made by May 15; 2012-2013 Budget Request-Current Expense; Areas that were Considered for Expansion; Capital Improvement; Category 1 Projects-2012-2013-Schools Director of Auxiliary Services David Smith prioritized these and they are one-year expenditures; Capital Outlay 2012-2013 Category II; Category III Purchase of Vehicles; Forward Thinking; and Our Future Begins Here-All Students Graduating on Time and Prepared for the Future. The entire presentation is on file with the permanent records in the Clerk to the Board's office. There was discussion of security cameras and School Resource Officers at West Pender School. Dr. Cobb recognized Board of Education members and noted they are all present. Chairman Herring spoke saying our children are th future, and thanked the Board of Commissioners for allowing the Board of Education to come and make a presentation.

PUBLIC COMMENT

Mr. Frank Perez of the Pender County Social Services Board distributed information packages to Board members, indicating DSS Board members are against Senate Bill 433, which would eliminate local human service boards, and would allow County Commissioners and County Management to directly supervise the local DSS. Mr. Brown made comments concerning the bill, and said the Board of Commissioners will take a look at the package.

Scott Sills, Chief of the Sloop Point Volunteer Fire Department and Vice-President of the Pender County Firefighters Association, was present to speak concerning volunteer fire departments' needs. Mr. Williams made remarks including: We need to look at how to get the message out about what the fire departments are doing and what they want to request; he thinks the departments want people to know what they are doing and how they do it; how can we get people to participate; we are trying to figure out what the community wants and if there is a better way to get the message out; the mail-outs did not work before and hardly anyone came to the public meetings; and we are going to have to make decisions at budget time. Mr. Sills said some of the fire departments have representatives present. Mr. Sills explained: Fire departments had tried mailing surveys to citizens with little success; they had less than five percent of the mailers returned to them at Sloop Point; and mailers could cost the County up to \$35,000. Mr. Williams suggested public meetings at each fire department, attended by the Commissioners. Mr. Sills agreed with that idea. With reference to the mail-outs, Mr. Sills said he can't explain to a citizen what he needs on a piece of paper; he can't show them the equipment on a piece of paper; it's hard to educate the public on the fire service; and when you come to the fire department, you get a better sense of what they are talking about. Mr. Sills said they will look to guidance from the Board of Commissioners on more economical ways to get the word out. Human Resources Director Amber Parker said one option would be to consider using the Reverse 911 system to get word out to the public; another option would be to use the web site for a public poll. Mr. Sills said we need to get the word out that the Commissioners will be attending the public hearings. Mr. Brown said the fire departments need to do a better job of reaching out to the community, and we want to hear from more than one person in the community. Mr. Sills said they are going to do their homework to make it easier for the Board to make their decisions. Mr. Jimmie Pea of the Long Creek Fire Department made comments concerning the public, and asked what else the Board would like to see fire departments do. Mr. Williams asked if we can advertise something to say each Commissioner will be at his district's meetings. Mr. Ward said if Mr. Sills doesn't think the mailers will generate response, he will go along

with them and whatever they need him to do, he will do for his community's public hearings. Mr. Ward commended the work of the County fire departments, saying he thinks they all do a wonderful job; people need to realize how much it really costs to run a county fire department; and if people of the community can come up with a better solution, he will hear them. It was the consensus of the Board to hold the public hearings at various fire stations, and to advertise them. Mr. Ward asked if a budget meeting hadn't already been set up to hear each fire department and Dr. Duvall responded "yes, for April 16th before the regular Board meeting, and to continue on the 17th if need be. Burgaw Fire Chief Bill George agreed with the Board about holding public meetings at the various fire stations. Mr. George said: Pender County is very large and contains a lot of areas that are not adequately served by fire departments; we are talking about the need for substations to give those people a substantial savings in their fire insurance premiums; and every citizen deserves what others have. Fire Marshal Charles Newman gave an example of a call from a gentleman who had been placed in the wrong fire district and was paying excessively for his insurance premiums. Mr. Tate asked for clarification that the Commissioners would be meeting with Fire Departments on April 16th and 17th and then in their respective districts. The meeting dates were verified.

CONSENT AGENDA:

Mr. Brown presented the eight items on the Consent Agenda and asked for any discussion or questions. There being none, Mr. Rivenbark made a motion to approve the consent agenda, Mr. Williams seconded the motion and the Consent Agenda was unanimously approved as follows:

4. Approval of Minutes: Regular & Closed Session Meeting of March 19, 2012.
5. Resolution Approving Tax Releases and Refunds as Listed Herein.
6. Resolution Approving Budget Ordinance Amendment for Additional Low Income Energy Assistance Program (LIEAP): \$19,000.
7. Resolution Approving Budget Ordinance Amendment for Day Care Funds: \$254,299.
8. Resolution Authorizing a Purchase Order to Modular Technologies, in the Amount of \$58,200 for the Construction of Athletic Field Restrooms at Heide Trask High School.
9. Resolution Authorizing a Purchase Order to Seegars Fence Company for Fence Replacement at Pender Memorial Park: \$12,623.
10. Resolution Authorizing Appointment of the County Manager, Board Chairman and the County Finance Officer as Authorized Signatories to Allow for the Release and Distribution of CDBG NC Tomorrow Grant Funds.
11. Proclamation by the Pender County Board of Commissioners: Spring Litter Sweep: April 14 – April 28, 2012.

RESOLUTIONS

12. **Resolution to Consider the Refinancing of all or any Portion of the County's Outstanding General Obligation Bonds, Series 2005.**

Finance Director Butch Watson explained: They recognized an opportunity to refinance the County's Series 2005 outstanding bonds; at present a little over a million dollars can be saved by refinancing now; the net present value is \$947,000, or \$79,000 annually in aggregate savings. Mr. Brown asked for clarification, for the benefit of everyone in the room, of the distinction of the 2005 bonds. Mr. Watson explained the Series 2005 were actually sold in September, 2005. Mr. Brown asked for verification of the type of bonds and Mr. Watson said they were General Obligation School Bonds approved by the voters of Pender County at a referendum held on May 3, 2005. Mr. Williams made a motion to approve the resolution, Mr. Tate seconded the motion and it was unanimously approved.

13. Resolution to Consider a Two-Thirds Financing of General Obligation Public Improvement Bonds in the Fiscal Year Beginning July 1, 2012.

Mr. Watson explained: State law allows for the issuance of general obligation bonds to the extent two-thirds of the amount the County paid down in principal debt in the prior fiscal year; this is a beginning process and a timing placeholder for issuing these bonds; if the County proceeds with a refinancing of the Series 2005 Bonds, this would reduce the overall total cost of issuance on both bond issues, if sold separately. Mr. Thurman said Dr. Cobb's description earlier of what school bond funds can be used for was not completely accurate. He said the funds can be used for anything related to schools capital, and not just the projects she indicated; and the only issue was the Performing Arts Center was separate and those funds could only be used for that purpose. Bond Counsel Bob Jessup was present and verified Mr. Thurman's statements. Mr. Jessup explained: the distinction for a lot of folks is they want to be very careful with what they use the bond funds for because they understand it is always the rule to use the fund for the purposes they were approved; it is a matter of what the requirements of the Commissioners are versus what was voted on; and bond money can be used for anything related to Schools as long as both Boards agree. Mr. Thurman clarified bond monies cannot be used for current expense, but anything that is capital expense. Mr. Brown said it all has to be within the guidelines of what the Commissioners are required to do. Mr. Williams reiterated that it has to be for capital needs. Mr. Jessup said this is not something (a two-thirds bond financing) this Board has looked at previously, but it would be the perfect opportunity if the Board needs to take on new debt. Board members were skeptical about voting on the item because they hadn't had enough time to evaluate it. There was more discussion, including the two thirds bond, the time table, doing this in conjunction with the refinancing, and adding this on if the Board has an interest in identifying capital projects. Mr. Watson said the Board doesn't have to vote on this today, he is just bringing it to their attention. Mr. Brown said we can have this item brought back before the Board on the next agenda and Board members agreed. Mr. Brown asked how many signatures would be required if we decide to bring something in to add to the refinancing and Mr. Jessup responded four or five – the Chairman, County Manager, Finance Director, etc.

14. Resolution Authorizing Rotary Exchange Program as Employee Training.

Ms. Parker said Dr. Shiver is out of town, she had agreed to present the resolution for her and answer any questions. Mr. Brown, Mr. Ward and Mr. Williams all had concerns about sending an employee to another country on the County's behalf, sending them for a whole month while other employees did this employee's work, and possible liabilities. Mr. Rivenbark explained he brought the item before the Board because the trip is sponsored by the Rotary Club and it is free of cost to the County. It was noted the employee was asked to go. Mr. Brown's comments included: He feels this is something that should have come through the Commissioners first if we are going to be the ones who authorize it; we could have hashed it out before an employee was asked; and he didn't know anything about it until after the fact. Mr. Brown pointed out that during the FY 11-12 budget process, Dr. Shiver stressed the need for additional workers saying some of her workers were stressed out mentally and physically from carrying too many cases, so how can they afford to have an employee gone for a month and other workers fill in for them. Ms. Parker explained: The trip is of no cost to the County except to pay the employee his/her normal salary for the month; the focus of the training would be on children's health issues; and professionals attending the training will observe child health and welfare practices at Buenos Aires health department and hospitals. In response to question, Ms. Parker explained the employee's time would be classified as training; and educational leave was one of the changes not included in the new Personnel Policy. Mr. Ward asked if there is anything in particular Argentina is doing that Pender County will learn from. Mr. Ward suggested giving the employee one week of training through the County, and letting him/her use their own leave for the rest of the time. Mr. Rivenbark said he is "flabbergasted" this is not being approved; he didn't have a clue it would not go sailing through; and it

shouldn't have been denied in the first place by the former County Manager. Mr. Rivenbark then made a motion to approve the resolution, with the employee receiving his/her normal salary for the entire month. Mr. Tate noted the employee's superior had given permission, he is looking at this from an educational standpoint; he is in favor of the exchange trip; studying abroad is beneficial to the County, and he will second the motion. Mr. Brown said he is concerned that the trip was approved by a department head without coming before the Commissioners first; in his opinion, the superior didn't have the authority to give her permission; he had questions about how this would affect our payroll and insurance; and how did the superior have the authority to approve it before the Commissioners approved it. The resolution was denied by a 3-2 vote, with Mr. Rivenbark and Mr. Tate voting in favor, and Mr. Ward, Mr. Williams and Mr. Brown voting against it.

15. Resolution Opposing the Tolling of Interstate 95 in North Carolina.

Mr. Brown asked for clarification of what Mr. Rivenbark is requesting. Mr. Rivenbark said he requested this resolution be put on the agenda because counties have been requested to support not tolling citizens along the I-95 Corridor. Mr. Williams said he doesn't have a lot of confidence that the money will go where it needs to go and said he agrees with Mr. Rivenbark on opposing the tolling. Mr. Tate said he looks at this from a safety aspect-people that don't want to pay tolls will use the smaller roads, making them become safety issues. There was discussion of the Highway Trust Fund and all members agreed the money from that fund is gone. Mr. Rivenbark made a motion to approve the resolution, Mr. Williams seconded the motion and it was unanimously approved.

16. Resolution Adopting Proclamation Honoring National County Government Month for the Month of April 2012.

Human Resources Director Amber Parker explained: The National Association of Counties is recognizing the month of April as National County Government Month; the purpose of the recognition is to educate the public about the role and value of County government in the lives of citizens and in providing services to meet various needs; and this is also a time set aside to recognize county employees across the country, and particularly those dedicated employees of Pender County government. Activities planned during the month of April in recognition of National County Government Month are: April 16, 2012 – Presentation of County Government Month Essay Contest Winner, Presentation of Pender County Outstanding Citizen Volunteer of the Year, Presentation of Pender County Outstanding Employee of the Year, and Presentation of 2011 Annual Report; April 19, 2012 – Healthy Living for a Lifetime Free Health Screening Event; and April 27, 2012 – Pender County Government & Community Relay for Life Team. Mr. Tate asked how the essays are judged. Ms. Parker said teachers graded the essays and submitted the best ones for Board members to judge; Board members will judge them based on content. Mr. Rivenbark made a motion to approve the resolution, Mr. Williams seconded the motion and it was unanimously approved.

17. Resolution Accepting Homeland Security Grant Funds and Authorizing Purchase Order for Companion Animal Mobile Trailer (CAMET) and Supplies: \$19,277.12.

Emergency Management Director Tom Collins explained: The Department of Crime Control and Public Safety, Division of Emergency Management, and Pender County will enter into an agreement to provide funding for Companion Animal Mobile Trailer supplies; these funds are from a 2006 FEMA grant and are 100% reimbursable; funds have to be used by June 30, 2012; the equipment will be used to provide shelter for evacuees' animals when they go to public shelters; and providing shelter for animals was a presidential declaration signed by President Bush. Mr. Williams made a motion to approve the resolution, Mr. Tate seconded the motion and it was unanimously approved.

18. Resolution Amending the Pender County Pay & Classification Plan.

Utilities Director Michael Mack explained: With the new Surface Water Treatment Plant scheduled to begin testing and start-up operations in May 2012, additional plant operational and maintenance staff will be required to run the plant; working in concert with CDM, the plant's design engineering firm, and the Water Plant Superintendent, the necessary positions to operate the plant have been identified and budgeted; the total necessary personnel at this time are Chief Water Plant Operator, Chemist, Water Maintenance Technician I, and two Water Plant Operators; and these positions are not currently in the Pender County Pay & Classification Plan. Mr. Thurman asked why a higher up position such as the Chief Water Plant Operator is non-exempt. Ms. Parker explained positions are classified by the amount of non-exempt work they do, versus the amount of exempt supervising. She said this position does do some supervising, but it is more a working position. After more discussion by Board members, Mr. Williams made a motion to approve the resolution, Mr. Rivenbark seconded the motion and it was unanimously approved.

ROCKY POINT/TOPSAIL WATER & SEWER DISTRICT

19. Resolution by the Board of Directors of the Rocky Point/Topsail Water & Sewer District Authorizing a Purchase Order to Tidewater Storage Trailers for the Purchase of Five Cargo/Storage Containers: \$12,000.

The Board convened as the Rocky Point/Topsail Water & Sewer District at 7:01 p.m. Mr. Mack explained: In order to securely store inventory supplies and materials at each water booster pump station and elevated water storage tank for quick access, especially during emergency waterline breaks, Pender County Utilities has received a proposal from Tidewater Storage Trailers on Highway 421 for three 8' x 40' and two 8' x 20' "Conex" cargo containers; staff has previously purchased containers from Tidewater Storage Trailers and is pleased with their product and pricing; and funds have been budgeted for this expenditure. Mr. Rivenbark asked why the trailers have gone up so much in price because he bought one a couple years ago and it was around \$1,600. Mr. Mack said he doesn't know exactly why they have increased in price, but they deliver them right to the site. Mr. Rivenbark said they delivered the one he bought too. After more discussion, Mr. Rivenbark made a motion to approve the resolution, Mr. Williams seconded the motion and it was unanimously approved. The Board reconvened as the Pender County Board of Commissioners at 7:06 p.m.

DISCUSSION

20. Discussion Regarding Internet Cafes/Sweepstakes Centers.

Dr. Duvall distributed a memo written to him by Planning Director Kyle Breuer. Mr. Breuer explained: The information in the memo has been pulled from the Pender County Unified Development Ordinance, as well as examples of zoning regulations placed on Sweepstakes Centers throughout the state; and Planning Staff will work with the Planning Board to develop a text amendment based off of the Board of Commissioners' review and recommendations. Mr. Ward asked about inspecting machines and Mr. Breuer said we don't currently inspect machines. Mr. Ward said he would like to see something to that effect written in. Mr. Ward asked if machines can be kept in residences and Mr. Breuer responded "no." Mr. Thurman said to keep a machine in a home would be a zoning violation. There was more discussion, including machines in residences; code enforcement; proximity to places of worship, schools and other public entities; and times of operation. Mr. Breuer said the Planning Board will discuss creating standards for Sweepstakes Centers tomorrow night, and any subsequent amendment will be derived from the direction of both the Planning Board and Board of Commissioners and may be available for consideration of amendment at the May 21, 2012 regularly scheduled public hearing at the Board of Commissioners meeting. Mr. Breuer asked if the Board wants him to move in this direction and Board members agreed.

APPOINTMENTS

21. Resolution to Consider Approving Appointments to the Pender County Library Board & Pender County Nursing/Adult Care Homes Advisory Committee.

Mr. Brown introduced the resolution and noted there is one applicant for each Board. Mr. Rivenbark made a motion to approve the appointment of Clifton Moore to the Library Board, Mr. Williams seconded the motion and it was unanimously approved that Clifton Moore be appointed to the Pender County Library Board to serve a three-year term representing District 4, with term to expire January 31, 2015. Mr. Williams made a motion to appoint Connie Armstrong to the Nursing/Adult Care Homes Advisory Committee, Mr. Tate seconded the motion and it was unanimously approved that Connie Armstrong be appointed to the Pender County Nursing/Adult Care Homes Advisory Committee to serve a one-year term representing a public member position, with term to expire June 30, 2013.

22. Resolution to Approve Appointment to the 2012 Pender County Board of Equalization and Review (BOER).

Mr. Brown introduced the resolution, noting we had already made some appointments to the 2012 BOER. Mr. Rivenbark noted we should be happy to make this appointment because it is difficult to get applicants for the BOER. Mr. Rivenbark made a motion to approve the resolution, Mr. Williams seconded the motion and it was unanimously approved that Robert Dennis be appointed to serve a one-year term on the 2012 Pender County Board of Equalization and Review, with term to expire March 18, 2013. Mr. Brown asked if this was the last position open on the BOER and Ms. Pridgen replied there is an "Alternate" position open.

ITEMS FROM THE COUNTY MANAGER

Dr. Duvall informed Board members that the budget process is moving along smoothly. Dr. Duvall distributed a resolution adopted by the Carteret County Board of Commissioners concerning North Carolina's Sea-Level Rise Reports, Policies, and Monitoring Efforts. Mr. Brown noted he asked the Manager to share this information, but he is not comfortable voting on it at this time. Mr. Williams said he is not comfortable voting on it either. There was discussion of the differences of opinion by the N.C. Division of Coastal Management and the N.C. Division of Emergency Management. Mr. Brown asked if Board members want the resolution put on the agenda. Mr. Rivenbark said he would like us to bring an expert here to talk about it, and then maybe put it on the agenda. Staff was instructed to contact someone from one of the agencies to attend a future meeting to discuss it.

ITEMS FROM THE COUNTY ATTORNEY

Mr. Thurman spoke concerning property tax appeals and a case that will be heard on the 18th of April concerning 26 parcels. He said he will keep the Board apprised of the case.

ITEMS FROM THE COUNTY COMMISSIONERS

Mr. Rivenbark said with respect to the School Board, Pender County's children need everything we can give them, but we need to give them what they need and not their greed.

Mr. Williams spoke of a potential benefactor for a baseball field at the Hampstead Kiwanis Park, and said he will update the Board on it when he finds out more.

CLOSED SESSION

At 7:30 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; 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; and 6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy matters may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting. Mr. Williams seconded the motion and it was unanimously approved. The Board exited the Closed Session at 8:10 p.m. There were no announcements made.

ADJOURNMENT

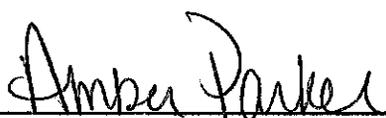
There being no further business, at 8:10 p.m. Mr. Williams made a motion to continue the meeting to 2:00 p.m., April 16, 2012, to meet with Pender County Fire Departments. Mr. Ward seconded the motion and it was unanimously approved.

Respectfully Submitted,



Glenda Pridgen, Deputy Clerk to the Board

Reviewed By:



Dr. Mickey Duvall, Clerk to the Board/Amber Parker, Human Resources Director