MINUTES
Board of County Commissioners Meeting
Monday, June 19, 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
April Radford, Interim Clerk to the Board
Allen Vann, Assistant County Manager
Other Staff and Members of the Press and Public.

1 CALL TO ORDER

1.1 Call to Order

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

2 INVOCATION

2.1 Invocation

Commissioner George let the invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Pledge of Allegiance

Vice-Chair Hardee led the Pledge of Allegiance.

Chair Newton recognized all Veterans and thanked them for their service.

4 ADOPTION OF AGENDA

4.1 Adoption of Agenda

Chair Newton asked for a motion to adopt the agenda. Commissioner George asked to make one amendment to the agenda by pulling out the Parks and Recreation portion of the item 9.1 due to conflict of interest. Mr. Thurman informed the board that Ms. Blue took into consideration of the potential conflict in the Parks and Recreation as well as the Sheriff's Department budget and broke the item down for three votes to allow both Commissioner George, part-time employee of the Parks and Recreation Department and Commissioner Groves part-time employee of the Sheriff's Department to abstain from voting on these items.

Commissioner Groves requested to pull item 8.1 of the Consent Agenda for questions.

5 PUBLIC HEARING

5.1 Public Hearing

Mr. David Piepmeyer of 122 Broadview Lane addressed the board and expressed his concern for the tax increase proposed in item 9.1. Approval of FY 2023-2024 Budget Ordinance and Fee Schedule. An increase of the current tax rate of 64.5 cents per $100 of property value by 9.25 cents or 14% per $100 of property value raising the rate to 73.75 cents per $100 of property value. With the proposed tax rate increase another 15 cents to a staggering rate of 88.72 cents per $100 property value over the next six years an almost 40% increase. He understands the need for an increase in taxes due to the $175M school bond. He is very concerned for the elderly on fixed incomes and the low to medium income households not being able to pay their taxes. Mr. Piepmeyer has lived in Pender County for over 50 years and hopes the board will revisit the sources of the future tax rate increases and prioritize what has to happen verses what would be nice to happen so that the proposed future tax rates continue to be more inline for affordability for residents.

Chair Newton asked Mr. Andrews if he would like to address these concerns. Mr. Andrews clarified that the recommendation of the tax rate increase is 9.25 cents per $100 of property value with all of that revenue being dedicated to pay back the $175M school bond. This increase is in leu of not in addition to 14 cents. The information provided in the agenda package was intended to be a choice not both added together.

Mr. Piepmeyer stated his confusion was due to the chart Davenport provided and he was concerned Pender County was going to get to an unsustainable tax rate and thanks Mr. Andrews for his explanation.

Mr. Piepmeyer requested to address a second item on the agenda, item 22.2.

5.2 Public Comment

Mr. Piepmeyer requested to address the board on a second item, item 22.2. Commissioner George stated his concern to allow the comment on this item due to it being a part of the 7:00 PM meeting and all parties involved in the item are not present to address the statement. Mr. Thurman stated the item is a legislative zoning item and Mr. Piepmeye could have contacted each of the members before and not have to speak to the board meeting. Motion by Commissioner McCoy, seconded by Commissioner Groves to allow Mr. Piepmeyer to speak on item 22.2.

Mr. Piepmeyer wanted to provide his concern on the McAdams Homes request to increase residential density from low to medium on the 30 acers tract of land off US Hwy 17. He believes the timing of the request is awful due to the overcrowding of Hwy 17. Pender County is in the top 10% of residential growth in NC, the traffic on Hwy 17 is catastrophic and unsafe during rush hours, the Hampstead bypass will not be completed for several years, water usage restrictions, and the county is in the process of building several new schools to accommodate the need he respectfully request the commissioners aligns with the Pender County Planning Board and deny the request.

6 PUBLIC INFORMATION

6.1 Update on Pender Sheriff's Charitable Foundation

Sheriff Culter reintroduced Ms. Tart from the Pender Sheriff's Charitable Foundation to the commissioners on and thanked the members of the foundation for their contribution to the community. Ms. Tart acknowledged the PSCF members in the audience. The foundation members present are Ms. Cynthia Tate, Ms. Sam Jones, Mr. Jeff Caldwell, Mr. Mike Ortiz, Ms. Carla Cotton, Ms. Jennie Coleman, and Mr. Art Sauer. Ms. Tate thanks the commissioners for their time and presented an overview to the commissioners including; K-9 Unit, Sunshine Fund Program, Scholarship Program, Jail Ministry, Volunteer Program, and ways the community can support financially to the foundation with their first fundraiser being held July 22, 2023.

7 PUBLIC COMMENT FOR AGENDA ITEMS

8 CONSENT AGENDA

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

Commissioner Groves requested item 8.1 be tables until the July meeting for further research and review.

8.2 Approval of a Purchase Order to GFL for Solid Waste Disposal and Hauling Services for FY24

8.3 Approval of a Purchase Order to American Greenz for Electronics Recycling/Disposal for FY24

8.4 Approval of Budget Ordinance Amendment and Transfer of Purchase Order # 355 (FY22) for Grant Services to Org 83 WTP Generator Project

8.5 Approval of a Purchase Order to McGill for sludge removal at the Water Treatment Plant in FY24 for $40,000

8.6 Approval of a Purchase Order to Environmental Chemists for Testing and Sampling of PCU's Water & Sewer Plants and Systems for FY24

8.7 Approval of a Purchase Order to Calgon Carbon for $173,600 for the replacement of Granular Activated Carbon (GAC) at the Water Treatment Plant for FY24.

8.8 Approval of a Purchase Order to Brenntag for Sodium Hydroxide for the Water Treatment Plant for FY24: $145,000

8.9 Approval of a Purchase Order to Amerochem for Ferric Sulfate for the Water Treatment Plant for FY24 $250,000

8.10 Approval of a Purchase Order to Amerochem for Aluminum Sulfate for Wastewater Treatment for FY24

8.11 Approval of Budget Amendment for EMS, Fire, & Municipal Tax Collections and Disbursements

8.12 Approval of Budget Amendment to close out Fund 89 Solid Waste CPF

8.13 Approval of Budget Amendment to close out Fund 84 Wastewater CPF

8.14 Approval of Budget Amendment to close out Fund 43 Pesticide Program

8.15 Approval of Budget Amendment to close Fund 50 & 52 Former Insurance & Worker's Comp ISFs

8.16 Approval of Budget Amendment to Clear Remaining Budget Balances in Fund 63 School Capital Project Fund

8.17 Approval of Budget Amendment for E911 Transfer for PSAP Adjustment

8.18 Approval of Budget Amendment to close Fund 80 - Country Court Reserve Fund

8.19 Approval of Budget Amendment for PCU transfer to WWTP Berm Project

8.20 Budget Work Session Minutes for April 27, 2023

8.21 Budget Work Session Minutes for May 8, 2023

8.22 Board of County Commissioners Meeting Minutes for May 15, 2023

8.23 Budget Work Session Minutes for May 18, 2023

8.24 Budget Work Session Minutes for May 23, 2023

Moved by Brad George, seconded by Fred McCoy

Commissioner Groves asked questions on item 8.1. Mr. Keel addressed the questions from Commissioner Groves. Motion by Commissioner Groves to remove and table item 8.1 from the Consent Agenda for further research and review, seconded by Commissioner McCoy.

	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 Approval of FY 2023-2024 Budget Ordinance and Fee Schedule

Ms. Blue presented the 23/24 Budget as presented, less the Sheriff's Department Temporary/Part-time wages line item and Parks &

Recreation Department Temporary/Part-time wages line item, the two items that Commissioner Groves and Commissioner George are paid from. Goal & Priorities: Employee compensation and Benefits to improve retention and recruitment, Economic Development to increase commercial property tax base (Pender Counties tax base is about 6% commercial and 94% residential. This is to encourage commercial development in Pender County to relive some of the tax burden off the residents.), Development and Implementation of Capital Investment Plan (CIP), Balance Operating Budget without a tax rate increase; No increase in utility rates.

General ($120,540,578) fund includes several funds of the counties largest departments such as the Sheriff's Department and Health and DSS. Special Revenue Funds ($46,948,134) include other tax funds that are collected for towns, EMS, Fire, and any other grant funds (example ARPA). Enterprise Funds ($35,411,486) for a total budget of $202,900,198.The county tax collection rate for 22/23 is 96.66%. The budget recommends a tax increase 9.25 cents per $100 to pay off the school bond. The current expense for schools is $25,041,519, these funds pay teachers and daily operation funds. $2,917,084 for capital outlay in addition to this there is also $9,770,448 school debt services for this year. $12,964,507 reserve contribution for future services, $895,000 for school resource officers for total of $51,589,546 for schools. Chair Newton clarified the highlights of the information provided. General Fund Budget Education 44.2%, Public Safety 21.4%, Healthy & Human Services 10.9%, General Government 17.7%, Debt Services 0.8%, Cultural & Recreational 3.4%, and Economic Development 1.6%. The budget includes a 5% COLA salary increase and 1-2% Merit salary increase. Total salary adjustment of $2,678,720.Chair Newton thanked Ms. Blue and Mr. Andrews for all the work they put in to putting the budget together in an organized fashion and hoped they would do the same for next year. Commissioner McCoy expressed his appreciation for the Emergency Fund Balance to help with hurricanes or other emergencies. After voting concluded Commissioner McCoy stated the people of Pender County have spoken with the majority of the voters voting in favor of the education bond for the children in Pender County.

Moved by Wendy Fletcher-Hardee, seconded by Fred McCoy

9.1.a Approval of FY2024 Budget as presented, less the Sheriff's Department Temporary/Part-time Wages and Parks & Recreation Temporary/Part-time Wages.

	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.

Moved by Brad George, seconded by Fred McCoy

9.1.b Approval of FY2024 Budget for Sheriff's Department Temporary/Part-time Wages.

	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.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

9.1.c Approval of FY2024 Budget for Parks & Recreation Department Temporary/Part-time Wages.

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

CARRIED.

9.2 Approval of FY 2023-2024 Capital Improvement Projects Plan

Ms. Blue presented the FY23/24 Capital Improvement Projects Plan. The plan is the original plan presented to the Commissioners at their board retreat. This is an opportunity to formally these are the projects the county is interested in pursuing, the county is not required to do any of them and the plan can be adjusted every year to keep the plan current.

9.3 Approval of Offer & Start of Upset Bid Process for Sale of Surplus Property - Parcel 3247-78-2302-0000 off of Stag Park Road near Burgaw

Ms. Blue presented an offer of $5,000 for an upset bid from John Andrews for a parcel off Stag Park Road near Burgaw, a .5 residential wooded lot acquired through tax foreclosure in 2018 with the current tax value of property is $5,000. There was no discussion.

9.4 Approval of a Budget Amendment to close Country Court Fund and transfer remaining balances to Housing Authority

Ms. Blue presented the Budget Amendment to close Country Court Fund and transfer remaining balances to Housing Authority. The property has been sold and closed and the loan has been paid off. The USDA is satisfied with the process. The amendment is to take the residual funds and transfer to general funds. There was no discussion.

9.5 Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 4302-02-4780-0000 off of Williams Road

Ms. Blue presented an offer of $7,775 for a parcel off of Williams Road, a 1.8 acers wooded lot acquired through tax foreclosure in 1970. The current tax value for the property is $5,400. There was no discussion.

9.6 Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2373-67-4493-0000 off of Englishtown Rd in Union

Ms. Blue presented an offer of $16,325 for a parcel of land located off of Englishtown Road in Union, a 1.96 acers wooded residential lot acquired through tax foreclosure in 1998. The current tax value is $8,274. There was no discussion.

9.7 Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 3219-30-4406-0000 Off of Hwy 53 in Burgaw

Ms. Blue presented an offer of $13,720 for a parcel of land located off of Hwy 53 in Burgaw, a 1.14 acers wooded residential lot acquired through tax foreclosure in 1996. The current tax value $13,520. There was no discussion.

After vote, Chair Newton announced a five minute recess at 4:54PM.

9.8 Approval of Purchase Order to Bob King for the purchase of 2 (two) 2024 GMC Pickup Trucks in the amount of $111,630

Chair Newton reconvened the meeting at 4:59PM.

Mr. Batson requested the approval purchase order to Bob King for the purchase of 2 (two) 2024 GMC Pickup Trucks in the amount of $111,630 from the 23/24 budget. Mr. Batson stated the trucks are the closest to Pender County in a 475 mile radios of the county. Commissioner McCoy asked if the trucks are ready for delivery. Mr. Batson stated they are ready and waiting for approval from the board to be picked up before the price increase in July. There was no discussion.

9.9 Approval of Budget Amendment and Purchase Order to purchase 6 Vehicles

Sheriff Cutler requested a budget amendment and approval of purchase order to purchase six Chevrolet 1500 replacement vehicles. Funds are partially from 22/23 and 23/24 budgets. Sixteen vehicles were recommended to be replaced, nine have already been replaced. These six would complete fulfillment of the original recommendation. The reason the request is being presented now is due to the expected price increase of an estimated $15,000 per vehicle this coming year. Staff recommends to keep the vehicles that are being replaced for parts due to an industrywide issue on the lack of availability of parts.

Sheriff Culter thanked Mr. Andrews and Ms. Blue for their prompt assistance in the process to acquire the pricing and purchase order of these vehicles.

9.10 Service Contract Approval for Field Appraisal Work

Ms. Radke requested approval of service contract for field contractors to help clear the 1,800 permit request that the tax department is currently behind schedule of completing. It is determined that the revenue the county can generate when completed will more than pay the cost of the contract, an estimated $69,300. The cost of the contractors is $650 per day per person for 45 days. The tax office would like 2 - 3 contractors. One contractor would take 90 days to complete, two would take 60 days, or three should take 30 days, the cost should be the same. Each person can complete about 20 permits per day. The total the tax office is looking at is about $58,000 based off of two people. Ms. Radke addressed questions from the commissioners.

9.11 Resolution and Letter of Support for the Wilmington Urban Area Metropolitan Planning Organization's grant application for the Safe Streets and Roads for All initiative

Mr. Adams requested approval of a resolution and letter of support for the WMPO's grant application for a comprehensive safety action plan. The grant application is through a new federal initiative, safe streets and roads for all initiative with $5 billion appropriated at the federal level. Mr. Adams informed the commissioners that the Abby Lorenzo, WMPO Deputy Director is in the audience to address specific questions. The grant requires a 20% match, 10% provided by the DOT and 10% by the WMPO.

Ms. Lorenzo was asked to come forward to address questions. If the WMPO is awarded the grant the 10% would come out of the member's dues. Pender County's contribution would be an additional $4,740 in member dues which have already been applied into the FY23/24 budget.

9.12 Consideration of Approval of a Contract for Design, Engineering and Construction Administration for Kiwanis Park, Phase 4

Mr. Avery requested approval of a contract for design, engineering and construction administration for Kiwanis Park, Phase 4. Pender County put out an RFQ for engineering services for the Kiwanis Park, Phase 4 at the end of April. Last year the county Parks & Rec. Department obtained a part F grant for funding for the park for preliminary designs for the basic layout park. This contract is adding 26 acers to the current 54 acers. The expansion will provide two multipurpose fields, six tennis courts, four pickleball courts, two basketball courts, a multiuse path, playground/lawn game area, a picnic shelter/restroom and parking.

Two firms responded to the RFQ. After the scoring committee reviewed the two applicants they recommended Stroud Engineering, the same firm that designed the first three phases. Their bid was lowest bid and it was $78,000. Discussion ensued.

9.13 Consideration of Approval of a Contract for Design, Engineering and Construction Administration for Central Pender Park. Pender County put out an RFQ for engineering services for Central Pender Park at the end of April.

Mr. Avery requested approval of a contract for design, engineering and construction administration for Phase 1 of the Central Pender Park, a 68 acers parcel that will include site utilities, restrooms, concession stand, picnic shelter, playground, four multipurpose fields with lights, a multiuse path, and parking lot. Mr. Avery noted the parcel is a raw piece of land. The park is located about three miles north of Burgaw on Hwy 117.

Pender County only received one RFQ from McGill Engineering in the amount of $327,000 which Mr. Avery negotiated down to $283,870. McGill completed Pender County's park master plan in 2022. Discussion ensued and Mr. Avery addressed questions from the commissioners.

Mr. Avery informed the commissioners that Mr. Morris from McGill was present and could answer detailed questions. Mr. Morris was asked to address the commissioners.

Mr. Morris addressed questions from the commissioners. Mr. Morris explained during the 1st phase of planning a park involves more fact finding and permits that additional phases, these include DOT driveway and surveying the land. They are surveying the entire property with the hopes of saving cost on the latter end of the project. There are also environmental elements that need to be factored in to the project. There was no discussion.

Motion by Commissioner McCoy to approve item 9.13. There was no second, the motion failed.

9.14 Consideration of Approval of a Contract for Construction of Picnic Shelter/Restroom at Penderlea Park

Mr. Avery requested approval of a contract for construction of picnic shelter/restroom at Penderlea Park located near the Penderlea school and one of the counties growing public parks and a budget ordinance amendment. Adding a picnic shelter and restroom is part of the comprehensive plan. Pender County published an RFP and received five bids. The project includes restroom, storage area, covered picnic shelter, and concrete sidewalks around the park. The lowest bid was $275,500, the next lowest bid was $275,700, and next bid was

$280,200. Based on the quality of the responses staff recommends the bid from Carolina Bay Construction & Maintenance for $280,200. Mr. Therman asked to speak to the board about the request and stated in general the county goes with the lowest responsible bidder and asked if the lowest two bidders was not responsible. Mr. Avery stated it is the lowest responsible and responsive bidders that they are recommending. Chair Newton requested the table the item until the July 10th meeting.

Item 9.14 was tabled until the July meeting.

9.15 Approval of Engineering Contract Amendment #3 for the RO Plant Project and Associated Increase of FY21 Purchase Order # 468

Mr. Keel requested approval of engineering contract amendment #3 for the RO Plant Project and associated increase of FY21 Purchase Order # 468. Additional work is to provide a full workup of the property the county is under contract to purchase for the RO site to include drilling of a three test wells and monitoring wells for due diligence of the project. Total amount of contract amendment is $359,700 funded as part of the project account that is already set up in the enterprise fund. Once the county enters in to construction for the RO Project the county can reimburse the enterprise fund through the loan and grant the county is getting for the project.

Mr. Keel addressed questions.

9.16 Approval of Engineering Contract Amendment #2 for the US421 Sewer Project, Budget Ordinance Amendment, and Associated Increase of FY22 Purchase Order # 462

Mr. Keel requested approval of engineering contract amendment #2 for the US421 Sewer Project, budget ordinance amendment, and associated Increase of FY22 purchase order # 462. The project is to extend the sewer line from near the county line at the sewer plant to Blueberry Road along 421. The design portion of the project is complete. Currently seeking permits for the project, once permits are obtained the county will be ready to seek bids for the construction of the project. The original contract did no include the bidding services, the construction administration, and inspection services of the project. the total amount of the amendment request is $539,500.

Mr. Keel addressed questions.

9.17 Approval of Engineering Contract Amendment #1 for the Water Plant Generator & Wastewater Plant Berm Project, Budget Ordinance Amendment, and Increase FY22 Purchase Order # 518

Mr. Keel requested approval of engineering contract amendment #1 for the Water Plant Generator & Wastewater Plant Berm Project, budget ordinance amendment, and Increase FY22 Purchase Order # 518. The county has received a 75% grant from the economic development administrations for items related to the hurricane Florence and recovery and resilience to help prevent the same issues from occurring during future hurricanes. Project includes a berm around the waste water plant to prevent flooding at plants and to add a diesel fuel tank to store fuel for the generator and to add a plug for a portable generator for emergency situations. The project has the EDA approval of the changes to the project. The amendment is for $92,400. At the end of the project they should be under the original budget proposed.

Mr. Keel addressed questions.

9.18 Approval of Construction Change Order #2 for the Tank & Wells Construction Project and Associated Increase of FY23 Purchase Order # 394

Mr. Keel requested approval of construction change order #2 for the Tank & Wells Construction Project and associated increase of FY23 purchase order # 394. During the course of the project issues where found that need to be addressed, including the determination that a larger generator would be needed for the project to provide sufficient power and price increased due to delays in starting the project, tree removal, and relocation of lines, and subsurface issues. $99,876.53. With the amendment the project is still $193,000 less than the original bid.

Mr. Keel addressed questions.

9.19 Approval of Capital Project Ordinance and Budget Ordinance Amendment for US 421 CFPUA Water Interconnection Project

Mr. Keel requested approval of capital project ordinance and budget ordinance amendment for US 421 CFPUA Water Interconnection Project. Pender County entered into an agreement with CFPUA last year to connect the two lines at the county line at Hwy 421. Establishing a Capital Project ordinance since it is a large project that will expand over multiple fiscal years. Request to move the funds currently in the operating budget to the capital funds budget. Funds have already been approved.

Mr. Keel addressed questions.

9.20 Approval of Capital Project Ordinance and Budget Ordinance Amendment for Batson Road Water Line Extension Project, and Transfer of PO 351

Mr. Keel requested approval of capital project ordinance and budget ordinance amendment for Batson Road Water Line Extension Project, and Transfer of PO 351. This request is similar to the previous request item 9.19. The project has already been approves it is simply transferring funds from the operating budget funds to the capital project funds.

Mr. Keel addressed questions.

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

18 SOCIAL SERVICES BOARD

19 PUBLIC COMMENT

19.1 Public Comments

Ms. Sinead Morrow of Hampstead with Pender County 4-H introduced herself to the commissioners, because she will be attending this years youth voice event in August and will be meeting some of the commissioners at the event. She will be representing Pender Counties youth at the event as their delegate. Ms. Morrow offered to answer any questions the commissioners have on the event. Ms. Morrow has been involved in 4-H for four years and she enjoys the public speaking and this year she will be attending citizenship focus in Congress for the second time.

The commissioners thanked her for sharing her time with them and wished her well.

There were no other comments.

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

20.1 Items from the County Attorney, County Manager, Assistant County Manager, & County Commissioners

Mr. Andrews reminded the commissioners he will be on vacation the through July 2nd and Mr. Allen will be acting County Manager. He reminded the commissioners they only had one meeting in the month of July on July 10th. He thanked the commissioners for passing the budget.

Mr. Vann reminded the commissioners of the Public Defenders Office open house next week on June 28th at 3PM (301 S. McNeil St.) and invited them to attend. Mr. Vann informed the commissioner that Ms. Stanfield is on vacation and that Ms. Radford is filling in one last time as Clerk and thanked her for her assistance. Chair Newton thanked Ms. Radford and the Council of Governments for loaning Ms. Radford to Pender County.

Mr. Therman thanked Mr. Bufkin for all stepping up to help get the county to the finish line with the Letter of Intent. Mr. Therman requested to go into closed session as per NCGS 143-318 (3) attorney client privilege including Coastal Pines, (4) economic development, and (5) acquisition of real property.

Commissioner George had no comments.

Commissioner McCoy mentioned the big weekend for Pender County with the Blueberry Festival, parking was an issue, but all in all it was a great time.

Vice-Chair Hardee had no comments.

Commissioner Groves stated he did not vote for the budget in honor of the people who voted for him. He stated he does not believe the budget is good for the citizens of Pender County.

Chair Newton announced Pender County has reached an agreement with Novant to continue the health care of Pender County. Chair Newton stated it was an important decision for Pender County now and in the future. Novant has agreed to a $50 million investment over the next 10 years including the current Pender County medical facility in Burgaw within 5 years will be upgraded to a community general hospital. Novant has committed to maintain Pender County's hospital as a critical access hospital, improving access to primary care and specialty care in Pender County, to recruit the specialty care physicians and other providers, to increase the services currently available to include adult primary care, cardiology, gastroenterology, orthopedics, and urology. Programmatic expansion for physician recruitment and equipment investments in the hospital facility with a special emphasis on investments in rural residency programs. Novant has committed to allowing Pender County to appoint the majority of the board for the Pender Memorial. Chair Newton hoped everyone would see this as a positive thing going forward for Pender County. Novant has also agreed to raise the salaries to bring them up to standard.

21 CLOSED SESSION (IF APPLICABLE).

21.1 Closed Session

Mr. Therman requested to go into closed session as per NCGS 143-318 (3) attorney client privilege including Coastal Pines (4) economic development, and (5) acquisition of real property. Commissioners went into closed session at 6:06PM.

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

22.1 REZONE 2023-47 CZMA: Request to revise a Conditional Zoning Map Amendment for the Falls Mist Development

Commissioners returned to Open Session at 7:06PM.

Mr. Avery stated Mr. Jimmy Fintress the applicant for the project wished to address the commissioners before staff makes their presentation. Mr. Fentress requested a continuance to the August 21st meeting in order to have a full team to make the presentation to the commissioners. Mr. Thurman stated there were no signups on the item.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion by Commissioner George to approve the request to continue item 22.1 until the August 21, 2023 meeting, seconded by Vice-Chair Hardee.

	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 2023-42 FLUMA: Request to amend the Future Land Use Map classification for two tracts of land totaling approximately 29.6 acres from Low Density Residential to Medium Density Residential in the Topsail Township

Mr. Brantley presented the request to amend the Future Land Use Map classification for two tracts of land from LDR to MDR in the Topsail Township. The owner applicant for the request is McAdams Homes LLC and they are requested for the properties located at 4203-25-5746-0000 and 4203-35-3108-0000 be amended in the FLUM from LDR to MDR. The properties are located north of Country Club Drive approximately 850 feet southwest of Transfer Station Road in the Topsail Township. Mr. Brantley presented maps of the area, a WMPO road density survey from 2020 and supporting documentation to show the proposed project is similar to the existing communities in the area. Mr. Brantley stated the planning staff are recommending the approval of the amendment.

The Planning Board denied the application on May 2nd due to the applicant not complying with their request for site specific plans for the project. Mr. Brantley presented the planning boards vote and stated the planning board originally heard the request on March 7th and the case was continued for two months and that the board was open to the idea however they were not comfortable with approving it without a site specific plan. The Planning board requested the applicant comeback with a conditional map amendment so they could see exactly what the project was.

Ms. Amy Shaffer spoke on behalf of the applicant. Ms. Shaffer stated the reason they did not comply was that a site plan is very expensive and time consuming and they felt without guidance on whether the extra density request would be seen favorably by the County they felt the process was premature. Ms. Shaffer addressed questions from the commissioners. Ms. Shaffer presented their proposed project which they believe are compatible to the properties in the area.

Mr. Brantley addressed questions from the commissioners.

Ms. Joanne Champion of Carolina Creek addressed the commissioners and presented a petition signed by 105 residents of Carolina Creek opposing the amendment. Ms. Champion read a statement from her community stating they hoped the commissioners will accept and understand how important their opposition of the request.

Mr. Bill Bish of 28 Albrook Way spoke against the request. Mr. Bish stated he echoed Ms. Champion's statement and that all of the current home owners are extremely concerned about the proposed development due to the current and protentional future influx of traffic. The roads in the area are already extremely congested especially during the school year. Mr. Bish questions the 40% capacity of traffic and states the approval would have a negative impact on street safety in the community. Mr. Bish also stated that tree removal would take away from natural beauty as well as air quality in the area.

Mr. Brian Apple of 73 Bowman Field Circle spoke against the request. Traffic is a significant issue and stated that the traffic study taken in 2020 showing a 40% capacity was done during COVID and that is not mentioned in the study. Mr. Apple is seeing the opposite in traffic.

Mr. Mitch Rose 46 Bowman Field Circle of spoke against request. Mr. Rose presented the preliminary plan to the community from the time of his purchase of his home. Mr. Rose stated that the new proposed development plan does not match the current plan and would substantially increase the number of people in the area and on the roads.

Mr. Wesley Wooten of Lewis Farms spoke in favor of request. Mr. Wooten stated this is a property rights issue. Mr. Wooten stated the staff did an excellent job of presenting the amendment and that as property owners they should have the right to use the property they own as they please. Mr. Wooten suggested the people who want to save trees need to be present at the July 10th meeting to save 6,000 acers trees in Pender County. Mr. Wooten stated that property values and land rights need to be protected with the freedom to do what is profitable.

Ms. Amy Shaffer readdressed the commissioners to rebut the comments. Ms. Shaffer stated in order to be compliant with the plan the plan they present would not be compliant with the current plan. Mr. Adam Sosne of McAdams Homes addressed question about having feedback with the planning board and he stated they had met with the planning board several times one of the issues they experienced was receiving conflicting information. The do not want to connect through Carolina Creek. Chair Newton asked Mr. Sosne if he would like to table the request to reconvene to workout other access or opportunities. Mr. Sosne stated they are present now at the request of Pender County staff recommendation. They want to be a good neighbor and fit in with the neighborhood. What is being requested is no different than what the other communities in the area already have, it is impossible for them to get to 6 units per acer.

There were no further comments or questions from the commissioners.

Commissioner George made a motion to deny the future land use map amendment while the proposal is consistent with the Pender County 2.0 Comprehensive Land Use Plan, said denial is responsible and in the public interest does not further the goals of Pender County 2.0 Comprehensive Land Use Plan. The Pender County schools are over crowded and traffic is an issue in the area and the county has had to issue a water conservation. The County cannot support the increased density.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion by Commissioner George to deny the request to amend the Future Land Use Map from Low Density Residential to Medium Density Residential, seconded by Vice-Chair Hardee.

	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.

22.3 Return to Closed Session

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Mr. Thurman requested the commissioners entertain the possibility to return to closed session to complete the unfinished items for the earlier closed session.

Returned to closed session at 7:52PM.

	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

Motion by Commissioner Groves to end closed session and adjourn meeting, seconded by Vice-Chair Hardee. Meeting adjourned at 8:30PM

	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.