

MONDAY, NOVEMBER 5, 2012

The Pender County Board of Commissioners met in regular session on Monday, November 5, 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: Dr. 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.

INVOCATION

Commissioner Rivenbark offered the Invocation.

PLEDGE OF ALLEGIANCE

Commissioner Ward led the Pledge of Allegiance.

PUBLIC INFORMATION

1. Tamlyn Shields, UNCW Obesity Prevention Initiative/Carrie Banks, Executive Director, NC Rail-Trails: West Pender Rail-Trail Alliance (WPRTA) Economic Development Presentation.

Mr. Brown explained: This issue has come up because two years ago, the Board designated an area for the West Pender Rail Trail to go on the former rail bed in Pender Commerce Park; recently, they found out this could present a problem because the County is looking at the possibility of bringing a rail line back into the Industrial Park; the Industrial Park location was designated a Port Enhancement Zone (PEZ) by the N.C. General Assembly; and the PEZ provides for incentive packages for industries locating in the Commerce Park. Ms. Banks explained: In 2011 West Pender Rail Trail Association (WPRTA) was awarded a grant by NCDENR in the amount of \$72,404 for construction of the first mile of a multi-purpose trail along US 421 on the Commerce Park property; the site is along the former rail bed; and the grant was unanimously approved by the Pender County Board of Commissioners. Ms. Banks delivered a presentation which included: Overview; WPRTA Project Outline and Support; Economic Benefits of Trail Facilities; Facts and Concerns about Trail Facilities along the Commerce Park Frontage; Looking at Similar Facilities and Proposed Facilities in the Region; Potential Collaborative Opportunities for WPRTA & Pender County Commerce Park; and Action Requested. Ms. Banks explained each category in detail. Ms. Banks said WPRTA is requesting Pender County to proceed with the supported plans for the West Pender Rail Trail in the Pender Commerce Park as outlined in the grant by: Instruct Pender County Planning and Community Development staff to proceed as lead organization on trail building project; develop plan specifications and engineering documents; announce bid for contract; and complete construction and all requirements of the grant by November 15, 2013. Ms. Shields spoke of the positive economic impact of a trail to the County. Ms. Shields said they would assume the rail line would not be located along the full frontage of the Commerce Park, as this would regularly block all access to the Park. Mr. Williams said he can see having a trail is a plus and he never doubted it being a good tool. The Board

discussed other options for using the grant funds, including building a trailhead parking area and building the trail north away from the industrial Park. Ms. Shields and Planner Ben Andrea stressed the fact that the grant requires the trail to be located exactly in the spot it was approved for in the grant application. Mr. Andrea said any changes to the project would have to be resubmitted to the grant funding agency for approval. Mr. Williams spoke about how the grant funds for the Maple Hill Sewer Project were originally for St. Helena and asked if we could possibly still do some good with the trail funds. Mr. Andrea said we would have to go through the application process again; this is time-sensitive; and they need to get clarification from the Board on whether to continue. Mr. Williams said he wants everyone to be clear that nobody here wants to kill the project. He added lots of folks went to bat for the PEZ's for the County. Mr. Andrea demonstrated the feasibility study and site plan for the whole area. Mr. Tate asked what the duration of this grant is and when it will expire. Mr. Andrea said one year and added this is such a crucial part of the project because it is County owned. Other discussion and questions included: Coming to some kind of compromise; the best option for right now; ways to keep the project alive; going back to the funding agency to see what can be done; figuring out a way to make everything work; and other options. Mr. Brown asked if we allow them to go ahead and build the trail, how much trouble would it be if CSX comes in and we have to tell them to move the trail. Mr. Thurman then read parts of the contract wherein it did not indicate that the park lands must be designated as such before construction begins. Mr. Brown said the economic impact of the Commerce Park is the top priority for the County. He commented: We have invested a lot of money in this industrial park; we want industry to come to the park; that is priority one; the Trail is on the list but it is priority two; he hopes we can have both here, but the economic benefit of the trail does not come anywhere close to the economic benefit of the park; and we want to figure out a way to make everything work. Mr. Williams agreed that industry coming to the Park is the number one aspect. Mr. Andrea got the nod to talk to the Grantor about what WPRTA specifically can do. No other decisions were made.

PUBLIC COMMENT

Ms. Christie Halligan of Atkinson spoke concerning the County's Animal Shelter. Ms. Halligan highly praised Animal Control Supervisor Keith Ramsey and Animal Control Officer Darlene Clewis, and the work they do at the Shelter. Ms. Halligan's comments included: She is on the Atkinson Town Council; she is a volunteer at the Shelter; she has been rescuing cats for ten years and has recently begun rescuing dogs; she is very proud of the Shelter; she is especially proud of the Shelter's low euthanasia rate; there are lots of animals at the Shelter; she is asking the Board to support the Shelter by adding more staff; she has seen Lt. Ramsey and Ms. Clewis doing such minimal chores as cleaning cages before and it is a waste of resources to have high end staff doing minimal chores; the Shelter is extremely well regarded all over the Country; people come from all over to adopt animals; the Shelter offers rabies vaccinations at a very small cost; and Lt. Ramsey and Ms. Clewis are doing everything. Mr. Ward asked if she sees any other problems that occur at the Shelter and Ms. Halligan responded they don't have a steady food supply. Mr. Brown said Ms. Halligan and others called him with issues at the Shelter; the most he hears are complaints about is the lack of staff; staff never came and asked him for help; and he saw the need for additional staff when he visited the Shelter.

CONSENT AGENDA

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

2. Approval of Minutes: Regular and Closed Session of October 15, 2012.
3. Resolution Approving Tax Releases and Refunds as Listed Herein.

4. Resolution Accepting Petition to Add Crystal Ct. in Hampstead to the State Maintained System, and Authorizing the County Manager to Submit the Petition to N.C. Department of Transportation.
5. Resolution Authorizing a Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2012-2013: Adult Health Program: \$20,910.
6. Resolution Authorizing a Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2012-2013: Migrant Health Program: \$29,026.

RESOLUTION

7. Resolution Amending the Pender County Pay and Classification Plan to Add One Full-Time and One Part-Time Position at the Pender County Animal Shelter.

Mr. Brown explained: Ms. Halligan and others had called him with concerns about the Animal Shelter; he visited the Shelter so he could see the concerns for himself; he could see right away that they need additional staff; and current staff is doing an excellent job but they need additional help. Mr. Brown said Darlene Clewis is classified an Animal Control Officer, but she more or less works as a Shelter Supervisor; the work she is doing now at the Shelter is Supervisor work; this issue needs to be corrected; Ms. Clewis' title should be changed to Shelter Supervisor; and he is proud of the work Ms. Clewis and the others at the Shelter do. Sheriff Carson Smith commented: The work Ms. Clewis is doing now does not have a title; Lt. Ramsey is the Animal Control Supervisor; he is proud of the Shelter also; they work hard to keep the euthanasia rate down; he thanks the Councilwoman for her remarks; and he attributes the good things happening at the Shelter to Ms. Clewis. Mr. Brown said it is very important that we have a good relationship with the volunteers at the Shelter. Mr. Ward asked if Lt. Ramsey is the only sworn person at the Shelter and Mr. Ramsey responded affirmatively. Mr. Ward asked would it benefit to have another sworn person there. Sheriff Smith said Lt. Ramsey is not overwhelmed with cases at this time; and right now, shelter workers are more in need than sworn officers. Sheriff Smith said what we are looking for today is one full-time and one part-time shelter attendant, and maybe reclassifying Ms. Lewis at a later date. Mr. Ward suggested looking into getting community service workers to help out. Ms. Halligan said they need regular workers out there, for consistency. Following more discussion, Mr. Williams made a motion to approve the resolution. After clarification that this resolution is to only approve one full-time and one part-time shelter worker, Mr. Tate seconded the motion. The motion was approved by a 4-0 vote, with Mr. Ward voting in opposition.

ITEMS FROM THE COUNTY ATTORNEY

Mr. Thurman said he and Mr. Duvall have items for closed session.

ITEMS FROM THE COUNTY MANAGER

Dr. Duvall deferred to Utilities Director Michal Mack who gave an update on the "Melinda Knoerzer Benefit." Mr. Mack explained: The benefit for his Administrative Assistant Melinda Knoerzer was held this past Saturday. Some of the activities that raised money for the benefit included a 50-50 raffle held last month and the following during the benefit: T- Shirts designed by Ms. Knoerzer's daughter Meg for sale; bracelets made by ITS Operations Manager Earl Moore for sale; a Silent and Live Auction; drawings for raffle tickets; and food and drinks for sale. Mr. Mack noted an additional \$2,500 was donated by Meg's volleyball team from Cape Fear Community College, over \$4,000 donated by Ms. Knoerzer's former co-workers in New York and Ms. Knoerzer's church had informed her yesterday they were sending \$1,000. A total of over \$28,000 was raised. Mr. Mack thanked the committee, Commissioners, and all involved in the event. Mr. Mack gave a special thank you to the original committee members – Angela Blake, Pat Simmons and Charles Newman. Ms. Knoerzer thanked the community and all involved with the benefit and said she was just overwhelmed. Mr. Brown and Mr. Williams spoke in support of Ms. Knoerzer and the kindness showed by others. Mr. Williams said when Ms. Knoerzer walks into a room, everybody is better off.

Dr. Duvall's other items included the next Exotic Animal Control meeting will be held this Thursday at 6:00 p.m., and Chris May will facilitate the next Emergency Management Strategic Planning meeting on November 13, 2012 at 7:00 p.m. at the EOC.

ITEMS FROM THE COUNTY COMMISSIONERS

Mr. Rivenbark spoke commending the new sidewalks at the Courthouse and the beautiful grass planted around the sidewalks. Mr. Brown said the Courthouse improvements inside are great also and commended Pat Simmons and Public Buildings staff for their work at the Courthouse.

CLOSED SESSION

At 5:50 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; 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. Williams seconded the motion and it was unanimously approved. At 6:15 p.m., Mr. Rivenbark made a motion to come out of closed session, Mr. Williams seconded the motion and it was unanimously approved. There were no announcements made upon exiting the closed session.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:16 p.m.

Respectfully Submitted,



Glenda Pridgen, Deputy Clerk to the Board

Reviewed By:



Dr. Mickey Duvall, Clerk to the Board/Melinda Knoerzer, Administrative Assistant