

MONDAY, MARCH 17, 2014

The Pender County Board of Commissioners met in regular session on Monday, March 17, 2014 at the Public Assembly Room, 805 S. Walker St., Burgaw, NC 28425.

MEMBERS PRESENT: Chairman David Williams, presiding; Vice Chairman Fred McCoy; and Commissioners George Brown, Jimmy Tate and Chester Ward.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mickey Duvall, County Manager/Clerk to the Board; Trey Thurman, County Attorney; Butch Watson, Finance Officer/Assistant County Manager; Glenda Pridgen, Deputy Clerk to the Board; other staff and members of the Press and public.

CALL TO ORDER

Chairman Williams called the meeting to order at 4:00 p.m. and thanked and welcomed all.

INVOCATION

Commissioner Tate offered the Invocation.

PLEDGE OF ALLEGIANCE

Commissioner Brown led the Pledge of Allegiance.

Due to the large crowd in the audience, Fire Marshal Charles Newman helped people clear the exits and gave instructions on exiting the room, in case of an emergency.

ADDITIONAL RESOLUTION

Mr. Williams said an additional resolution concerning a grant application has been requested to be added to the agenda. Mr. Brown made a motion to add the resolution, Mr. McCoy seconded the motion and it was unanimously approved. Mr. Williams said the item will be voted on between Public Comment and the Consent Agenda.

PUBLIC INFORMATION

1. **Proclamation by the Pender County Board of Commissioners and Presentation to Members of the Military Order of the Purple Heart: Declare Pender County as a Purple Heart County.**

Donald Clinger of the Military Order of the Purple Heart came forward and explained: This organization consists of Combat Wounded Veterans; the organization is requesting every county, city and town in North Carolina to become a Purple Heart community; they asked Pender County to become one and Pender graciously accepted; so far they have 51 out of 100 counties, and over 200 towns and cities in North Carolina; although being Purple Heart puts them in the limelight, this organization takes nothing away from fellow veterans who have served our country; and they are eternally grateful to anyone willing to serve. Mr. Clinger introduced John Cooney of the Military Order of the Purple Heart. Mr. Williams read the proclamation and presented it to Mr. Cooney. Board members made remarks and thanked Mr. Clinger and Mr. Cooney.

2. **Recognition of Wilmington Box Company of Burgaw, NC for Receiving the “SHARP” Award for its Safety and Health Conditions for Workers, from the NC Department of Labor: Hobbs Goodwin, President.**

Commissioner McCoy explained: The North Carolina Department of Labor awarded Wilmington Box Company the SHARP award for its safety and health conditions for workers on February 25, 2014. Labor Commissioner Cherie Berry says it is so important to keep all workers safe. Ms. Berry said once a company earns this award, it's like a milestone on a long journey, and it doesn't stop them from continually improving the safety and health of the people in their facility. Ms. Berry also says though North Carolina leads the nation in the number of SHARP sites, fewer than 150 North Carolina businesses have received the award. Mr. McCoy read and presented Wilmington Box Company President Hobbs Goodwin with a Certificate of Appreciation. Mr. Goodwin commented: It was a great move for the company to move to Burgaw from Wilmington; they look forward to growing the business; it has been a good run so far; and they have bought the old Prestige building and are looking to expand. Mr. Williams said last year the County recognized Johnson Nursery in Willard. Mr. McCoy said it is good to get new businesses, but we need to continue to recognize the businesses that are already here.

3. **Quarterly Report on the Pender ABC System Involving Financial Information and Other Progress.**

ABC Board Chairman Don Hall's update included: This Quarterly Report is for October- December, 2013; the good news is the stores are making money; there was approximately \$1.25 million in sales; profits are off a tiny amount because of the need to purchase a computer; they now post notices of distribution in all the stores; \$286,059 was paid to the State; amounts paid to the towns are based on populations; and they will be doing minor upgrades at the Burgaw store. Mr. Williams commented he likes it that they post the distribution information to let the people know where the money is going.

Mr. Brown said he would like to speak in support of Mr. Tate at this time. His comments included: He has been hearing about the media coverage concerning Mr. Tate and the School Board; everybody knows Education is Mr. Tate's passion; Mr. Tate works with a community college; he has worked with UNCW; he is a member of two prominent school boards; Mr. Tate supports him and he supports Mr. Tate; when Mr. Tate asks a question of the Superintendent or anyone at the Schools, he should get an answer; he is speaking because he wants to show his support for Mr. Tate; they don't always agree, but they show respect for each other and still support each other; and if you show disrespect for Mr. Tate, you show disrespect for the whole County. McCoy and Mr. Williams agreed with Mr. Brown. Mr. Ward said if we have this situation again, we need to respond immediately.

Mr. Williams spoke about Nellie Watkins, a long-time employee who had passed away on Friday, March 14th. He said Ms. Watkins had been a Pender County employee for over forty years, and the Board's heart goes out for her and to her family.

4. **Unified Hazard Mitigation Assistance (UHMA) Program.**

Mr. Breuer explained: HMA programs reduce community vulnerability to disasters and their effects; promote individual and community safety and resilience; promote community vitality after an incident; and reduce response and recovery resource requirements in the wake of a disaster or incident, which results in a safer community which is less reliant on external financial assistance. Emergency Management Director Tom Collins further explained: The HMAP program is an annually funded program by FEMA through the NC Division of Emergency Management; due to flood insurance premiums being based on actuarial rates, funding for the annual UHMA program was increased

significantly in 2013 and expect that level of funding to be present for the 2014 funding cycle; and this makes more money available to the County and cuts down on the County's losses.

PUBLIC COMMENT

The following citizens spoke in support of Mr. Tate. Their comments included:

Charles Jacobs of Hampstead-He supports Mr. Tate; he will give him all the support he can; Mr. Tate will do anything for others.

Augusta Johnson of Burgaw-She came to support Mr. Tate; Mr. Tate is supportive of all of Pender County; she is proud of him; he is a young person who has done a lot; she congratulates him for being so active; we are behind him 100%.

Ann Cottle of Willard-She has known Mr. Tate since he was born; he used to come and ask her for help when he was a little boy; he supported them for the Penderlea Museum; she is proud he is doing all that he is doing; he knows that we all love him; Penderlea was the first farm city under the "New Deal" under President Roosevelt.

Willie Daniels of Currie-Mr. Tate believes in helping people; we are definitely having problems with some School Systems; he is glad this Board works together and is united; people don't mind paying taxes, but they want to see results.

Harry Teachey of Willard-He is speaking on behalf of Mr. Tate; family values are number one for Mr. Tate; it is taking forever to get an answer to a problem he has with the Schools.

Pattye Ebert of Burgaw-She appreciates the things she heard tonight about getting along; she is president of the Museum; she appreciates Mr. Tate; they had the support of Mr. Tate from the beginning; they received donations for the Museum; the Museum has been named to the National Registry of Historic Places; Penderlea was a farming community in the early days; Penderlea School is historic.

Douglas Johnson of Watha-He appreciates Mr. Tate; Mr. Tate is a role model for children; he cares about the Education System in Pender County; this is a civil society; one public official to another public official should be able to communicate.

Roshaun McIntyre of Currie-She supports Mr. Tate; Mr. Tate has given much time and dedication; she is a young citizen; it is very important that we stand behind Mr. Tate and continue to stand.

Ricky Rivenbark of Willard-Thanked Mr. Tate for helping out with the Museum and for all he does for citizens.

The following citizens spoke on other topics:

Ruth Blackmore of Rocky Point-Every time she has tried to contact Mr. Tate, he answered her; she is here to speak about the ragged, dangerous roads people are traveling on in Pender County; she lives on Clayton Lane in Rocky Point; Clayton Lane is caving in; she is asking the Board to please help them.

Lafaunta Johnson of Atkinson-She retired from DSS; she recently visited DSS; there are large windows in all the inside doors; why were those large windows put in; this creates privacy issues;

taxpayers' money could have been spent more wisely; DSS workers work hard long hours and are not being paid for comp time; the money used for the windows could have been used to pay them, and if any was left then put in the windows; she is appealing to the Board to think about the clients; some clients are embarrassed; the windows take away some of the confidentiality.

Mr. Ward asked what the reason for the windows was. Dr. Duvall responded the Health and Human Services Director had the windows put in for health and safety issues.

Darlene Williams of Burgaw-She is here as a follow-up to the January 21, 2014 meeting concerning Housing Director Judy Herring and her Assistant Renee Lee; she retired from Human Resources and knows about employee relations; Pender County's Human Resources Director did a disservice to Ms. Lee based on allegations by Ms. Herring; Ms. Lee could have been spared a lot of heartache and embarrassment; Pender County professionals are not doing their job.

Paul Clark of Pender Utility Partners, LLC said speaking as a citizen, he echoes everything that was said concerning Mr. Tate. Mr. Clark said his company did a presentation to the Board in February concerning a proposal to form a partnership with Pender County for a wastewater treatment system. Mr. Clark read the letter he received from the County rejecting his offer, and then read his letter of response. (Both letters are on file with the permanent records in the Clerk to the Board's Office). Mr. Clark indicated he would like the Board to hold a public hearing so that each Board member can be polled; and he wants to get feedback from the Board on what was wrong with his proposal. With reference to Mr. Clark's letter, Mr. Williams' comments included: He talked to each Board member; the Trask deal is moving forward; and he didn't feel comfortable with moving forward with Mr. Clark's proposal. Mr. Ward asked Mr. Clark about looking into the Rocky Point area and said he would like to see something concerning that area. Mr. Brown's comments concerning Mr. Clark included: He is halfway angry with him; he shouldn't mislead people; it sounds like he is accusing the Board; and he shouldn't insinuate the Board overlooked him.

Felicia Davis of Rocky Point-Clayton Lane is in bad shape; the road has caved in; an ambulance can't even come down it. Mr. Brown said he will work with Davis on this; he will get up with her tomorrow; he will get DOT to meet the residents out there.

Katie Wilson of Long Creek-Mr. Tate responded to her instantly concerning the hunting problems; she is concerned about hunting in residential areas; property owners next to her are going to rent their land out to hunters; she wants the hunting ordinance changed; she called Wildlife but they only quoted the 200' statement; a stray bullet doesn't know anyone; there will be dogs barking, guns shooting, trucks coming in and out and trash issues; the owners of the property have no regards for the safety of others; they want to put a hunting club out there; she wants legal action.

ADDITIONAL RESOLUTION

4a. Resolution Authorizing Submittal of a Clean Water State Revolving Fund (CWSRF) Grant/Loan Application to the North Carolina Department of Environment and Natural Resources for Wastewater Treatment Facility Upgrades at the Pender County Solid Waste Transfer Station.

Mr. Collins explained: In response to a request by Pender County Utilities for renewal of the permit to operate the existing wastewater treatment facility at the Pender County Solid Waste Transfer Station, the North Carolina Department of Health and Human Services is requiring several upgrades and improvements to the existing system before a new permit would be considered for the facility; these upgrades and improvements will result in related professional design services and construction costs

which are proposed to be supported by CWSRF funding sources; the CWSRF Grant/Loan Application is due on or before April 1, 2014; and it would have been too late for the next meeting. Mr. Tate made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved.

Mr. Tate thanked all the people who have supported him through calls, e-mails and letters. His comments included: He has supported the employees of the Pender County Schools; he has nothing against any School Board member; he was elected by the people; he came to this meeting fully prepared to step down; over a year ago, he asked the Superintendent to go out in the community they planned to build a school in; taxpayers should be told what is done with their dollars; he still has not received a response from the Superintendent from Thursday; so many rumors are going around about what's happening in the Schools; he wanted to meet with the Superintendent to discuss various items; this disrespect has caused him tremendous undue stress; he is disappointed with the Schools.

Mr. Williams commented: He and Mr. Tate have been through battles together; people like to drive a wedge between Board members; and people will take a situation like this and try to divide the Board and conquer.

CONSENT AGENDA

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

5. Approval of Minutes: Regular & Closed Session: February 18, 2014.
6. Resolution Authorizing Approval of Tax Releases and Refunds.
7. Resolution Authorizing Issuance of Purchase Order to NC Department of Corrections for Food for the Jail: \$15,000.
- 8a. Resolution Authorizing Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2013-2014: Well Contractors Certification \$2,500.
- 8b. Resolution Authorizing Approval of Purchase Order to Carolina IT for Maintenance Services Contract for Fiscal Year 2013-2014: \$6,405.
- 8c. Resolution Authorizing Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2013-2014: West Pender School Base Health Center: \$25,000.
- 8d. Resolution Authorizing Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2013-2014: Equine Facility: \$25,000.
- 8e. Resolution Authorizing Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2013-2014: Farmworker Outreach Program: \$32,325.
9. Resolution Authorizing Approval of Purchase Order to Kris Transportation to Provide Elderly & Disabled Transportation Assistance: \$60,000.
10. Resolution Authorizing Approval of a Two-Year Contract with K & H Landscaping and Maintenance for Mowing of Solid Waste Sites and Authorization of a Purchase Order: \$13,800.
11. Resolution Adopting an Order for the Tax Collector to Advertise 2013 Taxes.

RESOLUTIONS

There were no resolutions for the regular agenda.

DISCUSSIONS

12. **Discussion and Possible Vote Regarding Department of Social Services Comp Time Pay.**

Mr. Williams explained: This topic came up earlier; a lot of it is due to NC Fast and other things; we said we were going to pay it and we need to go ahead and do it; he thinks Mr. Brown agrees; Comp Time is never going to go away; and it is accumulated by the Sheriff Department and other departments. Mr. Tate made a motion to approve a complete payout for the Comp Time earned by DSS employees, Mr. Brown seconded the motion and it was unanimously approved. Mr. Ward asked for DSS Director Reta Shiver and Health and Human Services Director Carolyn Moser to come forward. Mr. Ward explained: When the subject first came up about NC Fast, he was concerned and asked lots of questions; at a conference in DC, NCACC Director David Thompson gave insight on NC Fast; Mr. Thompson told Boards to be acceptable when their Department Directors come to them with this; in the long run it could cost more money; and after learning from the State, he appreciates Dr. Shiver and Ms. Moser's hard work in informing the Board. Ms. Moser's comments included: She greatly appreciates the Board's understanding; it has been hard on DSS; it is not just Pender, but across the State; it is important that they have the six Temps until June 30; June 30 is not a "drop dead" date because it may take a few years to put it all together; she appreciates all the hard work at DSS; and she wants to recognize DSS and all the workers. Dr. Shiver thanked the Board for listening to Ms. Moser, thanked them for granting the Temps; and thanked them for paying the Comp Time. Mr. Brown said in the beginning he went to legislators; it was chaotic at the Raleigh level; and there was too much confusion not to ask questions. Mr. Tate asked how long it will take to get the employees paid and said he would like to see them get paid as soon as possible. Dr. Duvall said he doesn't see a problem with getting them paid on the next payroll. Mr. Watson said we get paid this Thursday so we may have to make a special run for the Comp pay.

Mr. Williams asked to be excused to attend his son's crossing over to Boy Scout. Mr. Ward made a motion to excuse Mr. Williams, Mr. Tate seconded the motion and it was unanimously approved. Mr. McCoy then took charge of the meeting.

13. **Discussion and Possible Reassignment of Commissioner Appointment.**

Mr. Brown requested this item be tabled to the next meeting.

APPOINTMENTS

14. **Resolution Approving Appointments to the 2014 Pender County Board of Equalization and Review (BOER).**

Mr. Williams introduced the resolution. Mr. Brown made a motion to approve the following persons to serve a one-year term on the 2014 Pender County Board of Equalization and Review: Bryant Shephard, Walter Baker, Robert Dennis, Leslie Green and Kenneth Just; and to appoint Bryant Shephard as Chairman of the Board of E&R. Mr. Tate seconded the motion and it was unanimously approved by a 4-0 vote. The terms will expire March 16, 2015.

15. **Resolution Authorizing Approval of Appointment to the Pender County Board of Adjustment; Pender County Fire Commission; Hampstead Kiwanis Park Board; Pender County Advisory Board of Health; Pender County Housing Initiative Board; Pender County Library Board; Southeastern Economic Development Board; and Pender County Tourism Development Authority.**

Dr. Duvall explained the list of applicants. Mr. Brown said he has a gentleman that was interested in the Southeastern Economic Development Board and did not know the position was being advertised. Mr. Brown asked that this position be considered at the next meeting. Mr. Brown made a motion to approve the following appointments, Mr. Tate seconded the motion and the following appointments

were unanimously approved by a 4-0 vote: Paul Godridge is appointed to serve a three-year term on the Pender County Board of Adjustment representing an Alternate position, with term to expire January 4, 2017; Kenneth Bogan is appointed to serve a three-year term on the Pender County Fire Commission representing an East Side At-Large position, with term to expire June 30, 2017; William Underwood is appointed to serve the remainder of a three-year term on the Hampstead Kiwanis Park Board, with term to expire June 30, 2015; Jimmy Holland is re-appointed to serve a three-year term on the Pender County Advisory Board of Health representing the Engineer position, with term to expire January 31, 2017; Julius Bannerman is appointed to serve on the Pender County Housing Initiative Board representing a Low Income position; Josie Milner is appointed to serve a three-year term on the Pender County Library Board representing District 4, with term to expire January 31, 2017; William Fowler is appointed to serve a three-year term on the Tourism Development Authority representing District 2, with term to expire August 31, 2016; and Tammy Proctor is appointed to serve a three-year term on the Tourism Development Authority representing the Topsail Chamber of Commerce, with term to expire August 31, 2016.

DISCUSSION

16. Preliminary Discussion & Overview of the Fiscal Year 14-15 Budget.

Dr. Duvall delivered a PowerPoint presentation entitled "Pender County FY 14/15 Budget Highlights." Dr. Duvall explained each category in detail. Finance Officer Butch Watson also provided highlights. The presentation included: FY 13/14 Budget Summary/FY 14/15 Budget (Projected); FY 13/14 Fund Balance Position (Unchanged in FY 14/15); Undesignated Fund Balance-Percent of Current Year Expenditures; Undesignated Fund Balance (General Fund); FY 13/14 General Fund Revenue Sources; Summary of Revenues-General Fund; FY 13/14 General Fund Revenue Sources; FY 13/14 General Fund \$1 Property Tax Distribution; FY 13/14 General Fund Revenues; FY 14/15 Property Tax Revenues-Estimated 03/2014; FY 13/14 Property Taxes Distribution; Revenue Sources by Township and Municipality; Tax Rate; Notable Recommended FY 14/15 Required Budget Spending; FY 13/14 Pender county Public Schools; Environmental Health Permit Comparison; Building Permits Issued; Estimated Construction Costs; Fiscal Year Taxable Sales in the County; Public Utilities FY 13/14; FY 13/14 Public Utilities Budget Water & Sewer Fund; FY 13/14 Solid Waste Budget; Summary of General Fund; and FY 14/15 Budget Process & Adoption Calendar. Board members made comments and asked questions.

Ted Cole of Consulting Firm Davenport & Company then delivered a presentation of Discussion Materials which included: Goals and Objectives; Peer Comparatives; Historical Credit Spreads; Existing Tax Supported Debt Profile; Key Debt Ratio: Tax Supported Payout Ratio; Key Debt Ratio: Debt Per Capita; Key Debt Ratio: Debt to Assessed Value; Key Debt Ratio: Debt Service vs. Expenditures; Key Debt Ratio: Debt as a % of Governmental Revenues; Standard & Poor's Debt and Contingent Liabilities Score; Decline in Tax Supported Debt Service; Debt Affordability Analysis; 2014 Capital Planning and General Obligation Bond Referendum Analysis; Capital Improvement Planning Cases Overview; and Summary of Cases. Mr. Cole explained each category in detail. Board members made comments and asked questions.

Both presentations in their entirety are on file with the permanent records in the Clerk to the Board's Office.

ITEMS FROM THE COUNTY ATTORNEY

Due to the time, Mr. Thurman deferred his items, but he would have items for Closed Session.

ITEMS FROM THE COUNTY MANAGER

Dr. Duvall informed the Board that he and Mr. Breuer met with NC DOT officials and discussed the possibility of DOT transferring ownership of the Surf City Bridge to the County. He noted Surf City, Topsail Beach and North Topsail Beach declined it. Mr. Breuer said the County does not have a certified need for it at this time. Mr. Breuer said those towns don't want it because of the maintenance costs associated with it. It was the consensus of the Board to bring this item back to the next meeting as a discussion item.

ITEMS FROM THE COUNTY COMMISSIONERS

Mr. McCoy commented on the following: The Cape Fear RPO has good plans for the future of Pender County, including widening Highway 53 from Jacksonville; CSX just signed off on helping to restore the abandoned railroad line; and great donations have been coming in for the Equine facility at the Animal Shelter.

PUBLIC HEARINGS: SPECIAL USE PERMITS/MAPLE HILL SMALL AREA PLAN/RESOLUTIONS

17. Public Hearing and Resolution Requesting Approval of a Special Use Permit for the Construction and Operation of a 250-Foot Self-Support Wireless Telecommunication Tower, Located along the Southern Portion of Island Creek Road, Approximately 400 Feet South of the Intersection of Royal Oaks Dr. and NC HWY 210 W, Hampstead.

The public hearing opened. Mr. Thurman swore in the witnesses. Planner Ed McCarthy came forward to explain the SUP Request. Mr. Brown commented: We have been through this many, many times; it is the same kind of tower we have approved many times; we can move on, unless something is new about this one, someone is here that objects to it or the Board has any questions. No one was present to oppose the SUP. Mr. Thurman said we can accept their application and the staff report into the record as formal evidence. The public hearing closed. Mr. Brown made a motion to approve the Special Use Permit Request, Mr. Ward seconded the motion and it was unanimously approved by a 4-0 vote.

18. Public Hearing and Resolution Requesting Approval of a Special Use Permit for the Operation of a Private Cemetery, Located along the South Side of Union Bethel Road, Approximately 693 Feet Southeast of the Intersection of Union Bethel Road and Katers Lane, Hampstead.

The public hearing opened. Mr. Thurman swore in the witnesses. Mr. McCarthy was prepared to explain the SUP Request. Mr. Ward commented: The cemetery is already there; the gentleman (Applicant Joseph Shepard) wants to get it on record; those who are not aware of it will know it's there; he knows Mr. Shepard; and Mr. Shepard is an outstanding citizen in the community. It was verified that there were no sign-ups to speak on this issue. Mr. Thurman said we can accept their application and the staff report into the record as formal evidence. The public hearing closed. Mr. Ward made a motion to approve the Special Use Permit Request, Mr. Brown seconded the motion and it was unanimously approved by a 4-0 vote.

19. Public Hearing and Resolution Requesting Approval of a Special Use Permit for the Operation of a Canoe and Kayak Rental Facility with Guide Service, Located at 6928 Stag Park Road, Burgaw.

The public hearing opened. Mr. Thurman swore in the witnesses. Mr. McCarthy was prepared to explain the SUP Request. Mr. Brown asked if he could give a summary of this item. Mr. Brown's comments included: The applicant did previously come before the Board with this request; the Board approved it before; the permit expired because of the economy or whatever reason; and the applicant

now wants to get the SUP reapproved. It was verified that no one was there to oppose the request. Mr. Thurman said again, we can accept the application and staff report into the record as formal evidence. The public hearing closed. Mr. Brown made a motion to approve the Special Use Permit Request, Mr. Tate seconded the motion and it was unanimously approved by a 4-0 vote.

20. Public Hearing and Resolution for the Adoption of the Maple Hill Small Area Plan.

Mr. Breuer explained: This is a presentation of the Maple Hill Small Area Plan; staff has worked closely with the community over the last year or so; excellent quality of input was received from the community; staff has presented the Plan to the Planning Board; the Planning Board unanimously voted for recommendation of this plan; staff is now presenting it to the Board of Commissioners for adoption; this plan is a little different than the Currie Plan format; they took a look at the community as a whole; they brought in experts to discuss different things with the community; and they then developed goals and policies based off the vision of the Steering Committee. Following discussion and questions by Board members, Mr. Ward made a motion to approve the Maple Hill Small Area Plan, Mr. Brown seconded the motion and it was unanimously approved by a 4-0 vote.

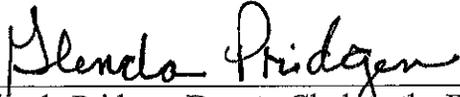
CLOSED SESSION

After the 7:00 Public Hearings, the Board entered into closed session, upon motion by Mr. Ward, second by Mr. Tate and unanimously approved. The motion was made 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 an open session; 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. Upon motion by Mr. Brown, second by Mr. Tate and unanimously approved, the Board exited the Closed Session. There were no announcements made upon exiting the Closed Session.

ADJOURNMENT

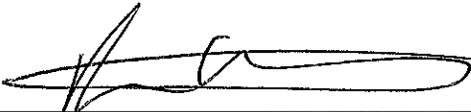
There being no further business, the meeting adjourned.

Respectfully Submitted,



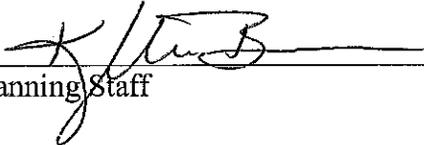
Glenda Pridgen, Deputy Clerk to the Board

Reviewed By:



Mickey Duvall, Clerk to the Board/Ann Coombs, Administrative Assistant

Planning Items Reviewed By:



Planning Staff