



MINUTES
Board of County Commissioners Meeting
Monday, September 18, 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
Lexi Stanfield, Clerk to the Board
Patrick Buffkin, Staff Attorney
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 George gave the invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Chair Newton led the Pledge of Allegiance.

4 ADOPTION OF AGENDA

Moved by Brad George, seconded by Fred McCoy

Motion to adopt the agenda.

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

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

CARRIED.

5 PUBLIC HEARING

6 PUBLIC INFORMATION

6.1 Opioid Presentation and Update

Carolyn Moser, Health and Human Services Director, present to the Board the Opioid Presentation and Update. Moser recognized staff for their help in creating and updating this report. Moser spoke on the National Opioid Settlement: a nationwide litigation against the three largest pharmaceutical distributors and manufactures of opioids. Pender County went with Option A of the strategy options available as it covered Pender County's needs better. Moser briefly discussed planning activities. Pender County had twenty-one (21) overdoses in 2022. Fifteen (15) of those deaths were found to be related to opioids. EMS has reported more opioid incidents so far this year in comparison to last year. The demographic is mostly made up of males between the ages of 25 through 54 however, fifteen percent (15%) of overdoses are from the 65 and older age group. Moser went over the ways Pender County is trying to combat this. Guiding principles Pender County has taken includes investing in prevention or root causes, using evidence and data to guide spending, etc. Pender County does not have a post-overdose team and limited Alcohol Anonymous and Narcotics Anonymous groups available. Moser covered the team recommendations of identified strategies. Some of these included early intervention, recovery support services, and evidence-based addiction treatment. The next steps were discussed and input from the Board was received. The D.A.R.E. program was briefly discussed by Captain King. Currently, Penderlea is the only area receiving this program.

6.2 Pender County Extension 4-H Program Update

Tracy Spencer, 4-H Program Agent, presented the 4-H Program update. Pender County 4-H is the youth development program of the Pender County Center of North Carolina Cooperative Extension, serving all Pender County youth, ages 5-18. Spencer briefly covered the different summer programs offered, groups that have partnered with 4-H, and the different clubs available. Pender County's 4-H program has had a record

attendance this year. Sinead Morrow spoke on her experience in the 4-H program over the last two years. Mark Seitz, Cooperative Extension Director, briefly thanked staff for their hard work. Seitz announced the Board won an award the Cooperative Extension nominated them for.

7 PUBLIC COMMENT FOR AGENDA ITEMS

8 CONSENT AGENDA

- 8.1 Approve State Loan and Grant Funding Resolution for PFAS Treatment Evaluation AND Reverse Osmosis Water Plant Project

A motion was made by Commissioner George to allow Vice Chair Hardee to attend the meeting remotely. Commissioner McCoy seconded the motion. The motion was approved by unanimous vote.

Moved by Fred McCoy, seconded by Brad George

Motion to adopt 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 Present Use Value/Disabled Veteran Property releases due to approvals after billing but applications timely received
- 8.3 Approval of Budget Ordinance Amendment to Fund Construction for US421 CFPWA Water Interconnection
- 8.4 Approval of Budget Ordinance Amendment to Reallocate Local Funds from Tank & Wells Project
- 8.5 The Town of Surf City's Requests for Easements Across County-owned Property
- 8.6 Approval of a Purchase Order to Cardinal Health in the amount of \$70,000
- 8.7 Budget Ordinance Amendment to move restricted Permitting & Inspections funds from the general fund to the Reserve and

Titles/Tags/Tax lines of the Inspections Department

- 8.8 Release request of the penalties on a 2022 tax bill due to the elderly exclusion not rolling in the system properly to the new year

9 APPROVALS AND RESOLUTIONS

- 9.1 Seeking a Local Match for Funding and Permission to Transfer Funds from ROAP Allocation to 5310 Funding Grant

Jim Longenbach, Pender Adult Services Transportation (PAS-TRAN) Director, presented the item. This local match transfer of funds is an annual item. The 5311 Administrative Grant is for \$227,261 with a 15% match of \$34,089. The Combined Capital Grant will go towards replacing vehicles. The Combined Capital Grant is for \$405,000.00 with a 10% match of \$40,500.00. The 5310 Operating Grant goes towards elderly and disability trips. It requires a 50% match of \$74,589.00 however, the County can use passthrough funds from the Rural Operating Assistance Program to match this. These three grants have a combination total of \$812,261.00.

Moved by Jerry Groves, seconded by Fred McCoy

Motion to a Local Match for Funding and Permission to Transfer Funds from ROAP Allocation to 5310 Funding Grant.

	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 Resolution Authorizing the Transfer of Pender Memorial Hospital Pursuant to G.S. 131E-8

David Andrews, County manager presented the Resolution Authorizing the Transfer of Pender Memorial Hospital Pursuant to G.S. 131E-8. On June 16, 2023, the BOCC approved a Letter of Intent between Pender County Pender Memorial Hospital (PMH) and Novant Health to transfer the assets in real property of the hospital to PMH. Pender County has been working with Dawn Carter from Ascendent and Mary Beth Johnston from the law firm K.L Gates to create the transfer documents

consistent with the letter of intent.

Dawn Carter explained what Ascendient does. It is a strategy planning and feasibility firm that works exclusively with the healthcare industry. Carter went over Ascendient's history, the transaction environment, and Pender County's assessment and findings. Ascendient did a review of typical valuation methodologies, and it suggested that PMH had a limited dollar value. Carter went over the Novant New Hanover commitments to PMH such as the development of PMH as a community general hospital, \$50 million investment, etc.

Mary Beth Johnston covered the corporate structures of North Carolina hospitals applicable to counties. PMH, as Public Hospital is defined by N.C.G.S. 159-39, is owned by a county and operated by a nonprofit corporation, a majority of whose board is appointed by the county. Johnston covered the history of PMH, its relationship with New Hanover Regional Medical Center, and options for the future operation of the hospital. The transaction terms (Novant Health's role) were summarized, and the benefits of this transaction were discussed. The Board members made statements about their experience throughout this transaction.

Moved by Fred McCoy, seconded by Brad George

Motion to Approve the Resolution Authorizing the Transfer of Pender Memorial Hospital Pursuant to G.S. 131E-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.

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

Board tabled this item until the next meeting on October 2, 2023.

- 9.4 Request to proceed with RFQ for new library based on results of public input

Allen Phillips-Bell, Library Director, presented the Request to proceed with RFQ for new library based on results of public input. Phillips-Bell

reported the result from the survey given to the Pender County residents. Two location options were presented: renovate and expand the current Hampstead Library or build a new library near the Government Annex. The survey received 656 responses. Survey results showed fifty-four percent (54%) prefer a new library on the site next to the Government Annex and forty-six percent (46%) prefer renovating and expanding the existing library. Based on projected population growth and survey results, staff recommend a new library consisting of 20,000sqft near the Government Annex. Phillips-Bell went over the cost comparison between the two options and answered questions from the Board.

Moved by Brad George, seconded by Fred McCoy

Motion to Approve the Request to proceed with RFQ for new library based on results of public input.

	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 Re-appointments to the Advisory Board of Health

By unanimous consent, the Board tabled this item until the October 2, 2023, meeting.

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

- 19.1 Michelle Hickman appeared before the Board on behalf of the Scotts hill group to address chemicals being sprayed alongside the road in her area. Chair Newton suggested Ms. Hickman reach out to the health department. Commissioner McCoy stated he believes its mosquito spray. Ms. Hickman also addressed technical issues with audio and the use of laser pointers in the recordings of the BOCC meetings.
- 19.2 Riv Ezzell appeared before the Board to discuss the motocross track, also referred to as Carl Meeks, LLC. Mr. Ezzell voiced his issues with the constant noise created by the bikes.
- 19.3 Bill McAbee appeared before the Board to discuss the Carl Meeks, LLC motorbikes as well. Mr. McAbee asked if the Board was going to do anything to help the residents in that area.
- 19.4 Gary Helm appeared before the Board to discuss the Carl Meeks, LLC motorbikes. Mr. Helm shared a video recording he took to document the level of noise the bikes make. Mr. Helm suggested the Board make an amendment to the ordinances.
- 19.5 Amy Helm appeared before the Board to discuss the Carl Meeks, LLC motorbikes. Ms. Helm stated she felt the BOA meeting held in May that discussed the motorbikes was misplaced and should have been at the BOCC meeting instead. Ms. Helm asked the Board modify the noise ordinance.
- 19.6 Roy Harris appeared before the Board to discuss the Carl Meeks, LLC motorbikes. Mr. Harris stated the bikes were too dangerous.

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

- 20.1 David Andrews, County Manager, thanked the Board members for the diligent efforts in closing the hospital deal.

Allen Vann, Assistant County Manager, introduced the Project manager, Jared Cass, to the Board.

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 CVS 1029, item four (4)

Economic Development, and item six (6) Personnel.

Commissioner McCoy spoke about the RPO meeting he attended last week and stated his desire to work out the motocross bike issue citizens raised concerns about during the Public Comment section of the meeting.

Commissioner Groves voiced that he felt Pender County got the best deal possible for the hospital.

Chair Newton briefly discussed some details about the Novant item. She also spoke about the BOCC/Planning Board meeting that was held on September 12th. Chair Newton encouraged citizens to come to either of the two community meetings focusing on the Broadband internet and water issues on October 3rd and October 5th.

21 CLOSED SESSION (IF APPLICABLE).

Moved by Brad George, seconded by Fred McCoy

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, item four (4) Economic Development, and item six (6) Personnel.

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

23 ADJOURNMENT

23.1 A motion to enter into open session was made by Commissioner McCoy. Commissioner Groves seconded the motion. Motion carried

The meeting was adjourned at 7:56PM.

Moved by Jerry Groves, seconded by Fred McCoy

Motion to adjourn the meeting.

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

CARRIED.