



MINUTES
Board of County Commissioners Meeting
Monday, July 10, 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 Chair Newton led the invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Commissioner George led the Pledge of Allegiance.

4 ADOPTION OF AGENDA

4.1 Before adopting the agenda, Chair Newton noted there was an additional item that was requested to be added to the agenda. Vice Chair Hardee made a motion to add the Energy Programs Outreach Plan to the agenda as item 9.12. Commissioner McCoy seconded the motion.

Moved by Wendy Fletcher-Hardee, seconded by Fred McCoy

Vice Chair Hardee made a motion to add the Energy Programs Outreach Plan to the agenda as item 9.12. Commissioner McCoy seconded the motion.

	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.

- 4.2 Commissioner McCoy made a motion to adopt the agenda with the additional item added. Vice Chair Hardee seconded the motion.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Commissioner McCoy made a motion to adopt the agenda with the additional item added. Vice Chair Hardee seconded the motion.

	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 Update on the Hurricane Florence Hazard Mitigation Grant Program from North Carolina Emergency Management staff

Daniel Adams introduced Steven McGugan, Steven Jackson, and Devan Francisco from NC Emergency Management (EM). Mr. McGugan present item 6.1. Mr. McGugan, assistant director of NC Emergency

Management, updated the Board about current projects, answered questions the Board had, and addressed Ms. Grady's concern with her home. Ms. Francisco will be the contact going forward for anyone with concerns.

7 PUBLIC COMMENT FOR AGENDA ITEMS

7.1 Members of the public addressed the Boards on agenda items.

Tammie Grady spoke on item 6.1: Update on the Hurricane Florence Hazard Mitigation Grant Program from NC Emergency Management. Ms. Grady stated she had applied for this grant a long time ago and has not heard anything. Ms. Grady stated she has no idea where in line she is to receive help or where her application stands.

Dennis and Johnathan Mote spoke on item 9.7 Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2385-65-4988-0000 located off Willard Rd in Union. The Mote family previously attended the June 5, 2023, BOCC meeting and stated they were locked out of their account and unable to bid on this property. The item was tabled until the Finance department could investigate. Seeing the item on the agenda again, the Mote family reminded the Board of the account issue they had and voiced their desire for another chance to bid on the property. Meg Blue, Finance Director, addressed the Board and stated the Mote family was locked out due to incomplete identification process done by govdeals.com. Blue stated the summary sheet for item 9.7 does state this and three options the Board can explore regarding this item.

Kim Meyer spoke on item 9.1 Update on Changes at Abbey Nature Park & Consideration of Amended Lease Agreement and Capital Project Documents for construction of Abbey Nature Park. Ms. Meyers thanked Zach White, Buddy Avery, Patrick Buffkin, Justin Brantley, and Daniel Abrahams for speaking with her and others last Friday, July 7, 2023. Ms. Meyer stated that if Pender County could not save all of Abbey Nature, then this was a good step.

Jennifer Mackenzie also spoke on item 9.1. Ms. Mackenzie expressed her appreciation for Zach White, Buddy Avery, Patrick Buffkin, Justin Brantley, and Daniel Abrahams for speaking with her and others as well.

Laura Pury spoke on item 9.1 as well. She, too, thanked Zach White, Buddy Avery, Patrick Buffkin, Justin Brantley, and Daniel Abrahams for their efforts. Ms. Pury also voiced concerns with the park trails and encouraged staff and the Board to keep open communication with residents.

Caroline Lewis also spoke on item 9.1. Ms. Lewis stated she was here representing Poplar Grove Historic Site. Ms. Lewis started off thanking the staff who spoke with her and others, especially Zach White. Ms. Lewis spoke on her desires to have the poplar grove fence line adjoin with the new trail heads. There is currently a fifty-foot buffer between the neighborhood development and the fence line. Ms. Lewis encouraged the Board and staff to keep pushing to have the Poplar Grove buildings remain connected to the preservation as the natural habitat formerly serviced the buildings.

Andy Wood spoke last, also on item 9.1. Mr. Wood stated the Abbey Nature land adjoins with the Island Creek area. Mr. Wood informed the Board that he was here today to talk about a White Paper recently produced by Rodger Shew, UNCW Geologist, and himself regarding the ecosystem Island Creek. This area is a primarily a hydric soil wetland currently being developed. New Hanover County's Soil and Water Conservation has endorsed this White Paper. Mr. Wood stated this ecosystem is a biodiversity hotspot and has lost more than 70% of its natural area. Mr. Wood asked the Board to consider the land a wetland regardless of the ruling made by the Supreme Court. Mr. Wood stated the developments will have consequences if it continues as some of the truss already have black mold.

8 CONSENT AGENDA

- 8.1 Approval of Purchase Order to Ingram Library Services in the Amount of \$71,000
- 8.2 Approval of Tax Releases and Refunds
- 8.3 Approval of Purchase Order to Mission Communications for SCADA Monitoring of PCU's Water & Sewer Systems
- 8.4 Approval of FY 2024 Blanket Purchase order for Supplies for 072 Water and Sewer
- 8.5 Approval of a Purchase Order to AquaSmart for Well Water Treatment Chemicals
- 8.6 Approval of a Purchase Order for Veterinarian Services to Joni Shimp in the amount of \$65,000
- 8.7 Approval of a Budget Amendment to increase Health Department Revenues and Expenditures for FY 23-24: \$4,000
- 8.8 Approval of a Purchase Order to LabCorp of America Holdings for laboratory services in the amount of \$75,000.

- 8.9 Approval of a Purchase Order for Health Department medical supplies to Theracom in the amount of \$46,085.
- 8.10 Approval of a Purchase Order for Health Department Contracted Services to Pender County Schools in the amount of \$150,000
- 8.11 Approval of a Purchase Order for a Contract Medical Director in the amount of \$45,000.
- 8.12 Approval of a Purchase Order for Contract Dental Services to Kathy Barnes, DDS in the amount of \$218,916.
- 8.13 Approval of a Purchase Order to Sanofi Pasteur for Flu Vaccine in the amount of \$49,000
- 8.14 Approval to carryover and re-budget Purchase Order #507 to the UNC Institute of Public Health in the amount of \$25,000
- 8.15 Approval of a Purchase Order to Target Specialty Products in the amount of \$80,000.
- 8.16 Approval of Purchase Order and Renewal of ESRI Contract for GIS Licensing and Annual Maintenance in the amount of \$56,700.
- 8.17 Approval of a Purchase Order to Softchoice for Renewal of Cybersecurity Intrusion Detection and Prevention System in the amount of \$59,260.00.
- 8.18 Approval of a Purchase Order to Software House International (SHI) for Barracuda Backup Server Annual Support & Maintenance Renewal in the amount of \$46611.96.
- 8.19 Approval of a Purchase Order to Huntington Leasing Corporation for Annual IT Infrastructure Renewal in the amount of \$462,614.48.
- 8.20 Approval of Purchase Order to MCCi for Laserfiche Document Management System Annual Renewal in the amount of \$42,142.50.
- 8.21 Approval of a Purchase Order to Software House International (SHI). for Barracuda Total Email Protection for Microsoft Office 365 Annual Support & Maintenance Renewal in the amount of \$66,339.00.
- 8.22 New Memorandum of Agreement Between NC State University and Pender County Government
- 8.23 June 5, 2023, Board of County Commissioners Meeting Minutes
- 8.24 Approval of a Purchase Order to Bill Carone Chevrolet - GMC for a 2023 GMC Truck in the amount of \$48,404.
- 8.25 Request for approval of purchase order to Jeff Gordon Chevrolet in the amount of \$102,553.45 for two Chevrolet Silverado 1500's

- 8.26 Approval of a Purchase Order to purchase replacement vehicles in the amount of \$249,470
- 8.27 Approval of a Purchase Order to Bill Carone Ford for a 2023 F-150 Truck in the amount of \$48,744.
- 8.28 Consideration of Approval of a Contract for Construction of Picnic Shelter/Restroom at Penderlea Park

Moved by Brad George, seconded by Fred McCoy

Commissioner George made a motion to approve the agenda with the additional item (9.12) added. Commissioner McCoy seconded the motion.

	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 APPROVALS AND RESOLUTIONS

- 9.1 Update on Changes at Abbey Nature Park & Consideration of Amended Lease Agreement and Capital Project Documents for construction of Abbey Nature Park

Patrick Buffkin, Staff Attorney, presented the Update on Changes at Abbey Nature Park & Consideration of Amended Lease Agreement and Capital Project Documents for construction of Abbey Nature Park. Buffkin began the presentation by giving the Board some background information on Abbey Nature and went over some of the changes being made. Buffkin also addressed the confusion on the number of acres the County had secured. Mungo Homes (Clayton Properties Group) has leased a portion of the property to Pender County. Part of the property is a conservation and cannot be developed. The other part of the property is zoned as residential performance and can be developed. Currently the park access is "temporary" under a lease agreement with Mungo Homes. Mungo Homes is ready to begin development of the RP zoned area. Pender County has four goals: 1) ensure that Abbey Nature Preserve remains open to the public, 2) establish a modern, more

permanent park facility, 3) protect as much of the property features as possible, and 4) find cost savings to reduce impact to the County budget. Buffkin reported County staff has reached an agreement with Mungo Homes on plans that achieve all four of these goals. Buffkin covered the estimated development timeline, which spans from June 2023 to as long as 2026. The public entrance to the park will be moved in the future to avoid any construction traffic. Buffkin also shared with the Board the concept plan for the future park access which includes a parking lot for 64 cars, updated bathrooms, etc.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Commissioner George made a motion to approve the consideration of the amended lease agreement. Vice Chair Hardee seconded the motion. Motion carried.

Commissioner George made a motion to the approve the Budget Ordinance Amendment and Project Budget Ordinance. Vice Chair Hardee seconded the motion. Motion carried.

	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 Update on New Law Enforcement Center and Consideration to Approve Mosley Architects to Resume the Construction Documents Phase of the Project.

Alan Cutler, Sheriff, addressed the Board first. Sheriff Cutler stated Moseley Architects were here tonight and would be presenting the item. Moseley Architect began by thanking the Board for allowing them to be there. The new law enforcement center project history was presented. The initial law enforcement center phase I began in May 2011 and in October 2021 Phase II design phase began. In July 2022, the project was put on hold pending deed restrictions needing resolution. In June 2023, the restrictions were resolved with State Legislature. Moseley

Architect addressed the Board. Meg Blue, Finance Director, addressed the Board to go over the financials of this new building.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Commissioner George made a motion to approve this item. Vice Chair Hardee seconded the motion.

	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 2022 Tax Settlement and Order to Collect 2024 and prior Year Taxes

Melissa Radke, Tax Administrator, presented the 2022 Tax Settlement and Order to Collect 2024 and prior Year Taxes. Radke noted the agenda says 2024 but it should be 2023. She also noted that because of her needing information through June 30th, 2023, the Board would not have a printout of her presentation. A statutory report is required by NC GS 105-373. It is designed to show the governing board how the collector is doing and must be accepted before the Tax collector may be charged with the next year's tax levy and be able to collect any taxes from prior years. Included in the tax settlement is a list of all persons, including amounts due, still owing property from taxes from 2022, NCVTS Year End Report, Insolvent List. Report of diligent efforts to collect unpaid taxes. Currently, Pender County has \$2,447,084.75 in Real Property Delinquents and \$549,643.09 in Personal Property Delinquents. Radke noted that Pender County has a ten (10) year statute of limitations, meaning Pender County can only collect taxes going back ten (10) years. After those ten years, they go on the insolvent list. The unpaid taxes will sit on the list for five (5) years. After five years, the Tax collector can ask the Board to approve writing them off to zero (\$0). Radke asked the Board to approve putting the 2010-2012 personal property tax and MV bills on the insolvent list. The Pender County collection rate for 2022 is 96.47%. Radke stated that it is impossible to have a 100%, but she would do her best to get Pender County as close to it as possible. Radke went over Enforced Collects: Wage / Bank Garnishments. This year 239 garnishments were sent out,

including 760 delinquent bills. Radke also covered her goals for the 2023-2024 fiscal year. Radke answered questions from the Board.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Commissioner McCoy made a motion to accept and settle the current and prior tax years. Vice Chair Hardee seconded the motion. Motion carried.

Commissioner George made a motion to approve the collection of 2022 and prior year taxes. Commissioner McCoy seconded the motion. Motion carried.

Commissioner McCoy made a motion to approve the collection of 2023 taxes. Commissioner Groves seconded the motion. Motion carried.

	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 to move forward with Reappraisal RFP process

Melissa Radke, Tax Administrator, presented the approval to move forward with Reappraisal RFP Process. Currently, Pender County is scheduled for reappraisal for January 2027. Radke encourages the Board to move the reappraisal process forward to January 2026. The tax office plans to have a recommendation for vendor by the August 21st, 2023, BOCC meeting. Radke went over the general statutes following reappraisal. This process needs to be done every eight (8) years. Pender County's last reappraisal was in 2019. Although the statute states every eight years, NCDOR has recommended for a number of years NC Counties move to a four (4) year reappraisal cycle. Radke and the County Manager's office recommends Pender County begin the process because the PSC values are equalized, with a 40% reduction. This equates to a loss of \$417,100 in PSC annually. There is approximately \$53,430 in PSC revenue across all fire districts annually. Additionally, the 2023 sales ratio is only 62.66%. This means the County has property undervalued by 37.34%. There is currently a loss of

\$25,360,502 in revenue and a loss of \$2,818,430 in revenue across all fire districts annually. Chair Newton asked how long this process would take. Radke answered stating it takes on average 3 to 3.5 years.

Moved by Brad George, seconded by Fred McCoy

*Commissioner George made a motion to approve item 9.4.
Commissioner McCoy seconded the motion.*

	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 Purchase Orders and Budget Ordinance Amendment to Fairway Ford & Hendrick Dodge for Vehicle Purchases for FY24

James Proctor, Public Utilities Deputy Director, presented to the Board. Proctor is requesting the Board approve the transfer of \$40,000 from the Fund balance to pay for seven (7) vehicles. Originally, Utilities had budgeted for the new vehicles but the price had increased since then.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Commissioner McCoy made a motion to approve item 9.5. Vice Chair Hardee seconded the motion.

	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 Approval of Purchase Order to Central Carolina Holdings, LLC for Tire Recycling & Disposal Services for FY24

Kenny Keel, Utilities Director, presented the Approval of Purchase Order to Central Carolina Holdings, LLC for Tire Recycling & Disposal Services for FY24. This item was on the June 19, 2023, BOCC meeting but was tabled due to the Board having questions. Keel informed the Board that he did not have specific answers for the Board's previously asked questions on the number of tires being disposed of/ recycled. Keel gave the Board a number of reasons as to why such as information not being available, high intakes, and how tires are measured by weight. Pender County is preparing a plan to be able to collect that data in the future. Chair Newton asked for Clarification on what the Utilities department is asking for. Keel informed the Board that he was looking for approval of the Purchase Order to Central Carolina Holdings, LLC. This is a five-year contract and Pender County is one-year in. Vice Chair Hardee shared her concern for the pricing, stating she feels this is too expensive.

Moved by Fred McCoy, seconded by Brad George

*Commissioner McCoy made a motion to approve item 9.6.
Commissioner George seconded the motion.*

	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.

9.7 Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2385-65-4988-0000 located off Willard Rd in Union

Meg Blue, Finance Director, presented item 9.7 to the Board. This surplus property is a 1988 tax foreclosure. It is a ten (10) acre wooden lot. Blue stated this surplus property was originally on the June 5, 2023, BOCC Meeting agenda but was tabled when a resident voiced issues with the bidding process. Pender County staff were to investigate the issues and report back. Staff found the resident had not verified their

identity with Govdeals.com so their account was locked and they were not able to bid. Pender County is not involved with GovDeals.com verification process. Staff encouraged the resident to reach out to GovDeals.com to rectify the issue with the locked account. Staff recommend the Board approves the sale to bidder who had won. Other options presented to the Board include rejecting all bids and reauctioning the property on GovDeals.com or rejecting all bids and maintaining possession of the property. Blue answered any questions the Board had.

Commissioner McCoy made a motion to approve the sale of the property. There was no seconding of the motion. Motion failed.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Commissioner George made a motion to reject the offer and rebid the surplus property. Vice Chair Hardee seconded the motion. Motion carried.

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

CARRIED.

9.8 Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 4226-74-2369-0000 off of Green Sharpless Road in Topsail

Meg Blue, Finance Director, presented item 9.8 to the Board. This surplus property is a 1970 tax foreclosure. It is a residential lot. The tax value for this property is listed at \$18,200. The County received a bid for \$18,200.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Commissioner McCoy made a motion to approve the sale of surplus property. Vice Chair Hardee seconded the motion.

	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.

9.9 Authorization to Proceed with Closing on Purchase of Real Property and Related BOA & PO - 9150 US 117, Rocky Point PIN-3234-87-4925-0000

Meg Blue, Finance Director, presented the Authorization to Proceed with Closing on Purchase of Real Property and Related BOA & PO - 9150 US 117, Rocky Point PIN-3234-87-4925-0000. The budget amendment is for \$1,540,000 from the general funds, Funds Balance. Originally this property was just over eighty (80) acres however, thirty (30) acres has since been placed in nature conservatory. Pender County will be purchasing fifty-five (55) acres. This property is located by the elementary school. This school is looking to use this for their school bond projects. Pender County has discussed this property with the school, and they have agreed to it. Blue answered questions from the Board.

Moved by Brad George, seconded by Fred McCoy

Commissioner George made a motion to approve the Authorization to Proceed with Closing on Purchase of Real Property and Related BOA & PO - 9150 US 117, Rocky Point PIN-3234-87-4925-0000. Commissioner McCoy seconded the motion.

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

CARRIED.

9.10 Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2277-87-3885-0000 off of Union Chapel Road in Burgaw

Meg Blue, Finance Director, presented item 9.10 to the Board. This surplus property is a 2019 tax foreclosure. The tax value for this property is listed at \$6,175. The County received a bid for \$6,175.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Commissioner McCoy made a motion to approve item 9.10. Vice Chair Hardee seconded the motion.

	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.

9.11 Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2277-87-5471-0000 off of Union Chapel Road in Burgaw

Meg Blue, Finance Director, presented item 9.11 to the Board. This surplus property has a tax value of \$6,175. It has been auctioned four (4) times. Originally, a resident had bid on this property and two others surrounding it. The resident was awarded the two surrounding properties but not this one. The County has received a bid from this resident for \$5,275 (\$900 under tax value).

Moved by Brad George, seconded by Jerry Groves

Commissioner George made a motion to approve the sale of surplus property. Commissioner Groves seconded the motion.

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

Wendy Fletcher-Hardee	x			
Brad George	x			
	4	1	0	0

CARRIED.

9.12 Energy Programs Outreach Plan

This item was added to the agenda before the agenda was approved. Wes Stewart, DSS Director, presented the Energy Programs Outreach Plan. Annually, DSS comes before the Board to get this programs plan approved. The Energy Programs Outreach Plan is essentially the plan that DHS follows to inform the public of assistance programs available. This plan needs to be approved by July 24th, 2023. Chair Newton asked when the funding for these programs will come into effect. Stewart informed the Board that the Crisis Program is already being funded. The LIEAP (Low Income Energy Assistance Program) typically begins in December.

Moved by Brad George, seconded by Jerry Groves

Commissioner George made a motion to approve the Energy Programs Outreach Plan. Vice Chair Hardee seconded the motion.

	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 Carol Peay Board Reappointment to the ABC Board

Carol Peay has been on the ABC Board for two terms. Her last term expired on June 30, 2023. The Board made a motion to approve Ms.

Peay for a third term. The motion carried. This term will run from July 1, 2023, to June 30th, 2026. This will be Ms. Peay's last term.

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Commissioner Groves made a motion to approve Carol Peay's ABC Board Reappointment. Vice Chair Hardee seconded the motion.

	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

18.1 Medicaid Expansion Dollars- DSS Plan to Maximize their Use

Wes Stewart, DSS Director, presented the Medicaid Expansion Dollars- DSS Plan to Maximize their Use. Pender County received two allocations of funds. The first allocation was designated as Medicaid Expansion Dollars in the amount of \$58,810.00. The second allocation was designated as Medicaid Gap Funding in the amount of \$165,437.00. During budget negotiations with the County Manager, DSS was approved nine (9) income maintenance caseworkers. DSS Director requested if the state provided promised funding, DSS be allowed to hire two (2) social worker positions. This was approved. DSS is now requesting additional positions through the second allocation funding.

DSS is requesting funding to hire additional quality assurance/quality improvement training supervisor at a cost of \$72,436.22 including fringe benefits, an income maintenance supervisor, senior at a cost of \$76,292.38 including fringe benefits, an income maintenance caseworker III at a cost of \$60,907.54 including fringe benefits, and seven (7) income maintenance caseworkers II at a cost of \$399,429.20 including fringe benefits. These positions are in addition to the position approved during budget negotiations. The NC budget still needs to be signed by the Governor and CMS. Stewart answered the Board's questions. Chair Newton voiced she felt this was pre-mature and asked if this was something the Board could revisit. Stewart said yes but voiced concerns over the timeline because the hiring and training process would take six (6) to nine (9) months. Stewart noted this item is at no cost to the county.

Moved by Fred McCoy, seconded by Brad George

*Commissioner McCoy made a motion to approve the item.
Commissioner George seconded the motion.*

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

CARRIED.

19 PUBLIC COMMENT

19.1 Public Comment

Laura Puryear was called to address the Board. Ms. Puryear did not respond.

Michelle Hickman was called to address the Board. Ms. Hickman wanted to voice her concerns with the bulldozers clear cutting the land in Scotts Hill. Ms. Hickman referenced article eight (8) in the Ordinance. Ms. Hickman stated she felt that Scotts Hill is being left in destruction and the future legacy of Pender County is being destroyed. Ms. Hickman stated she wanted to change the Ordinances through the

Planning and Community Development and fill out a zoning text amendment form. It was noted this form is \$250. Ms. Hickman stated she has the \$250 but cannot afford an attorney to decipher the legal language used. Ms. Hickman asked the Board to step in and help.

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

21 CLOSED SESSION (IF APPLICABLE).

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Commissioner Groves made a motion to go into closed session under item three (3) Attorney Client Privilege including the case Coastal Pines vs Pender County 22 CBS 1029. Vice Chair Hardee seconded the motion. Motion carried.

	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 2023-48: Request to rezone two parcels totaling approximately 2.66 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district in the Topsail Township

Daniel Adams, Planning Director, presented this item. Brian Nadeau is the applicant on behalf of Gregory and Mary Nolan, the owners of the property. The request is to rezone two tracts of land totaling approximately 2.66 acres from the residential performance zoning district to the general business zoning district. The annual average daily traffic volume is 46,000. The planning capacity is 44,678, and the volume to capacity ratio is 1.03. The Planning Board approve the rezoning of these two tracts on June 6, 2023. Henry Nadeau from

Creative Commercial Properties spoke to the Board in support of the rezoning.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Commissioner George made a motion to approve the rezoning of the two tracts. Vice Chair Hardee seconded the motion.

	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.

- 22.2 REZONE 2023-49: Request to rezone one parcel totaling approximately 1.64 acres from the RM-CD1, Residential Mixed Conditional zoning district, to the GB, General Business zoning district in the Topsail Township

Justin Brantley, Senior Planner, presented the rezoning item. Henry Nadeau, applicant, and Taylor-Meadows Lands, LLC, owner, are requesting the approval of a zoning map amendments to rezone one tract of land totaling approximately 1.64 acres from Residential mixed conditional zoning district to general business zoning district. This tract is zoned with a housing development consisting of 106 single family homes. At one time this area was all one parcel but has since been broken down into separate parcels, as some of the area is highly protected wetlands. This road by this tract, between NC 210 and Morris Dr., show a volume of 44,500, a planning capacity of 37,323, and a volume to capacity ratio of 1.20. The Planning Board approved this rezoning on June 6, 2023. Henry Nadeau addressed the Board.

Moved by Brad George, seconded by Fred McCoy

Commissioner George made a motion to approve the rezoning on the parcel. Commissioner McCoy seconded the motion.

	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.

- 22.3 REZONE 2023-53: Request to rezone one parcel totaling approximately 6.5 acres from the EC, Environmental Conservation zoning district to the RP, Residential Performance zoning district in the Topsail Township

Justin Brantley, Senior Planner, presented the rezoning item. Pender County Planning and Community Development, applicant, on behalf of Channing Langrudi, owner, is requesting the approval of a zoning map amendment to rezone on tract totaling approximately 6.5 acres of Land from the Environmental Conservation zoning district to the Residential Performance zoning district. This property was annexed into Surf City in 2013. In June of 2022, the property was deannexed from Surf City and was put back into the County's jurisdiction. Per Pender County's UDO, all lands within the jurisdiction of Pender County which are not under water and are not shown as included within the limits of any district shall be considered to be an environmental conservation district, until otherwise classified by amendment to the Ordinance. Without rezoning this tract, development on the land is limited. The annual average daily traffic volume on the road along this tract is 18,500. The capacity is 20,973*. The volume to capacity ratio is .88. The Planning Board approved the rezoning of this tract on June 6, 2023. Henry Nadeau addressed the Board and explained the annexing and deannexing of the tract. Two Motions need to be made tonight. The first motion would be for Future Land Use Map Amendment and the other would be a motion for rezoning.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Commissioner George made a motion to approve the Future Land Use Map Amendment and to make a finding that the approval is consistent with Policy 5.I.C. and Policy 5.I.V. Vice Chair Hardee seconded the motion.

Commissioner George made a motion to approve the Zoning Map Amendment and to make a finding that the approval is consistent with Policy 5.I.C. and Policy 5.I.V. Vice Chair Hardee seconded the motion.

	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.

- 22.4 SUP 2022-35: Special Use Permit Request for the Construction and Operation of a Solar Farm in the Burgaw, Columbia, and Union Townships. On Remand from the Superior Court by Order issued May 22, 2023 (22 CVS 1029)

Trey Thurman, County attorney, presented this item, explaining that this Special Use Permit application is on remand from the Superior Court by Order and detailing the procedure and other matters related this application. The Board resumed deliberations on this item and voted to deny the requested permit.

Moved by Fred McCoy, seconded by Jerry Groves

Commissioner McCoy made a motion to deny the Special Use Permit Request. Commissioner Groves seconded the motion.

	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 Jerry Groves, seconded by Wendy Fletcher-Hardee

Commissioner Groves made a motion to adjourn the meeting. Vice Chair Hardee seconded the motion. Motion carried.

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