

**MONDAY, MAY 5, 2014**

The Pender County Board of Commissioners met in regular session on Monday, May 5, 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 McCoy led the Pledge of Allegiance.

**PUBLIC INFORMATION**

**1. Introduction of NC Cooperative Extension Service 4-H Agent to the Board of Commissioners and the Public.**

County Extension Agent Mark Seitz introduced the new 4-H Agent, Jessica Hogan. Ms. Hogan thanked the Board, said she is from Mount Olive, she just graduated from Mount Olive College and this is her first month on the job.

**2. Kate Murphy, Member Communication Specialist, CoastalCare: Presentation of Proclamation for Mental Health Month: May, 2014; & Resolution by the Pender County Board of Commissioners Authorizing Adoption of the Proclamation.**

Foster Norman, CoastalCare Area Director, was in attendance. Mr. Williams read the proclamation. Mr. Norman thanked Mr. Williams and thanked the Board for its continued support. Mr. Norman stressed the section of the proclamation that read "and to eliminate the stigma associated with seeking mental health services." He said 60% of the people exhibiting symptoms of mental illness don't seek help and they don't realize it is a chronic disease that can be treated. Mr. Norman encouraged everyone to share with people that need help that they can be helped. Mr. Tate said the facts are increasingly alarming and asked what source the statistics derived from. Mr. Norman said probably the National Council on Behavioral Health or the Federal Agency on Mental Health and Substance Abuse. Mr. Norman said a number that is not in the proclamation, with all the violent actions across the country such as Ft. Hood, Columbine and Sandy Hook, 95% of all violent crimes are committed by someone that doesn't have a mental illness. He said people with mental problems are more likely to be the victim of such crime. Mr. Williams thanked Mr. Norman and presented him with the proclamation. Mr. Ward made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved. Mr. Brown recognized CoastalCare Board Member Don Hall in the audience and thanked Mr. Hall and Mr. Norman for all they do.

**3. George Edwards, Executive Director, Historic Wilmington Foundation: Presentation of Proclamation for National Preservation Month: May, 2014; & Resolution by the Pender County Board of Commissioners Authorizing Adoption of the Proclamation.**

Mr. Edwards commended Pender County and the Town of Burgaw for their involvement in historical projects. He said some of the historical projects include renovation of the Old Topsail High School, renovation of the York House in Burgaw for the Murphy Library, renovation of the Burgaw Community Building, renovation of the Rosenwald School in Currie, and Penderlea Homestead made the National Register of Historic Places. Mr. Edwards commended the Pender County Historical Society and recognized members in the audience. Mr. Edwards invited everyone to a Preservation Awards Ceremony on May 22<sup>nd</sup> at the old Courthouse in Wilmington and a tour of Rosenwald Schools in Pender County on May 31<sup>st</sup>. Mr. Ward made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved. Mr. Brown and Mr. Tate made remarks and commended everyone for the work they did.

**4. D. Calton, Director of Community Outreach Burgaw Holiness Church: Information on Activities of Community Outreach & Other Ministries at Burgaw Holiness Church.**

Mr. Calton's comments included: The members of Burgaw Holiness Church are very active in the community; they have a thrift store called Armour of God Ministry, where they supply emergency aid to victims of fire, domestic situations, and natural disasters; the type of help can include emergency food, clothing and household needs; another part of their church is the Community Outreach Ministries; in this ministry, they give away free produce to anyone who has a need; this is their Parking Lot Ministry; they give away items in their TEFAP Program once a month that is sponsored by the Federal USDA; Community Outreach also works with an organization called RSVP where they supply a bag of groceries once a month to 35-57 senior citizens that are shut-ins and are unable to come for the other programs; their long-term goal is to acquire a piece of property large enough to house all of these ministries in one place, and can also provide space for a homeless shelter and a place of refuge for victims of domestic violence, fire, or natural disasters; they have found a suitable location on Hwy. 117 Bypass; they just need funding and approval for the use of the building there; they presented this tonight to make sure they won't be in conflict with any other programs; and they also came to ask about the possibility of any grant funding. Board members thanked Mr. Calton for what him and his church does. Mr. Tate asked Dr. Duvall to see if the County has any available space. Dr. Duvall said he will also look into available grants.

**5. Mary Ann Mintier, Vice President, Topsail Township Friends of the Library: Urging Support of the Proposal to Reserve the Northwest Area of the Old Historic Topsail High School Property for the Future Topsail Regional Public Library.**

Library Board Chairman Kathleen Sabella was in attendance. Ms. Sabella read the document prepared urging the Board for support. The document included the following: Mike Taylor made a presentation to the Board of Commissioners on January 22, 2013 about designating a site for a future public library at the Old Topsail School site and the minutes reflect a general acceptance of that request, although not a vote. The minutes state, ". . . following the discussion, the Board gave a nod to move forward with the concept Mr. Taylor presented for the Old Topsail School." The document was asking the Board to take action and vote in favor of the resolution on the agenda today, which was supported by the Advisory Library Board of Trustees. Mr. Williams said after the initial presentation by Mr. Taylor, the Board got involved in other things. He said the Friends of the Library have been waiting patiently. Mr. Brown said he would like to see a map of the property. Mr. Tate said he does remember when the Board made the commitment, and said the Library over there is very active.

**PUBLIC COMMENT**

No one wished to speak under Public Comment.

## **CONSENT AGENDA**

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

6. Approval of Minutes: Fire Department Budget Work Sessions; Regular & Closed Session: April 22, 2014.
7. Resolution Authorizing Approval of Tax Releases and Refunds.
8. Resolution Accepting Petition to Add L.C. Bland Drive, Bland Place Subdivision, Watha/Willard, to the State Maintained System, and Authorizing the County Manager to Submit the Petition to N.C. Department of Transportation.

## **RESOLUTIONS**

9. **Resolution Designating and Reserving the Northwest Portion of the Property of the New Pender County Hampstead Annex (Old Topsail High School) for the Future Site of the Topsail Regional Public Library.**

Mr. Taylor explained: Eighteen months ago the Board didn't know what they were going to do with this property; now that the Board has decided what to do with the property, he and the Library Board have decided to bring this request back before the Board; the property is suitable and an ample size; and there are no water problems, as with the original proposed site. Mr. Williams thanked the Friends of the Library for being patient. He said this is a good idea because we can't expand on the current Library site. Mr. Brown said this is a practical idea, the land is already there, and it is a great location. Mr. Ward said the Library was originally scheduled to be built next to the school and asked how this affects the children that would be walking to the Library. Mr. Taylor said the Corps of Engineers determined the property at the school was unsuitable. Mr. McCoy said the current Library in Hampstead is very busy and very crowded. Mr. Ward asked if there are any concerns that this will affect the Sheriff facility at the new Annex. Sheriff Smith responded not on the Sheriff's part. Mr. Mack was instructed to check on the septic that was going to be put in the existing building to see if the new Library would be able to hook up to it. Following more discussion, Mr. Brown made a motion to approve the resolution, Mr. McCoy seconded the motion and it was unanimously approved. Mr. Tate commended Mr. Taylor for bringing cultural activities to Pender County, such as poets, story tellers, etc.

## **ITEMS FROM THE COUNTY ATTORNEY**

Mr. Thurman said he has items for Closed Session. Mr. Thurman informed the Board of a Supreme Court case concerning prayer prior to public meetings. He said he will read the full opinion and bring back a full report.

## **ITEMS FROM THE COUNTY MANAGER**

Dr. Duvall distributed a map and explained Mike Nadeau had approached him concerning a lot owned by the County. He said Mr. Nadeau has listed several vacant lots on Highway 17 surrounding the County's lot; Mr. Nadeau has suggested the County's lot is too small to put septic or anything on it; putting all the lots together would make a more saleable parcel; and Mr. Nadeau has asked to list the County's lot. Mr. Brown noted there is a building already on the lot. Mr. Williams said selling the lot would put it back on the County tax roll, but if sold, it would be subject to the upset bid process. It was the consensus of the Board to not do anything until something is found out about the building. Dr. Duvall said will go and walk the property. Mr. Brown said he would like to see the same diagram from staff.

## **ITEMS FROM THE COUNTY COMMISSIONERS**

Mr. Tate thanked NC DOT, Mr. McCoy, the County Manager and all who attended the meeting in Penderlea to discuss transportation. He said Karen Fussell and her team at DOT were wonderful.

Mr. McCoy thanked everyone that was running for office and reminded everyone to go out and vote.

Mr. Brown said a person has an issue with the tax value on his property, the person is going through the appeal process with the Board of Equalization and Review, and he is going to attend that meeting to see how the process works.

Mr. Williams asked about turkey houses and the revaluation situation. Dr. Duvall said his understanding from Tax Assessor Masiero was that the owners moved the equipment out and it is no longer considered a business.

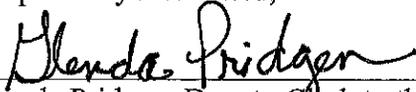
### **CLOSED SESSION**

At 5:02 p.m. Mr. Brown made a motion to enter into Closed Session pursuant to NCGS 143-318.11: 3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded; 4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session; and 5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. Mr. McCoy seconded the motion and it was unanimously approved. At 6:50 p.m., Mr. Brown made a motion to come out of Closed Session. Mr. Ward seconded the motion and it was unanimously approved. There were no announcements made upon exiting the Closed Session.

### **ADJOURNMENT**

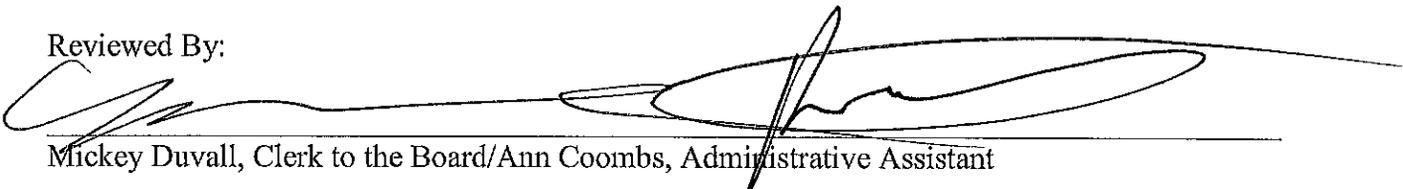
There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully Submitted,



Glenda Pridgen, Deputy Clerk to the Board

Reviewed By:



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