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 top 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 Avero 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 form 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

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.