

## MONDAY, NOVEMBER 19, 2012

The Pender County Board of Commissioners met in regular session on Monday, November 19, 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 Tate offered the Invocation.

### PLEDGE OF ALLEGIANCE

Chairman Brown led the Pledge of Allegiance.

### BOY SCOUTS

Mr. Brown said before we begin, he would like to recognize Attorney Kent Harrell and some of his Boy Scout Troop members in attendance, and invited Mr. Harrell to speak. Mr. Harrell explained this is Boy Scout Troop 242 from Burgaw; they are working on earning their Citizenship in the Community Merit Badge; and attending a Board of Commissioners, meeting is one of the requirements to earn the badge. Mr. Harrell had the boys stand and introduced them: John Dean, Jason Loher, Alex Hillman, Carl North and Aaron Murray.

### PUBLIC INFORMATION

1. **Resolution Authorizing North Carolina Mosquito & Vector Control Association (NCMVCA) to Express Sympathy for James Edward "Jimmy" Fields, Deceased Member of the North Carolina Mosquito and Vector Control Association, and Present a Resolution to Mr. Fields' Family.**

Administrative Officer Pat Simmons introduced the resolution and said she had personally and closely worked with Mr. Fields for many years, until his retirement, and that he was also a close friend. Ms. Simmons comments included: Mr. Fields was dependable, reliable, hard-working, honest and courteous at all times; he always demonstrated a kind and generous nature; he always demonstrated a willingness to offer his assistance to all departments and organizations; he had an excellent rapport with the many constituents served by their office, including citizens, employees and other professional organizations; he earned the highest respect from the County Manager, Department Managers, County Employees and State Officials; Mr. Fields was an asset to Pender County and will be missed for years to come; and Mr. Fields' friendly personality and nature will forever be remembered by those who knew him. Mr. Fields worked for Pender County many years in the positions of: Sanitation Equipment Operator II; Assistant Landfill Supervisor; Solid

Waste Coordinator; Animal Control Officer; Animal Control Supervisor I; Animal Control Officer II; Heavy Equipment Operator II; Assistant Maintenance Supervisor; and Maintenance Supervisor. Ms. Simmons introduced Robert Collins, NCMVCA Resolutions Committee Chairman. Mr. Collins spoke of Mr. Fields' many qualities, read a resolution from NCMVCA, and presented the resolution to Mr. Fields' son and daughter, Alfred Fields and Sarah Fields Newman. Mr. Fields' wife was not able to be in attendance. Mr. Williams commented Mr. Fields was an excellent employee who did what needed to be done, and if it wasn't in his job description it didn't bother him, he just did it. Mr. Brown said he really appreciates Mr. Fields and what he did for the County, and said Mr. Fields was an all around good guy.

**2. Dale Holland, Holland Consulting Planners President: Presentation on the Pender County Housing Needs Assessment Survey.**

Housing Director Judith Herring distributed the full Housing Needs Assessment report and introduced Mr. Holland. Mr. Holland gave an overview which included: Population; Income/Poverty; Economy/Work Force; Housing; Utilities, Facilities, and Services; Accessibility and Facility Availability for Surveyed Housing Areas; Summary Housing Needs Factors; Pender County Barriers to Affordable Housing; and Housing Priorities/Recommendations. Mr. Holland explained each topic in detail and demonstrated each with maps, charts and tables. Board members asked several questions during the presentation. At the conclusion, Board members thanked Mr. Holland for the presentation. The Housing Needs Assessment Survey is on file with the permanent records in the County Manager's Office.

**3. Mickey Duvall, County Manager: Recognition of Outgoing Human Resources Director Amber Parker.**

Dr. Duvall explained: Ms. Parker is making a career move to Craven County; she will be Craven County's Human Resource and Public Information Officer; and he would like to give her special recognition. Dr. Duvall read and presented Ms. Parker with a plaque. Ms. Parker thanked the Board for allowing her to work in a professional role in Pender County for the past two years. Mr. Brown said we have used Ms. Parker in several roles during her tenure; he especially thanked her for her help as the Interim Health Director; and wished her the best of luck.

**PUBLIC COMMENT**

No one wished to speak under Public Comment.

**CONSENT AGENDA**

Mr. Brown presented the four 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 and Closed Session of November 5, 2012.
5. Resolution Authorizing a Purchase Order to McClamrock Business Forms for Printing of 2013-2014 TWO YEAR Solid Waste Stickers in the Amount of \$7,500.
6. Resolution Authorizing a Purchase Order to Professional Mail Services, Inc., for Mailing of 2013-2014 Solid Waste Stickers in the Amount of \$10,000.
7. Resolution Approving Budget Ordinance Amendment for Low Income Energy Assistance Program (LIEAP): \$9,696.

## **RESOLUTIONS**

### **8. Resolution Recognizing the Public Service of Former Pender County Commissioner Bonnie Williams Parker.**

Mr. Brown explained he had spoken to a member of Ms. Parker's family who indicated some family members would really like to be present for presentation of the resolution. He said he suggested if a later date would be more convenient they could for them to attend, we could do the recognition at the December 3 meeting. Mr. Rivenbark said as is customary for him to attend funerals of former Commissioners, he attended Ms. Parker's funeral, there was a very large crowd, and Ms. Parker was well thought of. The Board gave a nod of consent to table this item to the December 3, 2012 Board meeting.

### **9. Resolution Approving the 2013 Calendar of Meetings of the Pender County Board of Commissioners.**

Mr. Brown presented this item and asked if everyone had reviewed it and if anyone needed to make any adjustments to the dates. Mr. Williams responded not at this time; no one else responded. Mr. Williams then made a motion to approve the calendar of meetings, Mr. Tate seconded the motion and it was unanimously approved.

## **ITEMS FROM THE COUNTY ATTORNEY**

Mr. Thurman had no additional items.

## **ITEMS FROM THE COUNTY MANAGER**

Dr. Duvall's items included: Staff will provide the list of Boards Commissioners currently serve on at the December 3 meeting for annual review and modification; the Exotic Animal Control Committee will bring their recommendations to the December 3 meeting for discussion and review; this meeting tonight needs to be recessed until 10:00 a.m. tomorrow for the Health and DSS Consolidation meeting, in case three or more Commissioners attend; a School for New Commissioners will be upcoming and he will accompany the new Commissioner; and there will be an Ethics Training Webinar for Commissioners in the near future. He noted the Commissioners need to attend the Ethics Training because the rules are always changing. Mr. Thurman added we can invite the Town Boards, as we have done in the past. For the benefit of Mr. Harrell and the Boy Scouts, Mr. Brown gave background information on what Dr. Duvall was speaking about. He explained the Exotic Animal Control Committee was formed to come up with options on forming an ordinance for individuals who keep exotic animals as pets, because counties are now faced with this. He said the committee consists of the County Manager, Sheriff, Health Director, Animal Control Supervisor, exotic pet owner, and one individual from each area of the County.

## **ITEMS FROM THE COUNTY COMMISSIONERS**

Mr. Rivenbark said he wrote down a list of items the Board has recently done or are in the process of doing. He said he was chastised by citizens during the campaign process and he wants the Board to know some of the things that were said, and some of the good things he was involved in. The list included: The sewer line to Wallace; number of acres we plan to purchase for building a new jail; why we plan to build a jail larger than we need; taking prisoners from other counties; having to send prisoners to other counties; Pender County is growing in population; we grew in size also-the land we gained from Onslow County; schools being built; how much we spend; number of County employees almost doubled; he bought the fitness program from NACo to Pender; Masters Degree program; boat ramp being built; three parks in

the county; numerous buildings purchased; additions to DSS Building; additions to the Agriculture Building; and purchase of old Fast Fare building. He said "let the good times roll, he loves what he has been doing."

Mr. Tate said he has to attend an Ethics Training Class for his work at Elizabeth City and for his work at the Community College, and asked if he can use that for the County. Mr. Thurman said it should, but he will have to look into it to be sure. Mr. Tate invited all to attend the Currie Community Talent Show on Saturday, the 24<sup>th</sup>.

Mr. Ward thanked Mr. Harrell for taking time out of his schedule to work with the Boy Scouts. He told the boys to keep it up because it is a good thing; he was once a Boy Scout and a member of Troop 235; and once the boys receive their badge, he would like them to come and open up a Board meeting with the Pledge of Allegiance. Mr. Williams agreed with Mr. Ward and said he was also a Boy Scout and a member of Troop 235 a few years before Mr. Ward. Mr. Brown said he was a Boy Scout for a few years and said "Hats off to Mr. Harrell."

Mr. Brown said he would like to thank the County Attorney for working with the Board of Elections last Friday to count ballots. Mr. Thurman explained: They went through the ballots and made sure everything was done right; the Board of Elections did a good job; there were over 700 provisional ballots they had to review; they reviewed every ballot that was set aside; and all the people who were proper got their ballot counted. Mr. Rivenbark asked Mr. Thurman to explain provisional ballots for the benefit of the Scouts. Mr. Thurman explained provisional ballots are ones which were set aside during the Election to later be reviewed. He said the ballots are set aside for things such as people showing up to vote at the wrong precinct, to make sure they all live in the County, or something as simple as a misspelled name. He said some people from New York and New Jersey showed up at the polls because they wanted to vote in the presidential race, but they couldn't vote because they were not county residents.

Mr. Brown explained: An individual is interested in applying for the District 5 position on the Pender Memorial Hospital Board, which is open due to the resignation of Al Owens; the item is not on the agenda; and it is Mr. Tate's district and Mr. Tate is okay with it. Mr. Brown justified with Ms. Pridgen that the position had been properly advertised. Mr. Rivenbark said Mr. Owens resigned because of health issues. Mr. Williams said he knows it requires a unanimous vote to add an item to the agenda and made a motion to add the item. Mr. Tate seconded the motion and it was unanimously approved. Mr. Tate explained: The applicant, Jacqueline Newton, attended Penderlea School, Western Carolina University and Campbell University; she is a local attorney; she worked at Pender Memorial at an early age; and she currently serves on the Pender County Board of Adjustment. Mr. Tate said he spoke to Ms. Newton and explained to her that the Board of Commissioners may want her to surrender her position on the Board of Adjustment if she is appointed to the Hospital Board; Ms. Newton was agreeable to this. Mr. Rivenbark said Ms. Newton is currently the Chairman of the Rotary Club. There was discussion of individuals serving on more than one county board. Mr. Thurman explained that years ago, a previous Board adopted a policy concerning individuals serving on more than one board at the same time. It was the consensus of the Board to take this matter up on a case-by-case basis. Mr. Tate made a motion to appoint Ms. Jacqueline Newton to the Pender Memorial Hospital Board, Mr. Rivenbark seconded the motion and it was unanimously approved. Ms. Newton will serve the remainder of Mr. Owens' term, which will expire on July 25, 2014.

Sheriff Carson Smith came forward and spoke concerning the need for a special police force at Pender Memorial. Sheriff Smith explained: Pender Memorial needs sworn officers on staff like New Hanover Regional Medical Center; it would help them out tremendously when it comes to involuntary mental commitments; he has deputies sitting in the hospital for days at a time because involuntary mental commitments require police officers or sheriff's deputies to transport a person to a hospital and stay with them until cleared by medical staff; this causes a huge drain on his manpower; if approved, this would help get more deputies out on the road; it would also help with security issues, especially in the emergency room; and the Hospital needs more than just security guards-they need sworn officers. Mr. Rivenbark suggested getting Pender Memorial President Ruth Glaser to come to a meeting and explain the situation. Mr. Brown said the Board will look into the matter.

## **PUBLIC HEARINGS: SPECIAL USE PERMITS/RESOLUTIONS**

### **10. Public Hearing and Resolution Requesting Approval of a Special Use Permit (SUP) for the Operation of a Food and Beverage Store/Seafood Market, Located at 102 Palmetto Drive, Hampstead.**

The public hearing opened at 7:05 p.m. Mr. Thurman swore in the witnesses. Planner Ashley Moncado explained: The Land Use Proposed; Property Record Number and Location; Zoning District of Property; Project Description; and Evaluation. Mr. Sam Corbett, Applicant and Owner, spoke. Mr. Corbett's comments included: He is a commercial fisherman; all he sells is what he brings in from his boat; he mostly sells wholesale, but he has his cooler onsite if his neighbors want to buy something from him; this Special Use Permit request results from his neighbor wanting him to put up a privacy fence; instead of coming to him directly, the neighbor went to the Planning Department; and he has signatures from the Washington Acres Homeowner's Association saying it is alright. Mr. Williams asked hadn't he been doing this a long time and Mr. Corbett responded fifteen years. Mr. Corbett said he will sell no food, beverages, or retail. He requested a provision be added to the Special Use Permit not allowing the retail sale of food or beverages in order to protect the residential character of the neighborhood in case the property is sold in the future. After more discussion, Mr. Williams made a motion to approve the Special Use Permit, with the stipulation that they will sell seafood only. Mr. Tate seconded the motion and it was unanimously approved. The public hearing closed at 7:14 p.m.

### **11. Public Hearing and Resolution Requesting Approval of a Special Use Permit (SUP) for the Operation of a Real Estate Office, Located at 12395 NC Highway 50, Hampstead.**

The public opened at 7:15 p.m. Planner Ashley Frank explained: The Land Use Proposed; Property Record Number and Location; Project Description; and Evaluation. With respect to the Description, Ms. Frank said the North Carolina Department of Transportation is not requiring a driveway permit at this time, but reevaluation will be required for future expansion or additional uses at the site. The public hearing closed at 7:16 p.m. Mr. Ward made a motion to approve the Special Use Permit, Mr. Williams seconded the motion and it was unanimously approved.

Dr. Duvall noted Utilities Director Michael Mack would like to update the Board on a project. Mr. Mack explained: We have around fifty vehicles that have been surplussed and will be holding an auction on December 15; former County Manager Rick Benton had proposed to go through GovDeals and had once talked about doing sealed bids, but having a public auction will bring more; Bradley's Auction Services will be conducting the auction; Bradley has advertised

the auction; Bradley will sell to the highest bidder; the buyer will pay Bradley 10% on each item; Bradley was recommended to him; and the vehicles are currently stored at the Landfill site but will be brought to the Compound yard for the auction. Mr. Brown remarked that was one of the things he and Mr. Blanchard agreed on – to give county citizens a chance to bid. Mr. Thurman said the other issue is this wasn't put out for bid. There was discussion concerning bidding out the auction. All Board members agreed to use this auctioneer, but in the future it would be bid out. Mr. Tate asked how long we will give them to move the cars once they buy them. There was no response to this question. There was discussion of whether Commissioners and employees could participate. Mr. Ward said no employees should participate. No formal decision was made concerning employee participation.

Mr. Brown thanked Mr. Mack and everyone involved in the Water Treatment Plant Dedication.

**ADJOURNMENT**

There being no further business, the meeting recessed at 7:30 p.m. to 10:00 a.m., Tuesday, November 20, 2012.

Respectfully Submitted,



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Glenda Pridgen, Deputy Clerk to the Board

Reviewed By:



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