



Pender County

Agenda

Board of County Commissioners Meeting
Monday, October 2, 2023 @ 4:00 PM
Pender County Public Assembly Room
805 S. Walker Street, Burgaw, NC

		Presenter	Page
1.	CALL TO ORDER		
2.	INVOCATION		
3.	PLEDGE OF ALLEGIANCE		
4.	ADOPTION OF AGENDA		
5.	PUBLIC HEARING		
6.	PUBLIC COMMENT FOR AGENDA ITEMS		
7.	PUBLIC INFORMATION		
7.1.	Resolution Honoring Sarah G. Woolard Upon Earning the Girl Scout Gold Award Girl Scout Gold Award- Pdf	Buffkin	5 - 7
7.2.	Focus Broadband - Pender County Grant Update Focus Broadband Grant Update - Pdf	Ward	9 - 14
7.3.	WMPO FY 23 Annual Report Overview WMPO FY 23 Annual Report Overview - Pdf	Kozlosky	15 - 33
7.4.	WMPO 2050 Metropolitan Transportation Plan Development and Outreach WMPO 2050 Metropolitan Transportation Plan Development and Outreach - Pdf	Lacer	35 - 55
8.	CONSENT AGENDA		
8.1.	BOA to close Country Court Account and Transfer Funds from the General County Fund to the Pender County Housing Authority Fund. Transfer of Funds - Pdf	Sava	57 - 59
8.2.	Approval of a Purchase Order for the Central Square (Zuercher) Annual Subscription and Annual Maintenance fee in the amount of \$95,407.63. Zuercher annual maintenance fee FY24 - Pdf	Cutler	61 - 62
8.3.	Approval of Budget Amendment for the transfer of revenue funds from insurance claims in the amount of \$12,572.75. BOA 9.14.2023 - Pdf	Cutler	63 - 64
8.4.	Approval of a Purchase Order to McGill for sludge removal at the WWTP in FY24 for \$50,000 WWTPSludgeFY24 - Pdf	Hedrick	65 - 69
8.5.	August 21, 2023, BOCC Meeting Minutes	Stanfield	71 - 85

[August 21, 2023, BOCC Meeting Minutes - Pdf](#)

8.6.	September 5, 2023, BOCC Meeting Minutes September 5, 2023, BOCC Meeting Minutes - Pdf	Stanfield	87 - 95
8.7.	September 12, 2023, BOCC/PB Joint Meeting Minutes September 12, 2023, BOCC/PB Joint Meeting Minutes - Pdf	Stanfield	97 - 100
8.8.	Personal Property Release Requests Personal Property Release Requests - Pdf	Radke	101 - 102
8.9.	Motor Vehicle Releases and Refunds Motor Vehicle Releases and Refunds - Pdf	Radke	103 - 105
8.10.	Approval of a Budget Amendment to close out project budgets in Fund 60 CIP fund BOA Fund 60 Projects - Pdf	Blue	107 - 110
8.11.	Approval of Resolution Authorizing Sale of Surplus Personal Property by Public Auction Surplus Property - Pdf	Blue	111 - 113
8.12.	Consideration of Approval of a Contract with Pond & Company for Design, Engineering, and Construction Administration for Central Pender Park Central Pender Park - Pdf	Taylor	115 - 127
9.	APPROVALS AND RESOLUTIONS		
10.	DISCUSSION		
11.	APPOINTMENTS		
11.1.	Re-appointments to the Advisory Board of Health Applications for ABOH - Pdf	Stanfield	129 - 138
11.2.	Re-appointment to the Parks and Recreation Board Park and Recreation Board Re-appointments - Pdf	Stanfield	139 - 143
12.	MAPLE HILL WATER AND SEWER DISTRICT		
13.	ROCKY POINT WATER AND SEWER DISTRICT		
13.1.	Approve Resolution Accepting the Deed of Dedication of Water Distribution System for Bridgewater Landing Approve Resolution Accepting the Deed of Dedication of Water Distribution System for Bridgewater Landing - Pdf	Proctor	145 - 151
14.	SCOTTS HILL WATER AND SEWER DISTRICT		
15.	MOORES CREEK WATER AND SEWER DISTRICT		
16.	CENTRAL PENDER WATER AND SEWER DISTRICT		
17.	PENDER COUNTY BOARD OF HEALTH		
18.	SOCIAL SERVICES BOARD		
19.	PUBLIC COMMENT		
20.	ITEMS FROM THE COUNTY ATTORNEY, COUNTY MANAGER, ASSISTANT COUNTY MANAGERS, & COUNTY COMMISSIONERS		

21. CLOSED SESSION (IF APPLICABLE).
22. ADJOURNMENT



Pender County Resolution Honoring Sarah G. Woolard Upon Earning the Girl Scout Gold Award

TO:	Board of County Commissioners
FROM:	Patrick Buffkin
DATE:	October 2, 2023
SUBJECT:	Resolution Honoring Sarah G. Woolard Upon Earning the Girl Scout Gold Award

SUMMARY:

It has come to the attention of the County Manager's Office that Pender County resident Sarah G. Woolard recently earned the Girl Scout Gold Award, the highest award in Girl Scouting. Ms. Woolard's Take Action Project focused on raising awareness of the problems caused by social isolation for residents of skilled nursing facilities. Ms. Woolard's efforts ensured that residents of skilled nursing facilities have visitors, and opportunities to connect with and create friendships with other members of the Pender County community.

The attached resolution honors Ms. Woolard's work and celebrates her achievement of the Girl Scout Gold Award and contributions to combating social isolation among residents of skilled nursing facilities.

ACTION REQUESTED:

Adoption of the attached Resolution Honoring Sarah G. Woolard upon Earning the Girl Scout Gold Award.

Board of County Commissioners
Jacqueline A. (Jackie) Newton – Chair
Wendy Fletcher-Hardee – Vice Chair
Archibald (Fred) McCoy
Jerry Groves
Brad George



County Manager
David Andrews
Assistant County Manager
Allen Vann
County Attorney
Carl W. (Trey) Thurman
Staff Attorney
Patrick Buffkin

**A RESOLUTION OF THE PENDER COUNTY BOARD OF COMMISSIONERS
HONORING SARAH G. WOOLARD ON THE OCCASION OF HER ATTAINING THE
GIRL SCOUT GOLD AWARD**

WHEREAS, Sarah G. Woolard is a resident of Pender County, North Carolina; and

WHEREAS, Sarah G. Woolard recently earned the Girl Scout Gold Award, the highest award in Girl Scouting, in part, for her Take Action Project that raised and continues to raise awareness of the impacts of social isolation on residents of skilled nursing facilities; and

WHEREAS, Sarah G. Woolard's efforts successfully connected individuals and groups in the community with residents of skilled nursing facilities, ensuring that these residents continue to have visitors, have the opportunity for forge new friendships, and avoid the detrimental impacts of social isolation; and

WHEREAS, Pender County values the work of Sarah G. Woolard and the lives of every member of the community, particularly residents of skilled nursing facilities.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF PENDER COUNTY, NORTH CAROLINA THAT:**

1. The Board of Commissioners of Pender County honors, celebrates, and expresses its deepest appreciation for the work of Sarah G. Woolard that earned her the Girl Scout Gold Award, particularly her Take Action Project to support Pender County's residents of skilled nursing facilities by raising awareness of the impacts of social isolation in skilled nursing facilities; and

2. Upon execution by the officers of the County, the Clerk to the Board shall transmit a copy of this resolution Sarah G. Woolard.

Adopted by the Pender County Board of Commissioners this the 2nd day of October, 2023.

Jacqueline A. Newton,
Chair of the Board of Commissioners

ATTEST: _____
David Andrews,
Clerk to the Board of Commissioners



Pender County Public Information

TO: Board of County Commissioners
FROM: Allen Vann
DATE: October 2, 2023
SUBJECT: Focus Broadband - Pender County Grant Update

SUMMARY:

Mr. Kris Ward, Director of Business Development with Focus Broadband will provide an update as to the status of work being performed in Pender County related to the ReConnect and Great Grant programs.

Please refer to presentation.

FOCUS Broadband Grant Update for Pender County

Kris Ward, Director of Business Development, FOCUS Broadband



USDA ReConnect Broadband Grant

- Announced **\$21.6 million grant** in 2020
- FOCUS Broadband is contributing \$7.2 million to the project
- Service currently available to over 1,600 addresses in Canetuck, Holly Shelter, and portions of Caswell
- Construction underway in remaining portions of Caswell and Holly Shelter, and Grady to over 1,300 addresses.
- New phases coming up each month.
- Work in Burgaw and Wallace phases to begin Q4 2023. Maple Hill likely to begin Q1 2024.
- Majority of the project should be complete by end of 2024 with total project completion estimated by mid-2025.



Pender County ReConnect Ceremony 2020

FOCUS
BROADBAND

NC GREAT Grant

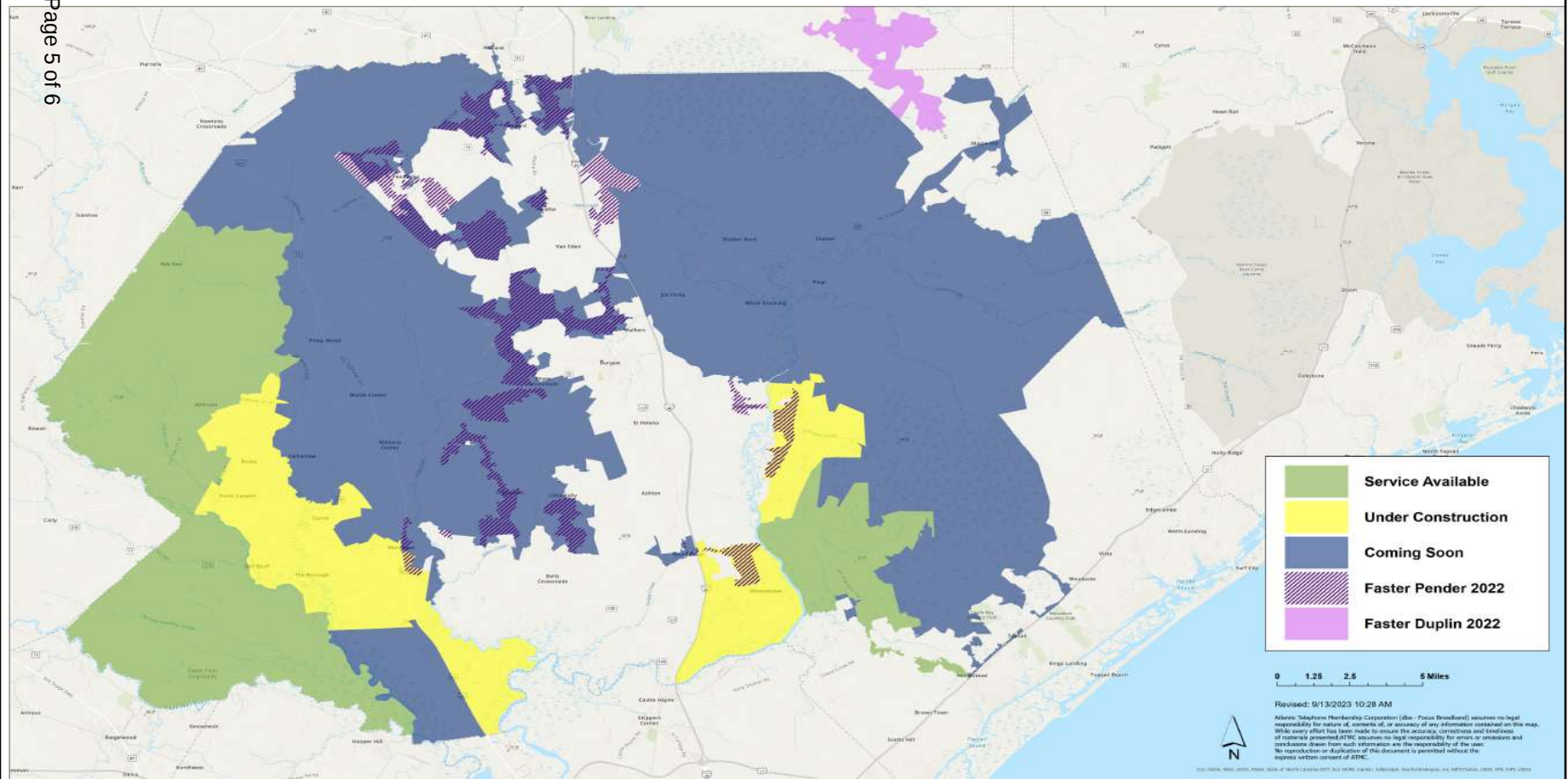
NC GREAT Grant Program

- Won **\$4 million grant** in 2022
- FOCUS Broadband and Pender County each contributing \$547,000 in matching funds
- Partnership agreement finalized in March 2023 allowing FOCUS Broadband to begin design and permitting
- GREAT Grant project service areas will be constructed simultaneously with ReConnect grant areas
- Through the NC GREAT Grant funding for Pender County, FOCUS Broadband will be able to serve an additional 1,200 homes and businesses in Pender County with fiber optic internet
- First customers to have service available by March 2024 or sooner. Estimate project completion by mid-2025



Pender County Project Status Map - ReConnect 2020 Grant & Faster 2022 GREAT Grants

Page 5 of 6



Additional Updates

- Currently recruiting for engineering positions. Have warehouse (1) and customer care (2) positions filled and in training.
- Process is slowed by having to seek multiple approvals from USDA for new construction contracts.
- Groundbreaking for store planned for Winter 2023. Construction has been slowed by material supply-chain issues.
- <https://www.getfocusbroadband.com/pendercounty>



FOCUS
BROADBAND



Pender County WMPO FY 23 Annual Report Overview

TO: Board of County Commissioners
FROM: Mike Kozlosky
DATE: October 2, 2023
SUBJECT: WMPO FY 23 Annual Report Overview

SUMMARY:

WMPO to present the FY 23 Annual Report Overview to the Board of County Commissioners.

ACTION REQUESTED:

None.



WMPO FY22-23 Annual Report

Pender County Board of Commissioners
October 2, 2023

Mike Kozlosky, Executive Director

Metropolitan Planning Organizations Overview

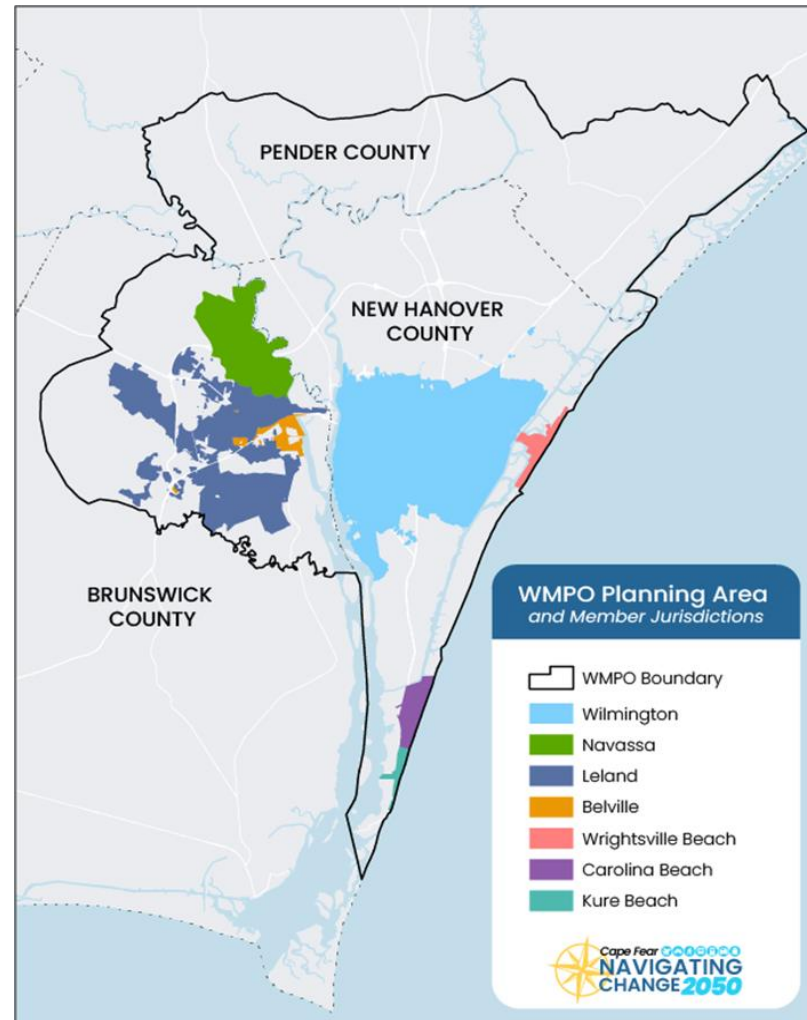
- Introduced in Federal Highway Act of 1962
- Federally-mandated and federally-funded
- **Required when Urban Areas meet/exceed 50,000 in population**
- Intended to ensure regional collaboration and that current and future transportation infrastructure investments are made using the 3-C planning process



Wilmington Urban Area Metropolitan Planning Organization(WMPO)

Page 4 of 19

- Established in 1973
- Population approx. 300,000
- 494 square miles
- The WMPO planning area includes the following jurisdictions:
 - City of Wilmington
 - New Hanover County
 - Pender County
 - Town of Leland
 - Brunswick County
 - Town of Carolina Beach
 - Town of Wrightsville Beach
 - Town of Kure Beach
 - Town of Belville
 - Town of Navassa



The 2023 WMPO Board

Page 5 of 19



Hank Miller, Chair
Town of Wrightsville Beach



Luke Waddell, Vice-Chair
City of Wilmington



Mike Allen
Town of Belville



Neil Anderson
City of Wilmington



Lynn Barbee
Town of Carolina Beach



Jonathan Barfield
New Hanover County



Brenda Bozeman
Town of Leland



John Ellen
Town of Kure Beach



Wendy Fletcher-Hardee
Pender County



Dane Scalise
CFPTA, New Hanover County



Frank Williams
Brunswick County



Eulis Willis
Town of Navassa



Landon Zimmer
NC Board of Transportation



Wilmington Urban Area Metropolitan Planning Organization (WMPO) Responsibilities

Page 6 of 19

✓	Metropolitan Transportation Plan and 5-year update
✓	Administer Direct Attributable (STBGP and TA) Funding Programs
✓	Develop a Congestion Management Process
✓	Coordinate operations of WMPO Board and Technical Coordinating Committee (TCC)
✓	Coordinate planning activities with NCDOT & ensure compliance with Federal requirements
✓	Adopt Federal Functional Classification
✓	Provide transportation planning assistance for member jurisdictions
✓	Development Review
✓	Transportation Impact Analysis (TIA) Coordination
✓	Transportation Demand Management (TDM)



FY22-23 Report Overview

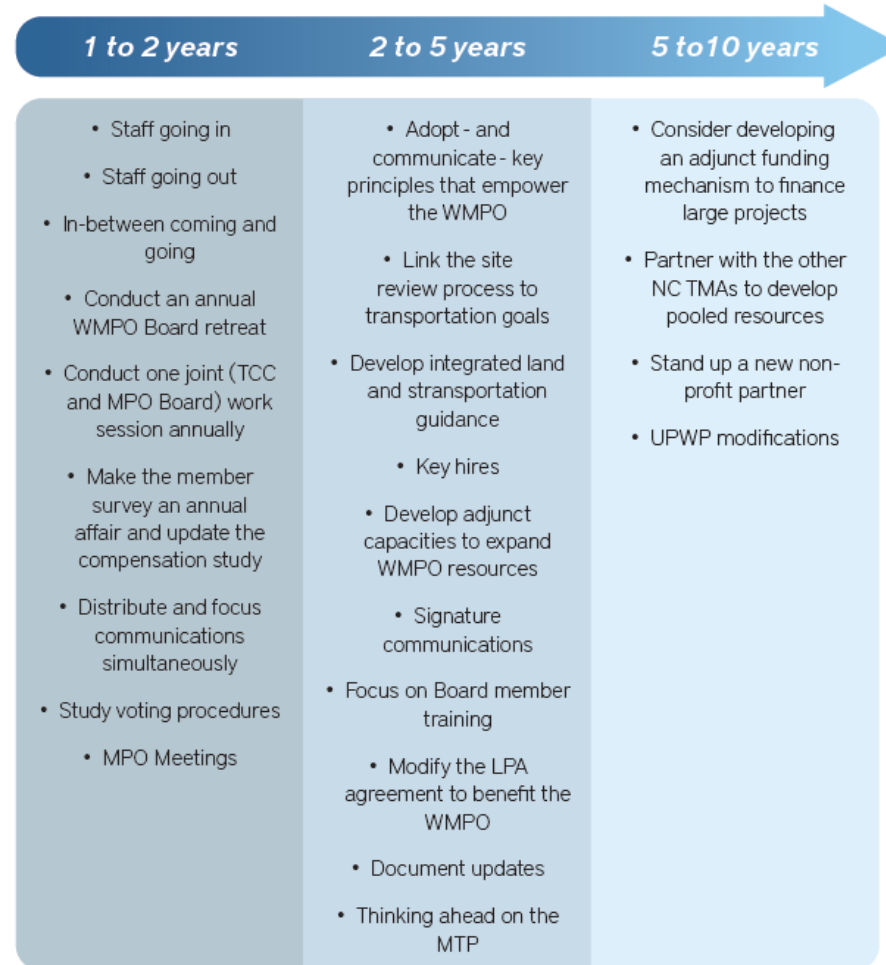
- WMPO Organizational Assessment
- Long-Range Planning Efforts
- 2050 Metropolitan Transportation Plan Development
- WMPO Board Highlights
- Transportation Demand Management Program
- WMPO Offices Update – Renovation of 525 N. 4th Street Building
- Technical Services



WMPO Organizational Assessment

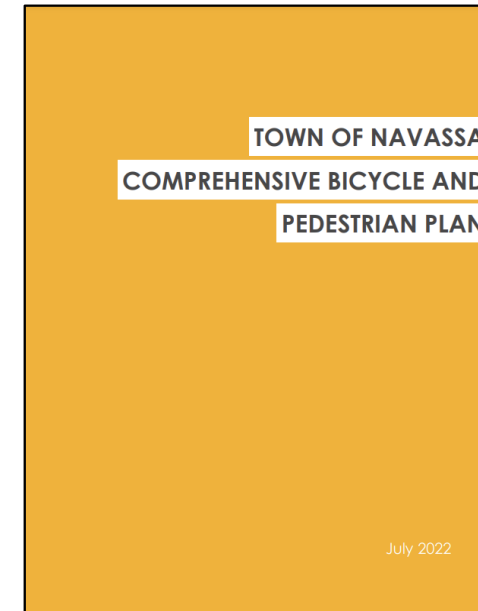
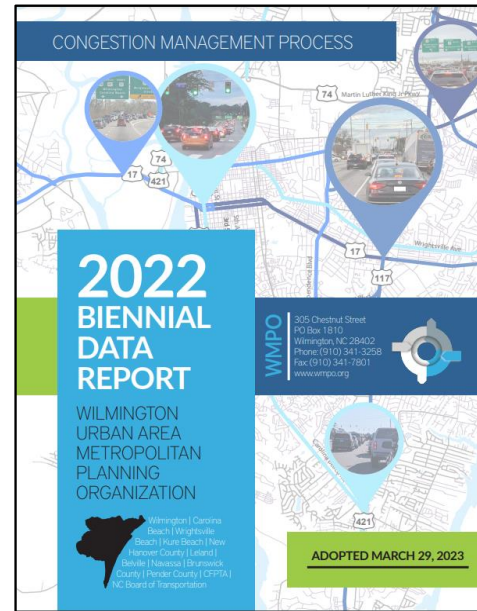
- Performance evaluation of the organization's roles, responsibilities, staffing, program delivery, and structure.
- One-on-one interviews with staff, Board and Committee Members, and survey
- Recommendations intended to enhance the organization and its efficiency and effectivity in service delivery.

WMPO Organizational Assessment Recommended Actions



Long-Range Planning Efforts

- Plan Adoptions
 - 2022 Biennial Congestion Management Process Report
 - Navassa Collector Street Plan
 - Navassa Bicycle and Pedestrian Plan



Long-Range Planning Efforts

- Local Plan Development
 - Pender County Bicycle and Pedestrian Plan
 - Walk Wilmington Pedestrian Plan
- Feasibility Studies
 - Gullah Geechee Heritage Greenway (Brunswick County)
 - Downtown Trail Ph. 2&3 (Wilmington)
 - Island Greenway (Kure Beach)
 - Riverwalk Extension (Wilmington)



WMPO and Pender County staff tabling for an outreach event for the Pender County Bicycle and Pedestrian Plan development (left). Reaves Chapel restoration site along the Gullah Geechee Heritage Greenway Corridor (above).



Preliminary Riverwalk concept alignments studied (left). Portion of Downtown Trail Ph. 2&3 study corridor (top).

Long-Range Planning Efforts

- 2024-2033 State/MPO Transportation Improvement Program Development
- Prioritization 7.0 draft project list development
- 2021 Bipartisan Infrastructure Law Discretionary Grant Research and Application Development
 - Safe Streets For All
 - PROTECT



2024-2033 State Transportation Improvement Program cover.



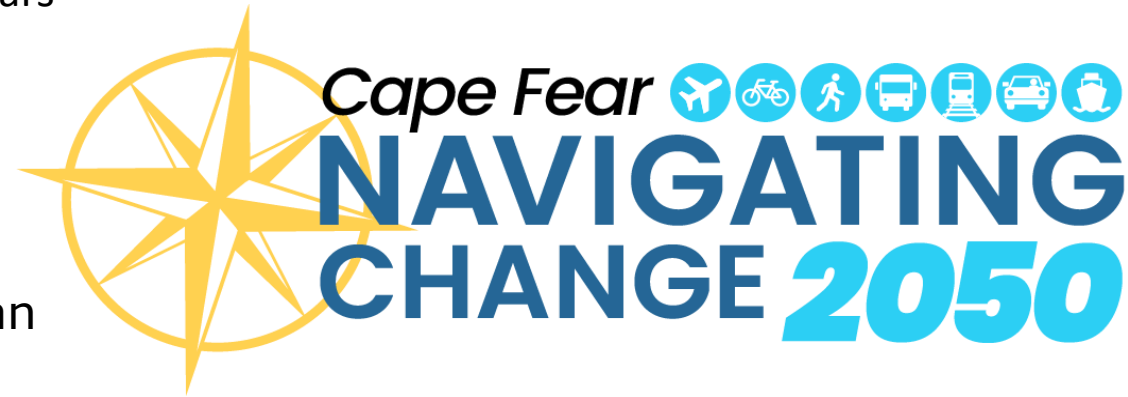
Bicyclist and pedestrians waiting to cross College Road at 17th Street in Wilmington.



Flooding resulting from Hurricane Florence in 2018 on I-40.

2050 Metropolitan Transportation Plan Development

- Federal Requirement
 - Develop and adopt every 5 years
 - Multimodal
 - Performance based
 - Community driven
 - Fiscally Constrained
- Board approved enhanced plan delivery
- Citizen Advisory and Metropolitan Transportation Plan Committees assembled



WMPO Board Highlights

- Successful FHWA/FTA 2023 Certification Review
- Coordination with NCDOT on Cape Fear Memorial Bridge Replacement
- WMPO Boundary, Governance, and Structure Evaluation
- 2022-2026 Strategic Plan Accomplishments
- NCDOT Bicycle Helmet Grant application and award
- Resolutions support planning partners' seeking federal discretionary grants
- Collaboration with NCDOT for Federal "August Redistribution"
- Participation and collaboration with NCDOT, member jurisdictions, and other stakeholders on Division led feasibility studies and express designs.



Transportation Demand Management Program

- 2nd Annual Brunswick Heritage Riverside Ride (Sept. 30, 2022)
- 2022 Commuter Challenge (October 2022)
- 2023 Year of the Trail
- 2023 Be A Looker Campaign (April-October 2023)
- Bike Month 2023 (May 2023)
- 33rd Annual River to Sea Bike Ride (May 6, 2023)
- Commuter Friendly Employer Criteria Changes
- Social Media Reach



Riders participating in the Brunswick Heritage Riverside Ride (above) and the River to Sea Bike Ride (right). NC Year of the Trail logo (below).



Renovation of 525 N. 4th Street Building

- Phase 1B of Wilmington Multi-Modal Transportation Center Masterplan
- Future WMPO Offices and Board meeting space
- Renovation began in August 2022, completion anticipated in early 2024



Building exterior work, February 2023 (top). Interior work, June 2023 (bottom right).

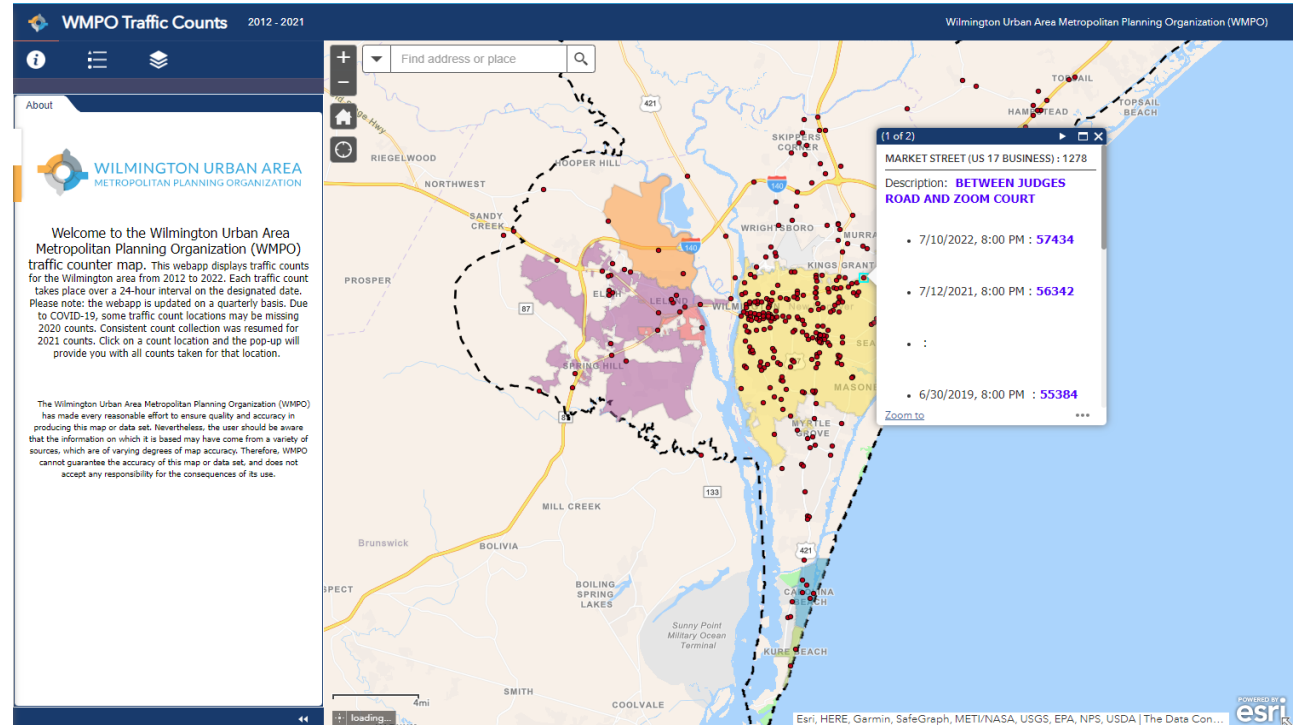


Rendering of building once restoration is complete.



Technical Services

- 1,147 Site Development Reviews
 - 840 formal reviews
 - 307 informal/conceptual reviews
- 73 Traffic Impact Analysis Reviews
 - 40 approved
 - 33 still in review process
- 503 Traffic Counts
 - 372 annual counts
 - 119 Special request counts



WMPO Traffic Counts interactive web map. Available at wmpo.org.

Technical Services

- The WMPO receives approximately \$5 million annually of federal Surface Transportation Block Grant (STBG), Transportation Alternatives (TA), and Carbon Reduction Program (CRP) funding
- WMPO developed competitive process improvements for fund distribution

FY23 Awarded Projects and Funding Amounts

New Hanover County

Monkey Junction Pedestrian Improvements Project – Multi-use path (W- 5703C)
Requested STBGP-DA funding: **\$461,949**

Town of Leland

US 17 Pedestrian Crossing Safety Improvements
Requested STBGP – DA funding: **\$666,623**

City of Wilmington

South 3rd Street and Ann Street Traffic Signal Installation
Requested STBGP – DA funding: **\$971,840**

Cape Fear Public Transportation Authority (Wave)

Passenger Amenity Upgrades (installation of transit shelters and benches)
Requested STBGP-Carbon Reduction funding: **\$339,000**

Town of Wrightsville Beach

Causeway Drive Bicycle and Pedestrian Improvements
Requested STBGP-DA funding: **\$269,245**

NC Department of Transportation - Division 3 Traffic Services

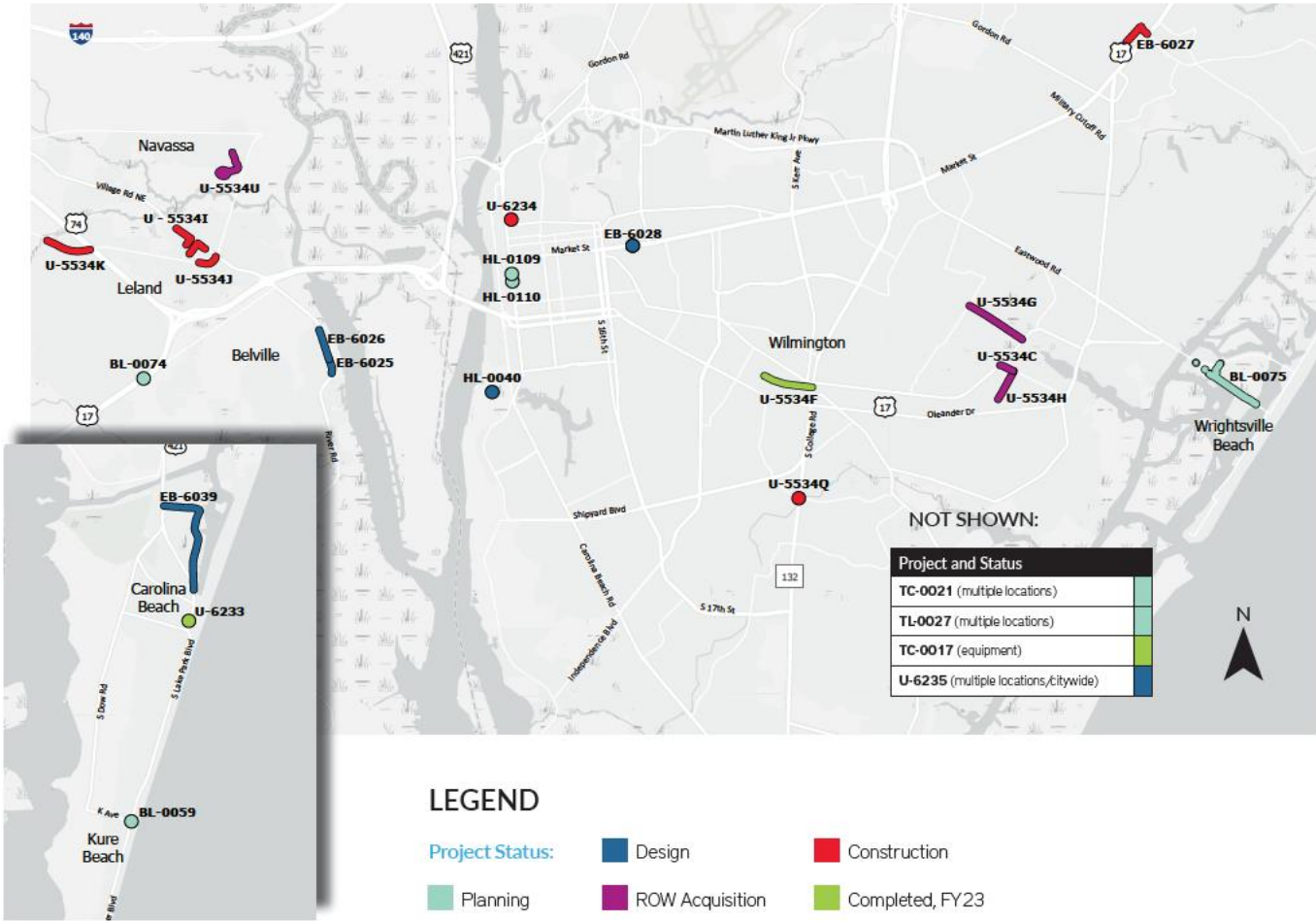
South 3rd Street and Orange Street Traffic Signal Installation
Requested STBGP – DA funding: **\$542,400**



Technical Services

Page 18 of 19

25 Direct Attributable Projects Currently Receiving Funds



WMPO

Questions?

Thank you!

Mike Kozlosky, Executive Director

Mike.Kozlosky@wilmingtonnc.gov

(910) 341-3258





Pender County WMPO 2050 Metropolitan Transportation Plan Development and Outreach

TO: Board of County Commissioners
FROM: Vanessa Lacer
DATE: October 2, 2023
SUBJECT: WMPO 2050 Metropolitan Transportation Plan Development and Outreach

SUMMARY:

WMPO to present an update on their 2050 Metropolitan Transportation Plan Development and Outreach

ACTION REQUESTED:

None.



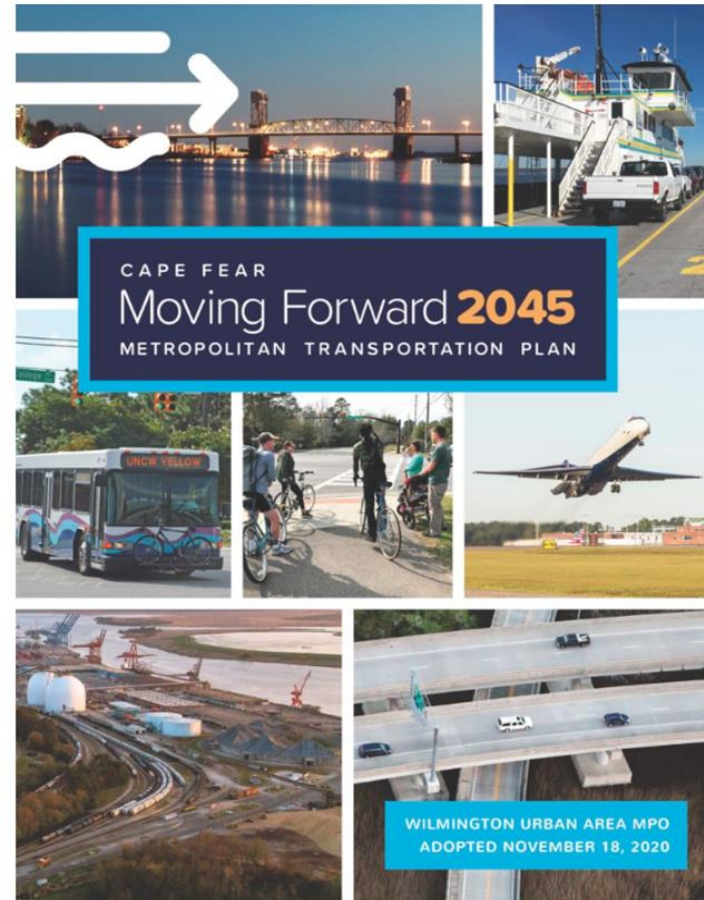
2050 Metropolitan Transportation Plan: Cape Fear Navigating Change 2050

Pender County Board of Commissioners
October 2, 2023

Vanessa Lacer, AICP, WMPO Senior Transportation Planner

Metropolitan Transportation Plan Overview

- Federal law requires the WMPO to adopt a Metropolitan Transportation Plan (MTP) and update it every 5 years.
- **The MTP identifies the region's transportation needs and provides a blueprint for the next 25 years.**
- The current WMPO MTP, Cape Fear Moving Forward 2045, was adopted on November 18, 2020, and is due for an update in 2025.



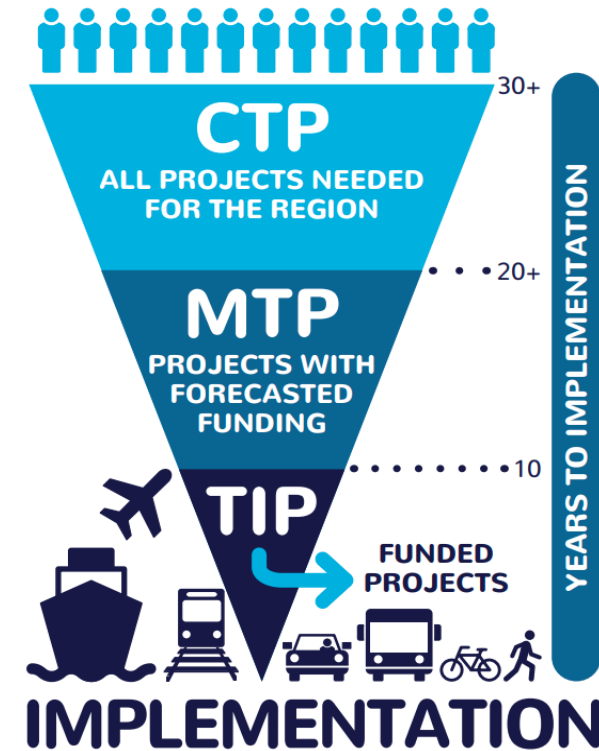
Metropolitan Transportation Plan Requirements

- Federal law requires a Metropolitan Transportation Plan (MTP) that is:
 - Multi-modal (6 transportation modes)
 - **Fiscally-constrained**
 - Has a minimum 20-year planning horizon (WMPO planning horizon is 25 years)
 - Adheres to the adopted public involvement policy
 - Created using growth forecasts consistent with the latest local land use plans



2050 WMPO Metropolitan Transportation Plan and Project Implementation

- The 2050 MTP will be the plan used by federal, state, and local governments to guide transportation projects in our region over the next 25 years.
- **Being included in the MTP means a project has been recognized as a regional priority** that has potential funding. This can be a critical step towards a project being included in the TIP and then constructed.



2050 Metropolitan Transportation Plan Development

Timeline: August 2022 – November 2025 (40 months, 3.3 years)

- **August 2022-May 2023**
 - WMPO staff preparations
- **June 2023- January 2024**
 - CAC and MTPC meetings, public outreach phase 1
- **February 2024-November 2024**
 - Modal project development, financial element
- **December 2024-May 2025**
 - Draft Plan development
- **June 2025**
 - Draft Plan released for comment, public outreach phase 2
- **July 2025- August 2025**
 - Plan finalization
- **September 2025-October 2025**
 - Present final Plan to WMPO TCC and Board
- **November 2025**
 - Plan adoption



Citizen Advisory Committee (CAC) and MTP Technical Steering Committee (MTPC) Meetings

CAC:

The committee's role is to advise the WMPO on ways to more effectively engage the public and assist in outreach efforts. This committee is to be comprised of a citizen active in the community from each member jurisdiction.

MTPC:

The committee's role is to advise and direct plan development including, criteria and metric development, project evaluation and policy recommendation review. This committee is to be comprised of subject matter experts in the 6 transportation modes, as well as urban planning, public health, emergency management, and diversity and inclusion.

Meeting Schedules

CAC	MTPC
• June 2023 • July 2023 • August 2023 • January 2024 • June 2025	• July 2023 • October 2023 • January 2024- December 2024, monthly • June 2025



Public Outreach Overview

Public outreach phase 1: August 2023-November 2023

Public outreach phase 2: June 2025

Data collection

- 1 Survey (English/Spanish)
- Stakeholder interviews/Focus Groups

Promotion

Promotion	
In-person promotion • 5 in-person public meetings • 1 Virtual public meeting • Ongoing pop-up outreach events September-November	Media promotion • Press releases • July, Sept., Nov. • Social media campaign #NavigatingChange2050 • Videos
Digital promotion • Webpage www.wmpo.org/2050mtp • Email blasts	Print promotion • Handout • Poster



Public Outreach Phase 1- Public Meetings

	Event Type	Date/Time	Location
1	Public Meeting- Kickoff Meeting	August 3, 2023, 4pm to 6pm	NHC NE Library
2	Public Meeting- Open House	August 15, 2023, 9am to 11am	Carolina Beach- Town Hall
3	Public Meeting- Open House	August 17, 2023, 4pm to 6pm	Brunswick Co. -Belville Town Hall
4	Public Meeting- Open House	August 22, 2023, 4pm to 6pm	Pender Co.- Hampstead Annex
5	Public Meeting- Open House	August 24, 2023, 9am to 11am	NHC Senior Resource Center
6	Virtual Public Meeting- Workshop	September 8, 2023, 12pm to 1pm	Zoom
Public Meeting Totals:		• 106 Attendees • 90 Map Comments	



Public Outreach Phase 1- Presentations and Pop-Up Events

Presentations

- Page 10 of 21
1. 8/8/23- WMPO Bicycle and Pedestrian Advisory Committee (BPAC)
 2. 8/22/23- Wilmington Chamber of Commerce Policy Committee
 3. 9/14/23- Cape Fear Housing Coalition
 4. October 2023- Governing Boards of 10 WMPO Member Jurisdictions
 5. 11/16/23- Society of American Military Engineers (SAME) Association

Pop-Up Outreach Events

1. 8/1/23- National Night Out – Carolina Beach
2. 8/2, 8/15, 8/16- NASA Grant events- Downtown Wilmington
3. Sept and Oct 2023- Wave Transit
4. 9/23/23 –Empower Wilmington- Downtown Wilmington
5. 10/7/23- Belville Fall Festival
6. 11/4/23- Festival Latino
7. TBD- Events in communities underrepresented in survey responses



Please Let Us Know Your Thoughts on Transportation in the Cape Fear Area!

Page 11 of 21



Take the survey!



Tell us about your **community's transportation needs** and top priorities!







Visit the WMPO website to learn more about Cape Fear Navigating Change 2050:

wmpo.org/2050mtp



1. Survey Overview

Cape Fear Navigating Change 2050

More at: <https://www.wmpo.org/2050mtp/>

Metropolitan Transportation Plan

< Cape Fear Navigating Change 2050 >>

A comprehensive plan to strategize transportation investments in the Cape Fear area through 2050

Wilmington Urban Area MPO Metropolitan Transportation Plan

Metropolitan Planning Organizations (MPOs) are federally designated local transportation planning agencies. The Wilmington Urban Area MPO is not one single city, town, or county; rather, we plan for many local jurisdictions. The backbone of our planning effort is the Metropolitan Transportation Plan (MTP), which is updated every five years. The next MTP, Cape Fear Navigating Change 2050, will identify the Wilmington region's transportation needs and provide a blueprint for the next 25 years.

Click here for WMPO planning area map

Español

Next

There are six transportation modes that the MTP will cover:
Aviation, Bicycle and Pedestrian, Highway, Public Transportation, Rail, and Water Transportation.



2 Where would you spend the money?

3 What would you change?

4 Where should we be looking?

5 Demographic Information



A vertical collage of six images representing different modes of transportation. From top to bottom: a bridge at night with lights reflecting on water; a person riding a bicycle; a large ship on the water; an airplane in flight; a bus on a road; and a highway with a bridge in the background.

Plan de Transporte Metropolitano

Cape Fear Navegando el Cambio 2050
Un plan integral para diseñar estrategias de inversiones en transporte en el área de Cape Fear hasta 2050

1
2
3
4
5

Plan de transporte metropolitano de la MPO del área urbana de Wilmington

Las Organizaciones de Planificación Metropolitana (MPO) son agencias locales de planificación del transporte designadas por el gobierno federal. La MPO del área urbana de Wilmington no es una sola ciudad, pueblo o condado; más bien, planificamos para muchas jurisdicciones locales. La columna vertebral de nuestros esfuerzos de planificación es el Plan de Transporte Metropolitano (MTP), que se actualiza cada cinco años. Nuestro próximo MTP, Cape Fear Navigating Change 2050, identificará las necesidades de transporte de la región de Wilmington y proporcionará un plan para los próximos 25 años.

Haga clic aquí para ver el mapa del área de planificación de WMPO
English
Español

Hay seis modos de transporte que cubrirá el MTP: aviación, bicicletas y peatones, carreteras, transporte público, ferrocarril y transporte acuático.



¿Dónde gastarías el dinero?

¿Qué cambiarías?

¿Dónde deberíamos estar buscando?

Información demográfica



2. Where Would You Spend the Money?

Metropolitan Transportation Plan

2 Budget Allocation

With a limited budget, choices must be made.

Where would you spend the money?

Please distribute your set amount of funding to the categories which are most important to you and the community. You can also use the comment bubble to elaborate on your answers!

1

10

10

90

Bicycle and Pedestrian Facilities 0	Public Transportation 0	Improve or Maintain Roads 0	Roadway Safety 0
More Roads 0	Aviation 0	Water Transportation 0	Rail 0

3 What would you change?

4 Where should we be looking?

5 Demographic Information



3. What Would You Change?

Metropolitan Transportation Plan

Where would you spend the money?

What would you change?

Survey Questions

The questions below will help us assess community needs.

Current Travel Behavior

In the past 30 days, how often have you traveled (for recreation or transportation) in each of the following ways?

> Walking

Select...

> Bicycling

Select...

> Rideshare and/or Taxi

Select...

> Public Transit

Select...

> Drive Alone

Select...

> Please use this space for any additional comments.

Type...

0/500

Lifestyle

Obstacles

Obstacles (cont'd)

Preferences

Resiliency

The Future

Where should we be looking?

Demographic Information

Page 15 of 21

Page 49 of 151

4. Where Should We Be Looking?

Metropolitan Transportation Plan

Where would you spend the money?

What would you change?

Where should we be looking?

Map Marker

Click and drag markers where there are problems or potential projects.

Roadway

Bicycle and Pedestrian

Aviation

Public Transportation

Ferry and Water Transportation

Rail

Map

Satellite

Wilmington

Wrightsville

Bayshore

Kings Grant

Leland

Town Creek

Winnabow

Myrtle Grove

Carolina Beach

Kure Beach

St James

Boiling Spring Lakes

Bolivia

Shallotte

Roan Island

Castle Hayne

Select...

Keyboard shortcuts | Map data ©2023 Google | Terms of Use | Report a map error

Demographic Information



5. Demographic Information

Metropolitan Transportation Plan

Where would you spend the money?

What would you change?

Where should we be looking?

Demographic Information

5

Wrap-Up

Tell us a bit about yourself. Please click finish when you are done.

> What is your home zip code?

12345

> What is your gender?

Select...

> Which race or ethnicity best describes you?

Select...

> What is your approximate annual household income?

Select...

> What is your age?

Select...

> Check all that apply:

☐ I am a resident of the area

☐ I am a tourist visiting the area

☐ I am a part-time resident

☐ I am a student

☐ I do not live here but I work here

Answer the questions you want to, then click Finish:

Finish

Thank You!

Thank you for sharing your community's needs for the Metropolitan Transportation Plan! To learn more, please visit our website below or tune in to our social media pages!

Project Site

Please share this with others and help us get everyone involved! Tag us in your posts with the hashtag **#NavigatingChange2050** to be entered for prizes, which can be viewed on the project site!

f

t

in



Please Help us Promote the Survey!

- Follow/Like the WMPO on Social Media
 - Share our posts with your network
- Poster/Handout Distribution
 - Hang a poster or place handouts at your place of work or recreation
- Email Promotion
 - Share a press release with your group or listserv via email



@wilmingtonmpo



@wmpo



@wilmingtonmpo



@wilmingtonmpo



Social Media Contest!

- Get entered to win when you share a link to the survey on Facebook, Twitter, Instagram, or Linked In with the hashtag **#NavigatingChange2050**.
- Winners announced monthly on social media!



Monthly Prizes:

- **August** – Tandem kayak rental (fits 2 people)
- **September** – Bike rental for 2 people
- **October** – 2 Tickets for a boat ride on the Cape Fear River
- **November** – 4 tickets to the Wilmington Railroad Museum



For More Information and Resources Visit: WMPO.ORG

Page 20 of 21

ACRONYMS | EVENTS | TRANSLATE



WILMINGTON URBAN AREA
METROPOLITAN PLANNING ORGANIZATION

ABOUTPROJECTS & PROGRAMSPLANSRESOURCESAGENDAS / MINUTESCONTACT



Cape Fear

NAVIGATING
CHANGE 2050

CAPE FEAR NAVIGATING CHANGE 2050

LEARN ABOUT THE PLAN



CAPE FEAR NAVIGATING CHANGE 2050

Cape Fear Navigating Change 2050 is the Metropolitan Transportation Plan (MTP) which will be the plan used by federal, state, and local governments to guide transportation projects in our region over the next 25 years. The plan includes an evaluation of potential aviation, bicycle and pedestrian, ferry and water transportation, rail, public transportation, and roadway projects to meet the needs of the region.

Public comment is now open through November 30, 2023.

Learn more about the plan and take the survey.





QUESTIONS?

Contact Us!

Vanessa Lacer, AICP, WMPO Senior Transportation Planner

vanessa.lacer@wilmingtonnc.gov

(910) 341-3234





**Pender County
BOA to close Country Court Account
and Transfer Funds from the General
County Fund to the Pender County
Housing Authority Fund.**

TO: Board of County Commissioners

FROM: Sue Sava

DATE: October 2, 2023

SUBJECT: BOA to close Country Court Account and Transfer Funds from the
General County Fund to the Pender County Housing Authority Fund.

SUMMARY:

Close Country Court Account as we would like to transfer the remaining funds from the General County fund to the Pender County Housing Authority Fund to use for Housing Authority Administrative training funds.

ACTION REQUESTED:

Approval for funds to be transferred.

Pender County Budget Ordinance Amendment

Page 2 of 3

Fiscal YearFY 2023-2024

Department73 - PENDER HOUSING AUTHORITY

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-399000	Gen Fund Appropriated	9882.13
2	73-397000	Contribution from Gen Fund	9882.13
3			
4			
5			
6			
7			
8			
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-409033	Transfer to Housing	9882.13
2	730-405500	Training	9882.13
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues19764.26

Total Expenditures19764.26

Budget Amendment Balances when Zero.0

Prepared By:Angela Miller

Emailbmartindale@pendercountync.gov

Pender County Budget Ordinance Amendment

Page 3 of 3

Fiscal Year

FY 2023-2024

Department

73 - PENDER HOUSING AUTHORITY

Proposed Amendment:

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-399000	Gen Fund Appropriated	9882.13
2	73-397000	Contribution from Gen Fund	9882.13
3			
4			
5			
6			
7			
8			
9			
10			

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-409033	Transfer to Housing	9882.13
2	730-405500	Training	9882.13
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues
19764.26

Total Expenditures
19764.26

Budget Amendment Balances when Zero.
0

Prepared By:
Angela Miller

Email
bmartindale@pendercountync.gov



Pender County Request for Board action

TO: Board of County Commissioners
FROM: Alan Cutler
DATE: October 2, 2023
SUBJECT: Approval of a Purchase Order for the Central Square (Zuercher) Annual Subscription and Annual Maintenance fee in the amount of \$95,407.63.

SUMMARY:

The Pender County Sheriff's Office selected Zuercher Technologies as the replacement to the VisionAir system in 2019. The Zuercher solution uses one application and one database, all from one vendor (Zuercher). The hardware is provided as part of the solution, saving costly equipment upgrades every 5 years, and is monitored 24x7x365. The system is continuously updated to include enhancements, new features and customer requests. Zuercher is the only Public Safety solution to follow this model and would qualify as the Sole Source Exception under North Carolina State Competitive Bidding Requirements.

The annual subscription and maintenance fee for Zuercher is \$95,407.63. These funds will come from account 510-404500 and 252-404500. The E911 portion of these funds will be reimbursed 100%. These funds were budgeted for FY 24.

ACTION REQUESTED:

Approval of a Purchase Order for the Central Square (Zuercher) Annual Subscription and Annual Maintenance fee in the amount of \$95,407.63.



Renewal Order prepared by:
Mabel Jose Peralta
mabel.jose@centralsquare.com

Renewal Order #: Q-148892
Start Date: December 4, 2023
End Date: December 3, 2024
Billing Frequency: Yearly
Subsidiary: Tritech Software Systems

Renewal Order prepared for:
Jennifer Coleman, Executive Assistant
Pender County Sheriff's Office
605 East Fremont Street
Burgaw, NC 28425-1449
910-259-1212

Thank you for your continued business. We at CentralSquare appreciate and value our relationship and look forward to serving you in the future. CentralSquare provides software that powers over 8,000 communities. More information about all of our products can be found at www.centralsquare.com.

WHAT SOFTWARE IS INCLUDED?

	PRODUCT NAME	QUANTITY	TOTAL
1.	Administration - Inventory/Equipment Barcode Scanner and Printer Package (Wasp)	1	0.00 USD
2.	Administration Core	1	623.73 USD
3.	Administration Core (Agency Site License)	1	813.18 USD
4.	CAD - Basic Paging Interface (SMTP/Email)	1	0.00 USD
5.	CAD - CLQ Location and Image Retrieval Subscription Core (Agency Site License)	1	2,315.25 USD
6.	CAD - E911 (ANI/ALI) Interface	1	0.00 USD
7.	CAD - Emergency Reporting Interface (Export)	1	857.62 USD
8.	CAD - EMS Charts Interface (Export)	1	857.62 USD
9.	CAD - EvenTide Voice Recorder Interface	1	1,481.35 USD
10.	CAD - Priority SMS Paging Subscription Core (Agency Site License)	1	2,315.25 USD
11.	CAD - Priority SMS Paging Subscription Core (up to 1,500 messages per full-time dispatch seat per month)	1	2,315.25 USD
12.	CAD - ProQA Platinum-Certified Interface (Import and Export)	1	2,261.01 USD
13.	CAD - PulsePoint Interface (Export)	1	0.00 USD
14.	CAD - Rip and Run (Fax/Email) Interface	1	0.00 USD
15.	CAD Advanced (Agency Site License)	1	1,169.49 USD
16.	CAD CLQ Location & Image Retrieval Subscription Core Annual Subscription Fee	1	3,472.88 USD

MORE INFORMATION AT CENTRALSQUARE.COM



Pender County Request for Board action

TO: Board of County Commissioners
FROM: Alan Cutler
DATE: October 2, 2023
SUBJECT: Approval of Budget Amendment for the transfer of revenue funds from insurance claims in the amount of \$12,572.75.

SUMMARY:

Pender County Sheriff's Office is requesting the approval of a Budget Amendment for the transfer of revenue/insurance funds . The amount of these funds are \$12,572.75.

Revenues-

10-320017 Insurance/property loss \$12,572.75

Expenditures

510-402800 Vehicle Maintenance \$12,572.75

ATTACHMENTS:

Approval of Budget Amendment for the transfer of revenue funds from insurance claims in the amount of \$12,572.75..

Pender County Budget Ordinance Amendment

Page 2 of 2

Fiscal Year: FY 2023-2024 Department: 510 - SHERIFFS DEPARTMENT

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	10-320017	Insurance/Property loss	12,572.75
2			
3			
4			
5			
6			
7			
8			
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	510-402800	Vehicle Maintenance	12,572.75
2			
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues: 12572.75 Total Expenditures: 12572.75

Budget Amendment Balances when Zero. 0

Prepared By: Jennie Coleman Email: jennifer.coleman@pendersheriff.com



Pender County Request For Board Action

TO: Board of County Commissioners

FROM: Tom Hedrick

DATE: October 2, 2023

SUBJECT: Approval of a Purchase Order to McGill for sludge removal at the WWTP in FY24 for \$50,000

SUMMARY:

Sludge is a byproduct of the wastewater treatment process. It needs to be removed yearly from the plant's digester to create room for more sludge as to not disrupt the treatment process. McGill Environmental Systems has performed this task in the past with great success and we'd like to continue this partnership through 4/30/24. A quote from Synagro was obtained as well but due to their high setup fee that wouldn't leave enough money for actual sludge removal.

This purchase order request will cover sludge removal services for FY24. Funds have been budgeted for this expenditure out of 068-404500 Contract Services.

ACTION REQUESTED:

Approve purchase order to McGill Environmental Services in the amount of \$50,000 for sludge removal at the Wastewater Treatment Plant for FY24.

ATTACHMENTS:

Quotes from McGill and Synagro.

Proposal/Agreement (rev 01/18) ☐ New ☐ Change



Account Information

Legal name: _____ DBA: _____
Acct #: _____ Website: _____
Billing address: _____
Primary contact: _____ Email: _____
(O): _____ (F): _____ (M): _____
A/P contact: _____ Email: _____ (O): _____

Ship to facility:

- ☐ **McGill-Delway**, 1100 Herring Rd, Rose Hill, NC 28458, Permit WQ0006816
☐ **McGill-Merry Oaks**, 634 Christian Chapel Church Rd, New Hill, NC 27562, Permit SWC-19-06
☐ **McGill-Waverly**, 5056 Beef Steak Rd, Waverly, VA 23890, Permit VDHUR154

Proposal Information

Brief Description

Scope of Work

McGill Environmental Systems of NC, Inc. ("McGill") will furnish all labor, equipment, supervision and materials, unless otherwise specified, to perform the following:

Item	Material Code	Rate

Additional notes:

Transportation provider:

- ☐ McGill
☐ Customer
☐ Subcontractor:

Fuel Surcharge:

- ☐ Yes
☐ No

CPI Adjustment:

- ☐ Yes
☐ No

Terms of Proposal/Agreement

This agreement is contingent upon pre-acceptance of material in accordance with McGill and all local, state and federal regulations.

Additional transportation charges may apply for scheduled hauls canceled by the customer.

Customer assumes full responsibility for all costs related to the removal and disposal of transported residuals found to contain substances that do not fall within regulatory parameters defined in McGill's permit.

A fuel surcharge may apply for fuel-consuming equipment. McGill reserves the right to adjust fuel surcharges based on industry averages.

Customer agrees to indemnify, exonerate and hold McGill harmless against loss, damage or expense, by reasons of suits, claims, demands, judgments and causes of action for personal injury, death or property damage rising out of or in any way in consequence of the performance of work undertaken by McGill except that in no instances shall the customer be held responsible for any liability claim demand or cause of action attributable solely to the gross negligence of McGill.

Any disposal or other work beyond the scope of work described above, unless agreed in writing, will be billed at the current Time and Material Rates.

Payment Terms – Net due 30 days from date of invoice. McGill does not agree to "pay when get paid" clauses. Discrepancies with invoices must be addressed in writing within 30 days from date of invoice or invoice will be considered acceptable as is and payment will be expected in full within the agreed payment terms. Finance charges of one and one-half percent (1.5%) per month will be due on payments past due after 30 days from date of invoice.

This proposal will be good for _____ from date of acceptance.

Contract Effective Dates

Start Date: _____ **End Date:** _____

SIGNATURES

My signature indicates my acceptance of the terms of this proposal/agreement.

Customer Representative Title Date

Job Number Customer PO#

McGill Representative Title Date

McGill Representative Title Date

Date received in Accounting Department:

May 17, 2023

Tom Hedrick
PO BOX 995
Burgaw, North Carolina 28425

RE: CPI Cost Adjustment

Dear Mr. Hedrick:

Per our contract, Synagro is entitled to an adjustment of our contract price(s) effective at the anniversary of the contract. Such price(s) shall be adjusted annually consistent with the U.S. Department of Labor, Bureau of Labor Statistics' Consumer Price Index (CPI) for the Atlanta Area, Not Seasonally Adjusted with the base being April 2022. We hereby inform to you that an adjustment has been calculated as follows:

Item Description	CPI Percentage Multiplier	Base Price	Price Adjustment Percentage	New Price	Unit
LIQ LAND APP	100.00%	\$0.0634	5.80%	\$0.0671	Gallon
MOBILIZATION & SET UP	100.00%	\$11,461.37	5.80%	\$12,126.13	Each
AG LIME	N/A	Cost + 15%	N/A	Cost + 15%	Per Ton

We shall prepare our invoices effective June 1, 2023 through May 31, 2024 with the adjusted unit prices, as stated above.

Again, we greatly appreciate your business and thank you for your consideration.

Sincerely,

Christina White

Christina White
Senior Accountant

cc: Curt Kleinsorg, Mary Brewer, Todd Larson, Emil Kneis, Elizabeth Grant, Jessica Stahl, File



Databases, Tables & Calculators by Subject

Change Output Options: From: 2013 ▼ To: 2023 ▼ 
☐ include graphs ☐ include annual averages [More Formatting Options](#) ➔

Data extracted on: May 17, 2023 (1:43:38 PM)

CPI for All Urban Consumers (CPI-U)

Series Id: CUURS35CSA0, CUUSS35CSA0
Not Seasonally Adjusted
Series Title: All items in Atlanta-Sandy Springs-Roswell, GA, all urban consumers, not seasonally adjusted
Area: Atlanta-Sandy Springs-Roswell, GA
Item: All items
Base Period: 1982-84=100

Download:  [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2013		215.009		215.205		217.337		218.781		216.505		216.017	216.267	215.324	217.210
2014		218.861		220.620		223.862		223.657		221.276		218.058	220.969	220.459	221.479
2015		218.123		219.567		225.152		225.027		222.282		221.015	221.631	220.048	223.214
2016		221.658		223.820		226.724		227.817		227.675		226.739	225.463	223.488	227.438
2017		229.493		230.974		233.882		235.818		235.030		234.107	232.887	230.519	235.255
2018		237.000		237.417		240.376		241.026		238.673		237.276	238.577	237.725	239.430
2019		240.072		243.383		243.087		246.311		245.860		245.076	243.731	241.559	245.903
2020		247.042		242.617		245.184		248.070		248.794		249.051	246.653	244.889	248.417
2021		252.972		257.074		261.662		264.502		268.362		273.424	261.633	255.894	267.372
2022		279.743		284.925		291.764		295.469		297.058		295.452	289.673	283.715	295.631
2023		299.916		301.447											

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Pender County August 21, 2023, BOCC Meeting Minutes

TO: Board of County Commissioners
FROM: Alexis Stanfield
DATE: October 2, 2023
SUBJECT: August 21, 2023, BOCC Meeting Minutes

SUMMARY:

Attached are the minutes for the August 21, 2023, BOCC meeting.

ACTION REQUESTED:

Approval of the minutes for the August 21, 2023, BOCC meeting.

ATTACHMENTS:

Minutes



MINUTES
Board of County Commissioners Meeting
Monday, August 21, 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
Tera Cline, 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 Vice Chair Hardee gave the invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Commissioner George lead the Pledge of Allegiance.

4 ADOPTION OF AGENDA

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion to adopt the agenda was made.

	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 HEARING

6 PUBLIC INFORMATION

6.1 ESGR's Patriot Award Presentation by Jason Thompson

Jason Thompson presented the Department of Defense's Employer Support of the Guard and Reserve (ESGR) Patriot Award to Everett Baysden, EMS and Fire Director for Pender County.

6.2 Updates from Veteran's Services

Michelle Leach, Veteran's Services Director, updated the Board on upcoming events with Veteran's Services. Veteran's Services will be hosting "Veteran's Coffee" in Hampstead where veterans can speak to the department about the services offered. Hampstead and Burgaw will have the Marine Corp League cookout soon. The Vet Experience Act Center will be coming to town to assist veterans with claims.

6.3 Information Technology Services (ITS) Department Update and Approval of a Purchase Order and Renewal to Software House International (SHI) for the Two-Factor Authentication (2FA) / Multi-Factor Authentication (MFA) system in the amount of \$35,891.65.

Erik Harvey, ITS Director, gave an update on the ITS department. Pender County recently experienced 3rd party infrastructure issues causing the website to go offline. ITS has since fixed the server issues and the website is up and running. Erik Harvey honorably mentioned Mike Chambers, Felicia Thomas, and Marcel Miranda for their part in reviving the website. Harvey briefly discussed the multi-factor authentication program, which he asked the Board to approve the purchase order and renewal of. The Board voted to move the approval request to the Approvals and Resolution section of the agenda as item 9.8.

Moved by Brad George, seconded by Fred McCoy

Motion to move Approval of a Purchase Order and Renewal to Software House International (SHI) to Approvals and Resolutions as item 9.8.

	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 PUBLIC COMMENT FOR AGENDA ITEMS

- 7.1 Cheryl Highsmith addressed the Board regarding the fiber Optic internet Pender County is implementing. She has little-to-no internet access at her home still.

Larry Highsmith also spoke on the Fiber Optic Internet. Mr. Highsmith stated it is hard to do his job, which requires internet access. The only internet he has is on his phone and it is unreliable.

Carol Highsmith also spoke about the Fiber Optic Internet. She stated she works for UNCW which sometimes requires her to work from home. She needs reliable internet access to do her job effectively.

8 CONSENT AGENDA

- 8.1 Approval to carryover Purchase Order #567 from FY23 to Charles Underwood, Inc. for \$26,928.00 to purchase rehab of Del Lift Station.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion to approve 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.

- 8.2 Approve PO for mixers for the Topsail Tank and Maple Hill Tank in the amount of \$59,970.00
- 8.3 Approval to carryover purchase order from to FY24 on F350 Crane Truck
- 8.4 Budget Ordinance Amendment - movement of collected Room Occupancy Tax from revenue to promotions in the #44 account
- 8.5 Approval of Budget Amendment for State Seizure Budget for Fiscal Year 2023-2024.
- 8.6 Request to regrade the Fire Marshal position from a Grade 11 Step 0 to a Grade 13 Step 0
- 8.7 Mobile Home 2019-2022 Tax Bill Release Request due to clerical error/property not being in Pender County during these years
- 8.8 Resolution to Designate Review Officers for maps/plats for recording with Register of Deeds office- Statutory Requirement NC G.S. 47-30.2(a)
- 8.9 Adoption of N.C. Dep't of Natural and Cultural Resources Records Retention Schedule and Internal Policies Related to Records Retention
- 8.10 Recommendation to award Averro Advisors the contract and issue a PO for an IT Assessment in the amount of \$59,850

9 APPROVALS AND RESOLUTIONS

- 9.1 Resolution to authorize the Upset Bid Process with respect to the Disposition by Sale of County Property in Pender Commerce Park

Sarah Taylor, Assistant to the County Manager, presented the Resolution to authorize the Upset Bid Process with respect to the Disposition by Sale of County Property in Pender Commerce Park. Polyhose currently occupies Lot 3. Supreme Ventures has bid on Lot 4, an 8.3 acres parcel connected to Lot 3. Supreme Ventures wants to come the two lots to expand the current Polyhose facility. Supreme Ventures is offering \$419,150.00 for Lot 4. The Pender County tax office has agreed to this price. Taylor covered the process if the offer is accepted. Taylor answered questions from the Board.

Moved by Fred McCoy, seconded by Brad George

Motion to approve the Resolution to authorize the Upset Bid Process with respect to the Disposition by Sale of County Property in Pender Commerce Park.

	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.

9.2 Proclamation for Operation Green Light for Veterans 2023

Michelle Leach, Veteran's Services Director, presented the Proclamation for Operation Green Light for Veterans 2023. Leach informed the Board the National Association of Counties, and the National Association of Counties Veteran's Services Officers has invited the County to take part in Operation Green Light. The County can show support for its veterans by replacing the light bulb that illuminates the county buildings with a green bulb from November 6-12th, 2023.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion was made to approve the Proclamation for Operation Green Light for Veterans 2023.

	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.

9.3 Retaining the Services of Gallagher Benefit Services

Pamela Brame, Human Resources Director, presented item 9.3 Retaining the Services of Gallagher Benefit Services. Gallagher Benefit Services will be the new Pender County benefit broker. The decision to switch benefit brokers came from a panel. Brame is asking the Board to approve the switch and allow her to formally enter into a contract. A representative from Gallagher Benefit Services, Wes Grigston, addressed the Board. Mr. Grigston and Brame both answered questions

from the Board.

Moved by Jerry Groves, seconded by Fred McCoy

Motion to approve Retaining the Services of Gallagher Benefit Services.

	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.

- 9.4 Approval of Service Contract and Purchase Order for Inmate Medical Services with Mediko, Inc in the amount of \$467,759.00 annually.

Alan Cutler, Pender County Sheriff, present the Approval of Service Contract and Purchase Order for Inmate Medical Services with Mediko, Inc in the amount of \$467,759.00 annually. Sheriff Cutler informed the Board this contract with Mediko, Inc would have services provided sixteen (16) hours Monday - Friday and twelve (12) hours Saturday and Sunday of medical care at the prison. The previous vendor used for these services, IMS failed to uphold their contract and asked to be terminated. The new contract with Mediko, Inc. will not require new funds. Sheriff Cutler answered the Board's questions. Captain Strickland answered questions on staffing.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion to approve the Service Contract and Purchase Order for Inmate Medical Services with Mediko, Inc in the amount of \$467,759.00 annually.

	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.

9.5 Approval of Revisions to the Solid Waste Ordinance (ch26)

Susan Barnhill and Katie Leubner, Solid Waste Coordinator and Project Manager, respectively, presented the Approval of Revisions to the Solid Waste Ordinance (ch26). This ordinance has not been updated substantially since the year 2000. The revisions include establishing a solid waste officer, modernizing language, fee changes, and criminal penalties. It is required that the addition of criminal penalties must be voted on by the Board twice in order to pass (S.L. 2021-138). Barnhill answered questions from the Board.

Katie Leubner answered questions from the Board regarding matter other than the presented item. Leubner discussed the fading stickers and a convenient site update for the Board in the near future.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion to Approve the Revisions to the Solid Waste Ordinance (ch26).

	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.

9.6 Report on Current Water Supply Conditions and Approval of Resolution for Update to the Water Shortage Response Plan

Kenny Keel, Utilities Director, presented a Report on Current Water Supply Conditions and Approval of Resolution for Update to the Water Shortage Response Plan. The Water Shortage Response Plan is required to be updated every five years. Keel noted the changes made are not significant. Keel also went over county wide water usage, informing the Board Pender County is at its water limit. Keel answered questions from the Board.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion to approve the Resolution for Update to the Water Shortage Response Plan.

	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.

9.7 Approval of Budget Amendment and Purchase of Parcel ID 3282-28-1109-0000 on Hwy 210 in Hampstead for \$6,000,000 for future K-8 School

Meg Blue, Finance Director, presented the Approval of Budget Amendment and Purchase of Parcel ID 3282-28-1109-0000 on Hwy 210 in Hampstead for \$6,000,000 for future K-8 School. This parcel would be used to build a new K- 8 school for Pender County. Blue reported the due diligence on this property was completed. The Board of Education and County Management team have discussed this property and come to an agreement. The parcel is less acreage than initially planned due to wetness. This would be paid through the general fund, fund balance. Blue answered questions from the Board.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion to Approve the Budget Ordinance Amendment and Purchase of Parcel ID 3282-28-1109-0000 on Hwy 210 in Hampstead for \$6,000,000 for future K-8 School

	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.

- 9.8 Approval of a Purchase Order and Renewal to Software House International (SHI) for the Two-Factor Authentication (2FA) / Multi-Factor Authentication (MFA) system in the amount of \$35,891.65.

Erik Harvey, ITS director, presented this item. This is a renewal of a software program that authenticates users' identity twice before logging into county websites and softwares used by the county. Harvey answered questions from the Board.

Moved by Brad George, seconded by Fred McCoy

Motion to approve Purchase Order and Renewal to Software House International (SHI) for the Two-Factor Authentication (2FA) / Multi-Factor Authentication (MFA) system in the amount of \$35,891.65.

	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 DISCUSSION

11 APPOINTMENTS

11.1 Animal Shelter Advisory Committee Confirmation

Lexi Stanfield, Clerk to the Board, presented the item. Stanfield asked the Board to confirm the members of the Animal Shelter Advisory Committee in efforts to maintain clear term limits. The following individuals are to serve a three-year term beginning August 21, 2023, to July 30, 2026:

Health Director: Carolyn Moser
Citizen At- Large: Sylvia Hall
Veterinarian: Joni Shimp

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion to confirm the members of the Animal Shelter Advisory

Committee.

	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.

11.2 Tandra Henderson Appointment to the Board of Adjustment

Lexi Stanfield, Clerk to the Board, present Tandra Henderson's application to serve on the Board of Adjustment as the district five representative. The Board approved her application. Ms. Henderson's term will begin August 21, 2023, and expire on July 30, 2026.

Moved by Fred McCoy, seconded by Brad George

Motion to appoint Tandra Henderson to the Board of Adjustment.

	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.

11.3 Shane Mellin Parks and Rec Board Reappointment

Lexi Stanfield, Clerk to the Board, presented Shane Mellin's application to represent district one on the Parks and Recreation Board. Mr. Mellin has served one term on the board. Mr. Mellin will serve a second term beginning September 1, 2023, with an expiration date of June 30, 2026.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion to re-appoint Shane Mellin to the Parks and Recreation Board.

	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.

11.4 Susan Griffin Tourism Development Authority Board Reappointment

Lexi Stanfield, Clerk to the Board, presented Susan Griffin's application to be reappointed as a collector to the Tourism Development Authority Board. Ms. Griffin has served one term on the board as a collector. Ms. Griffin's current term expires on August 31, 2023. Ms. Griffin's new term will begin on September 1, 2023, with an expiration date of August 31, 2026.

Moved by Jerry Groves, seconded by Fred McCoy

Motion to re-appoint Susan Griffin to the Tourism Development Authority Board.

	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.

12 MAPLE HILL WATER AND SEWER DISTRICT

13 ROCKY POINT WATER AND SEWER DISTRICT

14 SCOTTS HILL WATER AND SEWER DISTRICT

15 MOORES CREEK WATER AND SEWER DISTRICT

16 CENTRAL PENDER WATER AND SEWER DISTRICT

17 PENDER COUNTY BOARD OF HEALTH

18 SOCIAL SERVICES BOARD

19 PUBLIC COMMENT

20 ITEMS FROM THE COUNTY ATTORNEY, COUNTY MANAGER, ASSISTANT COUNTY MANAGERS, & COUNTY COMMISSIONERS

20.1 David Andrews, County manager, informed the Board that tax bills had been sent out. Andrews also introduced Brandi Cobb, the new communications manager.

Trey Thurman, County Attorney, requested the Board go into closed session under item three (3) Attorney Client Privilege including the case Coastal Pines vs Pender County 22 CVS 1029.

Commissioner McCoy spoke about his time with Tedd Budd in Burgaw recently.

Vice Chair Hardee gave some WMPO updates.

Commissioner Groves addressed complaints about four way stops he's received recently. He also spoke about the RPO meeting he attended.

Chair Newton thanked the employees in the Utilities department for all the hard work they put into fixing the water line break.

21 CLOSED SESSION (IF APPLICABLE).

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Motion was made to go into closed session under item three (3) Attorney Client Privilege including the case Coastal Pines vs Pender County 22 CVS 1029.

	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
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CARRIED.

**22 7PM PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP
AMENDMENTS/ RESOLUTIONS**

- 22.1 REZONE 2023-50: Request to rezone one parcel totaling approximately 6 acres from the GB, General Business zoning district to the RP, Residential Performance zoning district in the Rocky Point Township

Taylor Davis, Planner, presented REZONE 2023-50. The applicant for the request is Fortino Martinez Arellanez. This parcel is located off of US highway 117. The planning board voted to deny the request on August 1, 2023. The Planning Board came to the conclusion the rezone request is inconsistent with the Future Land Use Map. The Board was presented policies, the Planning Board's findings, as well as the approval criteria for rezoning.

Aracely Martinez spoke on behalf of her family. Ms. Martinez informed the board her family requests this rezoning so they can build a proper home on it.

Dereck Peterson, the Martinez' neighbor, spoke out against the request to rezone.

Moved by Jerry Groves, seconded by Fred McCoy

Motion to approve the rezoning request.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton		x		
Jerry Groves	x			
Wendy Fletcher-Hardee		x		
Brad George		x		
	2	3	0	0

DEFEATED.

- 22.2 REZONE 2023-47 CZMA: Request to revise a Conditional Zoning Map Amendment for the Falls Mist Development in the Rocky Point Township

Sam Potter, representative of the applicant, requested a continuance until October 16, 2023.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion to approve continuance request.

	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.

23 ADJOURNMENT

Moved by Fred McCoy, seconded by Jerry Groves

Motion to enter open session was unanimous. Motion carried.

Motion to adjourn meeting. Meeting adjourned at 7:21PM.

	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.



**Pender County
September 5, 2023, BOCC Meeting
Minutes**

TO: Board of County Commissioners
FROM: Alexis Stanfield
DATE: October 2, 2023
SUBJECT: September 5, 2023, BOCC Meeting Minutes

SUMMARY:

Attached are the minutes for the September 5, 2023, BOCC meeting.

ACTION REQUESTED:

Approval of the minutes for the September 5, 2023, BOCC meeting.

ATTACHMENTS:

Minutes



MINUTES
Board of County Commissioners Meeting
Tuesday, September 5, 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 McCoy gave the invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Commissioner Groves lead the Pledge of Allegiance.

4 ADOPTION OF AGENDA

4.1 David Andrews, County Manager, requested the Board add an additional item to the agenda. Commissioner McCoy made a motion to add the item as 9.2. Vice Chair Hardee seconded the motion. Motion carried.

Moved by Fred McCoy, seconded by Jerry Groves

Motion to adopt the agenda with the additional item added as item 9.2.

	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 HEARING

6 PUBLIC INFORMATION

6.1 State of the Fire Marshal's Office

Amy Burton, Fire Marshall, gave a brief overview of the Pender County Fire Department. Fire Marshall Burton outlined the future plans she would like to carry out in order to serve Pender County better, including hiring more staff and restructure and reorganize the Fire Commission. Fire Marshall Burton answered the Board's questions.

7 PUBLIC COMMENT FOR AGENDA ITEMS

8 CONSENT AGENDA

8.1 Approve Purchase Order to purchase a mini-excavator

Moved by Fred McCoy, seconded by Jerry Groves

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.

- 8.2 A Resolution of the Pender County Board of Commissioners Authorizing Upset Bid Process with respect to the Disposition by Sale of Parcel 3332-88-7049-0000
- 8.3 A Resolution of the Pender County Board of Commissioners Accepting High Bid for Property with Respect to the Disposition by Sale of Parcel 2353-74-1898-0000
- 8.4 A Resolution of the Pender County Board of Commissioners Accepting High Bid for Property with respect to the Disposition by Sale of Parcel 2385-65-4988-0000
- 8.5 Approval to Accept a Donation for Foster Care Children's Fund \$3155
- 8.6 Approval of a Purchase Order to Axon Enterprises, Inc. in the Amount of \$44,437.20 for the Lease of the Tasers. This will be year 5 lease payment.
- 8.7 Approval of Resolution to Adopt 2022 Local Water Supply Plan
- 8.8 Approval of Purchase Order for the purchase of 2023 Dodge Charger from Performance Auto in the of amount of \$50,004.67.
- 8.9 August 7, 2023, BOCC Meeting Minutes
- 8.10 Second approval of revisions to the Solid Waste Ordinance to include criminal penalties
- 8.11 Motor Vehicle Releases and Refunds
- 8.12 Approval of a Purchase Order to Software House International (SHI) for Manage Engine's IT Service Management Annual Software Licensing Renewal in the amount of \$81,347.71.
- 8.13 Approval of a Purchase Order for a 2024 Ford Bronco Sport to Performance Ford for \$31,890.24
- 8.14 Approval of a Budget Amendment to move revenues in the amount of \$4,240.74 to expenditures.
- 8.15 Approval of a Budget Amendment to increase Health Department Revenues and Expenditures for Fiscal Year 2023-2024: \$300,000
- 8.16 Approval of Contract for 2026 Reappraisal Services with Vincent Valuations

9 APPROVALS AND RESOLUTIONS

- 9.1 Resolution Advancing the Real Property Revaluation Cycle from Eight to Seven Years, Effective Jan. 1, 2026, and Every Four Years Thereafter

Melissa Radke, Tax Administrator, present the Resolution Advancing the Real Property Revaluation Cycle from Eight to Seven Years,

Effective Jan. 1, 2026, and Every Four Years Thereafter. Radke gave a brief overview of the resolution advancing the Real Property Revaluation Cycle, an item that has been brought before the Board a few times. Radke also requested the Board consider/approve changing the reevaluation cycle to every four (4) years after this upcoming reevaluation. Radke explained the benefits of reducing the years in-between reevaluations. Radke answered the Board's questions.

Moved by Brad George, seconded by Fred McCoy

Motion to Approve the Resolution Advancing the Real Property Revaluation Cycle from Eight to Seven Years, Effective Jan. 1, 2026, and Every Four Years Thereafter.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton		x		
Jerry Groves		x		
Wendy Fletcher-Hardee	x			
Brad George	x			
	3	2	0	0

CARRIED.

9.2 Approval of Home and Community Care Block Grant for Older Adults

David Andrews, County Manager, presented this item. This grant is an agreement between Pender Adult Services and Cape Fear Council of Government. The grant is for \$476,906.00 to Pender County for adult programs such as transportation, home delivered meals, in-home aid, senior center operations, etc. and requires a \$52,000.00 match. This grant is annually presented to the Board.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion to approve the Home and Community Care Block Grant for Older Adults.

	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 DISCUSSION

11 APPOINTMENTS

12 MAPLE HILL WATER AND SEWER DISTRICT

13 ROCKY POINT WATER AND SEWER DISTRICT

14 SCOTTS HILL WATER AND SEWER DISTRICT

15 MOORES CREEK WATER AND SEWER DISTRICT

16 CENTRAL PENDER WATER AND SEWER DISTRICT

17 PENDER COUNTY BOARD OF HEALTH

17.1 Presentation of Child Fatality Team Report for 2022

Carolyn Moser, Health and Human Services Director, presented the Child Fatality Report for 2022. This is a statutorily mandated report. According to the report, there were seven (7) child deaths reviewed in 2022. Four (4) of the seven cases were closed out and two (2) are waiting for additional information. Moser covered the different causes assessed. None of the cases were results of improper case. Moser recommends the Health Department continue to work like they have been.

18 SOCIAL SERVICES BOARD

19 PUBLIC COMMENT

19.1 Muriel Seabrooks addressed the Board to discuss the lack of internet access at her home and the water issues she has faced. Ms. Seabrooks feels the west side of Pender County has been forgotten when it comes to the Broadband Internet.

Chair Newton addressed Ms. Seabrooks concerns and offered an update on the Broadband Internet from David Andrews, County Manager. Andrews stated he spoke to Kris Ward from Broadband and was told it should be up by December 2023.

- 19.2 Tommy Carr also discussed internet and water issues he has been facing. Mr. Carr stated he had to have head surgery due to alleged bacteria in his well water. He also noted he has to use bottled water for almost everything. Mr. Carr briefly spoke about internet issues as well.
- 19.3 Robert Highsmith addressed water issues. Mr. Highsmith stated his interest in getting on city water.
- 19.4 Brenda Galvan appeared before the Board to discuss water and internet issues.
- 19.5 Larry Highsmith appeared before the Board to discuss water issues. Mr. Highsmith stated he has a deep well, but his water is still appearing contaminated. Mr. Highsmith reports his water rusts everything and he has to use bottled water for everything.
- 19.6 Carol Highsmith appeared before the Board to address water and internet issues. Ms. Highsmith did not go into depth about water issues since so many had before. She did note that no one had called her from the last Board meeting about internet issues.
- 19.7 Mercedes Clements appeared before the Board to discuss internet and water. Ms. Clements thanked Chair Newton and David Andrews for their hard work.
- 19.8 Joyce Carr appeared before the Board to discuss internet and water. Ms. Carr noted that water and internet are necessities not luxuries.
- 19.9 Jeffrey Newton appeared before the Board to discuss internet and water. Mr. Newton voiced his belief that there is a link in the lack of clean water and internet and the racial makeup of the area. Mr. Newton stated he had called Chair Newton years ago but he never heard back from her.
- 19.10 Timothy Dittmar appeared before the board to discuss the sign for Millers Pond Park. Mr. Dittmar stated he had spoken to NCDOT and went over a few ideas to fix the issue. He asked the Board to also help by getting in contact with DOT.
- 19.11 Cheryl Highsmith appeared before the Board to discuss the internet and water issues. Ms. Highsmith gave grant statistics and raised concern about her area not having internet. She also spoke on water issues in her area. Ms. Highsmith voiced she felt the Board does not accurately represent her without former commissioner Jimmy Tate. Ms. Highsmith asked Chair Newton and Commissioner Groves about racial remarks.
- 19.12 Brett DeSelms addressed the Board on Behalf of a Pender County resident in regard to Carl Meeks, LLC., a motorbike Airbnb. Mr. DeSelms asked the Board to help with the noise.
- 19.13 Georgia Smith addressed the Board. She purchased a home for

Stephen's Fine Homes and is currently having septic tank issues. Ms. Smith requests the Board to help her and other residents with similar issues.

- 19.14 Gary Helm, the resident who hired Brett DeSelms, expressed the motorbikes are too loud and he feels his life has been destroyed.
- 19.15 Terrell Pridgen appeared before the Board to discuss the lack of internet in his area. Mr. Pridgen voiced his belief that internet plays a crucial role in society today in areas such as education and employment.
- 19.16 Roy Harris appeared before the Board to discuss the Carl Meeks, LLC. motorbikes and river flooding. Mr. Harris asked for help with the noise of the bikes, and suggested the Board close the river whenever flooding is predicted. Mr. Harris asked the Board to be better and asked Trey Thurman, county attorney, not to be rude to residents.

20 ITEMS FROM THE COUNTY ATTORNEY, COUNTY MANAGER, ASSISTANT COUNTY MANAGERS, & COUNTY COMMISSIONERS

- 20.1 David Andrews, County Manager, introduced Brandi Cobb as the new Communications Manager.

Allen Vann, Assistant County Manager, reported Zach White was promoted to be the new Parks and Recreation Director. Pender County has hired Jared Crass to be the new Project Manager and will start on Monday, September 18th, 2023.

Trey Thurman, County Attorney, requested the Board go into closed session pursuant to item three (3) Attorney Client Privilege including the case Coastal Pines vs Pender County 22 CBS 1029 and item five (5) Acquisition of Real Property.

Commissioner George discussed his time at the NCACC Conference in August. He also gave notice to residents that the solid waste fees are changing and to look at their tax bills.

Commissioner McCoy thanked county staff for their storm preparedness. He discussed calls he's received regarding highway 117.

Commissioner Groves reported his time at the NCACC Conference in August. He thanked Forest Hill Baptist Church for the card he received in the mail. Groves addressed racial comment.

Vice Chair Hardee also spoke about her time at the NCACC Conference in August. She also touched down on the loss of farmland in relation to the population growth Pender County is seeing.

Chair Newton spoke on her time at the NCACC Conference in August. She also addressed the racial comment. Chair Newton noted she did not approve of outburst from a fellow commissioner.

21 CLOSED SESSION (IF APPLICABLE).

- 21.1 Motion to go into closed session pursuant to item three (3) Attorney Client Privilege including the case Coastal Pines vs Pender County 22 CVS 1029 and item five (5) Acquisition of Real Property.

Moved by Fred McCoy, seconded by Jerry Groves

Motion to go into closed session.

	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

- 22.1 A vote to adjourn the meeting was made. The vote was unanimous. Meeting adjourned at 7:45PM.



**Pender County
September 12, 2023, BOCC/PB Joint
Meeting Minutes**

TO: Board of County Commissioners
FROM: Alexis Stanfield
DATE: October 2, 2023
SUBJECT: September 12, 2023, BOCC/PB Joint Meeting Minutes

SUMMARY:

Attached are the minutes for the September 12, 2023, BOCC/PB joint meeting.

ACTION REQUESTED:

Approval of the minutes for the September 12, 2023, BOCC/PB joint meeting.

ATTACHMENTS:

Minutes



MINUTES
Board of County Commissioners Meeting
Tuesday, September 12, 2023 4:00 PM
Pender County Public Assembly Room

MEMBERS PRESENT:

Fred McCoy
Jacqueline Newton
Brad George
Jerry Groves

MEMBERS ABSENT:

Wendy Fletcher-Hardee

OTHERS PRESENT:

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

1 Call to Order

1.1 Chair Newton called the meeting to order.

2 Overview of Local Government Zoning Authority-brief orientation/refreshers

2.1 Update on the new Comprehensive Plan and the goals of the new plan

Daniel Adams, Planning Director, asked the Planning Board and Board of County Commissioners to go around the room and state the differences in Pender County that have taken place since the last comprehensive plan had been established. Many responses included growth in county and population, changes in how people work, environmental issues, etc. Adams asked the boards how they envision the future for the next generation. Answers from both boards ranged from affordable housing, good quality of life, restoration of nature, safe alternatives for travel to run off issues, control flooding, over-development, etc.

Adams explained and discussed overlay districts: what they are, how they work, and how to implement them. Overlay districts are a separate

zoning district that overlaps on an already existing district(s). Overlay districts can be established by amending policies, updating the Unified Development Ordinance, etc.

When discussing the Future Land Use Map, Commissioner George noted the growth the Hampstead area has seen over the years. Chair Newton and Commissioner George led a discussion on Township and Incorporation.

2.2 Use of Conditional Zoning

Daniel Adams, Planning Director, introduced the discussion around conditional zoning. Condition zoning allows the board to hear what an individual wants to build and apply conditions.

The Planning Board expressed they look to the Board of County Commissioners for guidance. Support for conditional zoning was noted.

3 Special Zoning Approvals: Process and Procedure

3.1 Moving SUP's to the BOA

Patrick Buffkin, Staff Attorney, addressed both boards. Buffkin suggested the Board of County Commissioners (BOCC) move the responsibility of Special Use Permit (SUP) requests to the Board of Adjustment (BOA). By giving the BOA the responsibility of SUPs, the BOCC is permitted to participate in the case through outside counsel and expert witnesses. Moving SUPs to the BOA would not add a layer of approval. Members of both boards noted that the BOA has a hard time filling positions and would require alternates. Additionally, the BOA would need to study the Unified Development Ordinance and Pender County's Comprehensive Plan.

The boards discussed reducing the types of uses that require a SUPs and replacing it with conditional zoning.

3.2 PD District Approval Process

Daniel Adams, Planning Director, led the boards into the discussion around PD District and its approval process. PD Districts are a mix of residential and commercial. The process for PD approval begins by submitting a master plan with details up front, similar to conditional zoning. The Planning Board cannot deny a PD rezoning request due to community outcry; the reasoning must fall within the codes. The boards continued to discuss PD districts.

4 Discussion of Future Joint Meetings and other topics of discussion

4.1 Staff opened the floor up to both boards' members to discuss their thoughts on the joint meeting and if it is something worth doing again.

Both boards agreed the meeting was productive.

Both boards held a general discussion regarding the Carl Meeks, LLC motorbikes.

5 Adjournment

5.1 The meeting was adjourned at 6:23PM.



Pender County Personal Property Release Requests

TO: Board of County Commissioners
FROM: Melissa Radke
DATE: October 2, 2023
SUBJECT: Personal Property Release Requests

SUMMARY:

After tax bills are mailed, the timeframe for appeals on personal property is 30 days from the date of the billing. The following release requests were brought forward in the proper time and have proper documentation for the release requested. See the attached items and spreadsheet showing all the releases and the recommendation of the Tax Administrator for each.

ACTION REQUESTED:

Approve the recommendation of the Tax Administrator in the case of each of these release requests

Property to be released	Value to be released	\$ to be released	Tax year to be released	Reason for release	
Boat	17,775	\$147.53	2023	Appealed Value; lowered based on other like comps	Recommendation
Mobile Home	2,240	\$242.91	2023	Mobile Home donated- no situs in Pender County	Approve
Boat	52,746	\$536.69	2023	No situs in Pender County, in Brevard County FL as of 1/1/2021	Approve
Boat	52,746	\$483.02	2022	No situs in Pender County, in Brevard County FL as of 1/1/2021	Approve
Boat	53,224	\$541.55	2023	Sold in 2022, duplicated bill to prior and new owner	Approve
Mobile Home & unregister	4,440	\$265.43	2023	Sold in 2022, duplicated bill to prior and new owner	Approve
Boat	98,888	\$902.85	2023	Appealed Value; lowered value based on other like comps	Approve
Boat	26,973	\$274.45	2023	Sold in 2021, no longer has situs in Pender County	Approve
Boat	26,973	\$247.01	2022	Sold in 2021, no longer has situs in Pender County	Approve
Boat	10,021	\$101.96	2023	Sold in 2021, no longer has situs in Pender County	Approve
Boat	11,901	\$121.75	2023	Sold in 2022, no longer has situs in Pender County	Approve
Mobile Home	1,210	\$231.67	2023	Sold in 2021, duplicated bill to prior and new owner	Approve
Boat	131,874	\$1,341.82	2023	Military - should be exempt due to LES home state not NC	Approve
Boat	32,696	\$334.47	2023	Military - should be exempt due to LES home state not NC	Approve
Boat	32,696	\$301.21	2022	Military - should be exempt due to LES home state not NC	Approve
Boat	32,696	\$273.83	2021	Military - should be exempt due to LES home state not NC	Approve
Aircraft	30,000	\$289.41	2023	Appealed Value; lowered value based on hours, condition, etc	Approve
Boat	14,020	\$142.66	2023	Sold in 2022, no longer has situs in Pender County	Approve
Mobile Home	5,980	\$280.84	2023	Sold in 2022, no longer has situs in Pender County	Approve
Boat	50,835	\$517.24	2023	No longer has situs in Pender County as of 1/1/2023	Approve
Boat	14,750	\$138.65	2023	No longer has situs in Pender County as of 1/1/2023	Approve
Boat	11,357	\$115.57	2023	Should have been deactivated for 2023 / 2023 listing form returned with sold notated	Approve
Boat	50,884	\$517.75	2023	No situs in Pender County, in New Hanover County as of 1/1/2022	Approve
Boat	50,884	\$465.97	2022	No situs in Pender County, in New Hanover County as of 1/1/2022	Approve
Boat	5,257	\$248.89	2023	Duplicated Listing	Approve
Mobile Home	27,940	\$508.89	2023	Transferred to real property in 2023/duplicated mobile home on personal & real	Approve
Utility Trailer	11,510	\$155.39	2023	Appealed Value ; lowered value based on bill of sale from 2022	Approve
Boat	11,316	\$110.23	2021	Sold in 2020; Discovered to new owner	Approve
Boat	11,316	\$111.93	2022	Sold in 2020; Discovered to new owner	Approve
Boat	11,316	\$115.16	2023	Sold in 2020; Discovered to new owner	Approve
Mobile Home	11,627	\$338.32	2023	Sold in 2022; listed to new owner for 2023	Approve
Boat	15,047	\$153.10	2023	Sold in 2020; No longer has situs in Pender County	Approve
Boat	15,047	\$137.79	2022	Sold in 2020; No longer has situs in Pender County	Approve
Boat	15,047	\$125.26	2021	Sold in 2020; No longer has situs in Pender County	Approve
Boat/Trailer	9,769	\$99.41	2023	Sold in 2022; No longer has situs in Pender County	Approve
Mobile Home	2,650	\$247.11	2023	Sold in 2022 with the land; Mobile home discovered to new owner; Includes 200 solid waste fee	Approve
Boat	35,509	\$361.31	2023	Sold in 2022; No longer has situs in Pender County	Approve
Mobile Home	5,040	\$272.11	2023	Sold in 2022; Office error in not deactivating the account; Includes 200 solid waste fee	Approve
Boat	30,544	\$310.79	2023	Sold in 2022; Office error in not deactivating the account	Approve
Boat	46,525	\$473.39	2023	Sold in 2022; No longer has situs in Pender County	Approve
Mobile Home	2,060	\$219.37	2023	1 MH demo'd other sold in 2022; should have been removed by listing form for 2023	Approve



Pender County Motor Vehicle Releases and Refunds

TO: Board of County Commissioners
FROM: Melissa Radke
DATE: October 2, 2023
SUBJECT: Motor Vehicle Releases and Refunds

SUMMARY:

This list includes all motor vehicle refund and releases processed through the NCVTS system with DMV. These refunds and releases result from prorations of tax due to the return of a NC license plate to the DMV office (usually for vehicles/trailers that have been sold, totaled, gifted to new owner, wrong situs address, approved for exemption, etc). NC DMV has also approved these refunds, Board action allows Pender County to issue checks back to the owner.

The refunds and releases shown are recommended for approval by the Pender County Tax Office.

ACTION REQUESTED:

Approve the NC motor vehicle release and refunds shown.

RELEASES OVER \$100

YEAR	NAME	ACCOUNT	AMOUNT	REASON
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NONE

REFUNDS OVER \$100

YEAR	NAME	ACCOUNT	AMOUNT	REASON
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2022	CHEN, QIONG	286041987	196.42	SOLD
2022	ELKINS, ALEXANDRIA GRACE	286041957	101.48	SOLD
2021	GILLESPIE, JOSEPH GERARD JR	286267047	194.97	MILTRY EXEMPT
2021	GILLSEPIE, JOSEPH GERARD JR	286267053	112.23	MILTRY EXEMPT
2022	GILLESPIE, JOSEPH GERARD JR	286267050	101.90	MILTRY EXEMPT
2021	HETZER, JOHN JEFFREY	286042287	235.29	SOLD
2021	HETZER, JOHN JEFFREY	286042278	270.62	SOLD
2022	HUTCHINSON, KELLIE WHITE	286266981	107.07	SOLD
2022	KLEBE, LINDSEY JANE	286618575	161.71	OUT OF STATE
2022	LEIGH, MARK TALBERT JR	287147586	139.24	SOLD
2022	LIBERTY DISPOSAL INC	287848962	228.08	SOLD
2022	MALCOLM, KRISTLE LYNN	286500312	120.65	SOLD
2022	MAZZARONE, PATRICK	285812244	110.49	OUT OF STATE
2022	MCCONNAUGHEY, TYSON SCOTT	287734989	107.63	SOLD
2023	MCCLELLAN, SHAWN MICHAEL	382001260	294.80	DESTROYED
2022	MERCADO, ANTHONY MICHAEL	287147445	438.93	MILTRY EXEMPT
2022	MOORE, JOHN TIMOTHY JR	287357775	494.69	OUT OF STATE
2022	OAKLEY, GREG ALLEN	287025189	106.83	DESTROYED
2022	PARKS, DANIEL THOMAS	286803528	356.99	MILTRY EXEMPT
2022	PARKS, DANIEL THOMAS	286803519	143.66	MILTRY EXEMPT
2022	PRODOEHL, MITCHELL SCOTT	287025201	244.52	OUT OF STATE
2022	PRODOEHL, REBECCA LEIGH	287025210	165.79	OUT OF STATE
2022	PULLINGER, JEFFREY PRAKASH	287147214	206.09	MILTRY EXEMPT
2022	REYNOLDS, JESSICA MARIE	383007740	123.76	DOUBLELIST
2022	RUWE, CHRISTIAN SAYRE	286500546	226.37	MILTRY EXEMPT
2022	RUWE, JENNIFER BROWNING	286514094	336.33	MILTRY EXEMPT
2022	STATON, WILLIAM KEITH	288252453	238.94	SOLD
2022	THOMAS, WALKER B	381389612	133.98	SITUS
2022	TULLOCH, REBECCA RACHEL	286802943	199.27	SOLD
2022	WALLIN, THOMAS RUSSELL	286266924	137.49	MILTRY EXEMPT
2022	YARBOROUGH, CHRISTY MARIE	285813507	118.97	SOLD

TOTAL REFUNDS OVER \$100

\$6,155.19

RELEASES UNDER \$100

YEAR	NAME	ACCOUNT	AMOUNT	REASON
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NONE

REFUNDS UNDER \$100

YEAR	NAME	ACCOUNT	AMOUNT	REASON
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2022	ALLEN, CHARLIE ROSCOE JR	286803081	39.33	SOLD
2022	AUTRY, RONNIE	288231099	15.26	DESTROYED
2021	COBB, RANDOLPH TYLER	288230805	90.50	SOLD
2022	DAVIS, SHAMEKA LATOYA	286167735	37.20	DESTROYED

2021	FIGUEROA, ARACELI CAMACHO	384530440	18.31	SITUS
2022	GREEN, DANIEL DUAYNE	286803036	5.74	MILTRY EXEMPT
2022	GREEN, DANIEL DUAYNE	286803045	40.30	MILTRY EXEMPT
2022	GREEN, DANIEL DUAYNE	286803039	34.32	MILTRY EXEMPT
2021	HASKELL, ELIZABETH	287147202	14.60	OUT OF STATE
2022	HETZER, AIDAN RILEY	286042269	38.09	DESTROYED
2022	HEYLMUN, JANET LYNN	287357991	85.16	SOLD
2022	HIGGS, JAMES HOWARD	287598432	35.72	OUT OF STATE
2022	HUTCHINSON, JAMES EDWARD	286266978	71.09	SOLD
2022	KIGER, LESLIE JEAN	287025261	20.27	SOLD
2022	LARRY'S TIRE SERVICE INC	287039925	35.65	SOLD
2022	OAKLEY, GREG ALLEN	287025180	10.98	SOLD
2022	PEARSALL, FERIHA TINA	287039778	93.53	SOLD
2022	PERRY, JAMES LUCAS	286042390	14.98	DESTROYED
2022	PINHO, ROSA MARIA	288230877	35.18	OUT OF STATE
2022	RAYNOR, ANDREA THOMAS	286709418	50.27	SOLD
2021	REYNOLDS, JESSICA MARIE	383007704	87.93	SITUS
2023	REYNOLDS, JESSICA MARIE	383007728	57.24	SITUS
2021	RODRIGUEZ, RACHEL GLASGOW	285812163	8.67	OUT OF STATE
2022	ROGERS, JESSICA BLAIR	286041798	40.04	SOLD
2022	RUSH, KERRY ANN	287617413	26.12	SOLD
2022	RUWE, CHRISTIAN SAYRE	286500549	57.60	MILTRY EXEMPT
2022	SAVIDGE, ELIZABETH	287025327	62.37	SOLD
2022	SIMOE, IDILIO MARQUES	286041588	71.39	ADJSTD VALUE
2022	SIMPSON, CHARLES HENRY	287039604	90.51	DESTROYED
2022	SUAREZ MONTALVO, LUZ	287617515	76.21	DESTROYED
2022	TEW, NATHAN WILSON	288397422	54.08	SOLD
2023	TINNEY, JOHN SCOTT	384529420	34.82	SITUS
2022	TRIPLETT, WILLIAM KEITH	287255445	36.00	SOLD
2022	WHITMORE, JOSEPH ALAN	381389240	24.98	SITUS

TOTAL REFUNDS UNDER \$100	1,514.44
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TOTAL OF ALL RELEASES	NONE
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TOTAL OF ALL REFUNDS	\$7,669.63
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Pender County
Approval of a Budget Amendment to
close out project budgets in Fund 60 CIP
fund

TO:	Board of County Commissioners
FROM:	Meg Blue
DATE:	October 2, 2023
SUBJECT:	Approval of a Budget Amendment to close out project budgets in Fund 60 CIP fund

SUMMARY:

Please review and consider approval of a Budget Amendment to close out project budgets in Fund 60 CIP fund. There are some closed out projects that either didn't use their entire budget or were discontinued for various reasons. This budget amendment will close out those budgets and allow for transfer of minor residual balances back to the funds that they originally came from.

ACTION REQUESTED:

Approval of a Budget Amendment to close out project budgets in Fund 60 CIP fund

Pender County Budget Ordinance Amendment

Page 2 of 4

Fiscal Year: FY 2023-2024 Department: VARIOUS

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	60-348083-3601	NCDPS Grant	-18193.15
2	60-348300-3602	Gov Crime Commission	-1405.04
3	60-397010-6021	Trans Fr: Fund 10	32602.50
4	60-399003-6041	Trans from GF/FB	99148.00
5	068-399012	Transfer from CIP	99148.00
6	068-399000	Fund Balance Appropriated	-99148.00
7	695-399012	Transfer from CIP	11559.58
8	695-399000	Gen Fund Appropriated	-11559.58
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	60-401400-3601	Travel	-0.70
2	60-403300-3601	Supplies & Materials	-18192.45
3	60-403300-3602	Supplies & Materials	-1405.04
4	60-407400-6020	Capital Outlay	-1907.32
5	60-409020-6020	Transfer to Gen Fund	1907.32
6	60-407400-6021	Capital Outlay	32602.50
7	60-409079-6041	Transfer to Fund 71	99148.00
8	60-404500-6052	Contract Services	-6652.26
9	60-499400-6052	Contingency	-3000.00
10	60-409020-6052	Transfer to Gen Fund	9652.26

Total Revenues 112152.31 Total Expenditures 112152.31

Budget Amendment Balances when Zero. 0

Prepared By: Angela Miller Email: amiller@pendercountync.gov

Pender County Budget Ordinance Amendment

Page 3 of 4

Fiscal Year: FY 2023-2024 Department: VARIOUS

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	60-348180-6054	Golden Leaf Foundation	-33252.18
2	60-330600-6096	Duke Energy Rebate	46090.00
3	60-340100-6096	Premium on Debt Issued	0.37
4	60-396100-6096	Loan Proceeds	0.23
5	695-399012	Transfer from CIP	114510.68
6	695-399000	Gen Fund Bal Appropriated	-114510.68
7			
8			
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	60-402203-6054	Rent Assistance	-32774.42
2	60-403300-6054	Supplies & Materials	-477.76
3	60-403300-6096	Supplies & Materials	-0.93
4	60-404400-6096	Bond Closing Costs	94.91
5	60-404505-6096	Contract Services-Engineer	-3800.00
6	60-407400-6096	Capital Outlay	-6554.06
7	60-409020-6096	Transfer to Gen Fund	57741.68
8	60-409600-6096	Contingency	-1391.00
9	60-404500-6099	Contract Services	-56769.00
10	60-409020-6099	Transfer to Gen Fund	56769.00

Total Revenues 12838.42 Total Expenditures 12838.42

Budget Amendment Balances when Zero. 0

Prepared By: Angela Miller Email: amiller@pendercountync.gov

Pender County Budget Ordinance Amendment

Page 4 of 4

Fiscal Year

FY 2023-2024

Department

VARIOUS

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	60-348801-6460	NC Emer Mgmt Grant	-912655.20
2	60-348801-6461	NC Emer Mgmt Grant	-349144.81
3	695-399012	Transfer to CIP	-2797.44
4	695-399000	Gen Fund Appropriated	2797.44
5			
6			
7			
8			
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	60-404502-6460	Admin/Legal Fees	750.00
2	60-404578-6460	Contracted Serv-Grant Admin	-27373.00
3	60-404579-6460	Contracted Serv-Surveyor	1695.00
4	60-404582-6460	Contracted Serv-Demo	-39591.00
5	60-407441-6460	Cap Outlay-Acquis/Elevation	-848136.20
6	60-404578-6461	Contracted Serv-Grant Admin	-22808.24
7	60-407441-6461	Cap Outlay-Acquis/Elevation	-329134.01
8	60-409020-6461	Transfer to Gen Fund	2797.44
9			
10			

Total Revenues

-1261800.01

Total Expenditures

-1261800.01

Budget Amendment Balances when Zero.

0

Prepared By:

Angela Miller

Email

amiller@pendercountync.gov



Pender County Approval of Resolution Authorizing Sale of Surplus Personal Property by Public Auction

TO: Board of County Commissioners

FROM: Meg Blue

DATE: October 2, 2023

SUBJECT: Approval of Resolution Authorizing Sale of Surplus Personal Property by Public Auction

SUMMARY:

The County Fleet department has deemed several vehicles surplus and request board approval to auction them off on www.govdeals.com. Please consider approval of the attached Resolution Authorizing Sale of Surplus Personal Property by Public Auction. Documentation attached details exactly what items that are requested to be surplus and the procedure for surplus of those items via electronic auction.

ACTION REQUESTED:

County Staff requests the Board's approval of a resolution to authorize the sale of personal property by public auction. If the Board approves the attached resolution, County Staff will publish notice of the sale of County-Owned Personal Property for the 10 days needed by statute and will conduct the sale for the which concludes 10 days after the notice expires under the statute.

Board of County Commissioners
Jacqueline A. (Jackie) Newton – Chair
Wendy Fletcher-Hardee – Vice Chair
Archibald (Fred) McCoy
Jerry Groves
Brad George



County Manager
David Andrews
Assistant County Manager
Allen Vann
County Attorney
Carl W. (Trey) Thurman
Staff Attorney
Patrick Buffkin

Resolution Authorizing Sale of Personal Property by Public Auction

Whereas, G.S. 160A-270(b) allows the Pender County Board of Commissioners to sell personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the property at public auction;

Whereas, the County Manager has recommended that the property listed on the attached Exhibits A should be sold at public auction as surplus property; now therefore,

Be it resolved, by the Pender County Board of Commissioners that the County Manager or his designee is authorized to sell by electronic auction @ www.govdeals.com , beginning October 23rd , 2023 @ 8 a.m. and ending November 2nd , 2023 @ 5:00 p.m., the surplus property described on Exhibit A, at the County Surplus Property Facility, 3088 New Savannah Rd, Burgaw, North Carolina, the surplus property described on Exhibit A as per the terms and conditions as specified in the Auctioneer Services contract approved by the commissioners and in accordance with G.S. 160A-270(b). The terms of the sale shall be net cash. The County Manager or his designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

Adopted by the Pender County Board of Commissioners this the ____ day of _____, 2023.

Jacqueline A. Newton,
Chair of the Board of Commissioners

ATTEST: _____
David Andrews,
Clerk to the Board of Commissioners



Exhibit A

Munis Asset #	Fleet Asset #	Description	VIN	KKB value
7989	4001	1985 FRT DUMP TRUCK	1FUYDLYB6KH354469	\$4500-\$7500
6020	5018	2004 Ford Explorer	1FMZU72K14UB62569	\$2086-\$3847
6849	7005	Ford F150	1FTRF12257NA18811	\$500-\$1200
7893	4008	Ford F350	1FD8X3661BED09533	\$4,000- \$7000



**Pender County
Consideration of Approval of a Contract
with Pond & Company for Design,
Engineering, and Construction
Administration for Central Pender Park**

TO:	BOCC
FROM:	Sarah Taylor
DATE:	October 2, 2023
SUBJECT:	Consideration of Approval of a Contract with Pond & Company for Design, Engineering, and Construction Administration for Central Pender Park

SUMMARY:

Pender County Parks & Recreation obtained PARTF grant funding for the creation of a new park, Central Pender Park, located just north of the intersection of Old Savannah Road and Highway 117 in Burgaw. Preliminary plans and site surveys, in addition to budgetary cost estimates, were prepared for the roughly 60 acre parcel. The initial phase of development for the park will include construction of site utilities, restroom/concession stand, picnic shelter, playground, 4 multipurpose fields with lights, a multi-use path, and a parking lot.

On June 23rd, the county re-advertised a Request for Qualifications for a design firm to provide design, engineering, and construction administration to complete the project. The project budget of \$2.825 million was advertised along with a completion deadline of September 2025. Four firms responded to the RFQ and were interviewed by County Staff to further validate their qualifications. Pond & Company was selected by staff based on their qualifications and references. Their proposal for analysis & design, design development, final construction plans & permitting, bidding, and complete turn-key construction administration totals \$295,120.

ACTION REQUESTED:

Approve entering into a contract and a subsequent Purchase Order with Pond & Company in the amount of \$295,120 to be paid from 60-404505-6027.



401 Hawthorne Lane, Suite 110-194 pondco.com
Charlotte, NC 28204

August 23, 2023

Dee Turner, Zach White, and Sarah Taylor
Pender County Parks and Recreation
805 S. Walker Street
Burgaw, NC 28425

Re: Central Pender Park – Phase I

Mrs. Turner, Mr. White, & Ms. Taylor,

Pond & Company (Consultant) is pleased to provide Pender County Parks and Recreation (Client) with a proposal for design and engineering services for the new Central Pender Park – Phase I located in Burgaw, North Carolina. The work outlined in this proposal will proceed with the planning, design, and engineering of the Phase I elements, noted in green on the PARTF site plan previously prepared by the Client, see Exhibit 1 in this proposal.

POINT OF CONTACT:

Emily Blackwell Hsiao will serve as Project Manager and main point of contact, supported by Andrew Kohr, Principal in Charge. Once we receive a notice to proceed, we will develop a detailed schedule.

SCOPE OF SERVICES:

TASK 1 – ANALYSIS & DESIGN VALIDATION

A. Analysis:

- a. The Consultant understands that the Phase I park elements are as follows:
 - i. Four (4) Soccer fields
 - ii. Picnic Shelter (shelter to be constructed on site, not prefabricated)
 - iii. Restroom/ Concessions Building (Previously permitted. Only code compliant review is included in the scope of this proposal)
 - iv. Playground
 - v. Parking lot
- b. THE Consultant will review the previous site plan with the Owner to understand intended elements. (See Kickoff Meeting agenda under Ca. below)

B. Design Validation:

- a. Conceptual Options
 - i. The Consultant will develop 2 conceptual site plans based on the Owner's program and previous PARTF site plan.
 - ii. The Consultant will develop a preliminary building plan for the open-air picnic Shelter.
 - iii. The Consultant will review the existing building plans for the Restroom/Concessions building which will be provided by the county for code compliance only.

- iv. The Consultant will review these plans with the Owner team for team to discuss options, challenges, and opportunities.
- b. Final Concept Plan
 - i. The Consultant will use the feedback from the conceptual plan to refine the layout and design of the site to create a final concept plan.
 - ii. The Consultant will provide a color site plan exhibit of the final concept plan.
 - iii. The cost estimator will provide a preliminary opinion of probable cost to reflect the costs to be expected for the Final Concept Plan.
- C. The Consultant will provide the following meetings during this task of the project:
 - a. (1) Kickoff meeting & Site Visit (In Person)
 - i. This meeting will include the following topics: a review of the project scope, a discussion of the Owner's intended programming for the park, and a review of the previous concept plan, timeline, goals, desired outcomes of the project, and project budgets.
 - ii. We will visit the site to understand the existing conditions and document potential impacts to any proposed concept and to validate the completed survey.
 - b. (1) Concept Review Meeting, Virtual
 - i. The Consultant will present the two concepts to the Owner/Client and review their feedback to prepare for next steps.
 - c. (1) Final Concept Review Meeting, Virtual
 - i. Upon completion of the final concept plan, the Consultant will present the Final Concept Plan and the cost estimate to the Owner for final approval.
 - ii. This meeting will also be used to determine the exact schedule of project phases.
- D. Survey – Additional:
 - a. Summit Design and Engineering Services completed a site survey dated March 31, 2021.
 - b. During Analysis and Design Validation, we will determine if any portions of site information are missing from this survey. If additional survey data is needed, we will request that Summit complete those during this phase of the project.

TASK 2 – DESIGN DEVELOPMENT

Based on the approved Final Concept Plan, the Consultant will take the site plan design and progress it to approximately 50% design completion.

- A. The following are the anticipated tasks for this phase:
 - a. Based on the site programs developed in the master plan, The Consultant will prepare schematic documents in the following format:
 - i. Cover Page
 - ii. Notes Page
 - iii. Existing Conditions Plan
 - iv. Preliminary Site Plan
 - v. Conceptual Grading and Drainage Plan
 - vi. Preliminary Site Utility Plan
 - vii. Preliminary Landscape Plan
 - viii. Preliminary Shelter building plans
 - ix. Outline specifications
 - x. Memo identifying known required permits

xi. Materials palette

- B. The Consultant will prepare a preliminary stormwater management analysis for sizing and massing of the stormwater management facilities such as detention and water quality devices and measures.
- C. The Consultant will analyze overall earthwork and elevation changes that affect the layout and utility infrastructure connections. Reasonable attempts will be made to design the project so that the earthwork balances on site, but this is not guaranteed.
- D. The plans will include a conceptual horizontal layout of stormwater conveyance systems, stormwater treatment facilities, and domestic water piping.
- E. A pre-design meeting with County permitting officials will be arranged to verify utility capacity information and availability and other applicable requirements. Should there be any issues expected with utility capacity or with local regulations, the Consultant will advise the Client of the issues before moving forward.
- F. Based on the design development plans, material selections, and narratives, The Consultant will develop a final scope of work for the cost estimator.
- G. The design development design package will be provided to the Client in electronic and/or hard copy format for review and discussion. The Consultant will then meet with the Client to discuss the proposed design and any questions or comments.
- H. Please note that this task includes one (1) in-person meeting and one (1) virtual meeting with the Client (anticipated coordination meetings to include the Project Manager and Civil Engineer and a review meeting, which will include the Project Manager and Civil Engineer/Environmental Scientist/or Water Resources Engineer).

TASK 3 - FINAL CONSTRUCTION PLANS & PERMITTING

The Consultant will incorporate feedback on the construction document plans and specifications in order to finalize the design. This task also includes permitting of the design plans.

The following are the anticipated tasks for this phase:

- A. Using the Client approved plan and feedback, Pond will prepare final construction documents in the following format:
 - a. Cover Sheet
 - b. General Notes
 - c. Existing Conditions Plan
 - d. Site Demolition Plans
 - e. Site Layout Plans
 - f. Grading and Drainage plans with storm profiles
 - g. Site Utility Plan
 - h. Construction Details
 - i. Three-Phase Erosion, Sediment, and Pollution Control Plans and Details, in conformance with State Erosion and Control Permit procedures for entire site. ES&PC plans will also serve as the final grading plans.
 - j. Landscape Plans.
 - k. Shelter Building Plans, including architectural, electrical, and structural plans
 - l. Site Electrical Plans
- B. The Consultant will prepare a final stormwater management analysis and report to meet the County requirements, as applicable.
- C. The Consultant will prepare written specifications and a project manual applicable to the scope of work for the project; these will be provided to the Client for procurement.

- D. Using the final design plans, the Consultant will engage the cost estimator to prepare an updated opinion of probable construction cost.
- E. The Consultant will address any minor comments on the drawings from the Client (within the scope of this proposal) to prepare final design documents. The Consultant assumes one round of comments.
- F. Near the completion of final documents, the Consultant will coordinate with the USACE and prepare one (1) pre-construction notification to obtain verification of coverage under the appropriate Nationwide Permit. Additionally, Pond will complete one (1) in person meeting with USACE Wilmington District regulatory personnel to discuss the project and application ahead of submittal. As part of the environmental permitting process, the Consultant will also prepare and submit a pre-filing meeting request to NCDEQ, as required by the Clean Water Act Section 401 Certification Rule.
- G. With the final documents, the Consultant will coordinate permitting and submitting the construction documents through Pender County as part of the Land Disturbance Permit (LDP) process for the site.
- H. Revisions to the plans and stormwater management report will be made per County review comments that fit within the scope of this project as described in this proposal. Major comments or comments with a design impact will be discussed with the Client project manager before they are addressed.
- I. Upon completion of permitting, The Consultant will prepare a 100% final, signed and sealed set of plans and specifications for the Client's use in bidding the project.
- J. The final design package will be provided to the Client in electronic and hardcopy format for review and discussion. It is anticipated that any comments received at this stage will be minor in nature and will not require redesign. Pond will then meet with the Client to discuss the design and any questions or comments.
- K. Please note that, besides the environmental permitting meetings, this step includes up to one (1) in-person meeting and two (2) virtual meetings with the Client, such as coordination meetings and a review meeting (anticipated coordination and review meetings to include the Project Manager and Civil Engineer).

TASK 4-A – BIDDING & CONSTRUCTION ADMINISTRATION

The Consultant will assist the Client with the construction phases of the project for bidding and construction administration. The following are the anticipated tasks for this phase:

- A. Bidding:
 - a. Development of Pre-Bid Meeting agenda
 - b. Project Manager's attendance at the Pre-Bid Meeting
 - c. Issuance of Pre-Bid Meeting notes and addendums
 - d. Bid Review with Client
- B. Construction Administration
 - a. Development of Pre-Construction Meeting agenda
 - b. Project Manager & Civil Engineer's attendance at Pre-Construction Meeting
 - c. (12) Monthly Site visits with Owner and Contractor
 - d. Response to Design Submittals, RFIs, Change Orders
 - e. Review of Pay Applications submitted by the Contractor
 - f. Punch list site walk and close out report

TASK 4-B – BIDDING & CONSTRUCTION ADMINISTRATION

The Consultant will assist the Client with the construction phases of the project for bidding and construction administration. The Consultant has provided this reduced scope as an alternate to Task 4-A. The following are the anticipated tasks for this alternate phase:

Architects
Engineers
Planners
Constructors

- A. Bidding:
 - a. Project Manager’s virtual attendance at the Pre-Bid Meeting
 - b. Consultant will provide responses to questions for Owner to issue
- B. Construction Administration
 - a. Project Manager & Civil Engineer’s attendance at Pre-Construction Meeting
 - b. (6) Site visits with Owner and Contractor
 - c. (2) Virtual Meetings
 - d. Response to Design Submittals, RFIs, Change Orders
 - e. Punch list site walk and close out report
 - f. Task 4-B scope does not include any CA services from the Electrical or Structural Engineers

COMPLETE LIST OF PROJECT DELIVERABLES:

- (1) Conceptual Plan – PDF & Hardcopy (22” x 34” sheet size)
- (1) Final Concept Plan – PDF Format (22” x 34” sheet size)
- (1) Final Concept Cost Estimate – PDF Format (8.5” x 11”)
- (1) Design Development Plan Set – PDF Format (22” x 34” sheet size)
- (1) Design Development Cost Estimate – PDF Format (8.5” x 11”)
- (1) 90% CD Set – PDF Format (22” x 34” sheet size)
- (1) 90% Cost Estimate – PDF Format (8.5” x 11”)
- (1) Final/ Bid CDs Set – PDF Format (22” x 34” sheet size)
- (1) Specifications

SCOPE ASSUMPTIONS/EXCLUSIONS:

- Client and Owner will appoint a Project Manager to serve as a single point of contact.
- Client and Owner will provide site access and provide the Consultant with information regarding planned and existing site features.
- Client and Owner will review the deliverables in a timely manner and provide appropriate feedback.
- Once work has commenced, then changes in the design or alternatives may constitute a change order.
- Re-design as a result of value engineering or unknown conditions will constitute a change order.
- Services not specifically included in the proposal, are deemed to be excluded and considered additional / out of scope services, which will require a change order prior to commencement of any additional work.
- The following services are excluded under this Agreement:
 - Construction Documents beyond what is scoped in this proposal
 - Additional surveying services, including ALTA/NSPS Land Title Survey; Title Search; Topographic Surveys for off-site utility extensions that are not mentioned above; Wetland Delineation; Underground Utility Survey (Outside Limits); Tree Survey other than shown above; Easement Acquisition Support Services; Subdivision Platting, Recording Fees; Construction Staking
 - Environmental permitting; species-specific surveys for protected species; Phase 1 or 2 cultural resources surveys; ground penetrating radar surveys; MOA/MOU with SHPO; more than *de minimus* impacts to 4(f) resources.
 - Public or community meetings
 - Presentations to commissions or boards
 - Hydrological studies or evaluation

- Arborist reports or hazard assessments
- Additional design or field efforts due to a change in, or expansion of the project area
- There is no gas available on site. Gas piping is not included in the basic design.
- Security and fire protection monitoring design
- Solar PV array design
- Design, engineering, plan modifications, or building permit for restroom/concessions building
- Fire Protection design
- Photometric studies
- Radon system (passive or active)
- Security and fire protection monitoring design is by others.
- Construction Administration site visit(s) for Electrical or Structural Engineers.
- Specialty lighting and sports field lighting design, that would require the services of a lighting designer
- Low-voltage electrical drawings
- Record/ As-Built drawing production
- Value engineering
- NGBS or Sustainable Design/LEED Certification
- Detention vault
- Site walls
- Any Third (3rd) and subsequent reviews of rejected MEP or Structural Engineering shop drawings will be additional services.
- Any submittal MEP or Structural Engineering reviews that have previously been approved and are resubmitted as alternates will be additional services.
- Modifications to MEP or Structural Engineering Construction Documents based on RFI responses or material replacement and approved submittals are not included in Construction Administration, unless required by AHJ. All other shall be considered as “As-Built” conditions and subject to additional services.

FEE STRUCTURE:

The following costs represent our lump sum fees to complete the scope of work outlined above. The fees include all labor and project related expenses including travel, printing, and per diem. The Consultant will bill monthly on a percentage complete basis.

TASK 1 – ANALYSIS & DESIGN VALIDATION	\$ 46,070
TASK 2 – DESIGN DEVELOPMENT	\$ 56,500
TASK 3 – FINAL CONSTRUCTION PLANS & PERMITTING	\$ 134,800
TASKS 1-3 SUBTOTAL	\$ 237,370
TASK 4-A – BIDDING & CONSTRUCTION ADMINISTRATION	\$ 57,750
TASK 4-B – BIDDING & CONSTRUCTION ADMINISTRATION	\$ 30,600

Please let me know if you have any questions and thank you again for your trust in our firm.

Sincerely,
Pond & Company



Emily Blackwell Hsiao, PLA, ASLA, CLARB
Charlotte PLACE Practice Lead | Associate
919.971.4651
emily.hsiao@pondco.com



Andrew Kohr, PLA
Director of Landscape Architecture
404.556.8758
Andrew.Kohr@pondco.com

ACCEPTED BY: BY SIGNING BELOW THE UNDERSIGNED REPRESENTS THAT HE/SHE IS DULY AUTHORIZED TO EXECUTE THIS BINDING AGREEMENT ON BEHALF OF THE CLIENT.

Signature: _____

Printed Name & Title: _____

Date: _____

ONCE AN EXECUTED COPY OF THE AIA CONTRACT IS RETURNED FOR OUR RECORDS, IT WILL SERVE AS OUR OFFICIAL AUTHORIZATION TO PROCEED.

EXHIBIT A

Exhibit 1: PARTF Site Plan

SITE PLAN

Phase 1 of the park is shown in green below.



TERMS AND CONDITIONS

This Agreement between _____ ("Client") and **Pond & Company** ("POND"), a Georgia corporation with its corporate headquarters located at 3500 Parkway Lane, Suite 500, Peachtree Corners, GA 30092, is effective as of _____, 20____. The parties agree as follows:

1.0 Services:

POND agrees to perform for Client the professional services ("Services") described in the POND proposal dated

, 20____("Proposal"), attached and incorporated herein. Because of the uncertainties inherent in the Services contemplated, time schedules are only estimated schedules and are subject to revision unless otherwise specifically described in the Proposal. As full consideration for the performance of Services, Client shall pay to POND the compensation provided for in the Proposal.

2.0 Integration:

These Terms and Conditions, the attached documents and those incorporated herein constitute the entire Agreement between the parties and cannot be changed except by a written instrument signed by both parties. If any term or provision hereunder, or any portion hereof, is held to be invalid or unenforceable, it shall not affect any other term or provision hereunder or any part thereof, unless the invalidity or unenforceability of such term(s) or provision(s) tends to render the Agreement commercially useless to either party, in which case the entire Agreement shall become null and void.

3.0 Access to Site:

Unless otherwise stated, POND will have reasonable access to the site for activities necessary for the performance of the services. If reasonable access is not provided and consequently POND is denied or delayed in performing our services, the associated cost may be viewed as an additional expense.

4.0 Billings/Payment:

Invoices for POND services shall be submitted, at POND'S option, either upon completion of such services, on a project basis or on a monthly basis and are due when rendered. Client shall promptly review all invoices and shall notify POND in writing within ten (10) days of date of invoice, provide reasons for the objection, and promptly pay the undisputed amount. Invoices shall be considered "Past Due" if not paid within 30 days after receipt of invoice for services rendered. If the invoice is not paid within 30 days, POND may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, stop work on the performance of the service. Unpaid accounts shall be subject to a monthly service charge of 1% per month on the unpaid balance at the sole election of POND. In the event any portion or all of an account remains unpaid 90 days after proper billing, the Client shall pay all costs of collection, including reasonable court costs and attorney's fees. Client shall remit payment to POND's corporate headquarters address above.

5.0 Reimbursable Expenses:

Reimbursable expenses will be billed at a multiplier of 1.15 times the cost incurred.

6.0 Additional Services:

Additional services include increase or change in scope of project, major revisions when such revisions are inconsistent with written approvals or instructions previously given, services after award of contract in evaluation of substitutions proposed by the construction contractor, correction of discrepancies between copies of the Contract Documents and the electronic media after the 30-day acceptance period and any other services that are not included within the Proposal. POND will only perform additional services when authorized in writing by the Client or Client's representative.

7.0 Client Furnished Services:

Any services provided by the Client for POND shall be deemed reliable, and POND shall be entitled to rely on the accuracy and completeness of any services and information furnished.

8.0 Indemnification:

The Client shall indemnify and hold harmless POND and all of its personnel from and against any claims, damages, losses and expenses (including reasonable attorney's fees) arising out of or resulting from the negligent performance of the services, provided that any such claim, damage, loss or expense is caused by the negligent act, omission, and/or strict

Revised 4/23/2019

Page 1 of 4

liability of the Client, anyone directly employed by the Client (except POND), or anyone for whose acts any of them may be liable.

9.0 Risk Allocation:

In recognition of the relative risks, rewards and benefits of the project to both the Client and POND, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by the law, POND's total aggregate liability to the Client for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes, shall not exceed total fee. Such causes include, but are not limited to, POND negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

10.0 Dispute Resolution:

Any claims, counterclaims, or disputes between the parties to this Agreement arising out of or relating to this Agreement or breach thereof shall be subject to and decided by negotiation, mediation or litigation. The parties shall first endeavor to settle the dispute through direct discussions or negotiations. If the parties do not resolve the dispute or claim within thirty (30) days of the first notice thereof, either party may request mediation, which shall take place within thirty (30) days of the date the request is made. If both parties do not agree to mediation within ten (10) days of said request, or if the mediation does not result in a resolution of the dispute, then either party may proceed with litigation. No written or oral representation during any settlement negotiations or mediation shall be deemed as party admissions.

Any litigation arising out of this Agreement or the breach thereof must be filed in the state courts of Gwinnett County, Georgia, which shall be the sole and exclusive venue for all such litigation. The parties to this Agreement consent to jurisdiction in Gwinnett County, Georgia, and waive any objection thereto.

11.0 Standard of Care:

POND shall perform Services for Client with a standard of care ordinarily exercised by other firms providing similar services in accordance with accepted and sound professional practices, and conforms to applicable laws, codes and regulations.

12.0 Exchange of Electronic Media:

When exchange of data by electronic media is required by this agreement, the following shall apply:

12.1 Client to POND

The Client shall deliver to POND electronic files suitable for use in the format, specification, media and hardware platform (production system) agreed upon between the parties. POND shall review the files within a reasonable time period and determine whether electronic files are suitable for POND's use on the project. If the electronic files are unsuitable for use, POND shall notify the Client of the deficiencies. The Client shall make the required corrections and return the electronic files to POND.

12.2 POND to Client or Third Parties

POND shall deliver to the Client electronic files in the format agreed upon between the parties. These files are compatible only with the software and version agreed upon and may not be compatible with future versions of the software. The Client shall review the electronic files received from POND and notify POND of any discrepancies within a reasonable time period, but no longer than 60 days. POND shall make the required corrections and return the electronic files to Client.

POND agrees that it is responsible for the accuracy of the original sealed documents. If at any time there exists a difference between the submitted electronic files and the original sealed documents, the original sealed documents will govern as the official delivered contract documents.

POND will not release electronic files to third parties without a written authorization of the Client.

13.0 Termination of Services:

This Agreement may be terminated by written notice by either the Client or POND, should the other fail to perform its obligations hereunder or for convenience. In the event of termination, the Client shall pay POND for all services appropriately and completely rendered to the date of termination and all associated reasonable reimbursable expenses.

14.0 Ownership of Documents:

All documents, including electronic media, produced by POND under this Agreement shall remain the property of POND and may not be used by the Client for any reason without the written consent of POND; such written consent not to be

Revised 4/23/2019

Page 2 of 4

unreasonably withheld, conditioned or delayed. Any unauthorized use or distribution shall be at Client's and Recipient's sole risk and without liability to POND. Client further agrees that documents produced by POND pursuant to this Agreement will not be used for any project not expressly provided for in this Agreement without POND's written approval; such written approval not to be unreasonably withheld, conditioned or delayed. The Client will indemnify, defend, and hold

harmless POND for any and all claims, counterclaims, losses, costs, damages, awards or judgments arising from the unauthorized use of the documents.

If Client terminates this Agreement and POND authorizes the use of incomplete documents for Client's future use, POND shall not be liable for any errors or omissions and Client agrees their use of the incomplete documents is at their sole risk.

15.0 Force Majeure:

POND is not responsible for damages and delays caused by factors beyond POND's reasonable control, including but not limited to damages and delays because of strikes, lockouts, work slowdowns or stoppages, accidents, acts of God, failure of any governmental or other regulatory authority to act in a timely manner, failure of the Client to furnish timely information or approve or disapprove of POND's services or work product promptly, or damages and delays caused by faulty performance by the Client or by contractors of any level. When such delays beyond POND's reasonable control occur, the Client agrees POND is not responsible for damages, nor shall POND be deemed to be in default of this Agreement.

16.0 Discovery of Unanticipated Hazardous Materials:

Hazardous materials may exist where there is no reason to believe they could or should be present. POND and the Client agree that the discovery of unanticipated hazardous materials may constitute a changed condition mandating a renegotiation of the scope of work or termination of services at the election of either party. POND and the Client also agree that the discovery of unanticipated hazardous materials may make it necessary for POND to take immediate measures to protect human health and safety, and/or the environment. POND agrees to notify the Client as soon as practically possible should unanticipated hazardous materials or suspected hazardous materials be encountered. The Client encourages POND to take any and all prudent "first aid" measures that in POND's opinion are justified to preserve and protect the health and safety of POND's personnel and the public, and/or the environment, and the Client agrees to compensate POND for reasonable additional cost of such work. The Client waives any claim against POND, and agrees to indemnify, defend and hold POND harmless from any claim or liability for injury or loss arising from POND's encountering unanticipated hazardous materials. The Client also agrees to compensate POND for any time reasonably spent and expenses incurred by POND in defense of any such claim, with such compensation to be based upon POND's prevailing fee schedule and expense reimbursement policy. The Client is fully responsible for and assumes all risks associated with such conditions.

17.0 Site Operations:

POND field personnel will avoid hazards and potentially dangerous exposure to and contact with utilities which are visible to them at the site. The Client recognizes that POND's personnel may not identify all subsurface utility lines and manmade objects, and that the information upon which POND relies may contain errors, may be incomplete, or insufficient. POND is not responsible for any reasonably unforeseeable damage or loss due to undisclosed or unknown surface or subsurface conditions, owned by Client or third parties. Evaluations of existing buildings require that certain assumptions be made regarding existing conditions, many of which are not able to be reviewed by reasonable visual observation. These assumptions cannot be verified without substantial cost or demolition. Where the detailed investigation of such a condition is not authorized, POND shall not be responsible for the condition of the existing structure and utilities. The Client understands that actual field conditions may subsequently be found to vary from design assumptions which in turn may alter or increase the scope of the design and/or construction services.

18.0 Construction Activities:

Unless specifically stated otherwise, the Client and his contractor(s) are fully and solely liable for all means and methods of construction, temporary bracing and shoring, and construction site safety.

19.0 Consequential Damages:

Neither party shall be liable to the other for consequential damages, including, without limitation, loss of use or loss of profits, incurred by one another or their subsidiaries or successors, regardless of whether such damages are caused by breach of contract, willful misconduct, negligent act or omission, or other wrongful act of either of them.

20.0 Governing Law:

This Agreement shall be deemed to be executed in Pender County, North Carolina, and shall be governed by the laws in the State of North Carolina. It is agreed that all actions related to this Agreement shall be submitted to the jurisdiction of the state or federal courts in the State of North Carolina and that the venues for same shall be located in Pender County, North Carolina.

By signing in the space provided below, I verify that I am an Officer or authorized agent of the Client and agree that I have fully read, understand and accept the Terms and Conditions as stated above.

21. Additional Terms and Conditions

CONTINGENT FUNDING/NON-APPROPRIATIONS CLAUSE. Notwithstanding anything to the contrary in this Agreement, all financial obligations of PENDER COUNTY GOVERNMENT are dependent upon, and subject to, the continuing allocation of funds by the Pender County Board of Commissioners for such purpose. This Agreement shall automatically terminate if such funds cease to be allocated or available for any reason, and PENDER COUNTY GOVERNMENT shall not be obligated to pay amounts due beyond the end of the last fiscal year for which funds were appropriated. In such event, PENDER COUNTY GOVERNMENT will promptly notify the CONTRACTOR of the non-appropriation and this Agreement shall terminate at the end of the last fiscal year for which funds were appropriated. No act or omission by the PENDER COUNTY GOVERNMENT which is attributable to non-appropriation of funds shall constitute a breach of or default under this Agreement. If funding ceases and Contract is terminated, CONTRACTOR will be compensated for all work performed at date of Agreement termination.

PRE-AUDIT & VENDOR TERMS & CONDITIONS NOTICES. Pursuant to NCGS § 159-28 no contract with a local government including PENDER COUNTY GOVERNMENT requiring the payment of any public funds is valid unless properly pre-audited in the manner required by that statute. This Agreement is invalid unless the Pre-audit Certificate below the signature lines is signed by the County Finance Officer or their Deputy in substantially the following form "This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act." PENDER COUNTY GOVERNMENT may include in any purchase order under this Contract the PENDER COUNTY GOVERNMENT's Vendor Terms and Conditions, which are available at <https://www.pendercountync.gov/vendortermsandconditions/>, and may be revised from time to time.

This Agreement shall be subject to Vendor Terms and Conditions as amended from time to time, and if any provision of this Agreement conflicts with those terms and conditions, the Vendor Terms and Conditions shall control; provided, however, that this Agreement shall not be subject to paragraph No. 11 "Warranty/Performance" or paragraph No. 18 "Insurance" of the Vendor Terms and Conditions; provided, further that in lieu of the provisions of those paragraphs, any design services authorized under a purchase order shall be subject only to the provisions of paragraph No. 11.0 of this Agreement "Standard of Care," and POND shall obtain and maintain errors and omissions insurance coverage in an amount not less than \$1,000,000 and general liability insurance in an amount not less than \$1,000,000 bodily injury each occurrence/aggregate and \$1,000,000 property damage each occurrence/aggregate, or \$1,000,000 bodily injury and property damage combined single limits each occurrence/aggregate, with the County as an additional insured. POND shall produce an insurance certificate evidencing such coverage upon request by the County.

Client

Pond & Company

Signed (Must be an Officer or Authorized Agent)

Signed (Must be an Officer or Authorized Agent)

Typed Name

Typed Name

Title

Title

Date

Date

Revised 4/23/2019

Page 4 of 4



Pender County Re-appointments to the Advisory Board of Health

TO: Board of County Commissioners
FROM: Alexis Stanfield
DATE: October 2, 2023
SUBJECT: Re-appointments to the Advisory Board of Health

SUMMARY:

The following applicants have applied for re-appointment for the Advisory Board of Health:

Kimberly Collins for Nurse Position
Jan Dawson for Public Member Position
Denise Houghton for Optometrist Position
Bonita Sue Plyer for Public Member Position or Nurse Position

Ms. Collins and Ms. Dawson have both served the maximum number of terms, three (3), and years, ten (10) allowed under the Board of Commissioners' Rules of Procedure, since they were first appointed on June 17, 2013. Their most recent terms expired on June 30th, 2023. Both have a satisfactory attendance record and have indicated a willingness to continue serving this role.

Despite diligent efforts by the County Public Health Director and the Clerk to the Board, including newspaper advertisement and posting on the County website, no other interested applicants can be found. Therefore, the Clerk recommends that the Board waive the 3-term/10-year policy set out at Rule 32, section C of the Board of Commissioners' Rules of Procedure and reappoint the above-listed individuals to the Advisory Board of Health. The County Public Health Director concurs in this recommendation.

Should the Board vote to approve Ms. Collins and Ms. Dawson, their new terms would begin on July 1, 2023 and expire on June 30th, 2026.

Denise Houghton has served one term on the Advisory Board of Health as an Optometrist. Her term expired on June 30th, 2022, and she has continued to serve on the board in the absence of another appointment. Ms. Houghton has a satisfactory attendance record and has indicated a willingness to continue serving in this role. Should the Board vote to reappoint Ms. Houghton, she will serve a three-year term beginning on July 1, 2022, and expiring on June 30th, 2025.

Bonita Sue Pyler has applied to be on the Advisory Board of Health. Ms. Pyler has a background as a family nurse practitioner and is a retired public health service Officer. Ms. Pyler would be a great candidate for the second Public Member Position available or the Nurse Position. Should the Board vote to appoint her as the Public Member, her three-year term would begin on October 2, 2023, and end on September 30, 2026. Should the Board vote to appoint her for the Nurse Position, her three-year term would begin on May 1, 2023, and end on April 30, 2026.

ACTION REQUESTED:

Consideration to appoint the listed applicants.

ATTACHMENTS:

Kimberly Collins Application
Jan Dawson Application
Denise Houghton Application
Bonita Sue Pyler Application

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



Appointees to Pender County Boards/Commissions/Committees must be a Pender County resident and must be at least 18 years of age. Please complete this application and return to: Pender County Manager's Office, PO Box 5, Burgaw, NC 28425.

APPLICANT INFORMATION									
Last Name Collins			First Kim			M.I. m	Date Aug 7, 2023		
Physical Address 329 Lafayette St.						Apartment/Unit #			
City Wilmington			State NC			ZIP 28411			
Mailing Address (if different from above)									
City			State			ZIP			
Home Phone 910-228-8759			Work Phone			E-mail Address 1 Kmccollins2022@gmail.com			
Fax Number						E-mail Address 2 gmail.com			
Board Interest(s) RN position									
How long have you been a resident of Pender County? 34 years									
EDUCATION									
High School East Carteret High			Location Beaufort, NC						
From	72	To	76	Did you graduate?	YES ☒	NO ☐			
College East Carolina Univ.			Location Greenville, NC						
From	76	To	81	Did you graduate?	YES ☒	NO ☐	Degree BSN		
Other			Location						
From		To		Did you graduate?	YES ☐	NO ☐	Degree		
EMPLOYMENT HISTORY									
Current Employment			Pender Alliance for Total Health				Job Title Clinical Manager		
Responsibilities			Clinical Administration of clinics						
Previous Employment			PCS's				Job Title Lead School Nurse		
Previous Employment							Job Title		
Previous Employment							Job Title		
COMMUNITY INVOLVEMENT									
Please list current and past membership in civic or other organizations and offices held:									
current member of Pender Co Advisory BDH									
" " School Nurse Assoc. of NC									
" " National School Nurse Assoc.									
" " Pender Education Partnership									

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☒	NO ☐	If yes, explain (including length of service). <i>PC Advisory BOH</i>	
State reasons why you feel qualified for this appointment(s): <i>Experience in BOH proceedings Long time resident of Pender County RN for 42 years 22 years as school nurse in PCS's</i>			
MILITARY SERVICE			
Branch		From	To
Rank at Discharge		Type of Discharge (optional)	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☐	NO ☒	If yes, list family member name(s) and position/board or committee(s).	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment. <i>Committed to the health + well-being of the residents and families of Pender County.</i>			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature <i>Kim Collier</i>		Date <i>Aug 7, 2023</i>	

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



Appointees to Pender County Boards/Commissions/Committees must be a Pender County resident and must be at least 18 years of age. Please complete this application and return to: Pender County Manager's Office, PO Box 5, Burgaw, NC 28425.

APPLICANT INFORMATION					
Last Name <u>Dawson</u>		First <u>Jan</u>		M.I. <u>L</u>	Date <u>8-15-2023</u>
Physical Address <u>503 S Bennett St</u>				Apartment/Unit #	
City <u>Burgaw</u>		State <u>NC</u>		ZIP <u>28425</u>	
Mailing Address (if different from above)					
City		State		ZIP	
Home Phone <u>910 254-3149</u>		Work Phone <u>910 604-0109</u>		E-mail Address 1	
Fax Number				E-mail Address 2	
Board Interest(s)					
How long have you been a resident of Pender County? <u>51 years</u>					
EDUCATION					
High School			Location		
From	To	Did you graduate?	YES ☒	NO ☐	
College			Location		
From	To	Did you graduate?	YES ☐	NO ☒	Degree
Other			Location		
From	To	Did you graduate?	YES ☐	NO ☐	Degree
EMPLOYMENT HISTORY					
Current Employment		<u>Retired</u>		Job Title	
Responsibilities					
Previous Employment		<u>Pender County</u>		Job Title <u>Addressing Coordinator</u>	
Previous Employment				Job Title	
Previous Employment				Job Title	
COMMUNITY INVOLVEMENT					
Please list current and past membership in civic or other organizations and offices held:					
<u>Blueberry Festival Executive Board - 7 years</u>					
<u>Church committees</u>					

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☒	NO ☐	If yes, explain (including length of service).	
		<i>Town of Burgaw Commissioner</i> <i>20 years</i> <i>Currently serving on P.C. Board of Health</i>	
State reasons why you feel qualified for this appointment(s):			
<i>My role as a town commissioner</i>			
MILITARY SERVICE			
Branch		From	To
Rank at Discharge		Type of Discharge (optional)	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☐	NO ☒	If yes, list family member name(s) and position/board or committee(s).	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment.			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature		Date	
<i>Jan Dawson</i>		<i>8-15-2023</i>	

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



Appointees to Pender County Boards/Commissions/Committees must be a Pender County resident and must be at least 18 years of age. Please complete this application and return to: Pender County Manager's Office, PO Box 5, Burgaw, NC 28425.

APPLICANT INFORMATION						
Last Name	Houghton		First	Denise	M.I.	Date
Physical Address	901 Spot Ln		Apartment/Unit #			
City	Holly Ridge		State	NC	ZIP 28445	
Mailing Address (if different from above)						
City		State		ZIP		
Home Phone		Work Phone		E-mail Address 1		
Fax Number				E-mail Address 2		
Board Interest(s)						
Public Health - will fill any seat that needs to be filled.						
How long have you been a resident of Pender County?						
36 years						
EDUCATION						
High School	Wallace Rose Hill		Location			
From	1979	To	1983	Did you graduate?	YES ☒	NO ☐
College	East Carolina		Location			
From	1983	To	1987	Did you graduate?	YES ☒	NO ☐
Other			Location			
From		To		Did you graduate?	YES ☐	NO ☐
EMPLOYMENT HISTORY						
Current Employment	Retired		Job Title			
Responsibilities						
Previous Employment	NC Dept Health Human Services		Job Title			
Previous Employment	New Hanover Co. Health Dept		Job Title			
Previous Employment	America's Cancer Society		Job Title			
COMMUNITY INVOLVEMENT						
Please list current and past membership in civic or other organizations and offices held:						
Board member - Shoreline Table						
Board member - Chapel of The Bay Church						
Board member - Pender Education Partnership						
Board member - Board of Health - Pender County						

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☒	NO ☐	If yes, explain (including length of service). Board of Trustee Member on (5/2018) Pender Memorial Hospital Pender County Board of Health - 3 yrs.	
State reasons why you feel qualified for this appointment(s): My B.S. Degree from East Carolina University is in School and Community Health. My professional work experience is in Public Health. I worked in Health Education at the local level at New Hanover County Health Dept and at the state level for DHHS.			
MILITARY SERVICE			
Branch N/A		From	To
Rank at Discharge		Type of Discharge (optional)	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☒	NO ☐	If yes, list family member name(s) and position/board or committee(s). Pender Memorial Hospital Board of Trustee Member Pender County Board of Health Board Member	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment. I have lived in Pender County for 36 years. I have raised my family here. I am passionate about contributing to my community to make it a better place to live, work and play.			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature Drew E. Hugel		Date 8/14/2023	

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



Appointees to Pender County Boards/Commissions/Committees must be a Pender County resident and must be at least 18 years of age. Please complete this application and return to: Pender County Manager's Office, PO Box 5, Burgaw, NC 28425.

APPLICANT INFORMATION									
Last Name Pylar			First Bonita			M.I. Sue		Date 09-14-2023	
Physical Address 52 Saddlebrook Lane						Apartment/Unit # North Carolina			
City Hampstead			State NC			ZIP 28443			
Mailing Address (if different from above) 52 Saddlebrook Lane North Carolina									
City Hampstead			State NC			ZIP 28443			
Home Phone (908) 725-6959			Work Phone			E-mail Address 1 bpyler@gmail.com			
Fax Number						E-mail Address 2			
Board Interest(s) Public Health									
How long have you been a resident of Pender County? 3									
EDUCATION									
High School Immaculata			Location Somerville NJ						
From	1964	To	1968	Did you graduate?	YES ☒	NO ☐	Diploma		
College University of Pennsylvania			Location Philadelphia PA						
From	1982	To	1984	Did you graduate?	YES ☒	NO ☐	Degree Masters Degree		
Other Rocky Mountain University of the ...			Location Provo UT						
From	2013	To	2015	Did you graduate?	YES ☒	NO ☐	Degree PhD		
EMPLOYMENT HISTORY									
Current Employment retired			Job Title Apiarist						
Responsibilities Beekeeper									
Previous Employment US Public Health Service/commissioned officer			Job Title Regional Federal Emergency Coordinator region 2						
Previous Employment US Public Health Service/commissioned officer			Job Title Associate Professor Graduate School of Nursing, ...						
Previous Employment US Public Health Service/commissioned officer			Job Title EPA Occupational Health Clinic manager, Edison, NJ						
COMMUNITY INVOLVEMENT									
Please list current and past membership in civic or other organizations and offices held:									
I was a volunteer (nurse) member of Morris Township NJ Board of Health, also functioning Vice President of the same prior to moving to NC, 2014 -2020.									

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☐	NO ☒	If yes, explain (including length of service).	
State reasons why you feel qualified for this appointment(s): I have over 30 years of nursing experience as a family nurse practitioner. I am also a retired US Public Health Service Officer with a long history of services and responsibilities.			
MILITARY SERVICE			
Branch Navy		From 1984	To 1988
Rank at Discharge 03		Type of Discharge (optional) Honorable	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☐	NO ☒	If yes, list family member name(s) and position/board or committee(s).	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment. I also served as a staff nurse in the US Air Force (1977-1980). A Family Nurse practitioner in the US Navy (1984-88) and a US Public Service Commissioned Officer from 1988-2010. After retirement, I volunteered to serve on the Morris Township Board of Heath (2014-2020). Presently my RN and FNP licenses are active in NJ.			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature		Date	



Pender County Re-appointment to the Parks and Recreation Board

TO: Board of County Commissioners
FROM: Alexis Stanfield
DATE: October 2, 2023
SUBJECT: Re-appointment to the Parks and Recreation Board

SUMMARY:

The following applicants have applied to be re-appointed to the Parks and Recreation Board:

Jamie Moore for At Large Position
Daniel Price for District Five Position

Jamie Moore has served one term as an At-Large on the Parks and Recreation Board. His term expired on June 30th, 2023. Should the Board vote to reappoint him, his new term would begin on July 1, 2023, and end on June 30, 2026.

Daniel Price has served two terms as the District Five Representative and as chairman on the Parks and Recreation Board. His term expired on June 30th, 2022, and he has continued to serve on the board in the absence of another appointment. Should the Board vote to reappoint Mr. Price, his new term would begin on July 1, 2022, and end on June 30th, 2025.

ACTION REQUESTED:

Consideration to re-appoint the listed applicants.

ATTACHMENTS:

Jamie Moore Application
Daniel Price Application

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



Appointees to Pender County Boards/Commissions/Committees must be a Pender County resident and must be at least 18 years of age. Please complete this application and return to: Pender County Manager's Office, PO Box 5, Burgaw, NC 28425.

APPLICANT INFORMATION									
Last Name Moore			First Jamie			M.I. R		Date 09-01-2023	
Physical Address 58 Grant Dr						Apartment/Unit #			
City Hampstead			State North Carolina			ZIP 28443			
Mailing Address (if different from above) 58 Grant Dr									
City Hampstead			State North Carolina			ZIP 28443			
Home Phone (910) 228-9209			Work Phone			E-mail Address 1 jamieray2326@gmail.com			
Fax Number						E-mail Address 2			
Board Interest(s) Parks and Rec									
How long have you been a resident of Pender County? 35									
EDUCATION									
High School Pender High School			Location Burgaw NC						
From	1996	To	2000	Did you graduate?	YES ☒	NO ☐	Diploma		
College UNCW			Location Wilmington NC						
From	2004	To	2006	Did you graduate?	YES ☒	NO ☐	Degree Bachelors Degree		
Other CFCC			Location Wilmington NC						
From	2002	To	2004	Did you graduate?	YES ☒	NO ☐	Degree		
EMPLOYMENT HISTORY									
Current Employment		New Hanover County Sheriffs Office				Job Title Master Deputy			
Responsibilities		School Resource Officer							
Previous Employment		Woodmen of the World				Job Title Sales			
Previous Employment		Yahweh Center				Job Title Residential Counselor/ House Manager			
Previous Employment		Securewatch ADT				Job Title Sales/Branch manager			
COMMUNITY INVOLVEMENT									
Please list current and past membership in civic or other organizations and offices held:									
President- Topsail Jr Pirates Football and Cheer									
Parks and Rec Advisory Board									

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☒	NO ☐	If yes, explain (including length of service).	
		Parks and Rec advisory Board-2 years	
State reasons why you feel qualified for this appointment(s):			
I enjoy being involved in the community and would like to serve in the area that I reside			
MILITARY SERVICE			
Branch		None	
		From	To
Rank at Discharge		Type of Discharge (optional)	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☐	NO ☒	If yes, list family member name(s) and position/board or committee(s).	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment.			
Returning member			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature		Date	

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



Appointees to Pender County Boards/Commissions/Committees must be a Pender County resident and must be at least 18 years of age. Please complete this application and return to: Pender County Manager's Office, PO Box 5, Burgaw, NC 28425.

APPLICANT INFORMATION									
Last Name Price				First Daniel		M.I. E		Date 09-08-2023	
Physical Address 605 East Wilmington Street						Apartment/Unit #			
City Burgaw				State NC		ZIP 28425			
Mailing Address (if different from above) 605 East Wilmington Street									
City Burgaw				State NC		ZIP 28425			
Home Phone (910) 990-3660				Work Phone		E-mail Address 1 dep82@hotmail.com			
Fax Number						E-mail Address 2			
Board Interest(s) Parks and Recreation									
How long have you been a resident of Pender County? 8									
EDUCATION									
High School				Location					
From		To		Did you graduate?	YES ☐	NO ☐			
College				Location					
From		To		Did you graduate?	YES ☐	NO ☐	Degree		
Other				Location					
From		To		Did you graduate?	YES ☐	NO ☐	Degree		
EMPLOYMENT HISTORY									
Current Employment		New Hanover County				Job Title Program Coordinator			
Responsibilities		Oversee and manage the Case Management Program and staff under the Community Justice Services ...							
Previous Employment						Job Title			
Previous Employment						Job Title			
Previous Employment						Job Title			
COMMUNITY INVOLVEMENT									
Please list current and past membership in civic or other organizations and offices held: Current member of the Pender County and Town of Burgaw Parks and Recreation Advisory Boards.									

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☒	NO ☐	If yes, explain (including length of service).	
		Parks and Recreation since 2016.	
State reasons why you feel qualified for this appointment(s):			
Served since 2016.			
MILITARY SERVICE			
Branch		From	To
None			
Rank at Discharge		Type of Discharge (optional)	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☐	NO ☒	If yes, list family member name(s) and position/board or committee(s).	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment.			
N/A			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature		Date	



Pender County Request for Board Action

TO: Board of County Commissioners
FROM: James Proctor
DATE: October 2, 2023
SUBJECT: Approve Resolution Accepting the Deed of Dedication of Water
Distribution System for Bridgewater Landing

SUMMARY:

The water system improvements for the Bridgewater Landing development off Eden's Lane have been completed and approved by NCDEQ and Pender County Utilities. The official dedication of these improvements is provided in the attached documents to be recorded upon the Board's approval.

ACTION REQUESTED:

Approve resolution accepting the Deed of Dedication of water distribution system for Bridgewater Landing.

ATTACHMENTS:

Deed of Dedication & Affidavit for Bridgewater Landing

DEED OF DEDICATION

STATE OF NORTH CAROLINA
COUNTY OF PENDER

THIS DEED OF DEDICATION, made and entered into this the ____ day of ____, 2023, by and between EDENS LANE, LLC, a North Carolina limited liability company, of Pender County, North Carolina, party of the first part, hereinafter referred to as "Developer", and PENDER COUNTY UTILITIES, a municipal corporation duly created and existing under the laws of the State of North Carolina, party of the second part, hereinafter referred to as "Grantee";

WITNESSETH:

THAT WHEREAS, Developer is the owner of a tract or parcel located in Topsail Township, Pender County, North Carolina, known as Bridgewater Landing Subdivision, as depicted on the map of same recorded in Map Book 72, Pages 80-82 of the Pender County Registry (the "Property");

WHEREAS, Developer has caused to be installed potable water distribution lines under and along the road rights-of-way, and various utility easement parcels, hereinafter described and referenced;

WHEREAS, Developer wishes to obtain potable water service from Grantee and to make water service from Grantee's system available to individual lot owners of the Property;

Prepared by Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403), Post Office Box 7068, Wilmington, NC 28406-7068
Please return to Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403), Post Office Box 7068, Wilmington, NC 28406-7068
Attention: Justin M. Lewis

No opinion on title is rendered by Ward and Smith, P.A., without a separate written opinion on title from Ward and Smith, P.A.

WHEREAS, Grantee has adopted, through appropriate resolution, a stated policy regarding water distribution systems under the terms of which, among other things, in order to obtain water service for said Property, Developer must convey title to the potable water distribution system to Grantee through an instrument of dedication acceptable to Grantee;

NOW THEREFORE, Developer, in consideration of Grantee accepting said water lines and making water available to said community subdivision, does hereby convey to Grantee, its lawful successors and assigns, the following described property;

All of the potable water lines and equipment located under, along, and within the road, street, and cul-de-sac rights of way as shown on the map of "Bridgewater Landing Phase II" recorded in Map Book 72, Pages 80-82 of the Pender County Registry and which map includes certain roads and streets known as "W. Weatherbee Way", "E. Maritt St.", and "W. Maritt St.", reference to which map is hereby made for a more particular description.

TO HAVE AND TO HOLD said water lines and equipment above described together with the privileges and appurtenances thereto belonging to Grantee forever.

Together with non-exclusive easements over, along and upon the entire area of the streets and cul-de-sacs and rights of way depicted on the maps and serving the areas referenced above for purposes of entry into the subdivision for maintenance, repair and upkeep of the water distribution systems and for connecting the same to the individual lots developed or to be developed lying adjacent to said streets and cul-de-sacs and right of way reserving unto Developer, its successors and assigns, equal rights of easement and easement over, in, along, and upon said streets and cul-de-sacs for purposes of installing and maintaining such utilities as may be required for the development of said subdivision, including, but not limited to, electric, gas, telephone, cable and sewer.

And Developer does hereby covenant that it is seized of said water lines and equipment described above in fee simple and has the right to convey the same in fee simple, that the same are free and clear of encumbrances, and that it will warrant and defend the title to the same against all persons whomsoever.

ACCEPTANCE OF DEED

This Deed of Dedication and accompanying Affidavit for Edens Lane, LLC was accepted by the Pender County Board of Commissioners on the _____ day of _____, 2023.

Pender County Board of Commissioners

_____, Chairman

Clerk to the Board

ND:4866-9568-8300, v. 1

IN WITNESS WHEREOF, the Developer has caused this instrument to be duly executed,
the day and year first above written.

EDENS LANE, LLC

By: D Logan, Manager

STATE OF NORTH CAROLINA

COUNTY OF Brunswick

I, a Notary Public of the County and State aforesaid, do hereby certify that
D Logan personally came before me this day and acknowledged that he is
Manager of Edens Lane, LLC, being authorized to do so, executed the foregoing on behalf of the
corporation.

Witness my hand and official seal, this the 30 day of June, 2023.

Molly Sampson
NOTARY PUBLIC
Brunswick County
North Carolina
My Commission Expires May 11, 2028
(Notary Seal)

Molly Sampson
Signature of Notary Public

Molly Sampson
Printed or Typed Name of Notary Public

My Commission Expires: 5-11-28

AFFIDAVIT

STATE OF NORTH CAROLINA

COUNTY OF _____

EDENS LANE, LLC, a North Carolina limited liability company, with an office and place of business in Brunswick County, North Carolina, hereinafter referred to as Affiant, being first duly sworn, hereby deposes and says under oath as follows:

1. That it is the owner of certain property located in Topsail Township, Pender County, North Carolina, known as Bridgewater Landing Subdivision, containing lots numbering 1 thru 15, 24 thru 29, 50 thru 77, 86 thru 104 as more particularly described in a Deed of Dedication in favor of Pender County of even date herewith.
2. That it has caused to be installed water distribution lines under and along the road right-of-ways property hereinafter described and referenced;

The road, street, and cul-de-sac rights of way shown as "W. Weatherbee Way", "E. Maritt St.", and "W. Maritt St.", on the map of "Bridgewater Landing Phase II" recorded in Map Book 72, Pages 80-82 of the Pender County Registry, reference to which map is hereby made for a more particular description.

3. All the work which has been performed in the construction and installation of said water distribution lines described in paragraph 2, above, has been fully paid for and there are now no liens of any kind including any lien for labor or material against the subdivision property which would in any way jeopardize title of Affiant to the property in said subdivision nor are there any legal actions pending against Affiant or any contractor arising out of any work performed in said subdivision or the water lines installed therein which would in any way jeopardize title to the subdivision or the water distribution system located therein.

IN WITNESS WHEREOF, the Affiant has caused this instrument to be duly
executed by its authorized officer(s) this ____ day of ____, 2023.

EDENS LANE, LLC

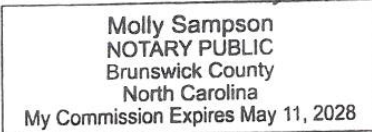
By: 
D Logan, Manager

STATE OF NORTH CAROLINA

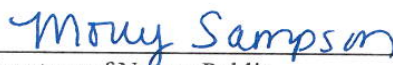
COUNTY OF Brunswick

I, a Notary Public of the County and State aforesaid, do hereby certify that
D Logan personally came before me this day and acknowledged that he is
Manager of Edens Lane, LLC, being authorized to do so, executed the foregoing on behalf of the
corporation.

Witness my hand and official seal, this the 30 day of June, 2023.



(Notary Seal)


Signature of Notary Public

Molly Sampson
Printed or Typed Name of Notary Public

My Commission Expires: 5-11-28