TUESDAY, FEBRUARY 16, 2016 – 4:00 p.m.

The Pender County Board of Commissioners met in regular session on Tuesday, January 19, 2016 at the Hampstead Annex Auditorium at 15060 US Hwy 17 N, Hampstead, NC 28443.

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

OTHERS PRESENT: Randell Woodruff, County Manager; Trey Thurman, County Attorney; Melissa Pedersen, Clerk to the Board; Kathy Brafford, Finance Director; other staff and members of the Press and public.

CALL TO ORDER
Chairman Brown called the meeting to order at 4:02 p.m. and thanked and welcomed all to the meeting.

INVOCATION
Commissioner Williams offered the Invocation.

PLEDGE
Commissioner Piepmeyer led the Pledge of Allegiance.

Mr. Brown recognized all of the veterans and thanked them for their service.

ADDENDUM
Mr. Brown introduced an item to recognize Ms. Annie Ruth Alderman who resides in the Skilled Nursing Facility at Pender Memorial Hospital. She will celebrate her 100th Birthday on February 22, 2016. Mr. Williams made a motion to add the item to the agenda. Mr. McCoy seconded the motion and it was unanimously approved to add the item to the agenda. Mr. Williams then made a motion to approve a resolution to recognize Ms. Alderman. Ms. Keith seconded the motion and it was unanimously approved.

ADOPTION OF AGENDA
Mr. McCoy made a motion to adopt the agenda as written. Mr. Piepmeyer seconded the motion and it was unanimously approved.

PUBLIC INFORMATION

1. **Overall Update of New Hanover Regional Medical Center as well as ED North and Pender Memorial Hospital.**

Mr. Barto began by giving an update on operations at New Hanover Regional Medical Center. He stated that they rank in the 90th percentile in the state and the third top hospital in the state. Mr. Barto then spoke about growth and the investments that have been made to improve the hospital including the Betty Cameron Women's Hospital, Emergency Department, and Cancer Center Improvements. Mr. Barto then talked about Pender Memorial Hospital while recognizing Ms. Ruth Glaser who is the president of the hospital. Mr. Barto spoke about the partnership and software updates to improve the care to patients who use both PMH and NHRMC. Mr. Barto also noted that outpatient surgery is available certain days of the week at PMH. Mr. Barto then discussed ED North and the benefits of it's location including faster EMS times and convenience for patients. Mr. Barto noted that they expected

to serve about 35-40 patients per day when they opened, but they are averaging 62 patients with a record of 83 patients in one day. Hampstead is the number one zip code using ED North. Mr. Barto stated that ED North has not altered the numbers at PMH noting growth in the area. Mr. Barto ended by discussing the Affordable Healthcare Act and how that has effected healthcare in our area with regard to transparency, payments, and how they do overall business. Mr. McCoy stated that he just completed his physical therapy at Rocky Point and stated that he was impressed with the facility. Mr. Barto thanked the Board for their support.

2. Update on Surf City Middle and Elementary School Bond Project.

Mr. Ken Fuller introduced Mr. Boney with LSP3. Mr. Boney explained the Traffic Impact Study with maps to show the flow of traffic for the Surf City School stating that the majority of students arriving to school will come in from Shepard's Road. Mr. Boney also discussed the costs of the site accesses as well as contingency. The Board did not have questions on this presentation; however, Mr. Piepmeyer asked about an update on the design of the Surf City Schools. He also asked that the Schools send over the presentations prior to the meetings. Mr. Boney proceeded with a presentation on the design of the Surf City School. Mr. Piepmeyer asked when this presentation was given to the Board of Education. Mr. Boney stated that it was presented two months ago. Mr. Piepmeyer asked about the capacity of this school. Mr. Boney stated that it has a core capacity of 1500 students but that it is currently being built for 1100-1200 students. Some further discussion on this topic ensued. Mr. Piepmeyer then asked what the expected enrollment for Day 1. Dr. Cobb stated that the school will likely be at capacity when it opens. Discussion then ensued as to the cost to add on to the current design. Mr. Piepmeyer also asked about capacity at Penderlea to see if additional space could be added to the plans for that school. Mr. Piepmeyer stated that we need to build a school suitable for the next ten years. Mr. Brown also asked about building a larger school. Dr. Cobb stated that they are going to look at the cost of expanding the plans for the school projects and see what can be worked in. Dr. Cobb added that she will be glad to come back to the Board with that information.

3. Update and Discussion of Court House Security Progress.

Mr. Kilroy began by passing out the District Court Calendar for this month. He introduced Senior Resident Superior Court Judge W. Allen Cobb, Chief District Court Judge J. H. Corpening and District Attorney Ben David. Mr. Kilroy stated that 1,158 people is the record number for the first Wednesday traffic court and reviewed the calendar and how typical days go at the courthouse, including the annex. Mr. Kilroy noted that the courthouse was designed for access. Mr. Kilroy ended by telling the Board that the Pender County Courthouse is the only one in the state that is not secured. Mr. Kilroy also added that more bailiffs are needed to assist with security. Sheriff Smith followed up Mr. Kilroy's comments stating that money and staff are needed and that what we have is not sufficient enough to keep up with growth. Sheriff Smith reviewed his proposal of what is needed with the Board including seven new personnel to include four screeners at the main courthouse and three at the annex who can be cross trained as traffic officers. The proposal also included four vehicles, metal detectors and wands, ingress alarms, and a canopy for people to stand under while in line to get through screening. Mr. Williams stated that he knew that this was coming when entering the budget. Mr. Brown added that the more he listens, the more he realizes how lucky we are that something has not happened. Mr. Piepmeyer stated that he would like this proposal in writing. Chief District Court Judge J. H. Corpening spoke on behalf of today's request. He first commented on the Eagle Scout Project here at the Annex that is almost complete. Judge Corpening stated that security is near and dear to his heart while describing a situation he has faced in the past. He then thanked the Board for the opportunity to speak today. District Attorney Ben David then spoke on this issue. He spoke on the challenges that would be faced if these changes are not made. He then elaborated on those challenges.

Senior Resident Superior Court Judge W. Allen Cobb then came forward and spoke on behalf of the request stating that he trusts that the Board will do the right thing. Ms. Keith commented that this project and these upgrades are much needed and thanked the court staff for all of their hard work.

4. Update on All Public Utility, Solid Waste, and Public Works Capital Improvement Projects.

Utilities Director Michael Mack explained: Mr. Mack highlighted the WWTP project and stated that Tony Boan from McKim and Creed is available for any questions. Mr. Mack then updated the status of the project and the costs by saying that the budget for this project is in good shape. Mr. Piepmeyer stated that there is a great level of detail in this presentation and thanked Mr. Mack for that. Mr. Piepmeyer added that this is exactly the detail he is looking for in a report. Discussion then ensued regarding capacity of the WWTP, participation by New Hanover County for capacity use, and the possibility of residential sewer on that side of the county. Mr. Mack then gave an update on the new water distribution systems of Moores Creek and Central Pender. Next, Mr. Mack updated the Board that all of the fuel depot sites have been finished. Mr. Piepmeyer asked about the gallons used and the payback to the county. Mr. Mack stated that about 5,000 gallons are used per month and most data he can get in real time. The relocation of the Hampstead Convenience Site and Transfer Station was discussed next. Mr. Piepmeyer asked how far behind this project is. Mr. Mack stated that it is no more than 60 days behind schedule. Mr. McCoy asked about electronics recycling. Discussion ensued regarding cost and options for disposal of electronics. Mr. Mack proceeded with an update on the Transfer Station WWTP upgrades. He stated that they are scheduled to be on the March 1 agenda for the LGC and then they will be coming to the Board during the April 4 meeting for bid approval. Lastly, Mr. Mack updated the Board on the HVAC replacement for the County complex. The Board thanked Mr. Mack and looks forward to crossing a few of these projects off the list.

PUBLIC COMMENT

Hunter Houck of 393 Lafayette Street, Wilmington, spoke regarding severe flooding around his property. He introduced his fiancé, Monica, and stated that they were new to Pender County. He and his fiancé showed photos of flooding from the October storm. He explained the flooding, who he has reached out to regarding the issue, and other lots that are permitted for building that flood just as bad. Mr. Williams asked if anyone had ever told him about these issues because it is known that this area floods. Mr. Houck stated that he was never made aware of these issues. Discussion ensued further on this issue. Mr. Houck asked if this area can be surveyed. Mr. Williams stated that because this is a county and not a city, there is only so much that can be done by the Board. He also stated for the record that there is no such thing as a county road in North Carolina. Discussion regarding the options to help prevent these issues now and in the future were also discussed. Mr. Houck thanked the board for their time and response.

CONSENT AGENDA

Chairman Brown presented the items on the Consent Agenda and asked for any discussion or questions. Mr. Piepmeyer made a motion to approve the consent agenda as presented. Mr. Williams seconded the motion and the consent agenda was unanimously approved as follows:

5. Approval of Minutes: Regular Meeting: February 1.
6. Resolution Accepting Petition to Marvin Drive in the Augusta Shepard Lands Subdivision, Burgaw, to the State Maintained System, and Authorizing the Clerk to Submit the Petition to N.C. Department of Transportation.
7. Approval of a Purchase Order to NeoGov Annual Support and Maintenance in the Amount of $5,200.00 for the Human Resources Department.

8. Approval of a Purchase Order to Dexis for a Digital X-Ray Sensor for the Mobile Dental Clinic in the amount of $6,095.
9. Approval of a Purchase Order to Landmark Audio & Video for Conference Room Equipment and Setup in the amount of $14,317.98.

APPROVALS AND RESOLUTIONS

10. Approval of a of Purchase Order to Creekridge Capital in the Amount of $48,623.68 for the Annual Lease Payments for the Public Safety Virtual Network.

Sheriff Carson Smith explained: In FY's 12/13 and 13/14 the Pender County Public Safety Network was streamlined from 21 shared servers that were aging to a virtualized cluster of servers. This allowed us to replace aging hardware, have a back-up solution off site, and have faster recovery times in the event of a failure. The project was funded through two, five-year leases with payments of $40,106 (lease 001) and $8,517.68 (lease 002) per year and is funded 5/9ths from the Sheriff's Office budget and 4/9ths from the Emergency Telephone Fund. This is the fourth payment for lease 001 and the third payment for lease 002. This expenditure has been budgeted in the FY15-16 Budget Ordinance. Lease 001 falls under Account #: 510-404500 for $22,281.11 and Account #: 252-404500 for $17,824.89, totaling $40,106.00. Lease 002 falls under Account #: 510-404500 for $4,732.04 and Account #: 252-404500 for $3,785.64, totaling $8,517.68. Both leases under this purchase order request total $48,623.68. There being no discussion, Mr. Williams made a motion to approve the item. Mr. McCoy seconded the motion and it was unanimously approved.

11. Approval for Pender County Enter into a Contract with CopyPro for 60 Months to Provide a Cost per Copy Management Program that will Manage, Maintain, and Support all Departmental Copier and Printer Needs Based on a Set Rate per Click.

ITS Director Erik Harvey explained: On February 21, 2011 Pender County entered into a 60 month contract with COECO Office Systems to provide the County with a Cost per Copy Program with a multi-function copier and printer solution based on a fixed rate per copy countywide. This contract expires on February 21, 2016. The Pender County Information Technology Services (ITS) Department went through the Request for Proposal (RFP) process and formed an Evaluation Committee consisting of representatives from all County Departments to increase efficiency within said county departments, manage the ongoing copy/print costs, review received bids, and select a vendor. Pender County provided bid specifications for a Cost per Copy Program (CPCP) proposal to service all copier and printer needs countywide. The bid required the vendor to provide an on-site inspection to visit each copier and printer located in each department and to talk with staff that uses the equipment to determine their departmental needs. The County's goal has been to use one vendor to provide an "all in exclusive" Cost per Copy Program that charges the County per click/impression. This is a cost savings alternative to more expensive lease and maintenance contract agreements for individual department copiers and printers. On January 8, 2016, the County received bids from CopyPro, Systel, The Toner Exchange, and Coeco. The Evaluation Committee opened the following bids and based on the lowest proposed cost per click for both black & white and color clicks/impressions the committee's unanimous decision and recommendation was CopyPro. The costs for these contracts are:

VendorB&W	Clicks	Color Clicks
CopyPro	0.0237	0.0419
Systel	0.0240	0.0420
The Toner Exchange	0.02489	0.03995
COECO	0.0265	0.0598

Mr. Harvey noted that Pender County is currently paying .0265 for black & white and .0598 for color.

The Evaluation Committee not only selected CopyPro based on the lowest proposed cost per click for both black & white and color clicks, but on customer service, response time, technician proximity, training, implementation plan, service plan, ability to follow instructions and address security needs, faxing options, document management system, and the best overall proposal. Each department will be responsible to pay for their click volume under their contracted services. It is estimated that Pender County will save $91,802.54 based on CopyPro's rates and the last five years of click counts for both B&W and color. Mr. Brown stated that he had received a phone call from someone who either placed a bid or was going to place a bid and he had some questions on the item. Mr. Brown stated that he had questions regarding some of the things we are asking for in the bid. Mr. Brown also stated that Departments need to be submitting things with enough time that the Board is not pressured to make a decision and he added that he will stop voting on things that come last minute. Mr. Williams said that items like this should always have a backup meeting. Costs versus savings were also discussed. Mr. Piepmeyer stated that he had some of the same questions that Mr. Brown had. He commended Mr. Harvey on the narrative and work put forth on this; however, this should not be coming to the Board at the last minute. There being no further discussion, Mr. Williams made a motion to approve the item. Mr. McCoy seconded the motion and it was approved 3-2 with Mr. Brown and Mr. Piepmeyer voting in opposition.

12. Resolution Authorizing Appropriation of Two Million Eight Hundred Thousand Dollars $2,800,000.00) for School Bond Construction Projects.

Mr. Woodruff explained: The source of the money to be appropriated would be the County fund balance. Meetings were held with BOE to discuss the timing of issuance of the bonds. The School Staff has requested the appropriation of Two Million Eight Hundred Thousand Dollars ($2,800,000.00) to bring the projects along through June 2016 at which time the first Bond Sale should be completed. County Staff has consulted with the Local Government Commission and received approval to appropriate the requested amounts from the County fund balance. The funds we advance would be repaid to the fund balance out of the first round of bond sales to take place in June. Mr. McCoy asked what the current fund balance is. Ms. Brafford stated that she will check and get back to the Board. Mr. Woodruff explained the bonds and the refund/reimbursement process after the bonds are sold. There being no further discussion, Mr. Williams made a motion to approve the resolution. Ms. Keith seconded the motion and it was unanimously approved.

13. Resolution Supporting the North Carolina Department of Transportation's Efforts to Enhance Safety at the Intersection of US HWY 421 and NC HWY 210.

Planning and Community Development Director Kyle Breuer explained: Pender County continues to seek ways to improve our transportation network whether solely within our boundaries or regionally. Based on data and statistics (crash analysis) of the US Highway 421 and NC Highway 210 intersection, it was determined that intersection improvements needed to take place. During the last prioritization process (SPOT 3.0) put forth by the NCDOT, Pender County submitted the subject intersection as a candidate for funding and improvements. Unfortunately, the intersection improvement was not prioritized high enough and the project was not scheduled in the 2016 State Transportation Improvement Program for funding. NCDOT has approached Pender County requesting support to obtain grant funds to apply a traditional superstreet design at this location. The intersection, based on crash analysis, is listed on the 2015 North Carolina Highway Safety Program as the #64 intersection within the state of crash rates and severity. Funding in the amount of $1.4 million will be utilized to make the improvements. A superstreet is a type of intersection in which side-street traffic is redirected from going straight through or left at a divided highway intersection. All side-street traffic must turn right, but can then access a U-turn to proceed in the desired direction.

The Superstreet concept provides an effective alternative along heavily traveled regional arterials in areas with anticipated commercial and residential growth. The design concept is contingent upon a series of features that reduce potential conflict points while maintaining traffic flow resulting in: Increased safety by reducing conflict points at major crossovers; Time savings from simplified signal phasing; Enhanced signal coordination; and dedicated U-turn lanes for efficiency. Transportation representatives from the North Carolina Department of Transportation and Rural Planning Organization will be in attendance to answer any questions. A "Superstreet" brochure and location map has been provided in your packet for additional information. Mr. Piepmeyer asked if a meeting has been held for public input. Mr. Breuer noted that an informational meeting would take place after the resolution is passed by the Board. Matt Carl with NC DOT who was present to speak on this item, reiterated Mr. Breuer's comments. Mr. Brown asked what would happen if the public opposed the project to which Mr. Carl said hasn't happened with any other project he has been involved with as safety is the priority. Discussion ensued regarding a public hearing and who would hold that public hearing. After much discussion, Mr. Piepmeyer made a motion that this item be tabled until a public meeting can be held on this project and then the item can be brought back for consideration. Ms. Keith seconded the motion and the item was tabled by a 4-1 vote with Mr. Williams voting in opposition.

RECESS

The Board of Commissioners took a ten minute recess at 7:01 p.m. and reconvened at 7:11 p.m.

PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP AMENDMENTS/ RESOLUTIONS

15. Resolution Requesting Approval of a Zoning Text Amendment to Add Pet Care Services Requirements.

Chairman Brown opened the Public Hearing at 7:11 p.m.

Planning and Community Development Director Kyle Breuer explained: Tracy Lange, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance to further clarify requirements for Pet Care Services (NAICS 812910) by delineating Pet Grooming Establishments. The proposal includes adding use standards specific to Pet Grooming Establishments in Section 5.3.11 and including a definition within Appendix A Definitions. Mr. Breuer reviewed the changes. Mr. Williams clarified that this change would affect the entire county. There being no questions for the applicant, Mr. Brown closed the Public Hearing at 7:15 p.m. Mr. McCoy made a motion to approve the amendment. Mr. Williams seconded the motion and it was unanimously approved.

16. Public Hearing on the Draft Pender County Collector Street Plan.

Chairman Brown opened the Public Hearing at 7:15 p.m.

Planning and Community Development Director Kyle Breuer began by recognizing Senior Planner Megan O'Hare, Josh Lopez of the WMPO, and Mike Rutkowski, the consultant for this project for all of their hard work on this project. Mr. Breuer then explained: Beginning in August, 2015, Pender County staff, representatives of the Wilmington Metropolitan Planning Organization (WMPO), and the selected consultant, Stantec, have been working with the appointed steering committee to develop an update to the Coastal Pender Collector Street Plan. Due to the increase in population, the WMPO planning boundary was expanded, therefore, requiring the need to update the document to plan for the urbanizing areas across the entire county from NC HWY 210 south to the New Hanover County boundary. The Pender County Collector Street plan has provided for a collaborative process between the citizens and stakeholder groups in Pender County and the WMPO. The goals of this study are to

plan for a collector street network through the study area that would 1) distribute the traffic burden through an appropriate hierarchy of arterial and collector streets, not local streets; 2) establish street design standards for different types of collector streets proposed in the study area; 3) support the future mobility of the major corridors; 4) identify potential area currently facing mobility challenges; 5) integrate transportation and land use planning; 6) provide for the orderly provision of public utilities with assumed roadway corridors located, and 7) provide for bicycle and pedestrian connectivity in alignment with adopted planning documents for the study area. To achieve the goals outlined above, the Steering Committee, Pender County, and the WMPO agreed on the following guiding principles and objectives for the Pender County Collector Street Plan: 1) Develop a realistic and feasible network of collector street that support the local street and arterial system; 2) Work with the development community to ensure proper connectivity and collector street design; 3) Be sensitive to environmental issues and "build in" context sensitive design approaches where applicable; and 4) Integrate multimodal design features into the street design that support walkability and bikability. A copy of the draft plan is available on the project website (www.pendercollector.com) as well as accompanying this Public Hearing request. It is Staff's intention to receive public comment, amend the plan as applicable, then take it to the Planning Board (March 1, 2016) for additional comment and recommendation. Staff will request that the Board consider adoption of the Plan during the March 21, 2016 regular meeting. Mr. Rutkowski explained the plan in further detail. There was one person signed up to speak during the public hearing:

- Steve Unger of 106 Sanderling Court, Hampstead commended staff on a great job with this plan. He did speak with concern on the superstreet plan adding that he feels it may halt process on the Hampstead Bypass. Mr. Williams clarified that no one is ignoring the bypass.

There being no further discussion, Mr. Brown closed the Public Hearing at 7:32 p.m.

CLOSED SESSION

At 7:36 p.m., Mr. Williams 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; 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. Mr. Piepmeyer seconded the motion and it was unanimously approved. The Board exited the Closed Session at approximately 8:34 p.m. Upon exiting closed session, Mr. Williams made a motion to approve the Board of Education's acquisition of an additional ten (10) acres of land at the new Surf City K-8 school site for up to $25,000. Mr. McCoy seconded the motion and it was unanimously approved.

RECESS

The Board of Commissioners recessed the meeting at 8:36 p.m. on February 16, 2016 and reconvened at 9:59 a.m. on February 18, 2016.

14. Approval for Pender County to Enter into a New Contract for Audit Services.

Mr. Woodruff explained: Requests for Proposals for Auditing Services for the next three (3) years were sent to the following accounting firms: Martin Starnes & Associates, CPAs, P.A., Carrs Riggs & Ingram , LLC (CRI - Pittard Perry & Crone merged with CRI), Cherry Bekaert, LLP, RSM US, LLP (RSM merged with McGladrey), and Thompson, Price, Scott, Adams & Co., P.A. Only two of the five firms chose to submit a proposal – RSM US, LLP (RSM) and Thompson, Price, Scott, Adams & Co., P.A. (Thompson, Price). A summary of the cost estimates for the next three years from the two responding firms is shown below:

Summary of Cost Estimate Proposals
RFP for Audit Services
FY 2016, 2017 and 2018

Accounting Firm	FY 2016	FY 2017	FY 2018	Total for three years
RSM US, LLP	$ 72,000	$ 74,200	$ 76,400	$ 222,600
Thompson, Price, Scott, Adams & Co., P.A.	$ 31,750	$ 31,750	$ 31,750	$ 95,250
Difference in Cost Estimates	**$ 40,250**	**$ 42,450**	**$ 44,650**	**$ 127,350**

Copies of the Proposals are available in the County Manager's office for review at any time should you have any questions. A list of clients for each of these firms is also included. Mr. Williams stated that RSM US, LLP is the firm that works with the Hospital and spoke in favor of them. Mr. Piepmeyer asked if staff reached out to non-responding firms. Ms. Brafford stated that Chris King had reached out but she was not sure if reasons for not responding were given. Mr. McCoy stated that he hoped that the County could negotiate a price with RSM, to which Mr. Piepmeyer stated that this is a fair price for this firm. Mr. Woodruff then pointed out the clients of each firm. Thompson, Price, Scott, Adams & Co., P.A. was also discussed. There being no further discussion, Mr. Williams made a motion to contract with RSM US, LLP for Fiscal Years 16, 17, and 18. Mr. Piepmeyer seconded the motion and it was unanimously approved.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:13 a.m.

Respectfully Submitted,

Melissa Pedersen

Melissa Pedersen, Clerk to the Board

Reviewed By:

Ann Coombs, Administrative Assistant II