

MONDAY, JUNE 8, 2015 – 4:00 p.m.

The Pender County Board of Commissioners met in regular session on Monday, June 8, 2015 at the Commissioner's Public Assembly Room, 805 S. Walker St., Burgaw, NC 28425.

MEMBERS PRESENT: Chairman David Williams, presiding; Vice Chairman George Brown; Commissioners Fred McCoy, David Piepmeyer, and Demetrice Keith.

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 4:01 p.m. and welcomed all to the meeting.

INVOCATION

Commissioner Piepmeyer offered the Invocation.

PLEDGE

Commissioner Keith led the Pledge of Allegiance.

Chairman Williams began the meeting announcing that the Budget will not be adopted tonight stating that not all decisions had been made. He further announced that there would be a Budget Work Session following the meeting and that it is open to the public to observe.

PUBLIC INFORMATION

1. Presentation of Historic Wilmington Foundation's "Preservation Award of Leadership" for Outstanding Achievement in Historic Preservation in Wilmington and the Lower Cape Fear Region for the Adaptive Reuse and Rehabilitation of the Old Topsail School for County Offices.

Utilities Director Michael Mack explained: The Historic Wilmington Foundation presented Pender County with a Preservation Award at their annual Preservation Awards Ceremony on Thursday, May 21, 2015. He also took a moment to briefly explain what it is that this foundation does and what they stand for. Mr. Mack told the Board that he was in attendance and accepted the Award on behalf of Pender County. He thanked the Board for allowing him to accept this award on their behalf and then presented it to Chairman Williams.

PUBLIC COMMENT

There were several people signed up for Public Comment. Before calling anyone to speak, Chairman Williams stated that Public Comment would be limited to two minutes per speaker because of the number of speakers signed up.

1. Jerry Groves of 250 Horseshoe Loop Road, Burgaw – Mr. Groves spoke in opposition of the proposed tax increase. He asked that commissioner use the money wisely.
2. Angela Perry of 58 Jenn Rd, Burgaw – Ms. Perry stated that she was a 29 ½ year veteran of Pender County Schools who recently retired. She commented on the discussion about the School Bonds and stated her concern about delaying schools on the west side of Pender County.
3. Karen Allen of 225 Creekside East Dr – Asked for special consideration for the proposed increased tax rate, agreeing with Mr. Groves.

4. Lynn Nestor of 225 Creekside East Dr yielded her spot to Harry Teachey who Spoke regarding the 2005 School Bond and how the west got “short changed” last time. He stated that he felt that the east keeps getting more than the west.
 - a. Mr. Williams explained that the reasoning for the comments that were made is to prevent the west part of Pender County from not getting their share of the School Bonds.
5. Dallas Nestor of 225 Creekside East Dr – Agreed with Mr. Teachey’s comments.
6. Tommy Allen of 225 Creekside East Dr – Stated he loves Pender County, but he stated that he felt the tax increase was excessive.
 - a. Mr. Williams mentioned the revaluation back in 2010 which remained revenue neutral, but added that some people may have seen a tax increase, no change, or decrease depending on the value of their property. Mr. Williams also stated that the Ad Valorem tax rate has not been increased in Pender County in almost a decade.
7. Sandra Brown of 109 Bellowing Doe Rd – Ms. Brown spoke stating that she feels the proposed tax increase is excessive and asked Commissioners to cut some more. She stated that she felt that a \$0.10 increase was more reasonable.
8. Preston Brown of 109 Bellowing Doe Rd – Mr. Brown stated that his wife is Ms. Sandra Brown and that he agreed with her comments.
9. Sheriff Carson Smith – Sheriff Smith asked the Board to undo the changes to the Employee Insurance that was made at the previous meeting. Sheriff Smith stated that Pender County’s benefits help to recruit new employees. He also asked for the Board to reconsider this as well as the Phase 3 Salary Study.
10. Aimee Mitchell of 1159 Herrings Chapel Rd, Burgaw – Ms. Mitchell stated that she is a Reference Associate for the Library. She stated that she is speaking on behalf of the employees and told the Board that they make it hard for employees to feel appreciated.
 - a. Mr. Williams stated that when the economy got bad and other counties were making reductions in force, furloughing employees, and cutting employee benefits, that Pender County never laid anyone off and there have still been small raises.
11. Patrick Giddeons of Willard, NC – Stated that he adamantly opposed any delay in the Bond stating that this Bond is intended to move all of the schools forward simultaneously. He also stated that most children on the western side of Pender County already have a disadvantage in the fact that most live in poverty and that by delaying the Bonds, he felt also delays progress and believes that will set these children back even more.
12. Teresa Giddeons of Willard, NC – Mrs. Giddeons read the article from the Thursday Star News and explained that when people voted for the School Bond they believed that the cost of the Bonds would be \$0.084. She stated that waiting would make things even worse. She stated that she felt the Board of Commissioners were trying to “micromanage” the Bond Money.
13. Rob Howland of 130 High Tide Dr, Wilmington – Mr. Howland mentioned the word “simultaneously,” stating that the tax payers do not want to see any schools fall between the cracks. He stated that his questions to the Commissioners is how do they have a plan in place to make sure everything happens simultaneously. He thanked the Commissioners for their time.
14. Candice Williams of 12150 Ashton Rd, Burgaw – Ms. Williams stated that she feels the tax increase is absurd. She stated that she felt part of this increase was made by poor decisions of the county. She stated that the Commissioners should take a decrease in pay to make up the difference.

Mr. Williams asked if any commissioners had anything to say before moving onto the consent agenda:

- Mr. Brown – Mr. Brown spoke regarding the comments made about the School Bonds in relation to Penderlea School. He backed Mr. Piepmeyer’s comments and explained that any conversation that took place was meant to protect the taxpayer. Mr. Brown also mentioned that with the School Bond does come a tax increase and stated that the Board of Commissioners is working very hard at reducing the tax rate as much as possible while providing funding for the school projects.
- Mr. Piepmeyer – Mr. Piepmeyer thanked Mr. Brown for his comments. He stated that he is a graduate of Penderlea School and that he still owns land in the area and feels very strongly for that part of Pender County. He then continued by clarifying his statements from the Budget Workshop. He stated that he suggested a phased approach for the school bonds to protect Penderlea School and put pressure on the school board to provide a plan for Penderlea School. He mentioned that this is a hard tax year and he along with the Board are doing the best they can to protect the citizens.
- Ms. Keith – Ms. Keith reiterated her previous comments stating that Mr. Piepmeyer did state at the Work session that he did support a phased approach which would sell bonds first for the Surf City Schools and then wait two to three years and sell the remaining bonds for Penderlea because there was not an architectural plan for Penderlea School.
- Mr. McCoy – Mr. McCoy stated that you cannot have it both ways. He stated that he was against the Bond from the beginning. He stated that he has seen so many people who want the schools but are complaining about the tax increase.

CONSENT AGENDA

Chairman Williams presented the eleven items on the Consent Agenda and asked for any discussion or questions. Mr. Piepmeyer stated that he had questions about item 10. He asked if the vendor was located in Pender County. Ms. Simmons stated that Revels was located in Johnston County. Discussion then ensued as to local vendors, requesting bids, bid process, types of mowers looked at, the need for the new mower, and service for repairs. There being no further discussion, Mr. Brown made a motion to approve the Consent Agenda, Mr. McCoy seconded the motion and the Consent Agenda was unanimously approved as follows:

2. Approval of Minutes: Budget Work Sessions: May 14, May 18, May 21 and Regular Session May 26.
3. Approval of a Budget Amendment for Various County Departments.
4. Approval of a Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2014-2015: \$3,700.
5. Approval of a Purchase Order for Health Department Medical Professional Liability Renewal to be paid in Fiscal Year 2014-2015: \$10,878.15.
6. Approval of a FY 14-15 Budget Amendment to Accept 2015 Tier II grant in the Amount of \$1104.04.
7. Approval of a Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2014-2015: Environmental Health: Well Contractors Certification: \$8,942.
8. Approval of a Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2014-2015: WIC: \$2,861.
9. Approval of a Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2014-2015: Environmental Health: Well Contractors Certification: \$2,500.
10. Approval of a Purchase Order to Revels Turf & Tractor to Purchase One John Deere 2653B Precision Cut Trim Mower in the amount of: \$29,281.89.

11. Approval of a Purchase Order to Davis Fence Company for fence replacement at Pender Memorial Park: \$22,860.
12. Approval of Tax Releases and Refunds.

APPROVALS AND RESOLUTIONS

13. Approval and Adoption of the FY 15/16 Budget Ordinance for the Fiscal Year Beginning July 1, 2015.

Mr. Williams stated that the Board would not be voting on the FY 15/16 Budget Ordinance. Mr. Woodruff stated that the Board is not ready to move forward in adopting the budget, but that the Board did need to approve the special Fire and EMS tax rates for FY 2015/16. Mr. McCoy made a motion to add the adoption of the special Fire and EMS tax rates for FY 2015/16 to the agenda. Mr. Brown seconded the motion and it unanimously carried.

ADDENDUM

Mr. Woodruff read off the proposed special Fire and EMS tax rates for FY 2015/16 as follows:

TAX AUTHORITY	CURRENT TAX RATE	REQUESTED INCREASE	FY 2016 REQUESTED TAX RATE
PENDER EMS TAX	\$0.0725	\$0.01	\$0.0825
PENDER CENTRAL FIRE	\$0.0900		\$0.0900
SLOOP POINT FIRE	\$0.0850	\$0.01	\$0.0950
MAPLE HILL FIRE	\$0.0700		\$0.0700
ROCKY POINT FIRE	\$0.0750	\$0.015	\$0.0900
LONG CREEK FIRE	\$0.1000	\$0.01	\$0.1100
SHILOH FIRE	\$0.1000		\$0.1000
PENDERLEA FIRE	\$0.0700		\$0.0700
PENDERLEA/DUPLIN FIRE	\$0.0470		\$0.0470
ATKINSON FIRE	\$0.0700		\$0.0700
HAMPSTEAD FIRE	\$0.0850	\$0.01	\$0.0950
SCOTTS HILL FIRE	\$0.0850	\$0.01	\$0.0950
N.E. PENDER FIRE	\$0.0700		\$0.0700

Mr. Brown asked the Board to consider a \$0.0125 increase for Rocky Point in lieu of \$0.015. Mr. Brown discussed the benefits of the tax increase with regard to ISO ratings and the benefits people will see in Rocky Point with the new station and future plans. Brief discussion took place about fire rates and ISO ratings. There being no further discussion, Mr. Brown made a motion to approve the proposed Fire and EMS tax rates with a change in the increase for Rocky Point from \$0.015 to \$0.0125. Mr. McCoy seconded the motion and it was approved 4-0 with Ms. Keith abstaining from the vote.

Ms. Keith asked what the increase would cost the tax payer. Ms. Blinson explained that the \$0.01 increase would equal roughly \$10.00 per year for a \$100,000.00 home.

The approved Fire and EMS tax rates for FY 2015-16 are as follows:

TAX AUTHORITY	CURRENT TAX RATE	FY 2016 APPROVED TAX INCR	FY 2016 APPROVED TAX RATE
PENDER EMS TAX	\$0.0725	\$0.01	\$0.0825
PENDER CENTRAL FIRE	\$0.0900		\$0.0900
SLOOP POINT FIRE	\$0.0850	\$0.01	\$0.0950
MAPLE HILL FIRE	\$0.0700		\$0.0700
ROCKY POINT FIRE	\$0.0750	\$0.0125	\$0.0875
LONG CREEK FIRE	\$0.1000	\$0.01	\$0.1100
SHILOH FIRE	\$0.1000		\$0.1000
PENDERLEA FIRE	\$0.0700		\$0.0700
PENDERLEA/DUPLIN FIRE	\$0.0470		\$0.0470
ATKINSON FIRE	\$0.0700		\$0.0700
HAMPSTEAD FIRE	\$0.0850	\$0.01	\$0.0950
SCOTTS HILL FIRE	\$0.0850	\$0.01	\$0.0950
N.E. PENDER FIRE	\$0.0700		\$0.0700

14. Approval of a Contracted Services Agreement with CDM-Smith, Inc. for a Certified “A Surface” Water Treatment Plant Operator to Assist Staff in Operating the Water Treatment Plant Until a New Full-Time Water Treatment Plant Operator Can Be Hired and Trained.

Utilities Director Michael Mack explained: The Surface Water Treatment Plant requires two (2) full-time Operators to operate the plant a minimum of 10 hours per day and 7 days per week to meet the current water demand. One of the two Operators was terminated in February for unsatisfactory job performance. During the application, interview, and hiring process in April for the replacement Operator, the second Operator turned in his resignation and two-week notice in order to take a job in South Carolina closer to his family. His last day with PCU was May 11, 2015. The Plant Chemist and Superintendent have been operating the plant since then with the belief that a new Operator would be hired and available to start work within 30 days. However, due to the lack of qualified and State Certified Water Treatment Plant Operators currently available for employment, a Contracted Water Treatment Plant Operator will be required to assist staff in the daily operation of the plant until such a time as a certified WTP Operator can be hired and trained. The Contracted Services Agreement is for a “Not-To-Exceed” amount of \$80,000. This is based on an estimated worst case scenario of needing the contracted operator 40 hours per week for 12.5 weeks at a rate of \$160 per hour plus a not to exceed allowance of \$6,500 for reimbursable expenses (travel, meals, lodging, etc.). PCU will only be billed for the actual hours the contract operator works and can discontinue their services immediately as soon as a staff operator can be hired and trained. Staff plans to only have the contracted operator work 24-30 hours per week. Mr. Williams asked for an update at the next meeting. Discussion ensued regarding costs, long term solutions, and plans to hire someone permanently. There being no further discussion, Mr. Brown made a motion to approve the item. Mr. McCoy seconded the motion and it was unanimously approved.

15. Approval of a Purchase Order to CDW-G for scanners: \$26,901.00.

Social Services Director Dr. Reta Shiver explained: All counties in North Carolina have had to take specific actions in order to meet the requirements of NC FAST. Pender County is requesting scanners for desk top use for caseworkers. Pender IT staff received quotes from vendors for 36 Panasonic scanners. Pender County has requested a 75% Medicaid reimbursement for the purchase of the scanners. Dr. Shiver noted that if these scanners had been purchased at the beginning of the fiscal year, Medicaid would have only reimbursed the County 50% of the cost. Dr. Shiver stated that these scanners will help be more efficient when working with the NC Fast system. Mr. Brown asked what the scanner does. Dr. Shiver stated that these scanners allow case workers to scan documents at their desks for clients without having to walk away from their desks to do so. Documents that are scanned include birth certificates for everyone in the household, driver's licenses, and any other documentation that is required. Dr. Shiver also stated that these scanners will also help Social Services in becoming a paperless agency. Mr. Piepmeyer asked how many scanners DSS already has. Dr. Shiver explained that the department has four large scanners that are shared between over 100 employees. Dr. Shiver stated that only the income maintenance workers will need the scanners at their desk to improve efficiency. There being no further discussion, Mr. Brown made a motion to approve the item. Ms. Keith seconded the motion and it was unanimously approved.

16. Resolution Approving Amendment to the Pender County Park Ordinance

Parks and Recreation Director Dee Turner explained: Since the Park Ordinance was adopted March 9, 2009 electronic cigarette use has become much more prevalent. Staff has added verbiage to Section 11-63 Smoking to include electronic cigarettes. A copy of the ordinance incorporating the amendment is attached. The new language is highlighted in red which includes Electronic Cigarettes and that smoking is only allowed in the Parking Lots. Discussion briefly ensued regarding smoking areas in the parks. There being no further discussion, Mr. Piepmeyer made a motion to approve the item. Mr. Brown seconded the motion and it was unanimously approved.

17. Approval and Adoption of a Capital Project Budget Ordinance for the Solid Waste Transfer Station Wastewater Handling System Modifications.

Utilities Director Michael Mack explained: During the Solid Waste Transfer Station Operation Permit renewal process with NCDENR in 2013, Pender Solid Waste was notified by the North Carolina Department of Health and Human Services Division of Public Health in response to a request by the Pender County Environmental Health Department in a letter dated April 17, 2013, that the Wastewater Handling System that serves the Solid Waste Transfer Station was in need of repairs/upgrades in order to bring the system back to a satisfactory level of treatment and disposal. McKim & Creed was hired for the necessary design and permitting required to repair/upgrade the existing wastewater system in accordance with NCDENR standards. Upon receipt of the evaluation and estimated cost for the upgrades from McKim & Creed in February 2014, staff received permission from the Board on March 17, 2014 to apply for a grant/loan from the Clean Water State Revolving Fund for the full amount of the project to include all engineering design, permitting, construction, and inspections in the amount of \$479,706. Pender County Solid Waste was notified by NCDENR's Division of Water Infrastructure on June 9, 2014, that the CWSRF had approved the project to be eligible to receive a low-interest loan, but not a grant. The total amount of the 40-year loan at 2.21% interest is \$479,706 and should cover 100% of the estimated project costs. The final amount of the loan will be based on the amount of the lowest responsive, responsible bid minus a loan fee of 2%. The CWSRF loan will require approval through the Local Government Commission who is already aware of the project and staff will be completing the funding

process with them within the next 60 days. Brief discussion ensued regarding budgeting of the project. There being no further discussion, Mr. McCoy made a motion to approve the item. Mr. Brown seconded the motion and it was unanimously approved.

18. Approval of Agreement with McClees Consulting.

Mr. Williams introduced the item and briefly explained the benefits of this type of service. Mr. Williams's asked for questions of comments on the agreement. Mr. Piepmeyer thanked Mr. Woodruff for getting an updated contract that runs through the fiscal year. Ms. Keith asked about hiring someone to be on staff for this position. Mr. Williams stated that it would cost the County significantly more to hire someone as opposed to contracting this position out. Mr. Williams also reiterated that this contract is only for one year and the Board could either renew or cancel next year. There being no further discussion, Mr. Piepmeyer made a motion to enter into the contract with McClees Consulting as written. Mr. McCoy seconded the motion and it was unanimously approved.

APPOINTMENTS

19. Approval of Appointment of Commissioner as Voting Delegate for the 2015 NACo Annual Conference.

Mr. Brown made a motion to appoint Mr. Williams voting delegate for the 2015 NACo Annual Conference since he will be in attendance. Mr. McCoy seconded the motion and it was unanimously approved. Mr. Woodruff stated that he and Ms. Keith would also be attending.

20. Approval of Appointment to the Juvenile Crime Prevention Board.

Ms. Pedersen explained: Janice Nichols is applying to serve on the Juvenile Crime Prevention Council for the first time. Ms. Nichols is applying to fill the position of Faith Community Member. This appointment will be for two years. There being no discussion, Ms. Keith made a motion to approve the appointment. Mr. Brown seconded the motion and it was unanimously approved.

21. Approval of Appointment of an ETJ Representative to the Planning and Zoning Board for the Town of Burgaw.

Ms. Pedersen explained: The Town of Burgaw's Planning and Zoning Board currently has a vacancy designated for a representative of the Town's ETJ. According to NC General Statute 160A-362, ETJ representatives on a municipality's planning board have to be appointed by the board of county commissioners with jurisdiction over the area. The Town advertised for applicants and received an application from Mr. William Smith. The Town's Board of Commissioners approved a resolution on May 12, 2015 making a recommendation that the Pender County Board of Commissioners appoint Mr. Smith to the Town of Burgaw's Planning and Zoning Board. A letter of explanation, the resolution and Mr. Smith are attached. Ms. Keith asked for clarity on the ETJ. There being no discussion, Mr. McCoy made a motion to approve the appointment. Ms. Keith seconded the motion and it was unanimously approved.

ITEMS FROM THE COUNTY MANAGER

Mr. Woodruff mentioned that the first meeting in July falls during the NACo conference and recommended cancelling the meeting. Discussion ensued regarding schedules and dates. The Board decided to move the July 13 meeting to Tuesday, July 7. Mr. Williams asked that reminders get sent out to staff and press. Mr. Piepmeyer asked that reminders also be sent to all Board members.

ITEMS FROM THE COUNTY COMMISSIONERS

Mr. McCoy spoke about the Triathlon/Sports Complex coming to Rocky Point, stating that the growth will be great for the County and will help with the tax base.

ADJOURNMENT

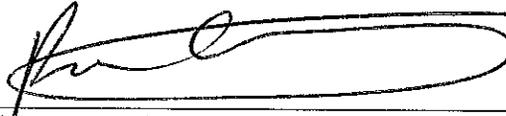
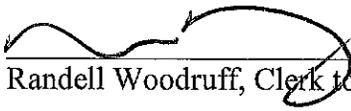
There being no further business, the meeting adjourned at 5:39 p.m.

Respectfully Submitted,



Melissa Pedersen, Deputy Clerk to the Board

Reviewed By:



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