TUESDAY, APRIL 7, 2015 – 4:00 p.m.

The Pender County Board of Commissioners met in regular session on Tuesday, April 7, 2015 at the Commissioner's Public Assembly Room, 805 S. Walker St., Burgaw, NC 28425.

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

OTHERS PRESENT: Randell Woodruff, County Manager and Clerk to the Board; Melissa Pedersen, Deputy Clerk to the Board; Sylvia Blinson, Interim Finance Director, 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 to the meeting.

INVOCATION
Commissioner Tate offered the Invocation.

PLEDGE
Commissioner Brown led the Pledge of Allegiance.

ADOPTION OF AGENDA
Commissioner Brown made a motion to approve the Agenda. Commissioner McCoy seconded the motion and the Agenda was approved unanimously.

PUBLIC INFORMATION

1. **Discussion and Brief Overview of Pender County's Beaver Management Program.**

Rachael Schwartz, Wildlife Specialist with the USDA explained: The Beaver issues in North Carolina began when 29 Beavers were released in North Carolina in the Sandhills Gameland in 1939. Ms. Schwartz gave the history of the Beaver problems in the state as it relates to damage caused by beavers and attempts to reduce the problems. Ms. Schwartz explained that Pender County joined the Beaver Management program in October 1994. Ms. Schwartz then discussed funding for the program and current savings from the program. She then discussed the nature of her job in regards to her backlog, location, and responding to requests. Mr. Williams asked Ms. Schwartz how people would contact her if they needed assistance. Ms. Schwartz explained that she could be reached through the Cooperative Extension office for Pender County and also gave the web address of www.aphis.usda.gov for more information. Mr. Tate thanked Ms. Schwartz for everything she does to help the residents of Pender County.

2. **Recognition of Jeremy Stanley, Senior at Pender High School Appointed to the United States Military Academy at West Point.**

Commissioner McCoy asked Jeremy Stanley to come forward as he explained: Jeremy Stanley was just appointed to the United States Military Academy at West Point. Jeremy is a senior at Pender High School and has been first in his class every year. Jeremy has been on the Raider team for four years, and Commander for two of those years. Last year, Jeremy led his team to victory at the 2014 JROTC 4th Brigade "Best of the Best" competition and is looking forward to doing it again this year.

Jeremy's accomplishments include: member of Beta Club; member of the National Honor Society; Cross Country Team; and the Indoor and Outdoor Track Team Captain. Jeremy plans to major in Mechanical Engineering while at West Point and wishes to be commissioned as an Infantry Officer and to eventually become a Green Beret upon his completion at West Point. Mr. McCoy added that Jeremy has made his family and Pender County proud that he is a great example for other students in Pender County. Mr. McCoy closed asking all the veterans to stand for a round of applause and thanked them for their service. Mr. Williams also congratulated Jeremy for his accomplishments and stated that he looked forward to hearing good things.

PUBLIC COMMENT
No one wished to speak under Public Comment.

CONSENT AGENDA
Chairman Williams presented the three 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. Brown seconded the motion and the Consent Agenda was unanimously approved as follows:

3. Approval of Minutes: Regular & Closed Session March 16, 2015.

4. Resolution Rescinding the Designation of Former Employees as Map Review Officers for Pender County.
5. Approval of a FY 14-15 Budget Amendment to Accept Emergency Management Response to a Hazardous Materials Incident for $240.00.

APPROVALS AND RESOLUTIONS
Chairman Williams noted that Mr. Tate had to step out and therefore changed the order of items on the agenda:

7. **Approval of Project Ordinance to Release Funds for Surveying and Testing of the Surf City, Penderlea, and Other Sites: $125,000.**

Chairman Williams explained: The School Board has requested funds to be released to begin working on the project. At this time, it is requested that the County release funds to begin the preliminary testing and survey work on the Surf City site and the Penderlea site. The breakdown that has been provided is the following: Surf City $50,000; Penderlea $30,000; & other sites $45,000. Mr. Williams explained that these funds will be paid from the General Fund and the County will be reimbursed once bonds are sold. Mr. Brown asked if the schools had advertised requests for bids. Mr. Woodruff stated that they had. Mr. McCoy stated that he was not in favor of the school bond, but since it passed, he wants to ensure that the money is spent wisely. Mr. Woodruff clarified that this is a project ordnance that will be amended as money is expended and the project continues. Mr. Tate made a motion to approve the item, Mr. Brown seconded the motion and it was unanimously approved.

12. **Approval to Create a Line Item for the Council on Community Affairs and to Transfer Funds from Planning and Community Development – Salaries in the amount of $1,000.**

Mr. Tate thanked Mr. Breuer for his leadership for this Council and explained to the Board that this money is the seed money to start up the Hall of Fame Project. Mr. Tate then turned it over to Mr. Breuer who explained: In keeping with the purpose of the CCA, it has been identified that a Pender County Hall of Fame be introduced to recognize outstanding achievements and contributions to Pender County on an annual basis. It is intended that the Hall of Fame be utilized as a showcase

event that can raise operating funds for the CCA to further potential programs and activities to meet the purpose and duties of the Council. It is anticipated that the inaugural Hall of Fame will take place in the Fall of 2015 and in order to begin marketing and developing materials for the event, it is being requested that funds be transferred from Planning and Community Development's salaries line item in the amount of $1,000 to a newly created Council on Community Affairs budget line item. The Council will be working on a budget for the upcoming fiscal year and will present it to the Board at the appropriate time. Mr. Piepmeyer stated that this is the way it should be done with Boards and Committees and have them go through the regular budget process. There being no further discussion, Mr. Tate made a motion to approve the item, Mr. Brown seconded the motion and it was unanimously approved.

TATE ANNOUNCEMENT

Mr. Tate asked Chairman Williams if he could have a minute to speak. Mr. Tate then introduced his family whom were sitting in the back of the room. Mr. Tate stated that today was one of the hardest days of his eight year tenure as a commissioner and listed some of his accomplishments: Increased Salaries for Employees; Provided Supplements for our Teachers; Penderlea Museum, Atkinson Library; Kiwanis Park in Hampstead; the Willard Outreach Center; Millers Pond Park, the Council on Community Affairs; Willard Convenience Site renovations; Hampstead Boat Access; Establishment of the Pender Commerce Park; and the Various roles helping to bring Pender County together. Mr. Tate then announced his resignation effective immediately to accept a job which requires him to relocate out of Pender County. Mr. Tate stated that the reason for his resignation today is so that his successor would have the chance to sit in on the budgetary process before voting on it in June. Mr. Tate then thanked the citizens who have supported him along the way. Mr. Tate then thanked his brother Harvey who has helped him to succeed in this role. Mr. Tate then thanked his sister Lisa for always being there to support him. He also thanked his brother-in-law and nieces for their support. Lastly, Mr. Tate thanked God stating that without him, he would have left a long time ago. Mr. Tate listed off several others, thanking them for their support. Mr. Tate ended by turning the District Four seat back over to the citizens of the district, again thanking them for the support over the years. The Board made the following comments:

Mr. Brown – Mr. Brown thanked Mr. Tate for his support over the years, especially during times of turmoil when he helped be the glue that held the Board together. He also thanked Mr. Tate for being a good friend. He stated that he hates to see Mr. Tate leave, but he understands the situation. Mr. Brown then thanked Mr. Tate for his support and friendship to the Board as a whole.

Mr. Williams – Mr. Williams echoed Mr. Brown's comments adding that Mr. Tate always made his own decisions and didn't vote the way others wanted him to. Mr. Williams also stated that he was thankful for the times together. Mr. Williams stated that Mr. Tate would be missed.

Mr. Piepmeyer – Mr. Piepmeyer stated that he and Mr. Tate have not worked together long, but they do come from a common place that they both love. Mr. Piepmeyer wished Mr. Tate well for the future noting that this was a hard decision and he hope that it turns out just as Mr. Tate wishes it will.

Mr. McCoy – Mr. McCoy stated that even though he and Mr. Tate did not always agree, they were still friends at the end of the day and he also wished him well.

Sheriff Smith came to the podium to say a few words as well. He stated that he hopes that their friendship continues on and stated that he is sure Mr. Tate has done his mother proud.

Mr. Tate left the meeting at 4:43 p.m.

6. **Resolution Authorizing Approval of Surf City Pyrotechnic Display on July 3, 2015, in Accordance with North Carolina General Statute 14-413.**

Deputy Fire Marshall Tommy Batson explained: The only thing that has changed from last year to this year is the company that is putting on the show and the size of the show. The show will be conducted by an approved and licensed fireworks company, Zambelli, 20 South Mercer Street, New Castle, PA 16101. The display will meet all rules and regulations set by NC Code Fire Code, NFPA 1123, NFPA 1126, OSFM, and AFT. This pyrotechnic company has been successful at the NC Spot Festival, Topsail Beach 50th Anniversary show and the Bert Lea Shows. Zambelli meets all of the liability insurance requirements set by the State of North Carolina and the Fire Marshal Office recommends approval of their request. Mr. McCoy asked for clarification of the changes. Mr. Batson explained that the company is different and they will be shooting off roughly 3300 shells as opposed to the 2000 shells shot off in past shows. There being no further discussion, Mr. Brown made a motion to approve the Resolution, Mr. Piepmeyer seconded the motion and it was unanimously approved.

8. **Approval of Funding for Community Yoga Classes: $1,320.**

Ms. Edwards, Executive Director of El Puente explained: the Burgaw Town Commissioners provide the space at the Community House free of charge, three evenings per week. El Puente provides two Yoga classes and one Zumba class. We serve both city and county residents and employees, and have 80 registered participants. Of these, approximately 60 participate weekly. The Town provides compensation for one Yoga instructor, and El Puente NC provides compensation for the Zumba instructor.

El Puente is hoping that the County Commissioners will provide the funding needed to continue the additional Yoga class. This amounts to $1,320 for 11 months. The certified instructors receive $30 for 1hr 20 minutes of class each week and are paid monthly. Ms. Edwards stated that attendance has been down but it is expected to increase in the coming months. Discussion ensued regarding the budget process and going through the Parks & Recreation department. Mr. Piepmeyer suggested that Ms. Edwards work with the Parks and Rec department since most of her items fall into that category. Mr. Williams asked Ms. Edwards to request this in the budget. Mr. Piepmeyer stated that what she is asking from the Board is worth wile but she may get further going through the Parks and Rec Department if this is an immediate need or something not in the budget. The Board did not take a vote on this item.

9. **Approval of Purchase Order for Day Care Provider Payments: $50,000.00; and Approval of Purchase Order for Foster Care Vendor Payments: $80,000.00.**

Health and Human Services Director Carolyn Moser explained: Pender County has agreements with approximately sixty child day care providers. Counties receive an annual child care allocation based on a formula approved by the General Assembly. Board approved $1,438,000.00 in Day Care payments July 7, 2014. The Providers listed below have expended funds; or will expend funds prior to June 30, 2015. Pender County has agreements with approximately fifteen facilities to provide foster care services for children that are in DSS custody. The General Assembly sets the Standard Board Rates for foster care. Board approved $450,000.00 in Foster Care Payments July 7, 2014. Ms. Moser introduced Jackie Jordan-McLeod to explain that the money is budgeted to pay these items and she explained that the dollar amounts change depending on the needs. There being no further

discussion, Mr. McCoy made a motion to approve the item, Mr. Brown made a second motion and the item was unanimously approved.

10. **Approval of a Purchase Order to Xylem Water Solutions for the Rental of Temporary Sewer Pumps at the Pender Commerce Park WWTP – Phase I Project in the Estimated Amount of $49,200.**

Utilities Director Michael Mack explained: In order for the Pender Commerce Park Wastewater Treatment Plant to accept wastewater flow from RC Creations prior to completion of the Phase I construction contract to include the replacement of the defective HDPE wet well (currently underway), PCU was required to rent diesel powered sewer pumps to convey wastewater from the Pender Commerce Park Sewer Collection System to the nearly completed Equalization Basin (concrete containment tank). The monthly rental fee for the two pumps is approximately $8,200 and staff estimates it take six months of pump rental before the Phase I Contractor completes the wet well replacement and installs the permanent wet well pumps. All pump rental costs will be reimbursed to the County from Liquidated Damages assessed against the Phase I Contractor. Discussion ensued regarding the progress of replacing the wet well and the liquidated damages. There being no further discussion, Mr. McCoy made a motion to approve the item, Mr. Brown seconded the motion and it was unanimously approved.

11. **Approval of the Hiring of a Part Time Planner II for a Period Not to Exceed June 30, 2015.**

Planning Director Kyle Breuer explained: The Pender County Planning and Community Development Department is undergoing the development and installation of new permitting software. The process of working with the vendor has been ongoing since May, 2014. Since that time, there has been staff turnover, specifically the Senior Planner position, which was responsible for working with the vendor to develop and tailor the software based on Pender County processes. Due to the turnover presented, it is imperative that we keep the project on schedule and additional assistance is being requested to assure schedules and milestones are being met. The part-time position requested will be paid based on the Planner II pay and classification rating. Cost of the position will be directly related to the amount of time needed to keep the project on track. Due to the previous turnover in the Department, funds are available within the current salaries line item and additional funds outside of the current budgeted funds will not be necessary. There being no discussion, Mr. McCoy made a motion to approve the item, Mr. Piepmeyer seconded the motion and the item was unanimously approved.

13. **Resolution Opposing Draft Bill Titled "AN ACT TO CLARIFY CERTAIN PROVISION OF THE TRANSPORTATION CORRIDOR OFFICIAL MAP ACT."**

Planning Director Kyle Breuer explained: A draft bill has been developed by local Senate delegation that would potentially harm the transportation corridor that was appropriately put on record for the Hampstead Bypass (R-3300). The draft bill would give the authority to the Wilmington Metropolitan Planning Organization to remove the adopted R-3300 corridor. Discussion ensued as to the need for the Hampstead Bypass also identified as project R-3300 and the ramifications of the bypass not being developed with reference to the traffic for the ports. Mr. Brown made a motion to approve the Resolution, Mr. McCoy seconded the motion and the Resolution was unanimously approved.

APPOINTMENTS

14. **Approval of Appointments to the Pender County Animal Shelter Advisory Committee.**

Ms. Pedersen explained: Sylvia Hall has served on the Animal Shelter Advisory Committee for two years. Ms. Hall has been a Pender County resident all of her life and owns a boarding kennel is Wilmington. Ms. Hall is seeking reappointment to the Animal Shelter Advisory Committee. This appointment will be for two years. Also, Forrest Casha has also served on the Animal Shelter Advisory Committee for two years. Mr. Casha lives in Rocky Point and has served with other organizations such as Pender County's Exotic Animal Committee and the NC Wildlife Commission. Mr. Casha is seeking reappointment to the Animal Shelter Advisory Committee. This appointment will be for two years. Mr. McCoy stated how far the shelter has come with this committee in place and how proud he is of it. Mr. McCoy recommended reappointment for both Ms. Hall and Mr. Casha. There being no further discussion, Mr. McCoy made a motion to approve the appointments, Mr. Brown seconded the motion and the appointments were unanimously approved.

EXCUSE COMMISSIONER

Mr. Williams stated that he had somewhere he needed to be at 6 p.m. that was beyond his control. Mr. Brown made a motion to excuse Mr. Williams, Mr. Piepmeyer seconded the motion and Mr. Williams was excused at 5: 16 p.m.

ITEMS FROM THE COUNTY MANAGER

Mr. Woodruff reminded the Board about Thursday's Regional NCACC meeting in Jacksonville. He also mentioned County Assembly day in Raleigh on May 6, 2015. Mr. Woodruff noted that County Assembly Day is an important day to hold meetings in Raleigh regarding items such as the transportation projects.

ITEMS FROM THE COUNTY COMMISSIONERS

Mr. McCoy – Mr. McCoy mentioned the trip that he and Mr. Woodruff took to the complex on Carver Rd. He noted how impressive that complex is. Mr. Woodruff added in that it is the largest complex currently for sale in Southeastern North Carolina.

CLOSED SESSION

At 5:19 p.m., Mr. McCoy made a motion to enter back into closed session, pursuant to NCGS 143-318.11(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. Piepmeyer seconded the motion and it was unanimously approved. The Board exited the Closed Session at approximately 6:14 p.m. There were no announcements made upon exiting the Closed Session.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:14 p.m.

Respectfully Submitted,

Melissa Pedersen

Melissa Pedersen, Deputy Clerk to the Board

Reviewed By:

Randell Woodruff, Clerk to the Board/Ann Coombs, Administrative Assistant