



MINUTES
Board of County Commissioners Meeting
Monday, November 20, 2023 4:00 PM
Pender County Public Assembly Room

MEMBERS PRESENT:

Fred McCoy
Jacqueline A. Newton
Jerry Groves
Wendy Fletcher-Hardee
Brad George

MEMBERS ABSENT:

OTHERS PRESENT:

David Andrews, County Manager
Trey Thurman, County Attorney
Patrick Buffkin, Staff Attorney
Lexi Stanfield, Clerk to the Board
Allen Vann, Assistant County Manager
Other Staff and Members of the Press and Public.

1 CALL TO ORDER

1.1 Chair Newton called the meeting to order at 4:00PM.

2 INVOCATION

2.1 Commissioner Groves gave the invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Commissioner George led the Pledge of Allegiance.

4 ADOPTION OF AGENDA

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion to Adopt the Agenda

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			

Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

5 PUBLIC INFORMATION

5.1 Proclamation Honoring Desmond Jordan

Brandi Cobb, Communications Manager, presented Desmond Jordan with a proclamation honoring him for winning first place at the United States Powerlifting Association World Championship in Coventry, England, deadlifting over 800 pounds and his work with the youth. Mr. Jordan addressed the Board and told them how he got into powerlifting. The Board took a picture with Mr. Jordan and his family.

5.2 Communications Plan and Website Project Timeline

Brandi Cobb, Communication Manager, went over the Pender County communication plan and website project timeline. Cobb discussed the mission, goals, priorities, and developmental strategies of the communication plan. She presented ideas such as a web stylus and e-communication. Cobb broke down the timeline for the new Pender County Website. The website is estimated to be complete by June 2024.

5.3 Focus Broadband - Pender County Update

Allen Vann, Assistant County Manager, gave a brief update on the Focus Broadband County Internet. Vann acknowledged this project is ran by the USDA and not Pender County. Focus Broadband and Pender County are not able to expedite the project more than it already is. All area specific updates and questions should be directed to the Focus Broadband website: www.getfocusbroadband.com/pendercounty. Pender residents can also call the number (833) 981-4152. Any questions regarding unique situations that need clarification can be directed to Kris Ward at (910) 755-1697.

5.4 Park Projects Update

Zach White and Jared Cass, Parks and Recreation Director and Project Manager, updated the Board on park projects. White and Cass went over Penderlea Community Park's picnic shelter and restroom. The kickoff meeting was on August 15th, 2023. Construction fencing was installed. The estimated completion is February 2024. Central Pender

Park is in Phase 1. The kickoff meeting was on October 24, 2023. The final site design is due February 2024. The construction documents completion date is August 2024 and project completion is October 2025. White and Cass answered questions from the Board.

5.5 Status of DOT Study of Malpass Corner

Daniel Adams, Planning Director, appeared before the Board on behalf of NCDOT. NCDOT is doing a review of the intersection. There are no current updates to be given. NCDOT will be collecting one to one and a half years of data on the intersection.

5.6 Update on 421 - Water System Expansion

Anthony Colon, Public Utilities Director, gave an update on the water system expansion along highway 421. Colon has been in contact with Highfield Engineering and has received confirmation that the Malpass Corner water tank is capable of maintaining pressure and volume of water should Pender County tie in 421 into highway 11 extending up to the Sampson County. Pender County is eligible for a grant to help fund this. This grant would need to be paid back over time. Colon answered questions from the Board.

6 PUBLIC COMMENT FOR AGENDA ITEMS

7 CONSENT AGENDA

7.1 Approval of Budget Amendment for the transfer of revenue funds from insurance claims in the amount of \$24,042.42.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion to Approve the Consent Agenda

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

7.2 Approval of Budget Amendment for the transfer of revenue funds

- 7.3 Approval of Pender County Emergency Management Fuel Shortage Plan
- 7.4 October 16, 2023, BOCC Meeting Minutes
- 7.5 2024 Calendar Regular Meetings
- 7.6 Consent to move donations for Employee luncheon
- 7.7 Refund/Release Requests for items meeting NC G.S 105-381
- 7.8 Taxpayer Request for late application of antique airplane to be approved

8 APPROVALS AND RESOLUTIONS

- 8.1 Approval for Purchase Order and requesting County funds for Carolina Recording Systems, LLC in the amount of \$131,875.00.

Sheriff Cutler presented this item. It is required to have 911 transmissions recorded. Pender County Sheriff's department's 911 system needs to be refreshed. The total cost to do this is \$131,875.00. The Sheriff's office sent this quote to the 911 Board. Pender County Sheriff's Office has received it back and \$114,030.00 of the \$131,875.00 is reimbursable from the 911 Board.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion to Approve Purchase Order and request for County funds for Carolina Recording Systems, LLC in the amount of \$131,875.00.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

- 8.2 Approval of PO & BOA for road & drainage repairs within Pender Commerce Park

Jared Cass, Project Manager, presented this item. Cass stated he felt this price was fair because the company can do all aspects of the project. Staff stated they feel this work should be done regardless but by performing these repairs, Pender County will be able to hand over the

responsibility of maintaining the road to NCDOT. Cass answers questions from the Board.

Moved by Brad George, seconded by Fred McCoy

Motion to Approve PO and BOA for Road and Drainage Repairs within Pender Commerce Park

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves		x		
Wendy Fletcher-Hardee	x			
Brad George	x			
	4	1	0	0

CARRIED.

8.3 Consideration of Memorandum of Agreement with North Carolina Emergency Management to implement the Hazard Mitigation Grant Program (HMGP-4465) project to elevate three homes in Pender County

Daniel Adams, Planning Director, present this item. This project is a grant program associated with Hurricane Dorian. The agreement would help alleviate three homes that have experience damage from the storm. This Memorandum of Agreement (MOA) will allow North Carolina Emergency Management to handle the implementation of this project, which includes soliciting bids from contractors, providing oversight of all contracted work, and taking on the financial responsibility of the costs associated with implementation.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion to approve the Consideration of Memorandum of Agreement with North Carolina Emergency Management to implement the Hazard Mitigation Grant Program (HMGP-4465) project to elevate three homes in Pender County

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			

Brad George	x			
	5	0	0	0

CARRIED.

8.4 Amendment to Cooperative Agreement between Pender County and the North Carolina Office of Recovery and Resiliency (NCORR) regarding the Strategic Buyout Program

Daniel Adams, NCORR and Pender County entered into a Cooperative Agreement in May of 2023 to implement their Strategic Buyout Program. Since then, NCORR has identified two more parcels eligible for the buyout program. The amendment attached to this item adds the two parcels to the agreement. The two parcels are located on NC HWY 210 near the Bladen County line and can be further identified by PINs 2245-02-6893-0000 and 2245-02-6429-0000.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion to Approve the Amendment to Cooperative Agreement between Pender County and the North Carolina Office of Recovery and Resiliency (NCORR) regarding the Strategic Buyout Program

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

8.5 Resolution of Support for the NCDOT's application to the U.S. Department of Transportation's Bridge Investment Program for the replacement of the Cape Fear Memorial Bridge

Daniel Adams, Planning Director, presented this item. NCDOT is authorized to pursue a grant from the US DOT for the replacement of the Cape Fear Memorial Bridge. The application will be submitted under the US DOT Bridge Investment Program. This program is for large bridges that are expected to exceed \$100 million in cost. WMPO has identified this project as their top unfunded priority. Adams is asking the Board to sign a letter of support.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion to approve Resolution of Support for the NCDOT's application to the U.S. Department of Transportation's Bridge Investment Program for the replacement of the Cape Fear Memorial Bridge

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

9 DISCUSSION

9.1 WMPO 2050 Metropolitan Transportation Plan (MTP) Priority Project List

Daniel Adams, Planning Director, presented this item for discussion. The WMPO 2050 MTP is their guiding document related to transportation improvement projects. It will identify transportation needs for the region for the next 25 years. As part of this process, WMPO has done a significant amount of public outreach. Public engagement survey will close out on November 30, 2023. It is available on the WMPO website. WMPO is asking the Board give feedback for priority projects for the next year. Adams passed around a list of identified projects. Any additions to the list are due by December 1, 2023.

10 APPOINTMENTS

10.1 Parks and Recreation Board Appointment

Lexi Stanfield, Clerk to the Board, presented the application for the Parks and Recreation Board district four position. Stanfield briefly spoke about the applicant's qualifications. This position has been vacant and advertised for over a year. The board discussed the candidate among themselves. Raymund Rosso's term will begin November 20th, 2023, and expire on October 31, 2026.

Moved by Wendy Fletcher-Hardee, seconded by Fred McCoy

Motion to Approve Raymund Rosso to the Parks and Recreation Board for the District Four Position.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

10.2 Re-Appointment to the Lower Cape Fear Water and Sewer Authority.

Lexi Stanfield, Clerk to the Board, presented the Re-Appointment to the Lower Cape Fear Water and Sewer Authority (LCFWSA). Norwood Blanchard has served three (3) terms and nine (9) years on the Board. The Board discussed Mr. Norwood's qualifications and the work he has done on the LCFWSA. Commissioner McCoy made a motion to waive the 3-term/10-year policy set out at Rule 32, section C of the Board of Commissioners' Rules of Procedure. Commissioner George seconded the motion. The vote was unanimous. Motion Carried. Mr. Blanchard's new term will begin on March 1, 2024, and expire on February 28, 2027.

Moved by Fred McCoy, seconded by Jerry Groves

Motion to Reappoint Norwood Blanchard to the Lower Cape Fear Water and Sewer Authority.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

11 MAPLE HILL WATER AND SEWER DISTRICT

12 ROCKY POINT WATER AND SEWER DISTRICT

13 SCOTTS HILL WATER AND SEWER DISTRICT

14 MOORES CREEK WATER AND SEWER DISTRICT

15 CENTRAL PENDER WATER AND SEWER DISTRICT

16 PENDER COUNTY BOARD OF HEALTH

17 SOCIAL SERVICES BOARD

18 PUBLIC COMMENT FOR NON-AGENDA ITEMS

- 18.1 Debbie Walker briefly spoke to the Board about Malpass Corner intersection. Ms. Walker stated citizens are not stopping at the stop sign and voiced concerns about children's safety at the nearby school.

19 ITEMS FROM THE COUNTY ATTORNEY, COUNTY MANAGER, ASSISTANT COUNTY MANAGER, & COUNTY COMMISSIONERS

- 19.1 David Andrews, County Manager, announced Pender County Offices would be closed Wednesday through Friday for Thanksgiving holiday.
- 19.2 Trey Thurman, County Attorney, requested the Board go into closed session pursuant to items three (3) attorney client privilege, item four (4) economic development, and item six (6) personnel.
- 19.3 Vice Chair Hardee spoke about complaints she had received about traffic lights. She stated her and Commissioner George had identified twelve areas in Hampstead that needed traffic lights. She is waiting to hear back from NCDOT.
- 19.4 Commissioner Groves spoke about a family who had split their parcel into two and now has higher taxes. He also spoke about complaints he received about Malpass Corner.
- 19.5 Commissioner Brad George spoke about the girl scouts. He also addressed complaints about Carolina Water System. He informed citizens this was not something Pender County handles. Commissioner George provided steps for citizens to follow to ensure their complaints were heard. He also reminded citizens of the Hampstead Kiwanis Park Tree lighting ceremony on December 1 at 5:30.
- 19.6 Chair Newton spoke about the Veteran's Program at the Burgaw Baptist Church.

20 CLOSED SESSION (IF APPLICABLE).

21 7PM PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP

AMENDMENTS/ RESOLUTIONS

- 21.1 REZONE 2023-55: Request to rezone two parcels totaling approximately 165 acres from the RP, Residential Performance zoning district to the O&I, Office & Institutional zoning district in the Topsail Township

Adam Moran presented the REZONE 2023-55: Request to rezone two parcels totaling approximately 165 acres from the RP, Residential Performance zoning district to the O&I, Office & Institutional zoning district in the Topsail Township. Pender County Planning and Community development are the applicants of the rezone request. These two parcels are for the school system and are located south of NC Hwy 210, across from Whispering Pines Court. There are currently no site-specific plans. The zoning has forty-one (41) uses by-right and thirteen (13) uses with a special use permit. Staff found it consistent with the Future Land Use Plan and is supported by four policies.

Durwood Potter, Pender Resident, spoke opposed to this rezone. Mr. Potter voiced concerns of traffic issues.

Moran answered questions from the Board.

Moved by Brad George, seconded by Fred McCoy

Motion to Approve the REZONE 2023-55: Request to rezone two parcels totaling approximately 165 acres from the RP, Residential Performance zoning district to the O&I, Office & Institutional zoning district in the Topsail Township

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

- 21.2 Recap of Joint Meeting Between Planning Board and Board of Commissioners

Daniel Adams, Planning Director, presented the Recap of the Joint

Meeting between Planning Board and Board of Commissioners. Adams discussed the key topics and take aways from the meeting held on September 12th, 2023. Topics discussed included Overlay Districts, increased use of conditional zoning, Planned Development District approval process, and reducing the uses that are allow via special permits. Other topics mentioned included resiliency, stormwater infrastructure, and tree preservation.

21.3 Resolution Authorizing Sale of 172 Acres in Pender Commerce Park by Upset Bid Process

Patrick Buffkin, Staff Attorney, requested the Board add the Resolution Authorizing Sale of 172 Acres in Pender Commerce Park by Upset Bid Process to the agenda. Commissioner McCoy made a motion to add the item. Vice Chair Hardee seconded the motion. The vote was unanimous. Motion carried.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion to Approve the Resolution Authorizing Sale of 172 Acres in Pender Commerce Park by Upset Bid Process

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

22 ADJOURNMENT

Moved by Jerry Groves, seconded by Fred McCoy

Motion to Adjourn the Meeting at 8:07PM

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			

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CARRIED.