



Pender County

Agenda

Board of County Commissioners Meeting
Monday, June 5, 2023 @ 4:00 PM
Pender County Public Assembly Room
805 S. Walker Street, Burgaw, NC

		Presenter	Page
1.	CALL TO ORDER		
2.	INVOCATION		
3.	PLEDGE OF ALLEGIANCE		
4.	ADOPTION OF AGENDA		
5.	PUBLIC HEARING		
5.1.	Notice of Public Hearing for FY 2023-2024 Budget Ordinance and Fee Schedule Public Hearing for FY 23-24 Budget - Pdf	Blue	5
6.	PUBLIC INFORMATION		
6.1.	Tax Department Status Report Tax Office Status Report - Pdf	Radke	7 - 20
7.	PUBLIC COMMENT FOR AGENDA ITEMS		
8.	CONSENT AGENDA		
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8.2.	Approval of a Purchase Order to Davenport Group for Sheriff's Office Replacement switches in the amount of \$50,500.00. Approval of a Purchase Order to Davenport Group for Sheriff's Office Replacement switches in the amount of \$50,500.00. - Pdf	Harvey	25 - 30
8.3.	Approval of Tax Releases and Refunds May 2023 Releases and Refunds - Pdf	Radke	31 - 33
8.4.	BOCC Meeting Minutes April 17, 2023 04.17.2023 BOCC Minutes - Pdf	Stanfield	35 - 57
8.5.	BOCC Meeting Minutes May 1, 2023 05.01.2023 BOCC Meeting Minutes - Pdf	Stanfield	59 - 67
8.6.	Consideration of a Budget Ordinance Amendment to Transfer Funds Between Line Items Budget Ordinance Amendment (BOA) - Pdf	Proctor	69 - 70
9.	APPROVALS AND RESOLUTIONS		
9.1.	Resolution Authorizing Approval of Union Rescue Pyrotechnic Display on July 1, 2023, in Accordance with North Carolina General Statute 14-413.	Batson	71

[Union Rescue Pyrotechnic Display - Pdf](#)

9.2.	Resolution Authorizing Approval of Surf City Pyrotechnic Display on July 3, 2023, in Accordance with North Carolina General Statute 14-413.	Batson	73
	Surf City Pyrotechnic Display - Pdf		
9.3.	Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2385-65-4988-0000 located off Willard Rd in Union	Blue	75 - 77
	Willard Rd Union - Pdf		
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	208 Burgaw Creek Loop - Pdf		
9.5.	Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 3224-46-2015-0000 at 600 Cheshire Road, Rocky Point	Blue	83 - 85
	600 Cheshire Road - Pdf		
9.6.	Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2295-60-8304-0000 Off of Asa Lane in Long Creek	Blue	87 - 89
	Asa Lane - Pdf		
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9.9.	Notice of Public Hearing for FY 2023-2024 Budget Ordinance and Fee Schedule	Blue	99 - 111
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9.10.	Approval of FY 2023-2024 Capital Improvement Projects Plan	Blue	113
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	Approval of Conceptual Changes to FY24 Solid Waste Fees - Pdf		
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10.	DISCUSSION		
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11.2.	James Peay Board Reappointment for EMS and Fire Board of Directors James Peay Board Reappointment - Pdf	Stanfield	147 - 149
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11.4.	Loretta Schmitzer Board Appointment for TDA Board Loretta Schmitzer Board Appointment - Pdf	Stanfield	157 - 159
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12.	MAPLE HILL WATER AND SEWER DISTRICT		
13.	ROCKY POINT WATER AND SEWER DISTRICT		
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14.	SCOTTS HILL WATER AND SEWER DISTRICT		
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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.	Resolution Appointing Melissa Radke as Tax Administrator Resolution Appointing Melissa Radke as Tax Administrator - Pdf	Andrews	195 - 196
20.2.	Order of Collection Authorizing, Empowering, and Commanding the Tax Administrator to Collect the Taxes set forth in the County's tax records. Order of Collection Authorizing, Empowering, and Commanding the Tax Administrator - Pdf	Andrews	197 - 198
21.	CLOSED SESSION (IF APPLICABLE).		
22.	7PM PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP AMENDMENTS/ RESOLUTIONS		
22.1.	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, 2022 (22 CVS 1029) SUP 2022-35 Special Use Permit Request - Pdf	Thurman	199
23.	ADJOURNMENT		



Pender County Notice of Public Hearing for FY 2023- 2024 Budget Ordinance and Fee Schedule

TO: Board of County Commissioners
FROM: Meg Blue
DATE: June 5, 2023
SUBJECT: Notice of Public Hearing for FY 2023-2024 Budget Ordinance and Fee Schedule

SUMMARY:

The Pender County Manager presented the recommended budget for Fiscal Year 2023-2024 to the Board of Commissioners on Thursday, May 25, 2023. A copy of the recommended budget was filed in the office of the Clerk to the Board on that same day and is available for public inspection at the Pender County Administrative Building during normal business hours. The budget is also posted on the County's website, www.pendercountync.gov. A public hearing on the recommended budget will be held on Monday, June 5, 2023, at 4 p.m. in the Commissioners' Meeting Room, Pender County Admin Building, 805 S. Walker Street, Burgaw, NC. Citizens are invited to attend and present written or oral comments. Adoption of the recommended budget is anticipated to occur at that meeting as indicated in the agenda.

ACTION REQUESTED:

Notice of Public Hearing for FY 2023-2024 Budget Ordinance and Fee Schedule



Pender County Status Update to the Board

TO: Board of County Commissioners
FROM: Melissa Radke
DATE: June 5, 2023
SUBJECT: Tax Department Status Report

SUMMARY:

Information to provide to the Board on the current Status of the Tax Office since my arrival, corrective actions being taken and goals for the future.

ACTION REQUESTED:

No action requested

Tax Department Status Report

MELISSA A. RADKE

NEWLY APPOINTED TAX ADMINISTRATOR

JUNE 5, 2023

Current Status



1,800 PERMITS STILL TO BE CHECKED AND ENTERED INTO THE SYSTEM FOR VALUATION

UNDERSTAFFED ON BOTH SIDES OF THE OFFICE

SALES RATIO IS VERY LOW AT 62.66%

ENFORCED COLLECTIONS HAVE NOT BEEN OCCURRING RESULTING IN A LOWER COLLECTION RATE

PERMIT BACKLOG

- ▶ Seems to be due to a combination of staff issues and rapid growth
- ▶ At least 50 of these are commercial permits
- ▶ Approx 1,100 are revisits from prior years
 - ▶ Houses not 100% complete as of the last visit

STAFFING

- ▶ 4 Positions vacant
 - ▶ Assessment:
 - ▶ Mapper & Data Entry
 - ▶ Collections:
 - ▶ 2 Revenue Collectors
 - ▶ 1 just came vacant due to a resignation in early May
 - ▶ All are greatly needed for proper office functioning & timely processing

ENFORCED COLLECTIONS

- ▶ These are all our statutory abilities for tax collections
 - ▶ Wage garnishment
 - ▶ Bank attachment
 - ▶ Levy
- ▶ Seems to be due to inadequate staffing on the collections side
 - ▶ Currently only 3 members to the collections team for approx. 60,000 tax bills yearly
- ▶ Software issues don't help
 - ▶ Inability to process garnishments in mass
 - ▶ Having to do them manually and individually
 - ▶ Team had to teach themselves how the system works due to a lack of training by the software vendor/Covid/Reappraisal issues needing more attention (by staff reports)

LOW SALES RATIO

- ▶ The Sales Ratio is the relationship between current market value and assessed value
- ▶ Per NC DOR
 - ▶ If the ratio falls below 90% in years 4 or 7 after a reappraisal, Public Service Company Values will be equalized
 - ▶ PSC's are companies like Duke Energy, Railroads, Airlines, Phone Companies, etc.
 - ▶ By NC Statute these types of companies are valued by the state and not by the county
- ▶ Pender's Sales ratio has been below 90% for a number of years, however this is the 4th yr from the last reappraisal
 - ▶ Will be the 1st year the value of the Public Service Companies will be equalized
 - ▶ Equates to a BIG loss in value
 - ▶ Approx. 350,000 revenue loss annually
 - ▶ 1.4 million over the next 4 years

THE PLAN FOR THESE ITEMS

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PERMIT BACKLOG:

- ▶ Hire Vincent Valuations to come in while we are short staffed in appraisers to catch us up
 - ▶ Will take approx. 45 days with 2-3 contracted appraisers to catch up
 - ▶ Contract for this service is on the agenda
- ▶ Will cost approx. \$58,500
 - ▶ If each permit added \$32.50 in value we would make up the cost
 - ▶ Will pay for itself

THE PLAN FOR THESE ITEMS

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STAFFING:

- ▶ Have already opened all 4 positions
 - ▶ Revenue Specialist (collections)
 - ▶ Revenue Specialist (collections)
 - ▶ Mapper (assessment)
 - ▶ Administrative Specialist (assessment)
- ▶ Waiting for applications to begin the interview process
- ▶ Will get hired and begin training ASAP

THE PLAN FOR THESE ITEMS

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ENFORCED COLLECTIONS:

- ▶ With additional staff our Deputy Tax Collector can focus on enforced collections solely
 - ▶ Currently she is assisting collections by working the window among other things
- ▶ Putting into place an enforced collections program
 - ▶ Will include a calendar of items that will occur in a cyclic process annually
 - ▶ Will include additional letters and notifications to taxpayers
 - ▶ Intent to notifications before actual procedures are performed
 - ▶ Will work with staff to update and make our payment plan program more robust
- ▶ Work with the software vendor to have the system work more efficiently
 - ▶ Put into place programming we need to have this system work for us not against us
 - ▶ Get onsite training by the vendor if needed

THE PLAN FOR THESE ITEMS

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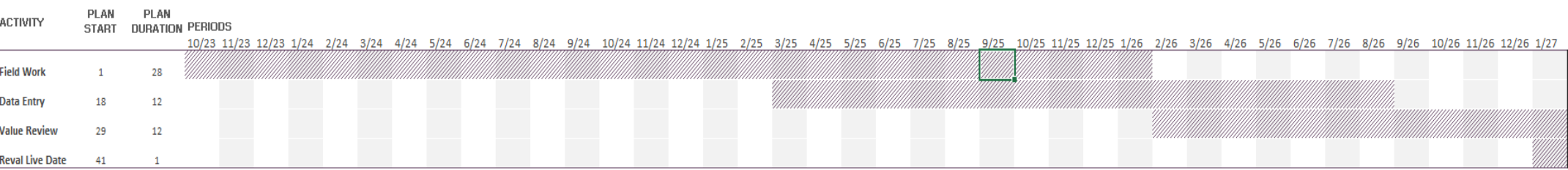
SALES RATIO:

- ▶ Nothing we can do until our next reappraisal
- ▶ We will continue to be equalized (lose value) each year until our reappraisal in 2027
 - ▶ Loss of just under \$350,000 in revenue yearly (1.4 million over the next 4 years)
- ▶ Its time to begin thinking about getting started on the next reappraisal
 - ▶ Will fix the sales ratio & equalization will no longer occur
 - ▶ Will take approx. 25-28 months to complete field visits for all 52,500 parcels we have
 - ▶ Will take approx. 10-12 months to complete the parcel review and sales review
 - ▶ \$38-40 per parcel; approx. \$2.1 million to complete
 - ▶ 6-8 Appraisers in the field (contracted)
 - ▶ Current amount in Reappraisal fund \$956,500
- ▶ Reappraisal will take effect January 1, 2027
- ▶ See the next slide*

2027 Reappraisal Ghant Chart

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2027 Pender County Reappraisal



Goals going forward

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- ▶ Successful 2027 reappraisal
- ▶ Move to vendors who work better for our needs
 - ▶ Possible new CC vendor (working with Finance on options)
 - ▶ Print/Mail vendor for all mass mailings
 - ▶ People look up
 - ▶ Currently utilize two, will move to just 1 that does what both do now
- ▶ Restructure/Reclassify Office Organizational Chart
 - ▶ Doesn't currently make sense (job titles, separation of duties)
 - ▶ Will be working on cleaning this up to make sense internally and for the employees and jobs of each
- ▶ Office culture
 - ▶ Still so separated, work to bring both assessment and collections together to work more cohesively
 - ▶ Retention!

Goals going forward

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- ▶ TRAINING, TRAINING, TRAINING!!!
 - ▶ A lot of training is needed with the software for all staff to understand this system better
 - ▶ Neither side got much training when the conversion occurred in 2019, this will be a priority indefinitely
 - ▶ I will work to get onsite training for both collections and assessment so we are utilizing the system much more efficiently
- ▶ Work to put together a PR campaign for various aspects of our office
 - ▶ Pamphlets
 - ▶ How to Videos
 - ▶ Speaking engagements
 - ▶ Better online information
- ▶ Continue to look for ways to improve the office & experience for county residents and taxpayers



Pender County Request for Board action

TO:	Board of County Commissioners
FROM:	Alan Cutler
DATE:	June 5, 2023
SUBJECT:	Approval of MOU with United States Secret Service and Pender County Sheriff's Office - JOPS Funding in the amount of \$5,000.00.

SUMMARY:

Pender County Sheriff's Office is requesting approval of the MOU with United States Secret Service with JOPS Funding in the amount of \$5,000.00. This funding is used to advance investigations. JOPS funding is closely monitored by the Treasury Department. The revenue account is 510-330051.

ACTION REQUESTED:

Approval of MOU with United States Secret Service and Pender County Sheriff's Office - JOPS Funding in the amount of \$5,000.00.

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE PENDER COUNTY SHERIFF'S OFFICE
AND
THE UNITED STATES SECRET SERVICE**

The **Pender County Sheriff's Office** and the United States Secret Service (Secret Service) enter into this memorandum of understanding (MOU), which becomes effective with the signatures of both parties and remains in effect until terminated by the mutual agreement of the **Pender County Sheriff's Office** and the Secret Service or upon 30 day written notice by either party to this agreement.

I. AUTHORITY

This MOU is established pursuant to Title 18, United States Code, Section 3056 and provisions of Public Law 107-56, Title I, Section 105, the Uniting and Strengthening of America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001. This act directed the Secret Service to take appropriate actions to expand the national network of Electronic Crimes Task Forces (ECTF) throughout the United States. The Secret Service has since consolidated its Financial Crimes Task Forces with its ECTFs, renaming the consolidated task forces as its Cyber Fraud Task Forces (CFTFs).

This MOU is established pursuant to provisions of the Treasury Forfeiture Fund Act of 1992, 31 U.S.C. § 9705, as amended. This act established the Department of the Treasury Forfeiture Fund and authorized the payment of certain overtime expenditures, travel, fuel, training, equipment and other similar costs of State and Local law enforcement officers, that are involved in joint operations, with a Department of the Treasury law enforcement organization, as prescribed in 31 U.S.C. § 9705 (a)(1)(I)(hereinafter "overtime costs and other expenses").

II. PURPOSE

This MOU establishes the procedures and responsibilities of both the **Pender County Sheriff's Office** and the Secret Service for the reimbursement of certain overtime costs and other expenses pursuant to 31 U.S.C. § 9705.

III. CONDITIONS AND PROCEDURES

The parties agree to the following conditions:

- (a) The **Pender County Sheriff's Office** may request reimbursement of payment of overtime costs and other expenses directly related to work performed by its officer(s) assigned to assist the Secret Service CFTF in conducting official investigations. The **Pender County Sheriff's Office** will submit all requests for reimbursement payments, together with appropriate documentation, to the Secret Service CFTF supervisor. Request for reimbursement will be based solely upon

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overtime worked and other expenses performed on behalf of the Secret Service CTF.

- (b) All reimbursement hours of overtime costs and all other expenses covered under this MOU must be approved and certified by the Secret Service CTF supervisor. The reimbursable overtime payments will be based upon the actual hourly overtime rate, exclusive of matching employer contributions for any taxes or benefits.
- (c) The Secret Service CTF supervisor will forward all approved reimbursement requests through the Special Agent in Charge (SAIC) of the Criminal Investigative Division, Office of Investigations, to the Treasury Forfeiture Fund's payment agent, the U.S. Customs National Finance Center (NFC).
- (d) During the period of assignment to the Secret Service CTF, the **Pender County Sheriff's Office** will remain responsible for establishing the salary and benefits, including overtime of the officer(s) assigned to the CTF and making all payments due them. Reimbursement under this MOU is contingent upon the availability of mandatory funds allocated to the Secret Service through the Department of the Treasury Forfeiture Fund.
- (e) The **Pender County Sheriff's Office** shall permit and have readily available for examination and auditing by the Secret Service, the U.S. Department of Treasury, the Comptroller of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. They shall maintain all such records and reports until all audits and examinations are completed and resolved, or for a period of three (3) years, whichever is sooner.
- (f) Payments may be made to the extent they are included in the Secret Service Fiscal Year Plan and the monies are available within the Department of Treasury Forfeiture Fund to satisfy the request(s) for reimbursable expenses. It should also be understood that the total amount(s) made available to the Secret Service through the Department of the Treasury Forfeiture Fund, for reimbursement to the **Pender County Sheriff's Office**, could change at any time.
- (g) Pursuant to the Treasury Executive Office for Asset Forfeiture (TEOAF) directive number 18, the maximum reimbursement entitlement for overtime costs to any one law enforcement official cannot exceed fifteen-thousand (\$15,000.00) dollars during the fiscal year.
- (h) This document does not obligate funds. Funding authority will be provided through other documents.
- (i) The **Pender County Sheriff's Office** shall provide the Secret Service within 10 days of the signing of this MOU, with their agency's mailing address, contact name, telephone number and tax identification number. Further, this agency must provide the name, account number and ABA routing number of the financial institution where the **Pender County Sheriff's Office** wants the Electronic Funds transfer (EFT) payment deposited for the reimbursement of overtime salary costs.

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Failure to provide this information within the prescribed period of time will nullify this MOU agreement.

IV. REVISIONS

The terms of this MOU may be amended upon the written approval of both **Pender Sheriff's Office** and the Secret Service. Such amendment is effective upon the date of approval.

U.S. Secret Service
Wilmington Resident Office

Pender County Sheriff's Office

RAIC Thomas W. Fleming

Sheriff Alan Cuter

Date: _____

Date: 1-23-23

U.S. Secret Service
Criminal Investigative Division

SAIC William M. Mancino

Date: _____

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**Pender County
Approval of a Purchase Order to
Davenport Group for Sheriff's Office
Replacement switches in the amount of
\$50,500.00.**

TO: BOCC
FROM: Erik Harvey
DATE: June 5, 2023
SUBJECT: Approval of a Purchase Order to Davenport Group for Sheriff's Office
Replacement switches in the amount of \$50,500.00.

SUMMARY:

The core network switches located at the Sheriff's Department are at their End of Life (EOL), no longer supported, and need to be replaced.

Three quotes were obtained for the core network switches from Davenport Group, SHI, and Internetwork Engineering.

Davenport Group \$50,500.00
SHI: \$51,184.04
Internetwork Engineering: \$68,087.88

ACTION REQUESTED:

Approval of a Purchase Order to Davenport Group for Sheriff's Office Replacement switches in the amount of \$50,500.00. This was a budgeted item and will be taken from the following line items:

IT Capital Outlay 445-407400



people connecting people
**INTERNETWORK
ENGINEERING**

13777 Ballantyne Corp Place | Suite 305 | Charlotte, NC 28277
IP Phone: 704.540.5800 | Fax: 704.541.0059 | <http://www.ineteng.com>

May 03, 2023

Customer's Address:

Pender County
805 S. Walker St.
Burgaw, NC 28425
Attn: Kevin Moore
Phone: (910) 259-1260

dmoores@pendercountync.gov

QUOTATION#QT-000037395-1

Please reference quote number on PO:

Please make purchase order to:

Internet Network Engineering

13777 Ballantyne Corp. Place

Suite 305

Charlotte, NC 28277

If you have any questions concerning this quote please contact

Client Services Account Manager

Jeremy Jackson Kyle Mitchell

704-943-5600 (919) 882-6537

clientservices@ineteng.com kmitchell@ineteng.com

SUBJECT: Dell EMC

ITEM #	PART #	DESCRIPTION	TERM	QTY.	UNIT PRICE	EXTENDED PRICE
Hardware & Services:						
1	210-APHT	Dell EMC S5224F-ON Switch, 24x 25GbE SFP28, 4x 100GbE QSFP28 ports, PSU to IO air, 2x PSU		4	\$10,046.84	\$40,187.36
2	343-BBLP	Dell EMC S52XX-ON Series User Guide		4	\$1.90	\$7.60
3	634-BRWJ	OS10 Enterprise, S5224F-ON		4	\$1,663.08	\$6,652.32
4	450-AAFH	Power Cord, 125V, 15A, 10 Feet, NEMA 5-15/C13		4	\$9.51	\$38.04
5	450-AAFH	Power Cord, 125V, 15A, 10 Feet, NEMA 5-15/C13		4	\$9.51	\$38.04
6	818-4983	Dell Hardware Limited Warranty 1 Year		4	\$237.18	\$948.72
7	818-4992	Mission Critical Package: 4-Hour 7x24 On-Site Service with Emergency Dispatch, 1 Year		4	\$243.34	\$973.36
8	818-5098	Mission Critical Package: 4-Hour 7x24 On-Site Service with Emergency Dispatch, 3 Year Extended		4	\$929.53	\$3,718.12
9	818-5099	ProSupport Mission Critical:7x24 HW/ISW Technical Support and Assistance, 4 Years		4	\$3,239.03	\$12,956.12
10	975-3461	Dell Limited Hardware Warranty Extended Year(s)		4	\$0.00	\$0.00
11	989-3439	Thank you choosing Dell ProSupport. For tech support, visit www.dell.com/support or call 1-800- 945-3355		4	\$0.00	\$0.00
12	997-6306	Info 3rd Party Software Warranty provided by Vendor		4	\$0.00	\$0.00
13	900-9997	On-Site Installation Declined		4	\$0.00	\$0.00
14	869-1348	4 Years ProSupport OS10 Enterprise Software Support-Maintenance		4	\$465.66	\$1,862.64
15	470-ABPW	Dell Networking Cable, 100GbE QSFP28 to QSFP28, Passive Copper Direct Attach, 0.5 Meter,Cust Kit		4	\$176.39	\$705.56

Note: By request, this quote does not include IE Professional Services.
If you would like assistance in implementing this solution, please contact your IE Account Manager immediately for a services estimate.

Total Investment **\$68,087.88**
Plus Tax and/or Shipping

DELIVERY: FOB: Shipping Point
TERMS: NET 30
QUOTATION FIRM FOR: 30 DAYS

CUSTOMER'S SIGNATURE

Please Print Name & Title Below

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The enclosed material and information is proprietary to Internet Network Engineering and is strictly confidential. Any unauthorized reproduction or retransmission is forbidden. The preceding restrictions shall not apply to State agencies and governmental units to the extent the enclosed material is required to be disclosed under applicable State public record laws.



Pricing Proposal
Quotation #: 23432056
Created On: 5/4/2023
Valid Until: 5/31/2023

NC-County of Pender

Chris Hewett

NC
United States
Phone: (910) 259-0220
Fax:
Email: chewett@pendercountync.gov

Inside Account Executive

Mike Zimmerman

290 Davidson Avenue
Somerset, NJ 08873
Phone: 732-507-1545
Fax: 732-254-8224
Email: Mike_Zimmerman@SHI.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 PowerSwitch S5224-ON Dell - Part#:	4	\$12,795.51	\$51,182.04
Subtotal			\$51,182.04
Total			\$51,182.04

Additional Comments

SHI SPIN: #143012572

SHI-GS SPIN (For Texas customers ONLY): #143028315

For E-rate SPI orders, applicant shall be responsible for payment of any outstanding or ineligible costs if USAC rejects reimbursement claim in whole or in part.

Please note, if Emergency Connectivity Funds (ECF) will be used to pay for all or part of this quote, please let us know as we will need to ensure compliance with the funding program.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084.

SHI International Corp. is 100% Minority Owned, Woman Owned Business.
TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

The Products offered under this proposal are resold in accordance with the [SHI Online Customer Resale Terms and Conditions](#), unless a separate resale agreement exists between SHI and the Customer.



davenportgroup

Pender County, NC

Networking S5248F Switches

DG1704

your **davenport group** representative

Drew Bonner

account executive

andrew.bonner@davenportgroup.com

cell:

corporate: 877-231-9114

Davenport Group - Confidential and Proprietary

Quote

**Prepared For**

Pender County, NC
805 S. Walker Street
Burgaw, NC 28425

Quote Number DG1704
Quote Date 05/05/2023
Quote Expiration 06/02/2023

Erik Harvey
eharvey@pendercountync.gov

Contract Code

Qty	Description	Unit Price	Ex. Price
4	Dell EMC S5224F-ON Switch, 24x 25GbE SFP28, 4x 100GbE QSFP28 ports, PSU to IO air, 2x PSU	\$12,625	\$50,500
	Dell EMC S52XX-ON Series User Guide		
	OS10 Enterprise, S5224F-ON		
	Dell Networking Cable, 100GbE QSFP28 to QSFP28, Passive Copper Direct Attach Cable, 0.5 Meter		
	4 Years ProSupport OS10 Enterprise Software Support-Maintenance		
	(2) Power Cord, 125V, 15A, 10 Feet, NEMA 5-15/C13		
	Mission Critical Package: 4-Hour 7x24 On-Site Service with Emergency Dispatch, 4 Year		
	Dell Onsite Diagnosis Service, Same Business Day (per system warranty) 7X24, 4 Year		
	ProSupport Mission Critical:7x24 HW/SW Technical Support and Assistance, 4 Years		
	Davenport Group Implementation and Knowledge Transfer (See SOW for Details)		

Total **\$50,500.00**

Terms and Conditions



Terms of payment for the project are Net 15 from date of shipment, unless otherwise agreed upon. Upon shipment you will be billed 80% of the total project cost. Upon completion of the project, you will be billed the remaining 20%. Applicable taxes and shipping will be included on all invoices. Davenport Group reserves the right to cancel orders arising from pricing or other errors. A late fee of 1.5% per month will be assessed for all amounts that are past due. The terms of this proposal are subject to credit approval.

*Quotes and pricing terms are negotiated between Customer and Davenport Group and may be unique to the Customer. All data and information contained herein and provided by Davenport Group is considered confidential and proprietary. The data and information contained herein may not be reproduced, published, or distributed beyond Customer organization, without the express prior written consent of Davenport Group.

Thank you for your business!

_____	_____
Signature	Date

If applicable, please enter the PO Number and Shipping Address below.

**These fields are optional*

PO Number _____

Ship to Name _____

Street _____

City _____

State _____

**Use 2 Character
Abbreviation*

Postal Code _____



Pender County Request for Board Action

TO: Board of County Commissioners
FROM: Melissa Radke
DATE: June 5, 2023
SUBJECT: Approval of Tax Releases and Refunds

SUMMARY:

Releases and refunds result from listing and assessing due to incorrect and incomplete information. Taxpayers will or have overpaid taxes. Board action rectifies the mistake. The refunds and releases are recommended as follows:

ACTION REQUESTED:

Staff requests that the board approves the attached list of releases and refunds for May 2023.



Pender County

Request For Board Action

DATE OF MEETING: June 5, 2023

REQUESTED BY: Melissa Radke, Tax Administrator, Tax Office

SHORT TITLE: Approval of Tax Releases and Refunds

BACKGROUND: Releases and refunds result from listing and assessing due to incorrect and incomplete information. Taxpayers will or have overpaid taxes. Board action rectifies the mistake. The refunds and releases are recommended as follows:

RELEASES OVER \$100

YEAR	NAME	ACCOUNT	AMOUNT	REASON
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NONE

REFUNDS OVER \$100

YEAR	NAME	ACCOUNT	AMOUNT	REASON
2022	ADELMAN, WETSLEY JAY	277359417	341.26	MILTRY EXEMPT
2022	BIDDISON, ELMER MARC III	277359651	420.73	DOUBLELIST
2022	BOWMAN, WOODROW WAYNE	368842456	165.16	SITUS
2022	CAMMAROTA, JOSEPH LEO II	368549168	185.22	SITUS
2022	DIROSSE, BRIAN CHARLES	275412789	137.95	SOLD
2022	GIBBS, TYLER LAWRENCE	367380680	178.98	SITUS
2022	HAFLETT, CASEY MARTIN	369811728	119.65	SITUS
2022	HILL, JASON JEFFREY	277231059	128.45	SOLD
2022	HILL, JASON RANDOLPH	369641400	108.78	SITUS
2022	JARRETT, CASS WILLIAM	276411915	454.55	SOLD
2022	KOZEL, WILLIAM JR	275412582	135.84	SOLD
2022	KUHN, MARSHA FAY	276181680	126.22	DESTROYED
2022	LALIBERTY, THOMAS STEVEN	276631170	332.97	MILTRY EXEMPT
2021	MORETZ, VANESSA ANN	275146731	134.34	DESTROYED
2022	PALMER, ZACHARY A	276985437	481.05	MILTRY EXEMPT
2022	PARKER, JAMES COLUMBUS JR	367380652	118.03	SITUS
2021	STUHRCKE, LAURIE MATHEWS	275637723	115.18	SOLD

TOTAL REFUNDS OVER \$100	\$3,684.36
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RELEASES UNDER \$100

YEAR	NAME	ACCOUNT	AMOUNT	REASON
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NONE

REFUNDS UNDER \$100

YEAR	NAME	ACCOUNT	AMOUNT	REASON
2021	ARMSTRONG, LINDA	275876328	17.64	SOLD
2022	BAER, ANGELA PETRUCELLI	369641096	14.00	SITUS
2021	BANNERMAN, COLLEEN TEHAN	277230918	9.11	SOLD
2021	BELAND, MARY ANN	276086199	35.12	SOLD
2022	BOWMAN, WOODROE WAYNE	368842464	98.04	SITUS
2021	BRADLEY, EMILY BATTS	276411612	46.18	DESTROYED
2022	CALDWELL, JEFFREY SCOTT	369812016	7.66	SITUS
2021	DEPALMA, MELISSA ANN	276531459	10.47	SOLD
2021	GOOLSBY, TIMOTHY	276970185	4.79	SOLD
2022	HILL, JASON JEFFREY	277230968	23.21	SOLD
2022	ICKES, ANITA ROSE	276085746	42.18	SOLD
2021	JONES, CHRISTINE GANTER	369314088	81.87	SITUS
2021	LOFFREDO, MAUREEN	276985473	10.80	SOLD
2022	MARTIN, MINDY NANNETTE	276426837	33.26	SOLD
2022	MCFAYDEN, JOHN GRIFFIN	368548332	88.51	SITUS
2021	OLEARY, PAMELA EVANS	276411855	2.99	SOLD
2022	PIERCE, VICTOR EARL II	275983692	55.52	ADJSTD VALUE
2021	TAYLOR, WILLIAM R III	276411927	66.60	SOLD
2019	WAGNER, THEODORE ADDISON	276086112	58.11	MILTRY EXEMPT
2020	WAGNER, THEODORE ADDISON	276088121	52.53	MILTRY EXEMPT
2021	WAGNER, THEODORE ADDISON	276086130	47.61	MILTRY EXEMPT
2022	WHITE, CHARLES RAYMOND JR	276969762	50.76	SOLD

TOTAL REFUNDS UNDER \$100	\$856.96
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TOTAL OF ALL RELEASES	NONE
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TOTAL OF ALL REFUNDS	\$4,541.32
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Pender County April 17 BOCC Meeting Minutes

TO: BOCC
FROM: April Radford
DATE: June 5, 2023
SUBJECT: April 17 BOCC Meeting Minutes

SUMMARY:

Approval of April 17th, 2023 BOCC Meeting Minutes.

ACTION REQUESTED:

Approval of April 17th, 2023 BOCC Meeting Minutes.



MINUTES
Board of County Commissioners Meeting
Monday, April 17, 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 pm.

2 INVOCATION

2.1 Invocation

Commissioner Groves gave the Invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Pledge of Allegiance

Vice-Chair Hardee led the Pledge of Allegiance.

3.2 Chair Newton recognized Veterans.

3.3 Excuse Commissioner George

Chair Newton asked if Commissioner McCoy had a motion.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Commissioner McCoy motioned to excuse Commissioner George to be late to the meeting due to travel, 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	0	0	1

CARRIED.

4 ADOPTION OF AGENDA

4.1 Adoption of agenda

Moved by Fred McCoy, seconded by Jerry Groves

Motion to approve agenda by Commissioner McCoy, seconded by Commissioner Groves.

	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.

4.2 Removal of item 7.1

Chair Newton notated that item 7.1 in the consent agenda needs to be pulled from the agenda for review at the next meeting.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion by Vice-Chair Hardee to approve consent agenda with the removal of item 7.1, seconded by Commissioner Groves.

	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.

5 PUBLIC INFORMATION

5.1 Public Information

Presentation by Gage King - Airport Manager, Town of Wallace.

Mr. King presented economic impact report on Henderson Field Airport in Wallace. Automated Weather Operation Station and been completed. The Completion will increase flights in and out of the airport. The airport is in the process of expanding. The expansion is 100% funded. Expanding the runway to 5,500' to allow larger planes to land at the airport. Projected completion date is 2026. Total estimated cost of expansion is \$18,425,000. The airport board recommends changing the airport name from Henderson Field Airport to Wallace - Pender Airport to make the airport more recognizable to the area.

No action required.

5.2 Proclamation - Resilient and Thriving Community Week

Ms. Read presented a request for a proclamation for Resilient and Thriving Community Week from the Pender County Resiliency Task Force. The task force provides education, awareness, training, and support about adverse childhood experiences and resiliency. The Task Force is requesting the Board proclaim April 29 - May 5 as Resilient and Thriving Community Week.

Chair Newton read the Proclamation for the record.

Moved by Wendy Fletcher-Hardee, seconded by Fred McCoy

Motion by Vice-Chair Hardee to Proclaim April 29 - May 5 Resilient and Thriving Community Week, 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
	4	0	0	1

CARRIED.

5.3 Proclamation - Sexual Assault Awareness Month

Ms. Garcia with the Rape Crisis Center at Coastal Horizons gave statistics on sexual violence and how to present sexual abuse. Ms. Garcia requested the Board proclaim the month of April Sexual Assault Awareness Month in Pender County.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion by Commissioner McCoy to proclaim the month of April as Sexual Assault Awareness Month in Pender County.

	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.

6 PUBLIC COMMENT FOR AGENDA ITEMS ONLY

6.1 Public Comment for Agenda items only

No one signed up for Public Comment of Agenda Items.

7 CONSENT AGENDA

7.1 Approval of March and April 3 Minutes

- 7.2 Approval of 3 year Renewal for Indirect Cost Allocation Plan
- 7.3 Approval of BOA for DSS Trust Account Deposits and Disbursements
- 7.4 Approval of BOA for Governor's Crime Commission rollover grant
- 7.5 Approval of a Purchase Order to SHI for Microsoft Enterprise Licensing Annual Renewal in the amount of \$172,609.50.
- 7.6 Approval of a Purchase Order to SHI for Microsoft Enterprise Licensing Enrollment in the amount of \$23,159.07.
- 7.7 Request Approval of a Budget Ordinance Amendment for Juvenile Crime Prevention Council Funds
- 7.8 Consent Agenda Approval

Chair Newton notated that item 7.1 from the Consent Agenda need to be removed for approval at a later meeting.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion by Vice-Chair Hardee to approve the Consent Agenda with the removal of item 7.1, seconded by Commissioner Groves.

	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.

8 APPROVALS AND RESOLUTIONS

- 8.1 Request for Approval to Receive Grant Funding for Travel to all-day Workshop for Library Staff

Mr. Phillips-Bell requested the Board approve accepting \$4,000 in grant funding for training of library staff in Raleigh on May 2, 2023. There were no questions.

Moved by Jerry Groves, seconded by Fred McCoy

Motion by Commissioner Groves to approval to receive grant funds for travel to all-day workshop for Library staff, 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
	4	0	0	1

CARRIED.

8.2 Farm Service Agency (USDA) Lease for Agriculture Building

Mr. Vann presented the Farm Service Agency (USDA) Lease for Agriculture Building. The USDA agreed to pay \$40,000 more and to pay for improvements of the facility.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion by Commissioner McCoy to approve Farm Service Agency (USDA) lease for Agriculture building, 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	0	0	1

CARRIED.

8.3 Approval of Purchase Order to Replace Truck #4013 for PCU

Mr. Proctor requested to use \$50,300 of budgeted money from capital expense to purchase a new F150 pickup truck to replace a 2013 truck with 190,000+ miles. State contracting pricing is not available to purchase truck. Will have to find a truck on a lot and negotiation with dealership with trucks on the ground. Mr. Devon also addressed the board to explain why state contracting is not available.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion by Vice-Chair Hardee to approve request to use budgeted money to purchase replacement F150 pickup truck, seconded by Commissioner Groves.

	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.

- 8.4 Approval of Budget Ordinance Amendment, Associated Purchase Order, and Resolution of Tentative Award to Military and Federal Construction Company for the Wastewater Plant Berm project for \$574,602, Subject to EDA Approval

Mr. Keel presented to the board bids for the wastewater projects. Due to flooding from Hurricane Florence improvements are needed. Project to address flooding and power issues at the plant. The county received and economic development grant to pay 75% of the cost for the project. The project is about 19% over the estimated cost from two years prior. Mr. Keel requested \$27,916 to begin the project.

Mr. Keel requested the board approve the resolution of tentative award to Military and Federal Construction Company the associated purchase order and budget ordinance amendment for \$27,916 from the water enterprise fund balance.

Mr. Keel addressed questions.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion by Vice-Chair Hardee to approve the 25% (\$27,916) requested, seconded by Commissioner Groves.

	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.

8.5 Approval of Renewal for NCACC Risk Pool Insurance Coverage for Property & Liability and Worker's Compensation

Ms. Blue requested approval of renewal for the NCACC Risk Pool Insurance Coverage for Liability and Property and Worker's Compensation. Ms. Blue stated she has RFP's ready to go if the board does not approve the renewal. Workers Comp lower by 7% and L&P up 28.5%. The insurance industry across the board has significant increases. Ms. Blue addressed questions.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion by Commissioner McCoy to approve renewal of NCACC policy, 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	0	0	1

CARRIED.

9 DISCUSSION

9.1 Discussion

There was no discussion.

10 APPOINTMENTS

10.1 Board liaison appointment

Ms. Radford informed the board that Commissioner McCoy's seat on the Cape Fear RPO has expired and requested the board reappoint Commissioner McCoy to the seat.

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Motion by Commissioner Groves to reappoint Commissioner McCoy to the Cape Fear RPO, 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	0	0	1

CARRIED.

11 MAPLE HILL WATER AND SEWER DISTRICT

11.1 Maple Hill Water and Sewer District

There was nothing from Maple Hill Water and Sewer District.

12 ROCKY POINT WATER AND SEWER DISTRICT

12.1 Approval of Utility Easement to Piedmont Natural Gas for Service to Hampstead Tank Well

Mr. Keel requested approval of an easement for Piedmont Natural Gas in association of the tank and well at the Hampstead site. In order for PNG to lay the lines for the natural gas emergency generator at the well they PNG needs access to the property through an easement.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion by Commissioner McCoy to approve item 12.1, 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	0	0	1

CARRIED.

13 SCOTTS HILL WATER AND SEWER DISTRICT

13.1 Scotts Hill Water and Sewer District

There was nothing from Scotts Hill Water and Sewer District.

14 MOORES CREEK WATER AND SEWER DISTRICT

14.1 Moores Creek Water and Sewer District

There was nothing from Moores Creek Water and Sewer District.

15 CENTRAL PENDER WATER AND SEWER DISTRICT

15.1 Central Pender Water and Sewer District

There was nothing from Central Pender Water and Sewer District.

16 PENDER COUNTY BOARD OF HEALTH

16.1 Pender County Board of Health

There was nothing from Pender County Board of Health.

17 SOCIAL SERVICES BOARD

17.1 Social Service Board

There was nothing from Social Service Board.

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

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

Mr. Andrews informed the board Pender County has hired a clerk to the board, Lex Stanfield will start May 1, 2023 and thanked Mr. Vann for all his hard work in securing the USDA lease.

Mr. Vann had no comments.

Commissioner McCoy informed the board he attended a dedication ceremony center for leadership development.

Vice-Chair Hardee had no comments.

Commissioner Groves mentioned he was following an article in the paper. After discussion with Chair Newton the discussion was tabled for possible future discussion.

Chair Newton Lower Cape Fear Water and Sewer Senate bill 673 proposing to increase the amount of surface water rivers that can be transferred from rivers basins to another without obtaining a transfer permit. It would increase from 2 million gallon per day to 5 million gallon per day without a permit, no regulation or oversight.

19 PUBLIC COMMENT

19.1 Public Comment

Mike Taylor from the Pender County Museum/historical society thanked the board for \$5,000 appropriation this year. Mr. Taylor asked the board to consider an additional funds of \$25,000 for repairs on the 1912 historic building in their upcoming budget. Repairs to include failing floor joist and gutters. Per Chair Newton's request Mr. Taylor gave a brief history on the historic home that houses the museum.

Kim Meyer from Scotts Hill invited the board of commissioners, planning board, and parks & recreation to the Scotts Hill mini town hall on April 24th or April 25th at 10:30 am for a tour of the land that is planned for development by Mongo Homes. There are 15-20 citizens. Mr. Thurman informed the board if 3 or more attended the meeting would make it a public meeting therefore it would require proper advertisement.

Jennifer Mackenzie from Scotts Hill Community Prevention Group, savescottshill.org. The group has started a series of news releases about their purpose to save the woodlands in Scotts Hill. They would appreciate input from the board. She asked if 2 commissioners could attend a mini-town hall to keep the meeting small, keep the exchange of information positive, and not have to advertise the meeting.

Carolyn Lewis, Executive Director of Popular Grove Plantation gave a brief history on the Popular Grove Plantation and the area surrounding the plantation. She informed the board that all parties involved in the Abby Nature Preserve was in the Coastal Land Trust due to is being petitioned and advertised to be apart of the land trust. She asked for the

commissioners support in forming a "Historic Preservation of Scotts Hill" group.

Jerry Clewis from Rocky Point asked the board on guidance to handle nuisance renters in the county. He has called law enforcement, but nothing has been done. Issues included open drug use, dusting people and property with dirt bikes, and firing weapons.

20 CLOSED SESSION (IF APPLICABLE).

20.1 Closed Session

Mr. Thurman requested to go into closed session as per NCGS 143-318 (3) attorney client privilege including Coastal Pines vs. Pender County, (4) economic development, and (5) acquisition of real property.

Motion by Commissioner McCoy to go into closed session.

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

CARRIED.

21 7PM PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP AMENDMENTS/ RESOLUTIONS

21.1 REZONE 2022-41: Zoning Map Amendment request for three tracts of land from RP, Residential Performance to RM, Residential Mixed within the Topsail Township

Mr. Brantley presented rezoning case 2022-41. Applicant, Wade J Pudwill with WithersRavenel on behalf of Hoover Road Investments, LLC (owner) is requesting the approval of a zoning map amendment to rezone three (3) tracts of land, totaling approximately 72.1 acres from Residential Performance zoning district to Residential Mixed zoning district. Properties are located on the east side of Hoover Road, across from Tim Moore Drive, in the Topsail Township, Pender County.

The board suggested the road study should not be used due to the fact it was done during COVID when most people were not traveling the

roads during peak hours. They also suggested concern for safety and congestion due to excessive traffic.

Mr. Brantley addressed questions from the board.

Sam Franck, attorney representing the land owner and developer informed the board the owner was present if they wished to speak directly to him at any time during his presentation. Mr. Frank presented to the board and addressed the concern for the road study. The last NCDOT road study before COVID (2019) had 3,500 vehicles per-day, slightly less than 2020 and still well below 30% max capacity.

The owner and developer of the property is also the developer and Owner of Sparrows Bend. Property does not currently have a collector street.

Initial phase is planned to start sometime in 2026 with the second phase to be completed sometime in the second quarter in 2027. If all goes as planned the entire plan would be completed shortly after the bypass is completed. The Pender County Planning staff and Planning Board have properly vetted the plan and recommend the commissioners approve the change to the zoning map. The rezoning is consistent with the countys comprehensive plan.

There were no questions from the board.

Lori Jean Loukonen, resident of Sparrows Bend addressed safety concern due to increased traffic with feeder streets going through the neighborhood. Ms. Loukonen expressed concerned that Thrush Trail would become a feeder street. Ms. Loukonen reminded the commissioners they just approved the Resilient and Thriving Community Week Proclamation and of strengthening communities. Ms. Loukonen requested the commissioners not allow Thrust Trail in Sparrows Bend to become a feeder street. Ms. Loukonen suggested that the developers aren't being realistic when stating the time frame, she believed they would start sooner than 2026.

Mr. Franck addressed Ms. Lori Jean's comments. They hope to have two (2) or three (3) feeder streets, but Thrush Trail is not part of the plan. He clarified their hopes for the time frame for the project being that phase one completed sometime in 2026 and the second phase will be completed sometime in the second quarter of 2027.

There were no more questions or comments from the commissioners.

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Motion by Commission McCoy to approve the rezone 2022-41: Zoning Map Amendment request for three tracts of land from RP to RM within the Topsail Township, 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.

21.2 REZONE 2023-46: Zoning Map Amendment of one parcel in the Topsail Township from RP, Residential Performance to GB, General Business

Mr. Adams presented the REZONE 2023-46: Zoning Map Amendment of one parcel in the Topsail Township from RP, Residential Performance to GB, General Business.

Case 2023-46 is a general use rezoning case similar to the first case this evening, a zoning map amendment. The applicant and owner is Mr. Michael Nadeau. The property is 0.27 acers of land within a 2.27 acer tract. Mr. Nadeau is requesting a portion of the property be rezoned to make the entire track of property consistent.

Per the map presented you are able to see the majority of the property is zoned for GB, General Business, with a small portion of the property zoned as RP, Residential Performance. No site specific use development plan was submitted with the application. If the board approves this zoning map amendment request the property could be built "by-right", meaning it would not have to come back before this board for approval based on all the allowable uses within the GB district.

Mr. Adams presented the General Business Land Use Categories. The only residential use by right is an "Upper Story Residential" use. There are 83 uses by-right and 15 uses w/SUP for Commercial Uses. Setback for the property is; front = 25', side = 10', rear = 10', corner = 12', maximum height = 40', and structure separation = 20'. There is more volume than capacity on the stretch of road on US HWY 17, the volume exceeds the capacity on this portion of the road. The data provided is

from NCDOT Average Annual Daily Traffic (AADT); WMPO Roadway Capacities from 2021.

Mr. Adams presented the Pender County Comprehensive Land Use Plan to show the property being requested to change falls within two future land use categories; Neighborhood Mixed Use and Medium Density Residential. The Neighborhood Mixed Use future land use category is designed to allow for the transition between higher density commercial uses or more intense commercial uses in neighborhood scale development. Based on this the staff found the proposal as well as surrounding uses in the rezoning to be consistent with the future LUP. The Planning Board unanimously recommended approving the rezoning at the March 7, 2023 meeting. The staff is recommending the approval of the rezoning request.

Mr. Nadeau presented to the board a one slide presentation to explain the purpose of his rezoning request.

Chair Newton asked Mr. Nadeau what he was going to do with the property. Mr. Nadeau plans to build two buildings. The larger building will be occupied by a Veteran owned company in Onslow County. The project is depending on the approval of the board.

Mr. Melvin London, Jr. addressed the board to let them know he is the future neighbor of the property. Mr. London has lived at that address for twenty-two years and supports of Mr. Nadeau's project.

There was no discussion.

Moved by Wendy Fletcher-Hardee, seconded by Fred McCoy

Motion by Vice-Chair Hardee to approve the REZONE 2023-46: Zoning Map Amendment of one parcel in the Topsail Township from RP, Residential Performance to GB, General Business, 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.

21.3 SUP 2023-42: Special Use Permit request for Real Estate and Rental and Leasing use in the Topsail Township

Mr. Trey Therman informed the board the next two items on the agenda are Special Use Permits and swore in all parties involved.

Mr. Feldman presented SUP 2023-42 (PIN: 4236-31-2974-0000) Special Use Permit request for Real Estate and Rental and Leasing use in the Topsail Township. Applicant and owner, Mr. Hugh A. Canady is requesting the approval of a Special Use Permit that would allow for the construction of two mini storage buildings under the NAICS Code 53, Real Estate and Rental Leasing. The use is proposed on approximately 2 acres within the RP, Residential Performance zoning district.

Mr. Feldman presented the zoning map with the area of the subject property outlined in blue. The majority of the surrounding property is zoned as RP, Residential Performance. Mr. Feldman gave a brief general description of the area to help familiarize the board of where the property is located. The property is located just over 1/2 mile south of the Onslow County line. Mr. Feldman presented an aerial map of the property to point out three existing structures on the property; one is a doublewide trailer, a single family residence closest to HWY 50, and one existing grandfathered nonconforming use, which is a mechanic. The applicant stated that all of the structures would be removed should the board approve the SUP for the mini storage units.

Mr. Feldman presented the site plan for the property to the board. Building A would be approximately 15,000 sq. ft., containing roughly 120 storage units, Building B would be approximately 10,500 sq. ft., containing roughly 105 storage units. The applicant has stated they will be a mix of climate controlled and non-climate controlled units, roughly a 50/50 split. Hours of operation were not specified on the application. They did note within the narrative that the hours of operation would be during the day time.

Mr. Feldman presented the Future Land Use Plan. The subject property is designated as Medium Density Residential, which for this specific use is not supportive of, however, in this area immediately adjacent to the subject property within the Town of Surf City there are two commercial uses in operation. Mr. Feldman stated he believed the others were mechanic operations, some sort of commercial and industrial blend. Directly across the street from subject property there is a similar indoor storage facility in operation. The proposal was not found to be consistent

with the Future LUP, but Mr. Feldman pointed out that there is a policy that supports the request, which would be Commercial Development, policy 5.1K where the county does support commercial development in areas that it would be compatible in. Chair Newton asked Mr. Feldman if he felt the use would be compatible and Mr. Feldman said he did, because when driving to the subject property it does feel commercial in nature, he also noted as part of the Public Notice process they received no phone calls in opposition of the request of those who were notified. Mr. Feldman stated that some of the adjacent commercial properties were in the Town of Surf City and immediately north to the subject property there was a similar use business. This concluded the staff presentation.

Vice-Chair Hardee asked about what appeared to be a house close to the property. Mr. Canady told the board that was a commercial business. There were no other questions of staff.

Mr. Canady addressed the board and told them he did not have a presentation for the board but wanted to make himself available to the board if they had any questions of him.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion by Commissioner George to approve the request for SUP 2023-42: Special Use Permit request for Real Estate and Rental and Leasing use in the Topsail Township, 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.

21.4 SUP 2023-43: Special Use Permit request for a Civic and Social Organization in the Topsail Township

Mr. Feldman presented SUP 2023-43 (PIN: 3282-69-0669-0000 and 3282-69-1881-0000) Special Use Permit request for a Civic and Social Organization in the Topsail Township. Applicant American Legion Post 167 on behalf owner of Advance Design Build, LLC, is requesting the approval of SUP for a Civic and Social Organization under the 813410

NAICS Code that would allow for the construction of a 5,000 sq. ft. building with associated parking. The use is proposed within the RP, Residential Performance zoning district.

Mr. Feldman presented a zoning map of the area with the subject property circled in blue. The subject property is between Peanut Road and HWY 210 and is zoned Residential Performance. Mr. Feldman presented an aerial map of the property and noted that the map is from 2020 and that the manufactured homes on the property have since been removed. There is one existing building on the property, which is an accessory building of sorts, and he is under the impression it will be removed should the SUP request be approved. Mr. Feldman presented the applicant's proposed site plan consisting of a 5,000 sq. ft. building with associated parking. Mr. Feldman noted that items such as parking and landscape will be evaluated by staff should the request be approved. Due to its size the plan will be required to go before the technical review committee from Pender County for approval.

Chair Newton asked what the code says about the SUP for Civic and Social Organization and why a SUP was needed. Mr. Feldman said there are a few uses within the ordinance that are required to have SUP in the residential districts, Civic Organizations is one of them. Mr. Feldman acknowledged the Future Land Use Plan specifically identifies Civic and Social Organizations as appropriate uses. The ordinance does require that both in the RA, Rural Agricultural and RP, Residential Performance zoning districts that Civic and Social Organizations shall obtain the SUP. There are a few zoning districts such as GB, General Business zoning where said uses are allowed as a right, meaning they would simply submit a site plan to the Planning Department and Technical Review Committee for review. In this situation the county's Future Land Use Plan specifically states in this Future Land Use District which is Medium Density Residential Neighborhood scale uses such as a civic or social organization are deemed appropriate. The Future Land Use Plan and Map support the request.

Chair Newton stated she could understand if it was a women's social circle or a sewing circle, but what about if they have "throw down" parties with bright flashing lights. Chair Newton asked if there were any conditions that could be put on the social or civic organization for less impact on the surrounding homeowners. Mr. Feldman stated other than those that are obligated for the project through the unified development ordinance such as lights, landscaping, that the board certainly has the authority to apply conditions on the property maybe in the form of limitations on hours of operations. Mr. Feldman noted that the applicant listed the proposed hours of operations, normal hours of operations, and general day-to-day activities that would take place at the property. They

also acknowledged that larger events consisting of upwards of 100 people would likely take place during the evening hours, nothing past 10 PM. The board does have authority to limit the hours of operation.

Civic and Social Organization are defined in the North American Industry Classification System, this use would not come in the form of a club or an adult entertainment facility, this is a different use.

Chair Newton stated she wanted to support everything that is to the benefit of our Veterans, but she wasn't sure how "social" their club would be.

Mr. Feldman stated Mr. Cordeiro, the representative of the applicant, was here and able to answer any specific questions as to what would take place in the building.

There were no further questions from staff from the board.

Mr. Philip Corderio, stated he was newly appointed to the Board of Education and retired US Marine. Mr. Corderio thanked the board for hearing their request to consider this application. Mr. Corderio described what the American Legion does. The American Legion is an organization for Veterans and the mission on the organization is to encourage responsible citizenship. The things the Legion does most often are providing funeral honors to deceased Veterans, often times Veterans who have served for a year or two have not earned the ability according to the Federal Government and the Department of Defense due to finances, the right to have a funeral detail that would have the flag, maybe a firing party at the funeral site. The American Legion get together with Veterans to provide that service to families that request it when the Federal Government is unable to do so. The funeral services are a large portion of what the Legion does. The Legion also has a baseball league in the community. They pride themselves in funding baseball opportunities for youth, because sports teach a variety of different things that are useful in life. The Legion funds the entire enterprise of the team; uniforms, travel, etc. if they make it to the state championship. They teach them along the way the comradeship and civic values of teamwork. For Memorial Day and Veterans Day national holidays they place flags at gravesites and spend a lot of time advocating on behalf of Veterans. The American Legion National Organization advocates in the United States Congress for legislation that benefits Veterans in a variety of different ways. On a local level the Legion assist Veterans when they are getting out of service to help obtain jobs and help them interact with the VA to apply for Veteran's benefits. Mr. Corderio stated doing all these things requires financial resources, so what the Legion does is hold fundraising activities; include

things like pancake breakfasts, they will also rent out the facility during the daytime hours for birthday parties, marriage ceremony, or something similar to these. The money raised from these activities is put back into the organization to pay for the mentioned commitments.

Chair Newton asked if the facility would be rented in the evening hours. Mr. Corderio stated they do not. They only rent the facility from 9:00 AM - 5:00 PM.

Chair Newton stated, so we do not have to worry about the weddings getting out of hand and the neighbors getting upset. She is concerned about the surrounding homeowners.

Mr. Corderio stated they are well aware of the nuisance ordinances that the county has in regard to amplified sound, lighting and things of that nature and assured the board they would be good neighbors when it comes to all those things. Their goal is to generate enough financial resources that are necessary to continue the civic work that they do and also be good neighbors at the same time. Mr. Corderio stated if the board needed any additional detail, he would be happy to provide it.

Mr. Therman asked if Mr. Corderio would be immutable to 9:00 AM - 5:00 PM conditions being imposed as a condition to approve the SUP.

Mr. Corderio asked for clarification of the question. Would this mean they would not be able to meet there in the evenings?

Mr. Therman stated they would not be able to rent it out, not limiting the use to Legion members at all. The concern is somebody is having a wedding reception or something and sometimes he's heard those can get rowdy.

Mr. Corderio stated they'd prefer it not be imposed for flexibility. To the extent that the board would not be comfortable approving the SUP unless that was a condition then of course he would say yes, because he doesn't have another option. All he can say is maybe Mr. Feldman can speak in greater detail if the Legion did have any complaints that would cause any issues, is there an avenue they might be able to deal with it with Pender County staff and to have some kind of process if there is a noise complaint or something like that then SUP is revoked. Chair Newton stated they wanted to try and offset that from happening at the front end so they can ensure the houses on either side of the Legion. Chair Newton asked if the American Legion had dances. Mr. Corderio stated they do not. Mr. Corderio stated their concern is valid and he was trying to find a more palpable way to answer their concern. He clarified concerns with events such as wedding receptions, lighting,

amplified music, etc. Mr. Corderio stated they would be happy to restrict amplified music after the hours of 5:00 PM and lighting the same thing. Mr. Corderio stated to tell someone they could not have their wedding at the Legion because the county told them they couldn't have their wedding there after 5:00 PM to him is not right. Mr. Corderio stated he was sharing his honest opinion, but he could also say guests could not have amplified music after 5:00 PM makes him feel a lot better about the restrictions.

Mr. Therman stated it was because Mr. Corderio stated the hours were 9:00 AM – 5:00 PM. He thought that maybe he would need a little bit more time, like 7:00 or 8:00 PM or something like that.

Mr. Corderio stated whatever the board was comfortable with, but his point is some of these offensive activities like amplified music and such could be included in the permit and the hours, whatever the board feels appropriate.

Commissioner Groves asked to speak. Chair Newton gave him permission to speak. Commissioner Groves stated he would prefer to not impose any restrictions on the request and if something occurs law enforcement or the proper authority would take care of it. The Legion already has their values, and he has always known them to stand by the values.

Chair Newton stated her only concern was not with the American Legion, but with the parties to whom they would lease the facility to.

Commissioner Groves stated that he has attended some of the American Legion events and they control the building when they rent it out.

Mr. Corderio stated they require a member to be there when it is being rented. Chair Newton stated that was a different story and thanked Mr. Corderio for that clarification.

There was no other question from the board.

Chair Newton asked if there was a motion.

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motion by Commissioner George to approve request for SUP 2023-43: Special Use Permit request for a Civic and Social Organization in the Topsail Township, seconded by Vice-Chair Hardee.

	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

CARRIED.

22 ADJOURNMENT

22.1 Adjournment

Meeting adjourned at 8:43 PM.

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion by Commissioner McCoy to adjourn 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.



Pender County May 1, 2023 BOCC Meeting Minutes

TO: Board of County Commissioners
FROM: April Radford
DATE: June 5, 2023
SUBJECT: May 1 BOCC Meeting Minutes

SUMMARY:

Approval of May 1, 2023 BOCC Meeting Minutes

ACTION REQUESTED:

Approval of May 1, 2023 BOCC Meeting Minutes



MINUTES
Board of County Commissioners Meeting
Monday, May 1, 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
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

Chairwoman Newton called to order at 4:00pm.

2 INVOCATION

2.1 Invocation

Commissioner George led the invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Pledge of Allegiance

Commissioner McCoy led the Pledge of Allegiance.

4 ADOPTION OF AGENDA

4.1 Approval of Agenda.

Moved by Fred McCoy, seconded by Brad George

Motion by Commissioner McCoy to approve the minutes with the removal of item 5.2, seconded by Commissioner George.

	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 INFORMATION

5.1 Proclamation to Rank of Eagle Scout

Chairwoman Newton introduced Eagle Scout Abigail Holloman. Ms. Holloman informed the Board and public of the work she did at Veterans Memorial Park to earn her Eagle Scout Badge. Chairwoman Newton presented Ms. Holloman with the North Carolina State flag and signed Proclamation.

5.2 Resolution to Senate Bill 673

Resolution to Senate Bill 673 was removed from agenda.

6 PUBLIC COMMENT FOR AGENDA ITEMS ONLY

6.1 Public Comments for Agenda Items

There were no public comments for agenda items.

7 CONSENT AGENDA

Moved by Wendy Fletcher-Hardee, seconded by Fred McCoy

Motion by Vice Chair Hardee to approve consent agenda. 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.

- 7.2 Approval of March 13 and April 3 Minutes
- 7.3 Approval of a Budget Amendment to Budget Foster Children Donation Monies Received: \$500
- 7.4 Approval of \$43,015 Increase to PO# 52 to 274 Construction Group for Change Order to the Pender Commerce Park Water & Sewer Extensions Project
- 7.5 Approval of BOA for closing transfer for PCU project
- 7.6 Approval of Surplus Property Advertisement for Auction - Listed Parcels
- 7.7 Approval of Tax Releases and Refunds

8 APPROVALS AND RESOLUTIONS

- 8.1 Resolution to Request Approval to Increase Purchase Order to Cape Fear Engineering by \$63,000 to conduct Environmental Investigation Services.

Moved by Brad George, seconded by Fred McCoy

Mrs. Moser asked Buddy to present the increase purchase of PO by \$63,000 by areas of concern funding was needed. There were no questions from the board. Motioned by Commissioner George to approve the increase the PO by \$63,000. 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.

8.2 Request Approval of FY 2023-2024 Pender County Juvenile Crime Prevention Council's Annual Plan, Funding Recommendation and Board Members

Moved by Fred McCoy, seconded by Brad George

Mrs. Turner requested approval of FY 2023-2024 Pender County JCPC Annual Plan. Mrs. Turner answered questions from the board about RFPs and funding. RFPs were advertised only on the website and shared by Pender County JCPC board members. Motioned by Commissioner McCoy to approve the plan. Seconded by Commissioner George.

	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.

8.3 Consideration of Cooperative Agreement with the North Carolina Office of Recovery and Resiliency for the implementation of their Strategic Buyout Program

Mr. Adams presented a follow up to a presentation made to the board at 1/17/2023 meeting by Maggie Battaglin with the NC Office of Recovery and Resiliency. The request is to enter into a cooperative agreement with the Strategic Buyout Program in Pender County. Part of the recovery efforts from Hurricane Florence. The program is fully grant funded and operational by the state

Mr. Adams introduced Ms. Maggie Battaglin to address questions from the board about change on the buyout program due to flooding. The grant is a voluntary program for Hurricanes Matthew and Florence. They cannot buy out the same property twice. If lot is over 5 acers they will coordinate with local officials it insure that purchase of the property is supportive of local resilience plans. When property is bough out it is removed from property tax rolls.

Deed restrictions to restrict future development on the lot are placed on the land once bought out. There is a generous incentive package to encourage to relocate back in Pender County to help minimize the financial hits to Pender Counties tax base.

Motion by Commissioner McCoy to approve Cooperative Agreement with the North Carolina Office of Recovery and Resiliency for the implementation of their Strategic Buyout Program, seconded by Vice-Chair Hardee.

- 8.4 Approval of Purchase Order to Performance Automotive for the purchase of 9 (nine) 2023 Dodge Charger Pursuit Patrol Vehicles in the amount of \$428,000.00.

Moved by Jerry Groves, seconded by Fred McCoy

Mr. Cutler requested approval of PO to Performance Automotive for the purchase of 9 (nine) 2023 Dodge Charger Pursuit Patrol Vehicles in the amount of \$428,000.00 using an advancement on next year's fund balance. The cruisers were from a local dealership. If the cruisers were not bought through the local dealership, it would be 18-24 months before cars would be available. Mr. Cutler addressed questions from the Board. Commissioner Groves motioned to approve PO to Performance Automotive for the purchase of 9 (nine) 2023 Dodge Charger Pursuit Patrol Vehicles in the amount of \$428,000.00. 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 DISCUSSION

10 APPOINTMENTS

- 10.1 Appointment to the Board of Adjustment

Moved by Brad George, seconded by Fred McCoy

Mr. Adams requested the appointment of Mr. Gregory Sloan for Board of Adjustment from 3-year term. Mr. Adams addressed questions from the Board. Commissioner George motioned to table request until the next meeting on May 15,2023 to allow for more research.

	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 MAPLE HILL WATER AND SEWER DISTRICT

12 ROCKY POINT WATER AND SEWER DISTRICT

13 SCOTTS HILL WATER AND SEWER DISTRICT

14 MOORES CREEK WATER AND SEWER DISTRICT

15 CENTRAL PENDER WATER AND SEWER DISTRICT

16 PENDER COUNTY BOARD OF HEALTH

16.1 Presentation of 2022 Community Health Assessment

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Commissioner George motioned to continue item 16.1 until May 15th, 2023. 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.

17 SOCIAL SERVICES BOARD

18 PUBLIC COMMENT

**19 ITEMS FROM THE COUNTY ATTORNEY, COUNTY MANAGER,
ASSISTANT COUNTY MANAGERS, & COUNTY COMMISSIONERS**

20 CLOSED SESSION (IF APPLICABLE).

Moved by Brad George, seconded by Wendy Fletcher-Hardee

Motioned by Commissioner George to go into closed session. Seconded by Vice Chair Hardee. They went into closed session at 4:47pm.

	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.

20.2 End Closed Session

Motion by Vice-Chair Hardee to end closed session at 6:25PM,
seconded by Commissioner McCoy.

Motioned by Vice Chair Hardee at 6:25 pm, seconded by Commissioner McCoy.

CARRIED.

21 ADJOURNMENT

21.1 Adjournment

Moved by Wendy Fletcher-Hardee, seconded by Fred McCoy

Motioned by Vice Chair Hardee to adjourn at 6:25pm. Commissioner McCoy seconded the motion.

	For	Against	Abstained	Absent
Fred McCoy	x			

Board of County Commissioners
May 1, 2023

Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.



**Pender County
Consideration of a Budget Ordinance
Amendment (BOA) to Transfer Funds
Between Line Items**

TO:	Board of County Commissioners
FROM:	Tammy Proctor
DATE:	June 5, 2023
SUBJECT:	Consideration of a Budget Ordinance Amendment to Transfer Funds Between Line Items

SUMMARY:

The Tourism Department is asking to move \$2,555.00 from a revenue line item of monies collected for the 2023 Business Expo into an expenditure line item to pay for expenses from the event.

ACTION REQUESTED:

Approval of the Budget Ordinance Amendment (BOA).

Pender County Budget Ordinance Amendment

Page 2 of 2

Fiscal Year: FY 2022-2023 Department: 670 - TOURISM OFFICE

Division, Program, Project, etc. Pender County Business Expo Revenues

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	670-320020	Revenue & Event Fees	2555.00
2			
3			
4			
5			
6			
7			
8			
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	670-403360	Events	2555
2			
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues 2555 Total Expenditures 2555

Budget Amendment Balances when Zero. 0

Prepared By: Tammy Proctor Email: tourism@pendercountync.gov



**Pender County
Resolution Authorizing Approval of
Union Rescue Pyrotechnic Display on
July 1, 2023, in Accordance with North
Carolina General Statute 14-413.**

TO:	Board of County Commissioners
FROM:	Tommy Batson
DATE:	June 5, 2023
SUBJECT:	Resolution Authorizing Approval of Union Rescue Pyrotechnic Display on July 1, 2023, in Accordance with North Carolina General Statute 14-413.

SUMMARY:

The Pender County Fire Marshal Office has received a request from the Union Rescue to allow a fireworks display at an open field at Watha Road & NC Hwy 11 in Willard, NC on July 1, 2023. The North Carolina Office of State Fire Marshal now requires the Board of County Commissioners to approve all pyrotechnic displays under N.C.G.S. 14-413. This requirement was implemented as a result of a fireworks truck explosion that occurred while preparing for a show in Ocracoke, NC in 2009 in which four people were killed. The State of North Carolina Legislature passed the 2010 North Carolina Pyrotechnics Act that modified the General Statutes to define the term fireworks "expert" as a state requirement to obtain a display operator's permit (N.C.G.S. 14-410) effective February 1, 2010. The County Fire Marshal's Office will be on site for review and approval of the complete setup, display shooting and cleaning up from the pyrotechnic display. The pyrotechnic display will be a public display in Willard, NC on July 1, 2023. It will be conducted by an approved and licensed fireworks company, Zambelli, 20 South Mercer Street, New Castle, PA 16101. The display will meet all rules and regulations set by NC Code Fire Code, NFPA 1123, NFPA 1126, OSFM, and AFT. This pyrotechnic company has been successful at the NC Spot Festival, Topsail Beach, Union Rescue and the Bert Lea Shows. Zambelli meets all the liability insurance requirements set by the State of North Carolina and the Fire Marshal Office recommends approval of their request.

ACTION REQUESTED:

To consider a resolution authorizing the pyrotechnic display outlined above.



**Pender County
Resolution Authorizing Approval of Surf
City Pyrotechnic Display on July 3, 2023,
in Accordance with North Carolina
General Statute 14-413.**

TO:	Board of County Commissioners
FROM:	Tommy Batson
DATE:	June 5, 2023
SUBJECT:	Resolution Authorizing Approval of Surf City Pyrotechnic Display on July 3, 2023, in Accordance with North Carolina General Statute 14-413.

SUMMARY:

The Pender County Fire Marshal Office has received a request from the Town of Surf City to allow a fireworks display at Surf City Park, Surf City NC on July 3, 2023. The North Carolina Office of State Fire Marshal now requires the Board of County Commissioners to approve all pyrotechnic displays under N.C.G.S. 14-413. This requirement was implemented as a result of a fireworks truck explosion that occurred while preparing for a show in Ocracoke, NC in 2009 in which four people were killed. The State of North Carolina Legislature passed the 2010 North Carolina Pyrotechnics Act that modified the General Statutes to define the term fireworks “expert” as a state requirement to obtain a display operator’s permit (N.C.G.S. 14-410) effective February 1, 2010. The Surf City Fire Marshal’s Office will be on site for review and approval of the complete setup, display shooting and cleaning up from the pyrotechnic display. The pyrotechnic display will be a public display in Surf City NC on July 3, 2023. It will be conducted by an approved and licensed fireworks company, Zambelli, 20 South Mercer Street, New Castle, PA 16101. The display will meet all rules and regulations set by NC Code Fire Code, NFPA 1123, NFPA 1126, OSFM, and AFT. This pyrotechnic company has been successfully at the NC Spot Festival, Topsail Beach, Union Rescue and the Bert Lea Shows. Zambelli meets all of the liability insurance requirements set by the State of North Carolina and the Fire Marshal Office recommends approval of their request.

ACTION REQUESTED:

To consider a resolution authorizing the pyrotechnic display outlined above.



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

TO:	Board of County Commissioners
FROM:	Meg Blue
DATE:	June 5, 2023
SUBJECT:	Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2385-65-4988-0000 located off Willard Rd in Union

SUMMARY:

Please consider attached documentation of bid for surplus property - Parcel 2385-65-4988-0000 located off Willard Rd in Union. Note that because this property was authorized for public auction previously and auctioned on GovDeals, no upset bid period is required.

The \$18,100 bid for this parcel from Justin Grammer can be accepted by the County and authorize County Manager's Office to begin closing process. The current tax value for this property is listed at \$17,000. The County acquired through tax foreclosure in 1988. This is a 10 acre wooded lot off of Willard Road in Union.

Other options are to reject all bids and maintain possession, or reject all bids and re-auction.

ACTION REQUESTED:

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

Pender County Finance Department
PO Box 1578
Burgaw, North Carolina 28425



Asset Manager
Andy Devane
(910) 259-1467
e@pendercountync.gov

Auction results for sale of real property

5/15/2023

Dear Commissioners,

For your consideration is the results of the auction for parcel number 2385-65-4988-0000 located off Willard rd. in Union Township. Justin Grammar was the highest bidder at \$18,100.00. The tax value in GIS is \$17,000.00. After talking to Justin Grammar, his plans are to use it for agricultural purposes. Upon Board approval of the results of the auction the County will move forward with closing on the parcel.

Sincerely,

Andy Devane
Asset Manager

PO Box 1578 – 805 S. Walker Street, Burgaw, NC 28425



(910) 259-1282 Office | www.pendercountync.gov

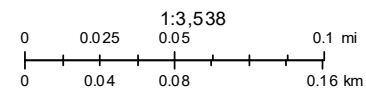


PIN: 2385-65-4988-0000
 Owner: PENDER COUNTY
 805 S WALKER ST
 BURGAW, NC 28425
 Deed Ref: 706/154
 Property
 Address:
 Description: OFF N 1001

Sale Price:
 Sale Date: LAST_SALE_DATE
 Plat: NOPLAT
 Account No: 26133
 Township: UNION
 Subdivision:
 Tax Codes: G01 F33 R40

Acres: 10
 Land Value: \$17,500
 Building Value: \$0
 Total value: \$17,500
 Deferred Value: \$0
 Exempt Amount: 17500
 PCL Class: EX-1
 Heated Sq Feet:

Pender County



1 inch = 295 feet

12/31/1969





**Pender County
Approval of Offer & Authorize Closing
Process for Sale of Surplus Property -
Parcel 3320-82-9153-0000 - At 208
Burgaw Creek Loop, Burgaw**

TO:	Board of County Commissioners
FROM:	Meg Blue
DATE:	June 5, 2023
SUBJECT:	Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 3320-82-9153-0000 - At 208 Burgaw Creek Loop, Burgaw

SUMMARY:

Please consider attached documentation of bid for surplus property - Parcel 3320-82-9153-0000 - At 208 Burgaw Creek Loop, Burgaw. Note that because this property was authorized for public auction previously and auctioned on GovDeals, no upset bid period is required.

The \$3,300 bid for this parcel from Christopher Huelskoetter can be accepted by the County and authorize County Manager's Office to begin closing process. The current tax value for this property is listed at \$2,500. The County acquired through tax foreclosure in 2018. This is a 0.3 acre cleared residential lot on Burgaw Creek Loop Road. NOTE: This property was previously awarded and bidder never returned to finalize deed and payment.

Other options are to reject all bids and maintain possession, or reject all bids and re-auction.

ACTION REQUESTED:

Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 3320-82-9153-0000 - At 208 Burgaw Creek Loop, Burgaw

Pender County Finance Department
PO Box 1578
Burgaw, North Carolina 28425



Asset Manager
Andy Devane
(910) 259-1467
e@pendercountync.gov

Auction results for sale of real property

5/15/2023

Dear Commissioners,

For your consideration is the results of the auction for parcel number 3320-82-9153-0000 located at 208 Burgaw Creek in Burgaw Township. Christopher Huelskoetter was the highest bidder at \$3,300.00. The tax value in GIS is \$2,500.00. After talking to Christopher Huelskoetter, his plans are to develop it for residential purposes. Upon Board approval of the results of the auction the County will move forward with closing on the parcel.

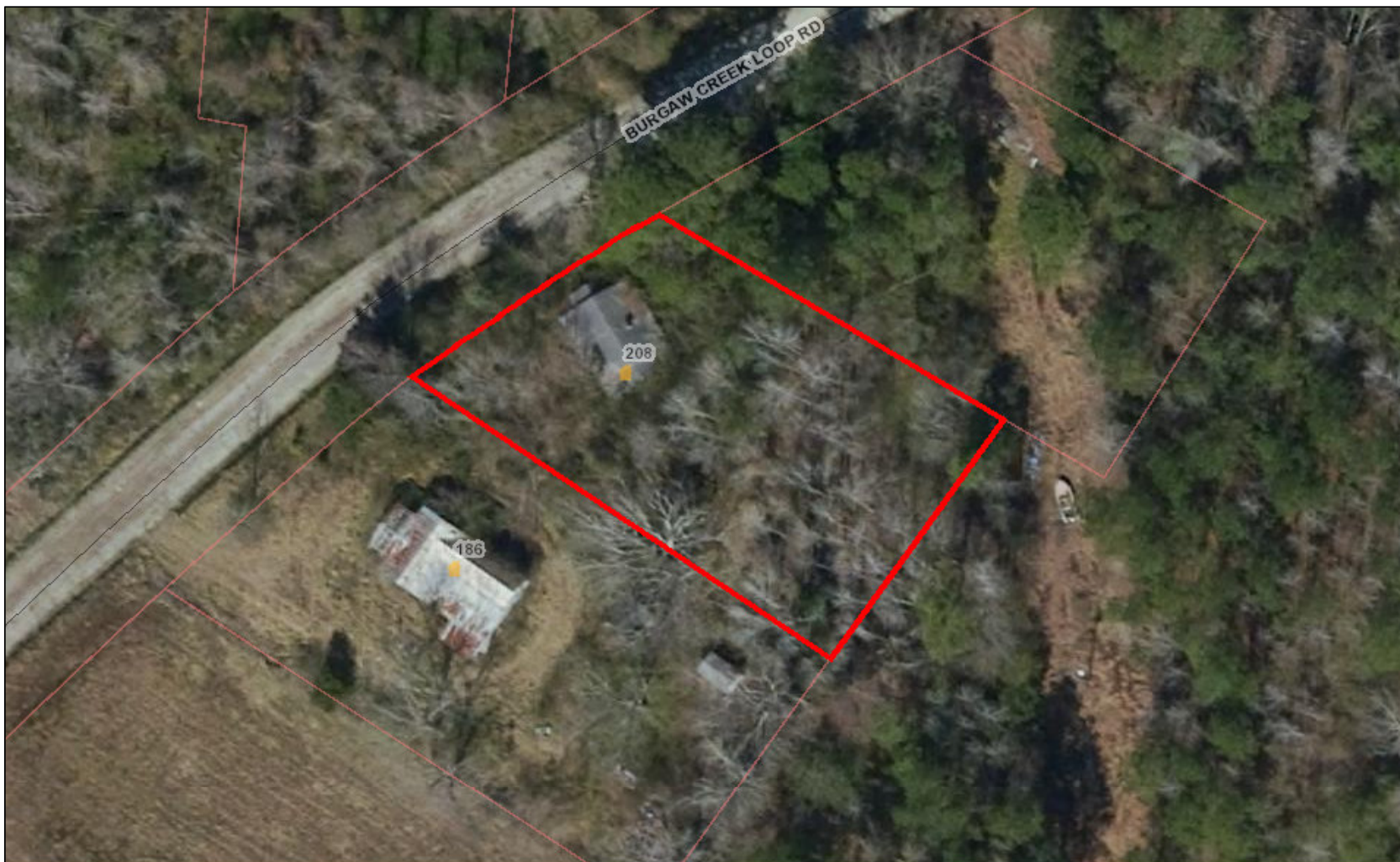
Sincerely,

Andy Devane
Asset Manager

PO Box 1578 – 805 S. Walker Street, Burgaw, NC 28425



(910) 259-1282 Office | www.pendercountync.gov



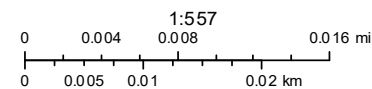
PIN: 3320-82-9153-0000
 Owner: PENDER CNTY
 PO BOX 5
 BURGAW, NC 28425
 Deed Ref: 4657/1650

Property
 Address: 208 BURGAW CREEK LOOP RD
 Description: N/S 1508 2MI E/BURGAW

Sale Price: \$4,500
 Sale Date: LAST_SALE_DATE
 Plat: NOPLAT
 Account No: 978484
 Township: BURGAW
 Subdivision:
 Tax Codes: G01 F21 R40

Acres: 0.5
 Land Value: \$2,500
 Building Value: \$4,062
 Total value: \$6,562
 Deferred Value: \$0
 Exempt Amount: 6562
 PCL Class: E
 Heated Sq Feet: 602

Pender County



1 inch = 46 feet

01/10/2018





**Pender County
Approval of Offer & Authorize Closing
Process for Sale of Surplus Property -
Parcel 3224-46-2015-0000 at 600
Cheshire Road, Rocky Point**

TO:	Board of County Commissioners
FROM:	Meg Blue
DATE:	June 5, 2023
SUBJECT:	Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 3224-46-2015-0000 at 600 Cheshire Road, Rocky Point

SUMMARY:

Please consider attached documentation of bid for surplus property - Parcel 3224-46-2015-0000 at 600 Cheshire Road, Rocky Point. Note that because this property was authorized for public auction previously and auctioned on GovDeals, no upset bid period is required.

The \$25,301 bid for this parcel from Neo Santiago can be accepted by the County and authorize County Manager's Office to begin closing process. The current tax value for this property is listed at \$15,055. The County acquired through tax foreclosure in 2019. This is a 0.46 acre wooded lot with a house with little to no value.

Other options are to reject all bids and maintain possession, or reject all bids and re-auction.

ACTION REQUESTED:

Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 3224-46-2015-0000 at 600 Cheshire Road, Rocky Point

Pender County Finance Department
PO Box 1578
Burgaw, North Carolina 28425



Asset Manager
Andy Devane
(910) 259-1467
e@pendercountync.gov

Auction results for sale of real property

5/15/2023

Dear Commissioners,

For your consideration is the results of the auction for parcel number 3224-46-2015-0000 located at 600 Cheshire rd. in Rocky Point Township. Neo Santiago was the highest bidder at \$25,301.00. The tax value in GIS is \$15,055.00. After talking to Neo Santiago, his plans are to develop it for residential purposes. Upon Board approval of the results of the auction the County will move forward with closing on the parcel.

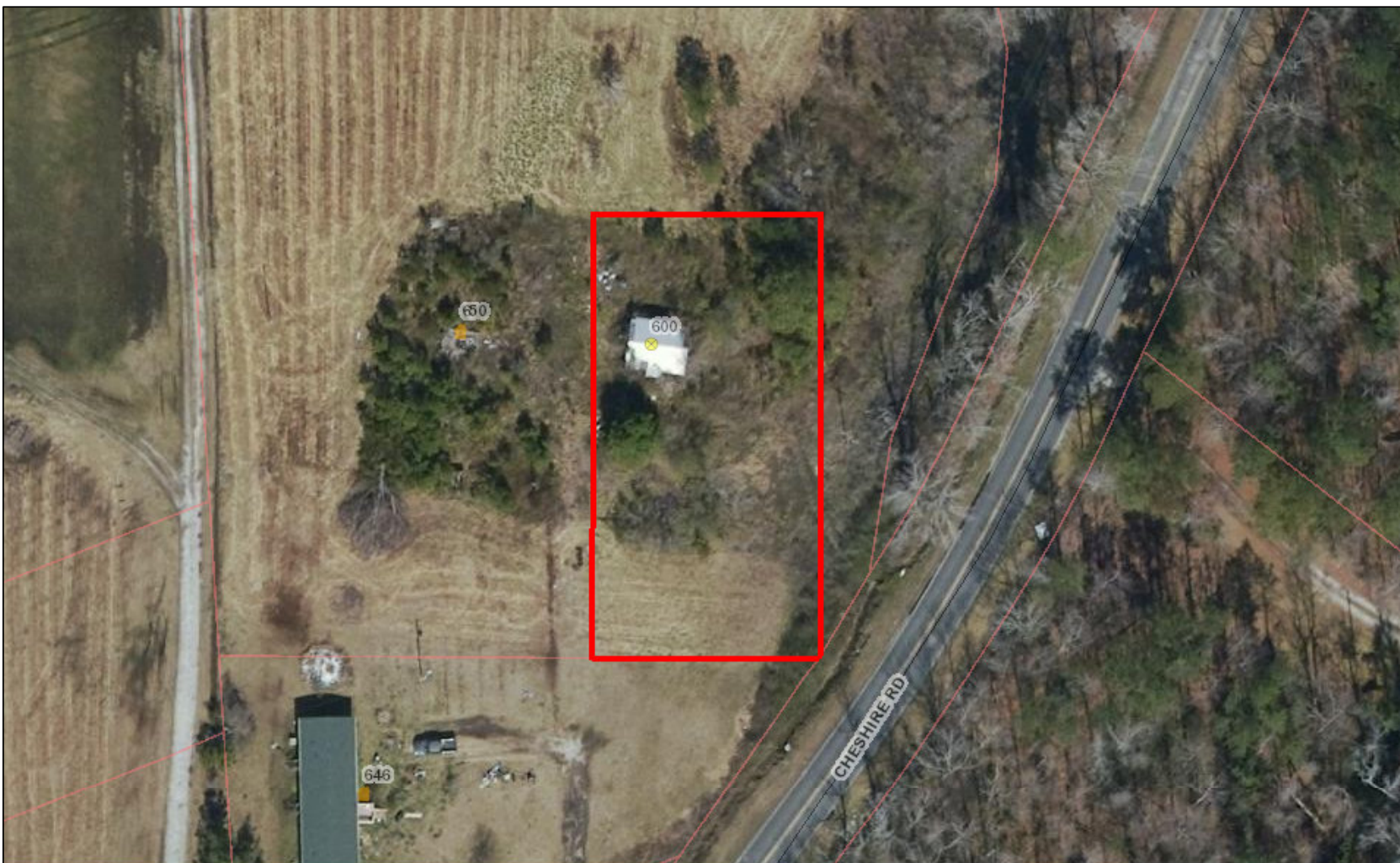
Sincerely,

Andy Devane
Asset Manager

PO Box 1578 – 805 S. Walker Street, Burgaw, NC 28425



(910) 259-1282 Office | www.pendercountync.gov

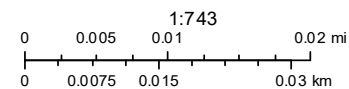


PIN: 3224-46-2015-0000
 Owner: PENDER COUNTY
 PO BOX 5
 BURGAW, NC 28425
 Deed Ref: 4683/275
 Property
 Address: 600 CHESHIRE RD
 Description: 0.46 AC OFF 1426

Sale Price: \$6,500
 Sale Date: LAST_SALE_DATE
 Plat: NOPLAT
 Account No: 1001539
 Township: ROCKY POINT
 Subdivision:
 Tax Codes: G01 F25 R40

Acres: 0.46
 Land Value: \$28,400
 Building Value: \$18,197
 Total value: \$46,597
 Deferred Value: \$0
 Exempt Amount: 46597
 PCL Class: E
 Heated Sq Feet: 480

Pender County



1 inch = 62 feet

04/17/2019





**Pender County
Approval of Offer & Authorize Closing
Process for Sale of Surplus Property -
Parcel 2295-60-8304-0000 Off of Asa
Lane in Long Creek**

TO:	Board of County Commissioners
FROM:	Meg Blue
DATE:	June 5, 2023
SUBJECT:	Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2295-60-8304-0000 Off of Asa Lane in Long Creek

SUMMARY:

Please consider attached documentation of bid for surplus property - Parcel 2295-60-8304-0000 Off of Asa Lane in Long Creek. Note that because this property was authorized for public auction previously and auctioned on GovDeals, no upset bid period is required.

The \$28,000 bid for this parcel from Neo Santiago can be accepted by the County and authorize County Manager's Office to begin closing process. The current tax value for this property is listed at \$25,000. The County acquired through tax foreclosure in 1970. This is a 5 acre wooded lot with no apparent access.

Other options are to reject all bids and maintain possession, or reject all bids and re-auction.

ACTION REQUESTED:

Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2295-60-8304-0000 Off of Asa Lane in Long Creek

Pender County Finance Department
PO Box 1578
Burgaw, North Carolina 28425



Asset Manager
Andy Devane
(910) 259-1467
e@pendercountync.gov

Auction results for sale of real property

5/15/2023

Dear Commissioners,

For your consideration is the results of the auction for parcel number 2295-60-8304-0000 located off Asa Lane in Long Creek Township. Joe Nelson was the highest bidder at \$28,000.00. The tax value in GIS is \$25,000.00. After talking to Joe Nelson, his plans are to develop it for residential purposes. Upon Board approval of the results of the auction the County will move forward with closing on the parcel.

Sincerely,

Andy Devane
Asset Manager

PO Box 1578 – 805 S. Walker Street, Burgaw, NC 28425



(910) 259-1282 Office | www.pendercountync.gov



PIN: 2295-60-8304-0000
 Owner: PENDER COUNTY
 P O BOX 366
 BURGAW, NC 28425
 Deed Ref: 429/356
 Property
 Address:
 Description: OFF S/S RD 1406

Sale Price:
 Sale Date: LAST_SALE_DATE
 Plat: NOPLAT
 Account No: 590294
 Township: LONG CREEK
 Subdivision:
 Tax Codes: G01 F25 R40

Acres: 5
 Land Value: \$25,000
 Building Value: \$0
 Total value: \$25,000
 Deferred Value: \$0
 Exempt Amount: 25000
 PCL Class: EX-1
 Heated Sq Feet:

Pender County

1:2,256
 0 0.015 0.03 0.06 mi
 0 0.025 0.05 0.1 km

1 inch = 188 feet

12/31/1969





**Pender County
Approval of Offer & Authorize Closing
Process for Sale of Surplus Property -
Parcel 2277-95-0746-0000 on Union
Chapel Road in Burgaw**

TO:	Board of County Commissioners
FROM:	Meg Blue
DATE:	June 5, 2023
SUBJECT:	Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2277-95-0746-0000 on Union Chapel Road in Burgaw

SUMMARY:

Please consider attached documentation of bid for surplus property - Parcel 2277-95-0746-0000 on Union Chapel Road in Burgaw. Note that because this property was authorized for public auction previously and auctioned on GovDeals, no upset bid period is required.

The \$6,175 bid for this parcel from Dario Ramirez can be accepted by the County and authorize County Manager's Office to begin closing process. The current tax value for this property is listed at \$6,175. The County acquired through tax foreclosure in 2019. This is a 0.49 acre wooded lot wetlands with road access.

Other options are to reject all bids and maintain possession, or reject all bids and re-auction.

ACTION REQUESTED:

Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2277-95-0746-0000 on Union Chapel Road in Burgaw

Pender County Finance Department
PO Box 1578
Burgaw, North Carolina 28425



Asset Manager
Andy Devane
(910) 259-1467
e@pendercountync.gov

Auction results for sale of real property

5/15/2023

Dear Commissioners,

For your consideration is the results of the auction for parcel number 2277-95-0746-0000 located on Union Chapel rd. in Burgaw Township. Dario Ramirez was the highest bidder at \$6,175.00. The tax value in GIS is \$6,175.00. After talking to Dario Ramirez, his plans are to develop it for residential purposes. Upon Board approval of the results of the auction the County will move forward with closing on the parcel.

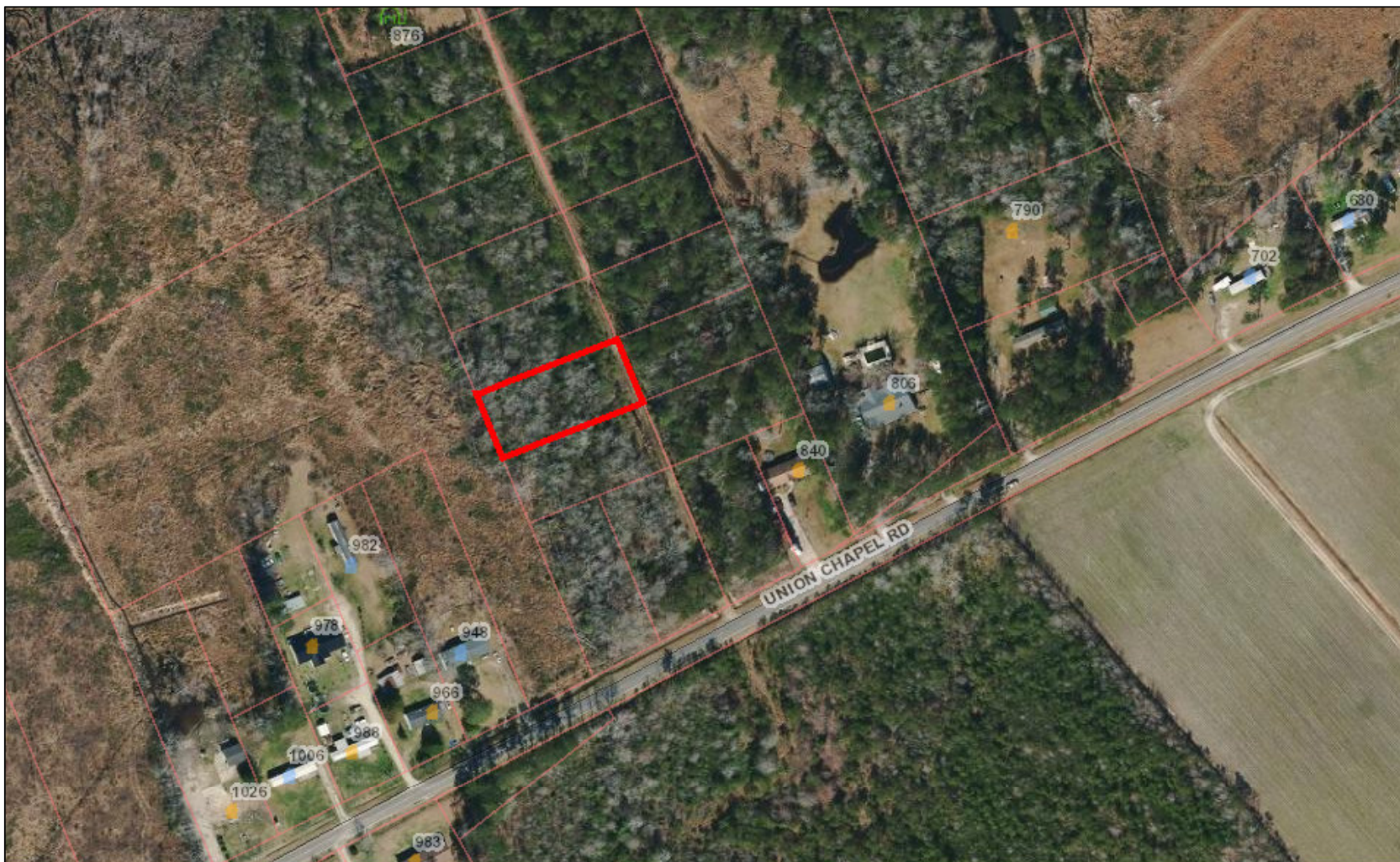
Sincerely,

Andy Devane
Asset Manager

PO Box 1578 – 805 S. Walker Street, Burgaw, NC 28425



(910) 259-1282 Office | www.pendercountync.gov



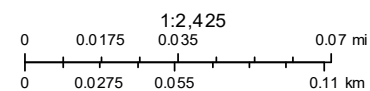
PIN: 2277-95-0746-0000
 Owner: PENDER COUNTY
 PO BOX 5
 BURGAW, NC 28425
 Deed Ref: 4691/2498

Property
 Address:
 Description: L 8 PB 25/150 KINGS ESTATES

Sale Price:
 Sale Date: LAST_SALE_DATE
 Plat: 00250150
 Account No: 1003339
 Township: COLUMBIA
 Subdivision: KINGS ESTATES
 Tax Codes: G01 F28 R40

Acres: 0.49
 Land Value:
 Building Value:
 Total value:
 Deferred Value:
 Exempt Amount: 6175
 PCL Class: E
 Heated Sq Feet:

Pender County



1 inch = 202 feet

08/21/2019





**Pender County
Approval of Offer & Authorize Closing
Process for Sale of Surplus Property -
Parcel 2268-97-8277-0000 near Bell
Williams Rd in Columbia**

TO:	Board of County Commissioners
FROM:	Meg Blue
DATE:	June 5, 2023
SUBJECT:	Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2268-97-8277-0000 near Bell Williams Rd in Columbia

SUMMARY:

Please consider attached documentation of bid for surplus property - Parcel 2268-97-8277-0000 near Bell Williams Rd in Columbia. Note that because this property was authorized for public auction previously and auctioned on GovDeals, no upset bid period is required.

The \$18,250 bid for this parcel from Clarkson Theophilus can be accepted by the County and authorize County Manager's Office to begin closing process. The current tax value for this property is listed at \$18,250. The County acquired through tax foreclosure in 2019. This is a 3.75 acre wooded lot with no apparent road access.

Other options are to reject all bids and maintain possession, or reject all bids and re-auction.

ACTION REQUESTED:

Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2268-97-8277-0000 near Bell Williams Rd in Columbia

Pender County Finance Department
PO Box 1578
Burgaw, North Carolina 28425



Asset Manager
Andy Devane
(910) 259-1467
e@pendercountync.gov

Auction results for sale of real property

5/15/2023

Dear Commissioners,

For your consideration is the results of the auction for parcel number 2268-97-8277-0000 located near Bell Williams rd. in Columbia Township. Clarkson Theophilus was the highest bidder at \$18,250.00. The tax value in GIS is \$18,250.00. After talking to Clarkson Theophilus, his plans are to develop it for residential purposes. Upon Board approval of the results of the auction the County will move forward with closing on the parcel.

Sincerely,

Andy Devane
Asset Manager

PO Box 1578 – 805 S. Walker Street, Burgaw, NC 28425



(910) 259-1282 Office | www.pendercountync.gov



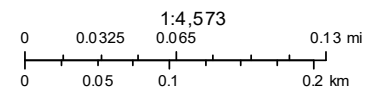
PIN: 2268-97-8277-0000
 Owner: PENDER COUNTY
 PO BOX 5
 BURGAW, NC 28425
 Deed Ref: 4689/2715

Property
 Address:
 Description: OFF END 1220

Sale Price: \$3,500
 Sale Date: LAST_SALE_DATE
 Plat: NOPLAT
 Account No: 1002216
 Township: COLUMBIA
 Subdivision:
 Tax Codes: G01 F28 R40

Acres: 3.75
 Land Value: \$18,250
 Building Value: \$0
 Total value: \$18,250
 Deferred Value: \$0
 Exempt Amount: 18250
 PCL Class: E
 Heated Sq Feet:

Pender County



1 inch = 381 feet

07/25/2019





Pender County Notice of Public Hearing for FY 2023- 2024 Budget Ordinance and Fee Schedule

TO:	Board of County Commissioners
FROM:	Meg Blue
DATE:	June 5, 2023
SUBJECT:	Notice of Public Hearing for FY 2023-2024 Budget Ordinance and Fee Schedule

SUMMARY:

The Pender County Manager presented the recommended budget for Fiscal Year 2023-2024 to the Board of Commissioners on Thursday, May 25, 2023. A copy of the recommended budget was filed in the office of the Clerk to the Board on that same day and is available for public inspection at the Pender County Administrative Building during normal business hours. The budget is also posted on the County's website, www.pendercountync.gov. A public hearing on the recommended budget will be held on Monday, June 5, 2023, at 4 p.m. in the Commissioners' Meeting Room, Pender County Admin Building, 805 S. Walker Street, Burgaw, NC. Citizens are invited to attend and present written or oral comments. Adoption of the recommended budget is anticipated to occur at that meeting as indicated in the agenda.

ACTION REQUESTED:

Notice of Public Hearing for FY 2023-2024 Budget Ordinance and Fee Schedule



FISCAL YEAR 2023-2024

PENDER COUNTY BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Pender County, North Carolina as follows:

Section 1A. The following amounts are hereby appropriated in the **General Fund (Fund #10)** for the operation of the County Government and its activities for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for Pender County:

Pender County Schools	25,041,518
Pender County Schools Capital Outlay	2,917,084
Cape Fear Community College	671,277
Board of Commissioners	357,598
County Manager	1,074,347
Human Resources	564,248
County Attorney	70,000
Finance	982,172
Information Technology	2,313,623
Board of Elections	406,350
Register of Deeds	2,138,417
Tax Administration	1,910,742
Planning & Community Development	883,320
Permitting & Inspections	1,541,644
Hazard Mitigation	121,957
Parks & Recreation	735,943
JCPC Programs	153,959
Shooting Range	145,000
Library	1,050,658
Facilities Maintenance	2,438,414
Fleet Maintenance	341,378
Grounds Maintenance	1,041,470
Custodial Maintenance	525,553
Emergency Management	822,396
Sheriff/Jail/Animal Control/SRO	15,099,278
Tourism	228,332
Veterans Service Office	203,688
Transfer to Health Department	3,718,949
Transfer to Public Assistance	5,522,469



Clerk of Superior Court	15,100
Division of Forest Resources	311,993
NC Cooperative Extension Services	205,116
Outside Agencies-Economic Development	762,084
Outside Agencies – Health & Human Services	1,085,500
Outside Agencies – Cultural & Recreational	5,000
Option 4 Sales Tax	839,000
Medical Examiner	85,000
Debt Service	754,362
Non-Departmental	1,738,607
EDTAP Transportation	200,000
Transfer to Countywide Fire	4,438,525
Transfer to Revaluation	235,500
Transfer to Rescue Squad Fund	855,708
Transfer to Housing	105,444
Transfer to Public School Capital Fund	15,706,324
TOTAL GENERAL FUND	100,365,047

Section 1B. It is estimated that the following revenues will be available in the **General Fund (Fund #10)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

Property Taxes – Current Year	62,462,602
Property Taxes – Penalties & Interest, etc.	407,600
Property Taxes – Motor Vehicles	7,463,900
Interest Earned	2,560,673
Loan Receipts	200,000
Sale of Surplus Property	125,000
Insurance/Property Loss	100,000
Sales Tax	18,078,919
Sales, Services, and Other Revenues	6,512,222
Intergovernmental Revenues	2,454,131
Total Revenues	100,365,047

Section 1C. There is hereby levied a tax at the rate of seventy-three-point-seven-five (\$.7375) per one hundred dollars (\$100) valuation of property listed as of January 1, 2023, for the purpose of raising revenue included in "Property Taxes" in the General Fund in Section 1B of this ordinance.

Section 1D. The following amounts are hereby appropriated in the **Public Health Department (Fund #11)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:



Health Program & Administration	7,619,106
Total Expenditures	7,619,106

Section 1E. It is estimated that the following revenues will be available to the **Public Health Department (Fund #11)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Fees & Services	1,363,150
State & Federal Funds	2,537,007
Transfer from General Fund	3,718,949
Total Revenues	7,619,106

Section 1F. The following amounts are hereby appropriated in the **Department of Social Services (Fund #12)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

Social Services Program & Administration	11,595,647
Trust Fund Disbursements	250,000
Total Expenditures	11,845,647

Section 1G. It is estimated that the following revenues will be available to the **Department of Social Services (Fund #12)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Federal & State Funding	6,068,178
Donations	5,000
Trust Fund Receipts	250,000
Transfer from General Fund	5,522,469
Total Revenues	11,845,647

Section 2A. The following amounts are hereby appropriated in the **Public-School Capital Special Revenue Fund (Fund #28)** for the expenditures associated with the debt service and other school capital projects funded by the County for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

Debt Service Expenditures -- 2012	3,147,775
Debt Service Expenditures -- 2016	6,622,713
Reserves	13,714,019
Total Expenditures	23,484,507

Section 2B. It is estimated that the following revenues will be available to the **Public-School Capital Fund (Fund #28)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:



Transfer from General Fund	15,706,324
Sales Tax	7,143,183
Lottery Funds	635,000
Total Revenues	23,484,507

Section 3A. The following amounts are hereby appropriated in **the E911 Fund (Fund #25)** for the emergency telephone system during the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

E911 Operating	126,437
Total Expenditures	126,437

Section 3B. It is estimated that the following revenues will be available to the **E911 Fund (Fund #25)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

911 Fees	126,437
Total Revenues	126,437

Section 4A. The following amounts are hereby appropriated in the **Fire District Fund (Fund #26)** for the operation of fire departments for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

Fire Districts	11,624,735
Total Expenditures	11,624,735

Section 4B. It is estimated that the following revenues will be available to the **Fire District Fund (Fund #26)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Fire District Taxes	6,502,501
Contributions from General Fund to Long Creek Grady, Sloop Point, Hampstead, & Scotts Hill	4,266,525
Contribution from General Fund to Maple Hill	291,371
Contribution from General Fund to Penderlea	305,337
Contribution from General Fund to Shiloh	129,500
Contribution from General Fund to Atkinson	129,500
Total Revenues	11,624,735

Section 4B1. There is hereby levied a tax at the rate of **\$0.070** per \$100.00 valuation of property listed for taxes as of January 1, 2023, located within the **Maple Hill Fire Tax District** to operate the **Maple Hill Volunteer Fire Department**.



Section 4B2. There is hereby levied a tax at the rate of **\$0.100** per \$100.00 valuation of property listed for taxes as of January 1, 2023, located within the **Rocky Point Fire Tax District** to operate the **Rocky Point Volunteer Fire Department**.

Section 4B3. There is hereby levied a tax at the rate of **\$0.070** per \$100.00 valuation of property listed for taxes as of January 1, 2023, located within the **Atkinson Fire Tax District** to operate the **Atkinson Volunteer Fire Department**.

Section 4B4. There is hereby levied a tax at the rate of **\$0.100** per \$100.00 valuation of property listed for taxes as of January 1, 2023, located within the **Northeast Pender Fire Tax District** to operate the **Town of Surf City Fire Department**.

Section 4B5. There is hereby levied a tax at the rate of **\$0.100** per \$100.00 valuation of property listed for taxes as of January 1, 2023, located within the **Penderlea Fire Tax District** to operate the **Penderlea Volunteer Fire Department**.

Section 4B6. There is hereby levied a tax at the rate of **\$0.100** per \$100.00 valuation of property listed for taxes as of January 1, 2023, located within the **Shiloh Fire Tax District** to operate the **Shiloh Volunteer Fire Department**.

Section 4B7. There is hereby levied a tax at the rate of **\$0.047** per \$100.00 valuation of property listed for taxes as of January 1, 2023, located within the **Penderlea-Duplin Fire Tax District** to the **Wallace Fire Department**.

Section 4B8. There is hereby levied a tax at the rate of **\$0.095** per \$100 valuation of property listed for taxes as of January 1, 2023, located within the **Sloop Point Fire Tax District** to operate the **Sloop Point Fire Department**.

Section 4B9. There is hereby levied a tax at the rate of **\$0.110** per \$100 valuation of property listed for taxes as of January 1, 2023, located within the **Long Creek Grady Fire Tax District** to operate the **Long Creek Fire Department**.

Section 4B10. There is hereby levied a tax at the rate of **\$0.095** per \$100 valuation of property listed for taxes as of January 1, 2023, located within the **Hampstead Fire Tax District** to operate the **Hampstead Fire Department**.

Section 4B11. There is hereby levied a tax at the rate of **\$0.095** per \$100 valuation of property listed for taxes as of January 1, 2023, located within the **Scotts Hill Fire Tax District** to operate the **Scotts Hill Fire Department**.

Section 4B12. There is hereby levied a tax at the rate of **\$0.110** per \$100 valuation of property



listed for taxes as of January 1, 2023, located within the **Pender Central Fire Tax District** to operate the **Burgaw Fire Department**.

Section 5A. The following amounts are hereby appropriated in the **Emergency Medical Service Fund (Fund #27)** for the operation of rescue services for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

Operating-EMS	8,938,455
Total Expenditures	8,938,455

Section 5B. It is estimated that the following revenues will be available to the **Emergency Medical Service Fund (Fund #27)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

EMS Tax	8,766,455
Contribution from the general fund to EMS	172,000
Total Revenues	8,938,455

Section 5B1. There is hereby levied a tax at the rate of **\$0.0925** per \$100.00 valuation of property listed for taxes as of January 1, 2023, located within the **County** to fund **Emergency Medical Services** throughout the County.

Section 6A. The following amounts are hereby appropriated in the **Revaluation Fund (Fund #29)** for the revaluation of property in Pender County for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the chart of accounts heretofore established for this County:

Reserves	235,500
Total Expenditures	235,500

Section 6B. It is estimated that the following revenues will be available to the **Revaluation Fund (Fund #29)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Transfer from General Fund	235,500
Total Revenues	235,500

Section 7A. The following amounts are hereby appropriated in the **Housing Enterprise Fund (Fund #74)** for the operation of the Pender County Housing Section 8 Program for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the chart of accounts heretofore established for this County:



Section 8 Expenditures	1,245,444
Total Expenditures	1,245,444

Section 7B. It is estimated that the following revenues will be available to the **Housing Enterprise Fund (Fund #74)** for the operation of the Pender County Housing Section 8 Program for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Section 8 Revenues	1,140,000
Contribution from General Fund to Housing	105,444
Total Revenues	1,245,444

Section 8A. The following amounts are hereby appropriated in the **Automation Enhancement & Preservation Fund (Fund #49)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County.

Supplies & Materials	5,000
Contracted Services	50,000
Total Expenditures	55,000

Section 8B. It is estimated that the following revenues will be available to the **Automation Enhancement & Preservation Fund (Fund #49)** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

Fees Collected	55,000
Total Revenues	55,000

Section 9A. The following amounts are hereby appropriated in the **Solid Waste Management Fund (Fund #75)** for the operation of the collection and disposal of solid waste for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the chart of accounts heretofore established for this County:

Solid Waste Collection and Disposal	7,268,934
Total Expenditures	7,268,934

Section 9B. It is estimated that the following revenues will be available to the **Solid Waste Management Fund (Fund #75)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Solid Waste User Fees	4,639,934
Landfill Fees	1,950,000
Recycling and Other Revenues	679,000
Total Revenues	7,268,934



Section 10A. The following amounts are hereby appropriated in the **Pender County Sewer Fund (Fund #71)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

Sewer Operating	1,090,136
Debt Service	1,374,678
Total Expenditures	2,464,814

Section 10B. It is estimated that the following revenues will be available to the **Pender County Sewer Fund (Fund #71)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Sewer Fees	790,000
Transfer from System Development Fees	1,674,814
Total Revenues	2,464,814

Section 11A. The following amounts are hereby appropriated in the **Pender County Water Fund (Fund #72)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

Debt Service	4,092,273
Operating Costs	17,690,021
Total Expenditures	21,782,294

Section 11B. It is estimated that the following revenues will be available to the **Pender County Water Fund (Fund #72)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Water Fees	8,300,000
Connection Fees	700,000
Late fees, reconnection fees and other charges	167,910
Loan Proceeds	11,650,000
Transfer from fund 59	964,384
Total Revenues	21,782,294

Section 12A. The following amounts are hereby appropriated in the **System Development Fees Fund (Fund #59)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

Transfer to Sewer Fund (Fund #71)	1,674,814
Transfer to Water Fund (Fund #72)	964,384



Reserves	10,802
Total Expenditures	2,650,000

Section 12B. It is estimated that the following revenues will be available to the **System Development Fees Fund (Fund #59)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Water Development Fees	2,650,000
Total Revenues	2,650,000

Section 13A. The following amounts are hereby appropriated in the **Fuel Depot Fund (Fund #53)** for the fiscal year beginning July 1, 2023 and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

Fuel Depot Operations	710,778
Total Expenditures	710,778

Section 13B. It is estimated that the following revenues will be available to the **Fuel Depot Fund (Fund #53)** for the fiscal year beginning July 1, 2023 and ending June 30, 2024:

Sales to Departments	400,000
Overhead Fee	75,000
Sales to Outside Agencies	235,778
Total Revenues	710,778

Section 14A. The following amounts are hereby appropriated in the **Tourism Development Authority Fund (Fund #44)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this County:

Promotions	45,000
Total Expenditures	45,000

Section 14B. It is estimated that the following revenues will be available to the **Tourism Development Authority (Fund #44)** for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Occupancy Tax	45,000
Total Revenues	45,000

Section 15A. It is estimated that the following distributions will be made from the Municipal Tax Collection fund (Fund #51) for the fiscal year beginning July 1, 2023, and ending June 30, 2024:



Municipality Tax Distributions	2,239,500
Total Distributions	2,239,500

Section 15B. It is estimated that the following Collections will be made into the Municipal Tax Collection fund (Fund #51) for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Ad-Valorem Collections	2,239,500
Total Collections	2,239,500

Section 16A. It is estimated that the following disbursements will be made from the Jail's Inmate Trust Account (Fund #45) for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Inmate Disbursements	200,000
Total Disbursements	200,000

Section 16B. It is estimated that the following Deposits will be made into the Jail's Inmate Trust Account (Fund #45) for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Inmate Deposits	200,000
Total Deposits	200,000

Section 17. The FY 2023-2024 budget recommendation includes a 5% COLA for \$1,083,239, including wages, taxes, and benefits. In addition, to reward productivity and service excellence, \$125,000 has been set aside for a merit pool increase. The 2022 consumer price index rose 8.5%; and in 2023, the consumer price index has risen 5.5% to date.

Additionally, included are 25 new positions and 38 reclassifications being proposed for a total of \$1,566,738, including taxes and benefits.

The North Carolina Department of State Treasurer Retirement Systems Division has notified the county that employer contribution rates have increased from 12.10% to 12.89% for general employees and from 13.10% to 14.04% for Law Enforcement in FY 2023-2024.

Section 18. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- They may transfer amounts between line-item expenditures within a department without a limitation and report requirement.
- They may transfer amounts up to \$10,000 between departments, including contingency appropriations, within the same fund. They must make an official report on such transfers at the next regular meeting of the Board of Commissioners.
- They may not transfer any amounts between funds, except as approved by the Board of



Commissioners in the Budget Ordinance as amended.

Section 19. The following are in effect for expenditure control:
Emergency approval of purchase orders exceeding \$30,000 may be conveyed by the County Manager in consultation with the Chair of the Board of County Commissioners and subsequent notification of the Board.

Section 20. The Finance Director is authorized to transfer amounts up to \$7,500 between line-item expenditures within a department without limitation, without Budget Officer approval, and without a report being required. These changes should not result in increases in recurring obligations such as salaries.

Section 21: The County Manager is authorized to exempt the County from the requirements of G.S. 143-64.32 (commonly referred to as the Mini-Brooks Act). This exemption provides the county with the ability to select an architect, engineer, surveyor, or alternative construction delivery method firm by whatever method it chooses (or no method at all). This exemption is capped at \$50,000, meaning the estimated cost of the contract cannot exceed this amount. Contracts with an estimated cost of \$50,000 must be procured via Qualification Based Selection (QBS). This exemption does not preclude or waive any other county, state, or federal procurement requirement.

Section 22: The County Manager is authorized to negotiate and conduct private sales of personal property valued at less than \$30,000, without board approval, upon the condition that the property is sold at fair market value. The County manager must keep a record of all property sold and the sale price. This provision does not apply to real property.

Section 23: Formal Board approval is required for all “non-routine expenditures exceeding \$30,000. Routine expenditures have historically included utilities, legally required advertising, postage, fuel, and water or sewer purchase contracts. This list has been expanded to include fee distributions, detention assignments, and direct benefit payments (foster care, child support, and retiree benefit payments), as well as County support for outside agencies as specified herein.

Section 24: Purchases of goods and services over \$1,000 require a purchase order to encumber funds necessary to cover the purchase.

Section 25: Copies of this Budget Ordinance shall be furnished to the Clerk to the Board of Commissioners and to the Budget Officer and Finance Director to be kept on file by them for their direction in the disbursement of funds. The approved Budget Ordinance will also be made available on Pender County’s Official website.

Section 26: There is hereby established various fees and charges, as outlined in the attached – Fiscal Year 2023-2024 Pender County Fee Schedule, effective July 1, 2023.



MOVED_____ SECONDED_____

APPROVED_____ DENIED_____ UNANIMOUS_____

YEA VOTES: Newton_____ Fletcher-Hardee _____ McCoy_____ Groves_____ George _____

Jacqueline A. Newton, Chair
Pender County Board of Commissioners

Date

ATTEST

Date



Pender County Approval of FY 2023-2024 Capital Improvement Projects Plan

TO: Board of County Commissioners
FROM: Meg Blue
DATE: June 5, 2023
SUBJECT: Approval of FY 2023-2024 Capital Improvement Projects Plan

SUMMARY:

The Pender County Manager presented the Capital Improvement Projects Plan and related project budget estimates as of Fiscal Year 2023-2024 and beyond, to the Board of Commissioners at the BOCC Retreat on March 16th and 17th of 2023. The CIP Plan is available on the County's website as of May 25th, 2023, www.pendercountync.gov.

ACTION REQUESTED:

Approval of FY 2023-2024 Capital Improvement Projects Plan



Pender County Request for Board Action

TO: Board of County Commissioners
FROM: Buddy Avery
DATE: June 5, 2023
SUBJECT: Consideration of Approval of a Contract for Construction of Storage Building at Biberstein Annex

SUMMARY:

Currently, the County is leasing a store in downtown Burgaw for the purpose of storing court records. The lease for this space expires at the end of the year, and the store owner does not wish to extend the lease. In anticipation of this lease expiring, the County has explored several options which would solve the storage problem. In previous discussions, the Board agreed that the best solution was to build a dedicated storage building on property already owned by the County, and as close as possible to the Courthouse. The Biberstein Annex, which functions as the District Attorney's Office, was selected as the best location for the storage building. Work was performed by County staff to maximize the potential size of the storage building in accordance with the Town of Burgaw's UDO. The resulting plans were advertised as an RFP on April 25th, 2023 and the County received 3 bids on May 18th, 2023.

The bids received ranged from \$366,348.68 on the high side to \$230,757.00 on the low side. All the bids received were considered responsive and met the requirements of the RFP. It is recommended that the contract for construction be awarded to the lowest bidder, Masonboro Construction and Development, Inc. It should also be noted that Masonboro Construction is a HUB certified Women Owned Small Business and Veteran Owned Small Business, based in Wilmington NC.

ACTION REQUESTED:

Approve a contract and subsequent Purchase Order with Masonboro Construction and Development in the amount of \$230,757.00. In addition, please approve a Capital Project Budget Ordinance and the Budget Ordinance Amendment as attached.

REQUEST FOR PROPOSALS



Pender County Finance
PO Box 1578
805 S. Walker Street
Burgaw, NC 28425

General Contractor for Construction of a Storage Building

RFP# 23-250

Issued: 04/25/2023
Responses Due: 05/18/2023 at 2:00pm

Contact: Trisha Newton, Purchasing Manager
Phone: 910.259.1281
Email: purchasing@pendercountync.gov



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GENERAL INFORMATION

Pender County Government is seeking Proposals from a firm to conduct the professional services as described in the Scope of Services section of this Request for Proposals (“RFP”).

Pender County Government will be accepting responses from experienced firms interested in providing these services according to the schedule and instructions to follow. A written record of all questions and answers will be provided by email to all Proposers who have notified the County of their intent to submit a Proposals, as well as on the County website. Questions about this RFP shall be directed to Trisha Newton, Purchasing Manager, purchasing@pendercountync.gov. Answers to questions will be provided via an addendum as soon as possible thereafter. Firms who intend to respond to this RFP, may provide an email address for updates as a courtesy. However, Proposers are ultimately responsible for monitoring the Pender County website for Addenda. Submissions must be sealed. There will not be a public bid opening.

PURPOSE

Pender County is soliciting proposals from Licensed General Contractors to construct a new 1,900 square foot storage building behind the District Attorney’s office (Biberstein Annex Building) at 102 S. Walker St., Burgaw, NC 28425. There are existing structures that will have to be demolished and removed as part of this project to make space for this storage facility. The primary use for this storage facility will be storage of confidential court records. This is an important and time-sensitive project for Pender County and the North Carolina Administrative Office of the Courts.

SCHEDULE

Advertisement of RFP	April 25, 2023
Deadline for Questions	May 10, 2023 by 2:00pm
Deadline for receipt of Proposals	May 18, 2023 by 2:00pm
Interviews (if needed)	May 19 or 22, 2023
Board of Commissioners Meeting	June 5, 2023
Desired Effective Date	Negotiations complete prior to BOCC meeting

County reserves the right, at its sole discretion, to adjust this schedule as it deems necessary.

ADDRESS

Pender County Finance Department
ATTN: Trisha Newton, Purchasing Manager
By Mail: PO Box 1578, Burgaw NC 28425
By Courier: 805 S. Walker Street, Burgaw NC 28425
Electronic copy: purchasing@pendercountync.gov

INSTRUCTIONS

This RFP and related documents may be obtained on the County website at www.pendercountync.gov. Click on "I Want To...", scroll down to "Open RFP's and Bids". Proposal should be presented in the general format specified below:

1. **Introduction:** Description of the professional qualifications of the firm and staff proposed for the assessment services. Clearly indicate each staff members' role in the project. Include information about the firm's professional registration in North Carolina.
2. **Work Plan:** A detailed description of the services to be provided and schedule of estimated timeframes for implementation/provision of those services.
3. **References:** A brief description of at least 3-5 projects that are similar in scope and size. For each project listed, please include the name of the entity and the name and contact information for personnel who would be familiar with the work performed. Preference is to list similar North Carolina projects first.
4. **Fee Schedule:** Breakdown of potential fixed and/or variable costs to be incurred for these services, with a total price for completion of this contract.

Proposals should be submitted bound, using standard paper, and sections should be appropriately labeled for easy reference. Proposers must provide one original bound and one electronic submission. The hard copy submission must be received at the address above prior to the deadline for consideration. The electronic Proposal may be provided on a USB drive or emailed to purchasing@pendercountync.gov. Any Proposals received after the deadline will not be considered and shall be retained as documentation for the RFP file. **Pender County encourages all qualified businesses, including DBE, Minority, and Women owned and operated businesses to respond to this RFP.**

OVERVIEW

Currently there is a 2 story structure and 2 small storage sheds at the rear of the property that will require demolition and removal as part of this project. There are also several large trees that will need to be removed. The selected contractor will be responsible for obtaining the necessary permits from the Town of Burgaw for each phase of this project. The contractor will report directly to the County Project Manager throughout the project.

This property is the functioning office of the District Attorney. The contractor and all workers associated with this project are required to respect the operation of the facility and minimize the impact to the facility throughout the construction process. Construction will commence during normal business hours and according to any requirements of the Town of Burgaw (TOB).

The existing 2 story structure is a wood framed, duplex apartment building with vinyl siding and asphalt shingled roof. The structure has utility services connected to it, including electric, plumbing and cable. The County will have the electric service turned off prior to start of construction, and it will be the Contractor's responsibility to provide a temporary power pole for use throughout construction until the new service connection to the building can be made. The Contractor will ensure any plumbing supply and drain lines are properly decommissioned and either capped or removed according to TOB standards. Asbestos testing has been performed on the structure and is free of any asbestos. The County will provide the Contractor with the certificate of testing to be included with the demolition permit. The (2) storage sheds will be demolished and removed as part of the greater demolition process and permit.

The new storage building is a wood frame structure with a truss roof system. The foundation will be a monolithic slab raised to 6" above current grade. Fill material will be required to fill in the voids left from removal of the trees and existing structures and to achieve the required elevation. The building will have white vinyl siding, vinyl soffits, aluminum fascia, seamless gutters and a dark asphalt shingle roof to closely resemble the character of the main building on the site. The building will have a new electric service to provide power for the lighting, life safety requirements and HVAC. There will not be any plumbing brought into the new building.

Since the building will be less than 2,500 sq ft, sealed drawing are not required. The attached drawing represents the basis for the construction drawings. A pdf version of the plans are available upon request. Please send requests to the Project Manager, Buddy Avery at bavery@pendercountync.gov. The roof trusses have been designed for the structure and the plans will be provided on award of the contract.

SCOPE OF SERVICES

The selected licensed GC will provide a turnkey proposal for completion of the project including but not limited to:

1. All required insurance policies to be maintained throughout the project
2. All required permitting
3. Any required temporary site modifications and amenities, such as portable toilet, security fencing, silt fencing, signage and adjacent structure(s) protection
4. Site work
5. Demolition, tree removal and waste removal
6. Waste removal during construction and daily cleanup of site – including magnetic sweeping of driveway to ensure no tire damage occurs
7. Construction of building and all required inspections
8. Landscaping (use allowance value of \$5000)
9. Certificate of Occupancy
10. Final cleaning of building, inside and out and site
11. Warranty of materials and labor of not less than 1 year
12. Materials or equipment supplied with a warranty greater than 1 year shall be guaranteed for the duration of that warranty, including replacement labor costs, at no cost to the owner.
13. Submittals of all materials and equipment where applicable

ADDITIONAL REQUIREMENTS

1. **Contract:** This RFP will result in a contract for services provided to Pender County. The awarded Proposer shall provide the County with a sample contract which can be revised by the County's legal department as needed. The contract shall provide a termination clause in which the County reserves the right to terminate the contract immediately with cause or with ninety days prior written notice without cause.

2. **Insurance:** Provide a copy of a certificate of insurance which identifies current levels of professional liability insurance.

3. **Proposal Form:** Please complete and return Attachment 1 included here with submission.

4. **Certification Regarding Suspension and Debarment:** Please complete and return Attachment 2 included here with submission.

4. **Non-Collusion Affidavit:** Please complete and return Attachment 3 included here with submission.

RFP PROVISIONS

1. The Request for Proposals' Provisions, Scope of Services and Terms and Conditions are integral parts of this RFP. The Proposer, by submitting a Proposal, agrees to comply with all provisions and conditions of this document.
2. The County reserves the right to amend, at any time, any part of this RFP upon written notification to Proposers; and to change any of the scheduled dates, including the Proposal due date. All changes will become part of this RFP and will be incorporated into the agreement entered between the County and the Proposer.
3. Proposals should be prepared providing a straightforward description of the vendor's ability to meet the requirements of this RFP. Responses should be concise and understandable by a "non-technical" audience.
4. The County is not liable for any costs or expenses incurred by the Proposers in the preparation of their Proposals or submissions related to this RFP.
5. All materials submitted with the Proposal become the property of the County and may be returned only at the discretion of the County Finance Director and Purchasing Manager.
6. By submitting a Proposal, the Proposer represents that it has thoroughly examined and become familiar with the work required under this RFP and is capable of providing and performing quality work to achieve the County objectives.
7. The Proposer accepts full responsibility for assuring the prompt and timely submission of the Proposal. The County will make no allowances for late delivery of mail. The Proposal may be hand-delivered or by courier to the physical location specified in the "**SCHEDULE**" section.
8. If a Proposer requires to take exception to any part of the specifications of this RFP, please include a letter stating any exceptions along with a thorough explanation. All exceptions will be taken into consideration when evaluating and scoring Proposals.
9. The County reserves the right to reject any or all Proposals received or to negotiate separately with competing Proposers to this RFP and to award a contract based on services other than those set forth in this RFP. After reviewing the Proposals, the County may elect to withdraw the RFP, make changes, waive technicalities, and issue a modified RFP in any part thereof deemed to be in the best interest of the County.
10. No assignment of the resulting contract may take place without the express written permission from the County. This includes assignment or sale of the Proposer to another institution.

11. The Proposer will assume responsibility for all services offered, whether provided by the Proposer or a subcontractor. The Proposer will identify any subcontractors in its Proposal by providing a list as an attachment to the RFP. The County will consider the Proposer to be the sole point of contact for contractual matters including payment of any and all charges resulting from the cost of any contract. The County reserves the right to approve or reject any subcontractor prior to use. All references to Proposer requirements throughout this RFP include subcontractors. If at any time the County determines that any subcontractor is incompetent or undesirable, the County shall notify the successful firm accordingly, and the successful firm shall take immediate steps for cancellation of the subcontract and replacement. Nothing contained in any contract resulting from this RFP shall create any contractual relationship between any subcontractor and the County of Pender.

12. All procurement documents and contracts will be subject to audit. The Proposer will give full and free access to all records and materials necessary to perform audit fieldwork, including data stored on computer systems, for the County and its authorized representatives. This provision applies to any subcontractor as well.

13. Any material submitted in response to this RFP will become a “public record” once the Proposer’s document(s) is(are) opened and the Proposer is determined to be a participant in the solicitation process and shall be subject to public disclosure consistent with Chapter 132, North Carolina General Statutes. Proposals submitted under this section shall not be subject to public inspection until a contract is awarded N.C.G.S 143-129.8(d).

14. Trade secrets or proprietary information submitted by a firm in connection with a procurement transaction shall not be subject to the public disclosure under the North Carolina Public Records Act pursuant to NC General Statutes §66-152(3). However, the firm must invoke the protection of this section prior to or upon submission of the data or other materials and must identify the data on other materials to be protected and state the reasons why protection is necessary. **Each individual page considered a trade secret or proprietary information must be labeled “Confidential” in the top right corner.** This right of privacy will be construed as narrowly as possible to protect the interests of the individual responding to the RFP while attempting to maximize the availability of information to the public.

15. All submissions should be valid for acceptance for at least 90 days from the date of submission. The “Board of Commissioners Meeting” Date listed in the “SCHEDULE” above is the anticipated award date.

TERMS AND CONDITIONS

In addition to the RFP Provisions above, the County requires adherence to the general purchase order Terms & Conditions that can be found at:

<http://www.pendercountync.gov/vendortermsandconditons/>

Other Terms & Conditions as they apply are:

1. **Indemnification:** Proposer agrees to defend, indemnify, and hold harmless the County for all loss, liability, claims, or expense (including reasonable attorney's fees) arising from bodily injury, including death or property damage, to any person or persons caused in whole or in part by the negligence or misconduct of the Proposer, except to the extent same are caused by the negligence or willful misconduct of the County. It is the intent of this section to require Proposer to indemnify Pender County to the extent permitted under North Carolina law.

2. **E-Verify:** By responding to this RFP, Proposer agrees to comply with the requirements of Article 2 of Chapter 64 of the General Statutes, as applicable.

3. **Availability of Funds:** Any resulting contract shall be deemed in force only to the extent of appropriations available to each department for the purchase of such goods and/or services. The County's extended obligations on contracts that include funding through successive fiscal periods shall be contingent upon actual appropriations for the successive periods (additional years).

4. **Conflict of Interest:** All parties (including subconsultants) must maintain compliance with conflicts of interest guidelines that meet or exceed those required under 2 C.F.R. § 200.318(c)(1) for all projects funded in part or whole with federal or State financial assistance (direct or reimbursed). In addition to the prohibition against self-benefiting from a public contract under N.C. G.S. 14-234, no officer, employee, elected official, governing body member, or agent of Pender County may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal or State award if he or she has a real or perceived conflict of interest. A real or perceived conflict exists when any of the following parties has a financial or other interest in or receives a tangible personal benefit from award of a contract: the officer, employee, elected official, governing body member, or agent involved in the selection, award, or administration of a contract; as well as any member of his or her immediate family; his or her partner; or an organization which employs or is about to employ any of these parties. Any such conflict shall be disclosed in writing and included with the Proposal. Contractors that are related to County personnel having any influence over the decisions to consider or award a contract are strictly prohibited from bidding/responding or accepting award of County contracts. Accepting gifts and favors from vendors and contractors is prohibited under N.C. G.S. 133-32, additionally officers, employees, elected officials, governing body members, and agents of Pender County are prohibited from accepting or soliciting gifts, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts. Violating this policy will result in disciplinary action for the employee and termination of the contract and violating firms/persons may not be eligible for future contract awards.

EVALUATION AND SELECTION

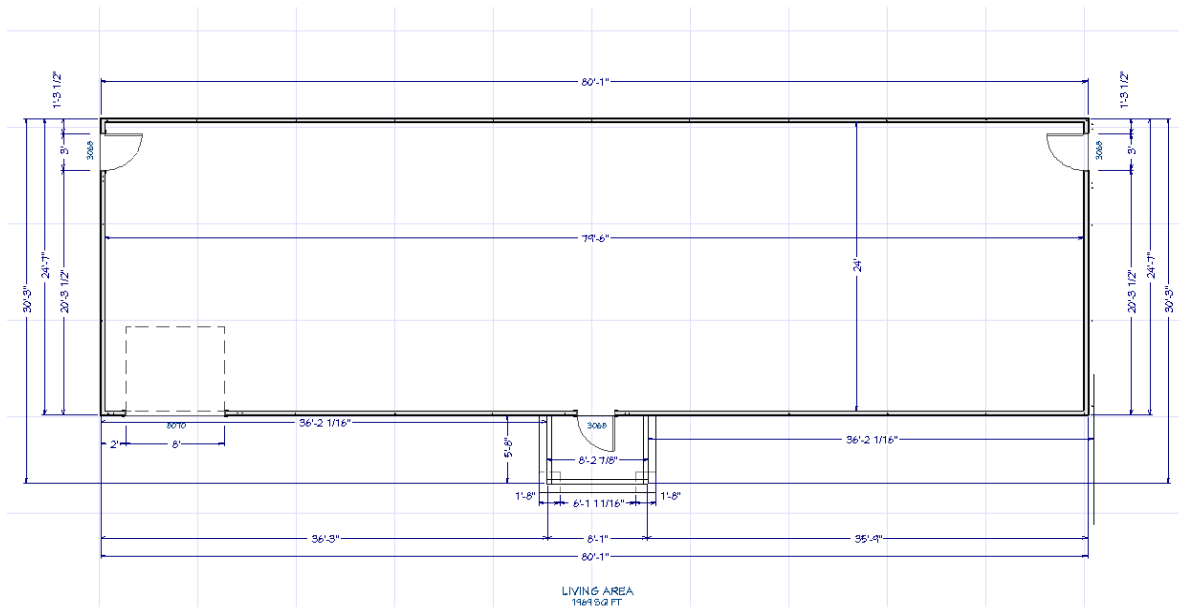
The selection process will be based on the responses to this RFP. A committee comprised of members of County Staff and/or other stakeholders in this project will provide a recommendation to the Board of County Commissioners for award of this contract. Recommendations will be made based on the following criteria and weighted percentages:

Completeness of Proposal – demonstrated competence related to scope	15 %
Experience with Similar Contracts – On time and within budget	15 %
Cost and/or Price Structure – ability to adhere to and control budget parameters	45 %
References – Prior experience and performance with Pender County or similar	25 %

References may be contacted along with other evaluations Pender County feels necessary to accurately determine the criteria listed above in the selection criteria. Scoring and ranking of the submissions will be based on the criteria above. Pender County reserves the right to interview firms who are being considered. In addition, Pender County reserves the right to reject all submissions.

The County reserves the right to reject any or all Proposals, to waive any non-material irregularities or informalities in any Proposal, to request additional clarification of Proposals, to be the sole judge of suitability of the services for its intended use and further, specifically reserves the right to make the award in the best interest of the County.

PLAN (Representation)



ATTACHMENT 1

PROPOSAL FORM – Pender County RFP # _____

To the County of Pender, North Carolina:

By submitting a response to this Request for Proposals, the responding firm represents that it has read and understands the Scope of Work and has familiarized itself with all federal, state, and local laws, ordinances, rules, and regulations that in any manner may affect the cost, progress, or performance of the contract work.

I have carefully examined the Request for Proposals and any other documents, to include addenda, accompanying or make a part of this Request for Proposals to perform the necessary services.

I certify that all information contained in this Proposal is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this Proposal on behalf of the Healthcare Provider as its act and deed and that the Healthcare Provider is ready, willing and able to perform if awarded the contract.

I hereby acknowledge receipt of any Addenda issued by County. It is the responsibility of the Provider to ensure that all addenda have been received.

Addenda No. _____ dated _____

Addenda No. _____ dated _____

Company Name: _____

Address: _____

City/State/Zip: _____

Phone/Fax: _____

Email: _____

Authorized Signature: _____ Date: _____

Printed Name: _____

ATTACHMENT 2

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

The undersigned applicant certifies to the best of his or her knowledge and belief, that the applicant and its principals:

- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal Department or agency;
- (b) have not within a 3-year period preceding this Proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) are not presently indicted or otherwise criminally or civilly charged by a governmental entitle (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) have not within a 3-year period preceding this application/Proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this Proposal.

Business Name: _____

Address: _____

City/State/Zip: _____

Signature: _____

Title: _____

Date: _____

ATTACHMENT 3

NON-COLLUSION AFFIDAVIT

The firm submitting a Proposal, under penalty of perjury under the laws of the United States, certifies that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract.

By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any collusion has been offered, accepted, or promised by any employees of your organization.

FIRM NAME: _____

BIDDER/RESPONDING REPRESENTATIVE:

Print Title

Sign Date

RFP #:	23-250		Date:	5/18/2023
RFP for:	Biberstein Storage Building			
Committee:	Trisha Newton, Buddy Avery			

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Pender County Budget Ordinance Amendment

Fiscal Year: FY 2022-2023 Department: VARIOUS

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-399000	Gen Fund Bal Appropriated	230757
2	60-397000-6019	Transfer from General Fund	230757
3			
4			
5			
6			
7			
8			
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-490000	Transfer to CIP	230757
2	60-407400-6019	Capital Outlay	230757
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues: 461514 Total Expenditures: 461514

Budget Amendment Balances when Zero. 0

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

**CAPITAL PROJECT BUDGET ORDINANCE
PENDER COUNTY COURT FACILITIES STORAGE BUILDING**

WHEREAS, the Board of Pender County Commissioners desire to adopt a capital project budget ordinance pursuant to and as provided by NCGS 159- 13.2; and

WHEREAS, the Board of Pender County Commissioners desire to construct a climate controlled, secure storage building for the storage of Court Records located at 120 S. Walker St (Biberstein Annex) in Burgaw, NC 28425.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Pender County Commissioners, as follows:

SECTION 1: The amounts herein set forth are hereby appropriated for the expenses related to the project:

Design/Construction	<u>\$230,757.00</u>
TOTAL PROJECT COST	\$230,757.00

SECTION 2: The amounts herein set forth are hereby designated as the funding to be made available for the project to meet the foregoing appropriations:

Transfer from General Fund –	<u>\$ 230,757.00</u>
TOTAL PROJECT FUNDING	\$230,757.00

SECTION 3: Authorized activities for the Biberstein Storage Building Project include the expenditure of budgeted funds for turnkey construction. The officials of Pender County are hereby directed to proceed with the project within the terms of the budget contained herein,

SECTION 4: The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to provide the accounting of federal, state and local regulations.

SECTION 5: Funds may be advanced from the General Fund for the purpose of making payments as due.

SECTION 6: Copies of this ordinance shall be filed with the Finance Director and the Clerk to the Board of Commissioners to be kept by them for their direction in carrying out this project.

This ordinance was introduced and passed at this meeting of the Board of Pender County Commissioners and was adopted this the ____ day of _____, 2023.

Jacqueline A. Newton, Chair
Pender County Board of Commissioners

ATTEST:

Clerk to the Board, Pender County

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Board of Pender County Commissioners:

that the Capital Project Budget Ordinance for the Biberstein Storage Building Project to document the proposed project expenditures and funding in the amount of \$230,757.00 is approved and adopted.

The Chair/County Manager is authorized to execute any document necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: Newton ____ Hardee-Fletcher ____ Groves ____ McCoy ____ George ____

Jacqueline A. Newton, Chair Date
Pender County Board of Commissioners

ATTEST:

Clerk to the Board, Pender County Date



Pender County Request for Board Action

TO: Board of County Commissioners
FROM: Susan Barnhill
DATE: June 5, 2023
SUBJECT: Approval of Conceptual Changes to FY24 Solid Waste Fees

SUMMARY:

Currently, the solid waste fee on resident taxes is \$220 for Full-Use and \$110 for Recycling only. These fees allow residents access to the county convenience sites. This system of two fees has caused confusion among residents. Many have come to "upgrade" their fee to allow for full-use dumping.

The 2023 convenience center decals came into circulation on May 15th. In one week's time, about 75 people upgraded their decals from "recycling only" to "full-use". There are roughly 20,000 residents being charged a solid waste fee. Of that 20,000, about 5,000 pay for a recycling-only decal.

We propose to have one solid waste fee (one decal), for our residents of \$200. This would eliminate the residents' confusion about which decal they receive. This also saves the residents from having to come into the Utilities Office or Transfer Station to upgrade their decal.

The Solid Waste fee change is being reflected in the solid waste fee schedule submitted with the FY24 budget request. We are working with the staff attorney to revise the solid waste ordinance with this and other changes, which will be submitted for Board approval in the near future.

ACTION REQUESTED:

Approve the policy change in solid waste fees.

Solid Waste Decal Presentation

BOCC June 5, 2023

Current Situation

- Solid Waste Decals are based off 2022 tax records.
 - The “list” of county residents that had paid their 2022 taxes was received by PCU/PSW in February, 2023.
 - Due to timing of list, the county residents information was incomplete
- 2 Full-Use decals (\$220) OR Recycling decals (\$110) are mailed to residents who have paid their 2022 property taxes.
 - One additional decal can be purchased for \$40.

Issues with current situation

- It took 42 hours and 3 employees to sort through the list to establish a workable mailing list.
 - Decals were mailed 6 weeks after 2022 decals had expired
 - This caused confusion at the convenience sites between the attendants and residents
- Residents feel they need more than two (2) decals per dwelling for free.
 - Decals end up on Facebook or e-bay for sale, making PCU hesitant to give decals away for free.
- PCU has had about 75 residents “upgrade” (go from recycling only to full-use).
 - Two separate fees causing confusion with residents. Not understanding why they receive one decal versus the other.
- Mobile home parks and camp grounds have fallen into a grey area.
 - Landlords receive multiple decals, failing to distribute them to residents. OR having residents move out halfway through the year, resulting in new occupants not having a decal.

Solution!

- The current 2023 decal will be good until August 31, 2024.
- The tax office will give PCU a worked mailing list for easy mailing.
 - The list will be given to PCU by the end of July each year. Allowing time for the previous years taxes to be paid or garnished. This gives PCU an accurate list.
- There will be ONE decal fee. The residents will be charged a single solid waste fee of \$200 (breaks down to \$16.67 a month) for two decals.
 - Two additional decals will be \$40 each
- Mobile home parks and Campgrounds will be considered a business and not billed a solid waste fee. Businesses are not allowed at the convenience sites. They will be responsible for private dumping at their locations. Residents will still have the opportunity to purchase a set of decals for \$200 at the Utilities Office or Transfer Station.



Pender County HR Policy Revision for Medicare Eligible Employees

TO: Board of County Commissioners
FROM: Pam Brame
DATE: June 5, 2023
SUBJECT: HR Policy Revision for Medicare Eligible Employees

SUMMARY:

It has been recommended that the county modify our current Pender County Personnel Policy, Article IX – Employee Benefits, Section 2. Health Benefits to include the following health care option for employees that are 65+.

ACTION REQUESTED:

Approval of HR Policy Revision for Medicare Eligible Employees.

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



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

Memo

To: County Manager David Andrews and Board of Commissioners
From: Pam Brame, Human Resources Director
Date: May 23, 2023
Re: 65+ Employees actively working for Pender County

It has been recommended that the county modify our current Pender County Personnel Policy, Article IX – Employee Benefits, Section 2. Health Benefits to include the following health care option for employees that are 65+. The additional language would state the following:

Medicare Health Insurance for actively working employees 65+

When an employee, currently enrolled in the Pender County Group Healthcare Coverage, reaches 65 years old, Pender County will substitute the contribution currently paid to the group plan for the employee to the costs associated with the employee's enrollment in Medicare Part A (hospitalization), Part B (Medical Care Coverage) and a gap coverage program should the employee wish to enroll in the Medicare Programs.

The benefit to enrolling in the Medicare Part A is there is no cost to the employee for this hospitalization benefit when they reach the age of eligibility. The benefit to the employee enrolling in Part B is there is minimal annual deduction, currently \$226.00. Additionally, Medicare rules require an individual be enrolled in both Parts A and Part B before they are eligible to enroll in a Medical Gap policy which will cover all expenses not covered by Part A and Part B.

Medicare Rules require individuals to enroll in Part A during the seven month initial eligibility period which is 3 months before the month in which the person turns 65, the month the person turns 65 and ends 3 months after the month in which the person turns 65. Failure to enroll in Medicare Part A during the initial enrollment period will subject the individual to a penalty which consists of a percentage higher costs based on the period of delay which the individual will pay a higher monthly rate going forward.

For Medicare Part B, Medicare eligible employees, 65 and older and currently insured under the County's Healthcare plan MAY elect to stay on the County's plan for Medical coverage OR may elect to enroll in Medicare Part B medical coverage with the cost of Part B being paid by the County in lieu of the employer's contribution to the current healthcare plan. While the Medicare eligible individual is still employed with continual medical coverage, Medicare will allow enrollment in Part B at any time while still employed and with current coverage. The County will only pay the Medicare Part B coverage if the employee elects to drop the County's Healthcare coverage.

In summary, Medicare eligible employees may enroll in Medicare Part B when first eligible with the County picking up this expense in lieu of the contribution made on behalf of the employee under the County Healthcare Plan; or the Medicare eligible employee may stay on the County Healthcare Plan for Part B medical coverage and delay enrollment with Medicare Part B with no penalty as long as they apply for Part B while still employed which counts as a Special Enrollment Period and thus no penalties apply to late application to Medicare Part B.

If the employee elects both Medicare Plan A for hospitalization and Plan B for medical care and drops the County's Healthcare Group coverage then the County will provide Medicare Plan G, medical gap coverage policy, to the employee in lieu of the employers contribution previously paid to the County's Group Healthcare coverage previously paid on the employee's behalf. Medicare Plan G covers all expenses for hospitalization and medical care not covered by Medicare Part A and B. Also, the Medicare eligible employee is eligible for Medicare Part D which provides prescription coverage.

The Medicare eligible employee is entitled to Medicare Part A hospitalization at no cost. Should the Medicare eligible employee elects Medicare Part B, medical, Part D, prescription and Part G, medical expense gap coverage, the County will reimburse the employee for the costs of Plans B, D and G, while actively employed by the County up to the employers cost of the premium previously paid on behalf of the employee under the County's group Healthcare coverage.

Medicare covered employees will submit their Medicare invoices to Human Resources for processing of the monthly reimbursement of these policy expenses which are to be paid monthly by the County Finance Department directly to the employee.

Should the Board of Commissioners agree with the recommendation, it will be included in the updated Personnel Policy Book and disseminated to all employees.



Pender County Board Reappointment

TO: BOCC
FROM: Alexis Stanfield
DATE: June 5, 2023
SUBJECT: Peggy Arsenault Board Reappointment

SUMMARY:

Reappointment of Peggy Arsenault as a Resident position instead of Collector for the Tourism Development Authority Board.

ACTION REQUESTED:

Approval of Reappointment to TDA Board.

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



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

APPLICANT INFORMATION									
Last Name Arsenault			First Peggy			M.I.		Date 06-27-2022	
Physical Address 14016-B NC Hwy 50						Apartment/Unit #			
City Surf City			State NC			ZIP 28445			
Mailing Address (if different from above) 14016-B NC Hwy 50									
City Surf City			State NC			ZIP 28445			
Home Phone (910) 233-8864			Work Phone (910) 328-4444			E-mail Address 1 peggy@treasurerealty.com			
Fax Number (910) 328-0992			E-mail Address 2						
Board Interest(s) Tourism									
How long have you been a resident of Pender County? 23									
EDUCATION									
High School Princeton High School			Location Sharonville OH						
From		To		Did you graduate?	YES ☒	NO ☐			
College Rivier			Location Nashua NH						
From		To	1988	Did you graduate?	YES ☒	NO ☐	Degree Masters Degree		
Other			Location						
From		To		Did you graduate?	YES ☐	NO ☐	Degree		
EMPLOYMENT HISTORY									
Current Employment		Treasure Realty				Job Title Broker			
Responsibilities		Vacation Rentals / Sales Support 12years							
Previous Employment						Job Title			
Previous Employment						Job Title			
Previous Employment						Job Title			
COMMUNITY INVOLVEMENT									
Please list current and past membership in civic or other organizations and offices held: RHOTI volunteer Worked Elections for 18 years in Surf City									

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☐	NO ☒	If yes, explain (including length of service).	
State reasons why you feel qualified for this appointment(s): Worked at Greater Topsail Chamber of Commerce and have worked tourist coming to Topsail Island since for 15 years			
MILITARY SERVICE			
Branch None		From	To
Rank at Discharge		Type of Discharge (optional)	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☐	NO ☒	If yes, list family member name(s) and position/board or committee(s).	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment. None			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature		Date	



Pender County Board Reappointment

TO: BOCC
FROM: Alexis Stanfield
DATE: June 5, 2023
SUBJECT: James Peay Board Reappointment

SUMMARY:

Board Reappointment of James Peay to EMS & Fire Board of Directors

ACTION REQUESTED:

Approval of James Peay for another term on EMS & Fire Board of Directors

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



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

APPLICANT INFORMATION									
Last Name PEAY			First JAMES			M.I. M	Date 5/3/2023		
Physical Address 4234 LITTLE KELLY RD						Apartment/Unit #			
City ROCKY POINT			State NC			ZIP 28457			
Mailing Address (if different from above)									
City			State			ZIP			
Home Phone 910 612 1605			Work Phone 910 515 2783			E-mail Address 1 JAMES.PEAY@PENDEREMS.COM			
Fax Number						E-mail Address 2 JPEAY4234@GMAIL.COM			
Board Interest(s) PENDER EMS+FIRE INC									
How long have you been a resident of Pender County? 58 1/2 YEARS									
EDUCATION									
High School PENDER			Location BURGAW NC						
From	1979	To	1982	Did you graduate?	YES ☒	NO ☐			
College CFCC			Location WILMINGTON						
From	1982	To	1984	Did you graduate?	YES ☒	NO ☐	Degree		
Other			Location						
From		To		Did you graduate?	YES ☐	NO ☐	Degree		
EMPLOYMENT HISTORY									
Current Employment		GENERAL ELECTRIC				Job Title QUALITY SYSTEM COORDINATOR			
Responsibilities		QUALITY RECORDS, CAPTS, GAGES. ETC..							
Previous Employment		AMERICAN CRANE				Job Title MACHINIST			
Previous Employment		COSTAL BEVERAGE				Job Title WAREHOUSE WORKER			
Previous Employment		PAUL'S PLACE				Job Title ATTENDANT			
COMMUNITY INVOLVEMENT									
Please list current and past membership in civic or other organizations and offices held: SHRINER MASON LONG CREEK VOL FIRE FROM 16 TO NOW PENDER COUNTY RESCUE SQUAD 1985 TO NOW PENDER EMS + FIRE BOARD OF DIRECTORS									

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☒	NO ☐	If yes, explain (including length of service). PENDER EMS + FIRE BOARD OF DIRECTORS	
State reasons why you feel qualified for this appointment(s): 43 YEARS OF FIRE + RESCUE SERVICE AROUND 6 OR 7 YEARS OF PENDER EMS + FIRE BOARD MEMBER.			
MILITARY SERVICE			
Branch N/A		From	To
Rank at Discharge		Type of Discharge (optional)	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☒	NO ☐	If yes, list family member name(s) and position/board or committee(s). PENDER EMS + FIRE BOARD + VOLUNTEER.	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment.			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature 		Date 5/3/2023	



Pender County Amery Wells Board Appointment

TO: BOCC
FROM: Alexis Stanfield
DATE: June 5, 2023
SUBJECT: Amery Wells Board Appointment

SUMMARY:

Board Appointment of Amery Wells to ABC Board district 4.

ACTION REQUESTED:

Approval of Board Appointment of Amery Wells to ABC Board district 4.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



Application for Appointment to Boards / Commissions / Committees

Date	04-07-2023
Name	Amery B Wells
Physical Address	4891 Horse Branch Road, Watha, North Carolina, 28478
Mailing Address	4891 Horse Branch Road, Watha, North Carolina, 28478
Primary Email Address	abwells@earthlink.net
Home Number	(910) 620-4706
Secondary Email Address	n/a
Board Interest(s)	ABC Board

1

How many years have you
been a resident of Pender 45
County?

High School Name Pender High School

High School Location Burgaw, NC

Dates Attended High
School (From) 1985

Dates Attended High
School (TO) 1989

Certificate/Diploma/Degree Diploma

High School Name Goldsboro, NC

College Location Goldsboro, NC

Dates Attended College
(From) 1989

Dates Attended High
School (TO) 1989

Certificate/Diploma/Degree Diploma

Other Education Cape Fear Community College

Other Location Hampstead, NC

Dates Attended Other
(From) 2003

Dates Attended College
(To) 2003

Certificate/Diploma/Degree Diploma

Current Employer Self Employed

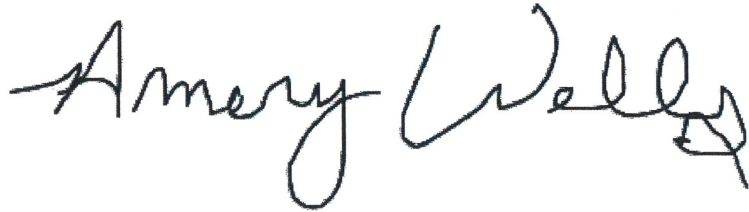
Current Job Title Sub Contractor

Current Job
Responsibilities Contract Fire Control work for Piedmont Natural Gas and Weyerhaeuser Paper
Company

Previous Employer	NC Forest Service/Retired
Previous Job Title	Chief of Law Enforcement
Previous Employer	NC Forest Service/Promotion
Previous Job Title	Investigator
Previous Employer	NC Forest Service/Promotions
Previous Job Title	District Ranger/County Ranger/Assistant County Ranger
Please list current and past membership in civic or other organizations and offices held:	Past member of Penderlea Fire Department from 1988 to 1998 and served as Firefighter and Captain. Served on Cape Fear RC&D advisory group in mid 1990's. I am including this service for reference to the question below regarding previous service to Pender. 2006 until present, reserve Deputy for Pender County Sheriff's Office. 2009 until Present, member of Penderlea Fire Department in varying capacities including Firefighter, Secretary, Treasurer and currently serving on BOD.
Explain this service including length of time served.	In the mid 1990's I served on a Forest Advisory Group for Cape Fear RC&D. I do not recall the length of service but it was short lived, year or less as I recall with only a couple of meetings.
State reasons why you feel qualified for this appointment(s):	I think the progression of my career with the NC Forest Service, dedication to community service by volunteering with Penderlea Fire Department and nearly lifelong residency in western Pender County make me a good selection as a representative of the community for the Pender County ABC Board. I can comprehend rules, laws and regulations and apply them fairly and legally in the operations of state and local programs. A large portion of my career has been in public service and I consider myself a team player wanting to offer solutions and solve problems. I strive to see past problems and work for solutions to overcome or actually avoid situations causing problems. I feel these qualities make me qualified for this appointment.
What branch of military did you serve?	None
List family member name(s) and position/board or committee(s).	I am considering my service on Penderlea Fire Department Board of Directors as being affiliated with Pender County. My term expires in December of this year and I do not intend to serve for another two year term.
Please add any additional information you would like to share supporting your interest and qualifications for this appointment.	I think I would enjoy being on the ABC Board and working with others to provide direction and support. The program is important for the citizens of the county because it keeps products at a fair price, and if I understand correctly, sales generate revenue for the county thus offsetting taxes on citizens. I have read articles giving me the impression the statewide program is under scrutiny by law makers, and I hate to see Pender County lose what I believe to be a revenue source and again the citizens lose a fair retail priced commodity. If the change is

the will of the people, so be it, but I do not want it to be because of a lack of good community participation and effort.

Signature

A handwritten signature in black ink that reads "Amery Wells". The signature is written in a cursive style with a large, stylized 'A' and a long, sweeping underline.

You can [edit this submission](#) and [view all your submissions](#) easily.

Attachments: Please download the PDF attachment(s) of this email by visiting the following link(s).

<https://www.jotform.com/pdf-view/98e2d2ccb2?smartPDF=1>



Pender County Loretta Schmitzer Board Appointment

TO: Board of County Commissioners
FROM: Alexis Stanfield
DATE: June 5, 2023
SUBJECT: Loretta Schmitzer Board Appointment

SUMMARY:

Appointment of Loretta Schmitzer to the Tourism Development Authority Board.

ACTION REQUESTED:

Approval of the Appointment of Loretta Schmitzer to the Tourism Development Authority Board.

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



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

APPLICANT INFORMATION									
Last Name Schmitzer			First Loretta			M.I. L		Date 12-10-2022	
Physical Address 108 Cottage Walk Hampstead, NC 28443 USA						Apartment/Unit #			
City Hampstead			State NC			ZIP 28443			
Mailing Address (if different from above) 108 Cottage Walk Hampstead, NC 28443 USA									
City Hampstead			State NC			ZIP 28443			
Home Phone (301) 461-4127			Work Phone			E-mail Address 1 lorettaschmitzer@gmail.com			
Fax Number						E-mail Address 2			
Board Interest(s) Tourism and/or Parks and Recreation Advisory Boards									
How long have you been a resident of Pender County? 4									
EDUCATION									
High School Daviess County High			Location Owensboro KY						
From	1969	To	1973	Did you graduate?	YES ☒	NO ☐	Diploma		
College University of Kentucky			Location Lexington KY						
From	1973	To	1976	Did you graduate?	YES ☒	NO ☐	Degree Bachelors Degree		
Other University of Kentucky Law School			Location Lexington KY						
From	1976	To	1979	Did you graduate?	YES ☒	NO ☐	Degree Masters Degree		
EMPLOYMENT HISTORY									
Current Employment Retired			Job Title Retired						
Responsibilities Retired									
Previous Employment The Boeing Company			Job Title VP, International Operations						
Previous Employment US Department of Commerce			Job Title Assistant Secretary of legislative and ...						
Previous Employment US Senate Committee on Commerce, Science ...			Job Title Senior Counsel						
COMMUNITY INVOLVEMENT									
Please list current and past membership in civic or other organizations and offices held: Advisory Board, Wendell Ford Government Education Center (current) President, Democratic Women of Pender County (current) Board Member, Care First Blue Cross/Blue Shield 2004-2013 President, Women in International Trade									

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☒	NO ☐	If yes, explain (including length of service). Southeastern Community Action Partnership, Board Member and Member, Chair, Finance Committee representing Pender County	
State reasons why you feel qualified for this appointment(s): In my time in the Senate and at the Department of Commerce, I worked on tourism issues, including writing the 1992 Tourism Policy and Export Promotion Act. I have nonprofit and governmental Board experience and as an active retiree, I have the time to attend to the responsibilities of Board membership.			
MILITARY SERVICE			
Branch None		From	To
Rank at Discharge		Type of Discharge (optional)	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☐	NO ☒	If yes, list family member name(s) and position/board or committee(s).	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment. I have a longstanding interest in tourism promotion as well as a strong interest in the wellbeing of our parks here in Pender County.			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature			Date



**Pender County
Appointment of Ashley Milam to Library
Board**

TO: Board of County Commissioners
FROM: Alexis Stanfield
DATE: June 5, 2023
SUBJECT: Library Board Appointment of Ashley Milam

SUMMARY:

Appointment of Ashley Milam to Library Board

ACTION REQUESTED:

Approval of appointment of Ashley Milam to Library Board

PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees



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

APPLICANT INFORMATION									
Last Name Milam			First Ashley			M.I. R	Date 05-12-2023		
Physical Address 7905 Old River Rd.						Apartment/Unit #			
City Burgaw			State NC			ZIP 28425			
Mailing Address (if different from above) 7905 Old River Rd.									
City Burgaw			State NC			ZIP 28425			
Home Phone (910) 470-2702			Work Phone			E-mail Address 1 ashleymilam4@gmail.com			
Fax Number						E-mail Address 2			
Board Interest(s) Library									
How long have you been a resident of Pender County? 10									
EDUCATION									
High School Pender High School			Location Burgaw NC						
From	2000	To	2003	Did you graduate?	YES ☒	NO ☐	Diploma		
College Cape Fear Community College			Location Wilmington NC						
From	2003	To	2005	Did you graduate?	YES ☒	NO ☐	Degree Diploma		
Other Wake Tech Community College			Location Raleigh NC						
From	2005	To	2008	Did you graduate?	YES ☒	NO ☐	Degree Diploma		
EMPLOYMENT HISTORY									
Current Employment		Independent Contractor				Job Title Independent Contractor			
Responsibilities		Misc.							
Previous Employment		Haws USA				Job Title Accounting Assistant			
Previous Employment		Stone World				Job Title Sales Associate			
Previous Employment		Stone Top				Job Title Sales Associate			
COMMUNITY INVOLVEMENT									
Please list current and past membership in civic or other organizations and offices held: Currently involved in Friends of Topsail Montessori Board.									

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES ☐	NO ☒	If yes, explain (including length of service).	
State reasons why you feel qualified for this appointment(s): I have always been an avid reader. I spent a few years working for The Pender Post in highschool and college. I have an Associates Degree in Advertising and Graphic Design and an Associates in Business Administration. I care about Pender County and want to be more active in my community for a cause that is close to me.			
MILITARY SERVICE			
Branch <u>None</u>		From	To
Rank at Discharge		Type of Discharge (optional)	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES ☐	NO ☒	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES ☐	NO ☒	If yes, list family member name(s) and position/board or committee(s).	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment. My husband and I own a local blueberry farm in Burgaw. We love Pender County and want to be more active in our community. We have two internationally adopted children ages 8 and 10, the oldest Autistic. Over the past few years I have become increasingly interested in the issues facing the education system and local libraries. I understand how important local libraries are to a community and want to help support ours how I can.			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature		Date	



Pender County Request for Board Action - RPTWSD

TO: Board of Rocky Point-Topsail Water & Sewer District

FROM: Kenneth Keel

DATE: June 5, 2023

SUBJECT: Approve Resolution Accepting the Deed of Dedication of Water Distribution System for Bridgewater Landing

SUMMARY:

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

ACTION REQUESTED:

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

ATTACHMENTS:

Resolution
Deed of Dedication & Affidavit for Bridgewater Landing

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



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

Resolution Accepting the Deed of Dedication for the Conveyance of Title to the Water Distribution System Properly Installed to Serve Bridgewater Landing

WHEREAS, In accordance with the Pender County Water and Sewer Ordinance, Article XII, Subsection II, 5.a: submission of a Deed of Dedication is required for acceptance of any new water and/or sewer extensions constructed to serve any structure within a subdivision prior to the commencement of water and/or sewer service by the District; and

WHEREAS, With acceptance of these improvements, the conveyance of title to these infrastructure improvements will occur and the District will become responsible for the permanent maintenance of these improvements at the conclusion of the contractor's warranty period; and

WHEREAS, Staff is recommending acceptance of the respective project infrastructure improvements as follows:

- Bridgewater Landing – 13,020 LF 8" watermain, hydrants, valves, and related water appurtenances along Acker Lane, Weatherbee Way, Glenview Court, Hennings Drive, Maritt Street, Langston Road, Dyer Drive, Barlowe Avenue, and Amanda Lane.

WHEREAS, All of the above improvements have been inspected, engineer certified, and issued Final Approval by the NCDEQ – Public Water Supply Section.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Rocky Point/Topsail Water and Sewer District a resolution accepting the Deed of Dedication and Affidavit for the Water Distribution improvements installed to serve Bridgewater Landing.

Adopted this 5th day of June 2023.

Jacqueline A. Newton, Chair
Board of Rocky Point/Topsail Water & Sewer District

ATTEST:

Lexi Stanfield
Clerk to the Board

DEED OF DEDICATION

STATE OF NORTH CAROLINA
COUNTY OF PENDER

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

WITNESSETH:

THAT WHEREAS, Developer is the owner of a tract or parcel located in Topsail Township, Pender County, North Carolina, known as Bridgewater Landing Subdivision, as depicted on the map of same recorded in Map Book 70, Page 85 of the Pender County Registry (the “Property”);

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

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

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

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

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

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

All of the potable water lines and equipment located under, along, and within the road, street, and cul-de-sac rights of way as shown on the map of "Bridgewater Landing Phase 1" recorded in Map Book 70, Pages 85-89 of the Pender County Registry and which map includes certain roads and streets known as "E. Weatherbee Way", "E. Hennings Dr.", "W. Hennings Dr.", "Ackler Ln.", "E. Maritt St.", "W. Maritt St.", "Langston Rd.", "Glenview Ct.", "E. Barlowe Ave." and "W. Barlowe Ave." reference to which map is hereby made for a more particular description.

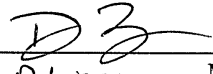
TO HAVE AND TO HOLD said water lines and equipment above described together with the privileges and appurtenances thereto belonging to Grantee forever.

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

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

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

EDENS LANE, LLC

By: 
D. Wagon, Manager

STATE OF NORTH CAROLINA

COUNTY OF Brunswick

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

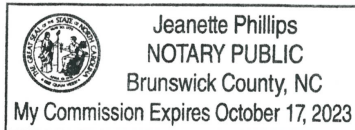
Witness my hand and official seal, this the 2 day of May, 2023.

(Notary Seal)

Jeanette Phillips
Signature of Notary Public

Jeanette Phillips
Printed or Typed Name of Notary Public

My Commission Expires: October 17, 2023



ACCEPTANCE OF DEED

This Deed of Dedication and accompanying Affidavit for Bridgewater Landing was accepted by the Rocky Point-Topsail Water & Sewer District Board of Commissioners on the _____ day of _____, 20____.

Jacqueline A. Newton, Chair
Rocky Point-Topsail Water & Sewer District
Board of Commissioners

Lexi Stanfield
Clerk to the Board

AFFIDAVIT

STATE OF NORTH CAROLINA

COUNTY OF Pender

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

1. That it is the owner of certain property located in Topsail Township, Pender County, North Carolina, known as Bridgewater Landing Subdivision, containing lots numbering 16 thru 23, 30 thru 49, 78 thru 85, and 105 thru 132, as more particularly described in a Deed of Dedication in favor of Pender County of even date herewith.
2. That it has caused to be installed water distribution lines under and along the road right-of-ways property hereinafter described and referenced;

The road, street, and cul-de-sac rights of way shown as "E. Weatherbee Way", "E. Hennings Dr.", "W. Hennings Dr.", "Ackler Ln.", "E. Maritt St.", "W. Maritt St.", "Langston Rd.", "Glenview Ct.", "E. Barlowe Ave." and "W. Barlowe Ave." on the map of "Bridgewater Landing Phase 1" recorded in Map Book 70, Pages 85-89 of the Pender County Registry, reference to which map is hereby made for a more particular description.

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

IN WITNESS WHEREOF, the Affiant has caused this instrument to be duly
executed by its authorized officer(s) this 2nd day of May, 2023.

EDENS LANE, LLC

By: [Signature]
D Logan, Manager

STATE OF NORTH CAROLINA

COUNTY OF Brunswick

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

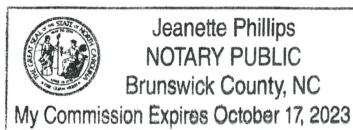
Witness my hand and official seal, this the 2 day of May, 2023.

(Notary Seal)

[Signature]
Signature of Notary Public

Jeanette Phillips
Printed or Typed Name of Notary Public

My Commission Expires: October 17, 2023





Pender County Request for Board Action – RPTWSD

TO: Board of Rocky Point-Topsail Water & Sewer District
FROM: Kenneth Keel
DATE: June 5, 2023
SUBJECT: Approve Resolution Accepting the Deed of Dedication of Water
Distribution System for Carolina Creek Phase 4, 5, & 6

SUMMARY:

The water system improvements for the Carolina Creek Phases 4, 5, & 6 development have been completed and approved by NCDEQ and Pender County Utilities. The official dedication of these improvements is provided in the attached documents to be recorded upon the Board's approval.

ACTION REQUESTED:

Approve resolution accepting the Deed of Dedication of water distribution system for Carolina Creek Phases 4, 5, & 6

ATTACHMENTS:

Resolution
Deed of Dedication & Affidavit for Carolina Creek Phase 4
Deed of Dedication & Affidavit for Carolina Creek Phase 5
Deed of Dedication & Affidavit for Carolina Creek Phase 6

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



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

Resolution Accepting the Deeds of Dedication for the Conveyance of Title to the Water Distribution System Properly Installed to Serve Carolina Creek Phases 4, 5, & 6

WHEREAS, In accordance with the Pender County Water and Sewer Ordinance, Article XII, Subsection II, 5.a: submission of a Deed of Dedication is required for acceptance of any new water and/or sewer extensions constructed to serve any structure within a subdivision prior to the commencement of water and/or sewer service by the District; and

WHEREAS, With acceptance of these improvements, the conveyance of title to these infrastructure improvements will occur and the District will become responsible for the permanent maintenance of these improvements at the conclusion of the contractor's warranty period; and

WHEREAS, Staff is recommending acceptance of the respective project infrastructure improvements as follows:

- Carolina Creek, Phases 4, 5, & 6 – 1,581 LF of 8" watermain, 721 LF of 6" watermain, hydrants, valves, and related water appurtenances along Coburn Drive, Allbrook Way, and Stream Bed Way.

WHEREAS, All of the above improvements have been inspected, engineer certified, and issued Final Approval by the NCDEQ – Public Water Supply Section.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Rocky Point/Topsail Water and Sewer District a resolution accepting the Deed of Dedication and Affidavit for the Water Distribution improvements installed to serve Carolina Creek Phase 4, 5, & 6.

Adopted this 5th day of June 2023.

Jacqueline A. Newton, Chair
Board of Rocky Point/Topsail Water & Sewer District

ATTEST:

Lexi Stanfield
Clerk to the Board

DEED OF DEDICATION

STATE OF NORTH CAROLINA

COUNTY OF PENDER

THIS DEED OF DEDICATION, made and entered into this the ____ day of _____, 2023, by and between BILL CLARK HOMES OF WILMINGTON, LLC, of New Hanover County, North Carolina, party of the first part, hereinafter referred to as "Owner", and ROCKY POINT/TOPSAIL WATER AND SEWER DISTRICT, a municipal corporation duly created and existing under the laws of the State of North Carolina, party of the second part, hereinafter referred to as Grantee;

WITNESSETH:

That whereas BILL CLARK HOMES OF WILMINGTON, LLC is the owner of a tract or parcel located in Pender County, North Carolina, known as Carolina Creek, Phase 4 as described on a plat recorded in Map Book 71 at page 89-90, (hereinafter collectively "the Development");

And whereas Owner has caused to be installed water distribution lines under and along the road rights-of-way hereinafter described and referenced;

And whereas Owner wishes to obtain water from Grantee for the property and to make water from Grantee's system available to individual owners;

And whereas, in order to obtain water for said community subdivision, Owner must convey title to the water distribution system to Grantee through an instrument of dedication acceptable to Grantee;

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

ALL of that Water Distribution System located under, along and within the property described as Carolina Creek, Phase 4, as shown on that plat recorded in Map Book 71 at Pages 89-90 of the Pender County Registry.

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

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

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

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

Bill Clark Homes of Wilmington, LLC

By:  (SEAL)
Edward H. Clark, Manager

By:  (SEAL)
Cheryl Blanton, Manager

STATE OF NORTH CAROLINA
COUNTY OF Brunswick

I, Stacy M Eldridge, a Notary Public of Brunswick County, North Carolina, do hereby certify that Edward H. Clark and Cheryl Blanton personally appeared before me this day and acknowledged that they are managers of **Bill Clark Homes of Wilmington, LLC**, a North Carolina limited liability company, and being authorized to do so, as Managers of the limited liability company, executed the foregoing instrument on behalf of the limited liability company.

Witness my hand and official seal on this date shown.

Stacy M Eldridge
Notary Public

Date: February

My Commission Expires: December 5, 2024



~~ACCEPTANCE OF DEED~~

~~This Deed of Record and accompanying Affidavit for Bill Clark Homes of Wilmington, LLC was accepted by the Pender County Board of Commissioners on this day of XXXXXXXX, 20XX.~~

~~Pender County Board of Commissioners~~

(Chairman)

~~Deputy Clerk to the Board~~

ACCEPTANCE OF DEED

This Deed of Dedication and accompanying Affidavit for Carolina Creek Phase 4 was accepted by the Rocky Point-Topsail Water & Sewer District Board of Commissioners on the _____ day of _____, 20____.

Jacqueline A. Newton, Chair
Rocky Point-Topsail Water & Sewer District
Board of Commissioners

Lexi Stanfield
Clerk to the Board

AFFIDAVIT

STATE OF NORTH CAROLINA

COUNTY OF PENDER

Bill Clark Homes of Wilmington, LLC a North Carolina limited liability company, with an office and place of business in New Hanover County, North Carolina, hereinafter referred to as Affiant, being first duly sworn, hereby deposes and says under oath as follows:

1. That it is the owner of certain property located in Topsail Township, Pender County, North Carolina, known as Carolina Creek Subdivision, Phase 4, containing lots numbering 82 thru 86, 86A, and 87 thru 97 as more particularly described in a Deed of Dedication in favor of Pender County of even date herewith.
2. That it has caused to be installed water distribution lines under and along the road right-of-ways of the property hereinafter described and referenced;

Carolina Creek, Phase 4, as shown on that plat recorded in Map Book 71 at Pages 89-90 of the Pender County Registry.

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

DEED OF DEDICATION

STATE OF NORTH CAROLINA

COUNTY OF PENDER

THIS DEED OF DEDICATION, made and entered into this the ____ day of _____, 2023, by and between BILL CLARK HOMES OF WILMINGTON, LLC, of New Hanover County, North Carolina, party of the first part, hereinafter referred to as "Owner", and ROCKY POINT/TOPSAIL WATER AND SEWER DISTRICT, a municipal corporation duly created and existing under the laws of the State of North Carolina, party of the second part, hereinafter referred to as Grantee;

WITNESSETH:

That whereas BILL CLARK HOMES OF WILMINGTON, LLC is the owner of a tract or parcel located in Pender County, North Carolina, known as Carolina Creek, Phase 5 as described on a plat recorded in Map Book 71 at page 91-92, (hereinafter collectively "the Development");

And whereas Owner has caused to be installed water distribution lines under and along the road rights-of-way hereinafter described and referenced;

And whereas Owner wishes to obtain water from Grantee for the property and to make water from Grantee's system available to individual owners;

And whereas, in order to obtain water for said community subdivision, Owner must convey title to the water distribution system to Grantee through an instrument of dedication acceptable to Grantee;

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

ALL of that Water Distribution System located under, along and within the property described as Carolina Creek, Phase 5, as shown on that plat recorded in Map Book 71 at Pages 91-92 of the Pender County Registry.

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

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

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

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

Bill Clark Homes of Wilmington, LLC

By:  (SEAL)
Edward H. Clark, Manager

By:  (SEAL)
Cheryl Blanton, Manager

STATE OF NORTH CAROLINA
COUNTY OF Brunswick

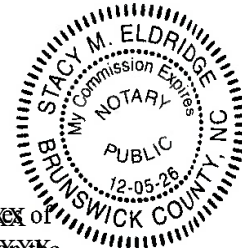
I, Stacy M. Eldridge, a Notary Public of Brunswick County, North Carolina, do hereby certify that Edward H. Clark and Cheryl Blanton personally appeared before me this day and acknowledged that they are managers of **Bill Clark Homes of Wilmington, LLC**, a North Carolina limited liability company, and being authorized to do so, as Managers of the limited liability company, executed the foregoing instrument on behalf of the limited liability company.

Witness my hand and official seal on this date shown.

Stacy M. Eldridge
Notary Public

Date: February 2, 2023

My Commission Expires: December 5, 2026



ACCEPTANCE OF DEED

~~This Deed of Dedication and accompanying Affidavit for Bill Clark Homes of Wilmington, LLC was accepted by the Pender County Board of Commissioners on the day of XXXXXXXX, 20XX~~

~~XXXXXXXXXXXXXXXXXXXXX~~
Pender County Board of Commissioners

~~(Chairman)~~

~~Deputy Clerk to the Board~~

ACCEPTANCE OF DEED

This Deed of Dedication and accompanying Affidavit for Carolina Creek Phase 5 was accepted by the Rocky Point-Topsail Water & Sewer District Board of Commissioners on the _____ day of _____, 20____.

Jacqueline A. Newton, Chair
Rocky Point-Topsail Water & Sewer District
Board of Commissioners

Lexi Stanfield
Clerk to the Board

AFFIDAVIT

STATE OF NORTH CAROLINA

COUNTY OF PENDER

Bill Clark Homes of Wilmington, LLC a North Carolina limited liability company, with an office and place of business in New Hanover County, North Carolina, hereinafter referred to as Affiant, being first duly sworn, hereby deposes and says under oath as follows:

1. That it is the owner of certain property located in Topsail Township, Pender County, North Carolina, known as Carolina Creek Subdivision, Phase 5, containing lots numbering 61 thru 78 as more particularly described in a Deed of Dedication in favor of Pender County of even date herewith.
2. That it has caused to be installed water distribution lines under and along the road right-of-ways of the property hereinafter described and referenced;

Carolina Creek, Phase 5, as shown on that plat recorded in Map Book 71 at Pages 90-91 of the Pender County Registry.

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

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

Bill Clark Homes of Wilmington, LLC

By: [Signature] (SEAL)
Edward H. Clark, Manager

By: [Signature] (SEAL)
Cheryl Blanton, Manager

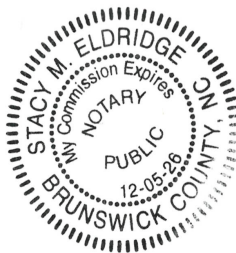
STATE OF NORTH CAROLINA
COUNTY OF Brunswick

I, Stacy M Eldridge, a Notary Public of Brunswick
County, North Carolina, do hereby certify that **Edward H. Clark** and **Cheryl Blanton**
personally appeared before me this day and acknowledged that they are managers of **Bill Clark**
Homes of Wilmington, LLC, a North Carolina limited liability company, and being authorized
to do so, as Managers of the limited liability company, executed the foregoing instrument on
behalf of the limited liability company.

Witness my hand and official seal on this date shown.

[Signature] Date: February 2, 2023
Notary Public

My Commission Expires: December 5, 2024



DEED OF DEDICATION

STATE OF NORTH CAROLINA

COUNTY OF PENDER

THIS DEED OF DEDICATION, made and entered into this the ____ day of _____, 2023, by and between BILL CLARK HOMES OF WILMINGTON, LLC, of New Hanover County, North Carolina, party of the first part, hereinafter referred to as "Owner", and ROCKY POINT/TOPSAIL WATER AND SEWER DISTRICT, a municipal corporation duly created and existing under the laws of the State of North Carolina, party of the second part, hereinafter referred to as Grantee;

WITNESSETH:

That whereas BILL CLARK HOMES OF WILMINGTON, LLC is the owner of a tract or parcel located in Pender County, North Carolina, known as Carolina Creek, Phase 6 as described on a plat recorded in Map Book 71 at page 93-94, (hereinafter collectively "the Development");

And whereas Owner has caused to be installed water distribution lines under and along the road rights-of-way hereinafter described and referenced;

And whereas Owner wishes to obtain water from Grantee for the property and to make water from Grantee's system available to individual owners;

And whereas, in order to obtain water for said community subdivision, Owner must convey title to the water distribution system to Grantee through an instrument of dedication acceptable to Grantee;

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

ALL of that Water Distribution System located under, along and within the property described as Carolina Creek, Phase 6, as shown on that plat recorded in Map Book 71 at Pages 93-94 of the Pender County Registry.

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

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

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

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

Bill Clark Homes of Wilmington, LLC

By:  (SEAL)
Edward H. Clark, Manager

By:  (SEAL)
Cheryl Blanton, Manager

STATE OF NORTH CAROLINA
COUNTY OF Brunswick

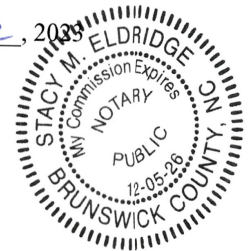
I, Stacy M Eldridge, a Notary Public of Brunswick County, North Carolina, do hereby certify that Edward H. Clark and Cheryl Blanton personally appeared before me this day and acknowledged that they are managers of **Bill Clark Homes of Wilmington, LLC**, a North Carolina limited liability company, and being authorized to do so, as Managers of the limited liability company, executed the foregoing instrument on behalf of the limited liability company.

Witness my hand and official seal on this date shown.

Stacy M Eldridge
Notary Public

Date: February 2, 2023

My Commission Expires: December 5, 2026



~~ACCERTAINMENT OF DEED~~

~~This Deed of Dedication and accompanying plat for Bill Clark Homes of Wilmington, LLC was accepted by the Brunswick County Board of Commissioners on the day of XXXXXXXX 2023.~~

~~Brunswick County Board of Commissioners~~

_____ (Signature)

~~Deputy Clerk of the Board~~

ACCEPTANCE OF DEED

This Deed of Dedication and accompanying Affidavit for Carolina Creek Phase 6 was accepted by the Rocky Point-Topsail Water & Sewer District Board of Commissioners on the _____ day of _____, 20____.

Jacqueline A. Newton, Chair
Rocky Point-Topsail Water & Sewer District
Board of Commissioners

Lexi Stanfield
Clerk to the Board

AFFIDAVIT

STATE OF NORTH CAROLINA

COUNTY OF PENDER

Bill Clark Homes of Wilmington, LLC a North Carolina limited liability company, with an office and place of business in New Hanover County, North Carolina, hereinafter referred to as Affiant, being first duly sworn, hereby deposes and says under oath as follows:

1. That it is the owner of certain property located in Topsail Township, Pender County, North Carolina, known as Carolina Creek Subdivision, Phase 6, containing lots numbering 1 thru 16 as more particularly described in a Deed of Dedication in favor of Pender County of even date wherewith.
2. That it has caused to be installed water distribution lines under and along the road right-of-ways of the property hereinafter described and referenced;

Carolina Creek, Phase 6, as shown on that plat recorded in Map Book 71 at Pages 93-94 of the Pender County Registry.

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

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

Bill Clark Homes of Wilmington, LLC

By: [Signature] (SEAL)
Edward H. Clark, Manager

By: [Signature] (SEAL)
Cheryl Blanton, Manager

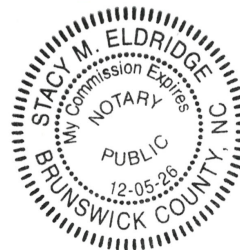
STATE OF NORTH CAROLINA
COUNTY OF Brunswick

I, Stacy M Eldridge, a Notary Public of Brunswick
County, North Carolina, do hereby certify that **Edward H. Clark** and **Cheryl Blanton**
personally appeared before me this day and acknowledged that they are managers of **Bill Clark**
Homes of Wilmington, LLC, a North Carolina limited liability company, and being authorized
to do so, as Managers of the limited liability company, executed the foregoing instrument on
behalf of the limited liability company.

Witness my hand and official seal on this date shown.

[Signature] Date: February 2, 2023
Notary Public

My Commission Expires: December 5, 2026





Pender County Resolution Appointing Melissa Radke as Tax Administrator

TO: Board of County Commissioners
FROM: Melissa Radke
DATE: June 5, 2023
SUBJECT: Resolution Appointing Melissa Radke as Tax Administrator

SUMMARY:

State law requires that the Board of Commissioners appoint a county tax assessor and a county tax collector. See G.S. 105-294(a) and 105-349(a), respectively. Pender County has combined the two offices in a single position of Tax Administrator. The Board of Commissioners approved the hiring of Melissa Radke as Tax Administrator to be effective May 3, 2023, and Ms. Radke began work in that position on that date. The attached resolution provides for the formal appointment of Ms. Radke as Tax Assessor for a four-year term and as Tax Collector for the same term or until a successor has been appointed and qualified.

ACTION REQUESTED:

Approval of Resolution Appointing Melissa Radke as Tax Administrator

ATTACHMENTS:

Resolution

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



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

RESOLUTION APPOINTING MELISSA RADKE AS TAX ADMINISTRATOR

WHEREAS, pursuant to N.C. Gen. Stat. § 105-294(a) the board of county commissioners for each county in the state is required to appoint a county tax assessor to serve a term of not less than two nor more than four years;

WHEREAS, pursuant to N.C. Gen. Stat. 105-349(a) the governing body of each county and municipality in the state is required to appoint a tax collector to serve a term to be determined by the appointing body and until a successor has been appointed and qualified;

WHEREAS, Pender County has combined the positions of tax assessor and tax collector in a single position of Tax Administrator; and

WHEREAS, on April 3, 2023, the Pender County Board of Commissioners approved the hiring of Melissa Radke as Tax Administrator to be effective May 3, 2023.

NOW, THEREFORE IT BE RESOLVED by the Pender County Board of Commissioners that Melissa Radke shall be, and is hereby, appointed as Pender County Tax Assessor for a four-year term, beginning May 3, 2023, and expiring May 3, 2027, and as Pender County Tax Collector for the same term or until a successor has been appointed and qualified.

Adopted this the 5th day of June 2023.

Jacqueline A. Newton, Chair
Pender County Board of Commissioners

ATTEST:

Alexis Stanfield
Clerk to the Board



**Pender County
Order of Collection Authorizing,
Empowering, and Commanding the Tax
Administrator to Collect the Taxes set
forth in the County's tax records.**

TO:	Board of County Commissioners
FROM:	Melissa Radke
DATE:	June 5, 2023
SUBJECT:	Order of Collection Authorizing, Empowering, and Commanding the Tax Administrator to Collect the Taxes set forth in the County's tax records.

SUMMARY:

Pursuant to N.C. Gen. Stat. § 105-321(b), the board of county commissioners is required to annually enter in its minutes an order directing the tax collector to collect the taxes charged in the tax records and receipts. The attached order of collection is in the form required by N.C. Gen. Stat. § 105-321(b).

ACTION REQUESTED:

Approval of Order of Collection Letter

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



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

June 5, 2023

STATE OF NORTH CAROLINA
COUNTY OF PENDER COUNTY

To the Tax Collector of the County of Pender:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Pender County Tax Collector and in the receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Pender, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

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

_____(Seal)

Jacqueline A. Newton, Chair

Pender County Board of Commissioners

ATTEST:

Alexis Stanfield, Clerk to the Board of Commissioners

Date: _____



**Pender County
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, 2022 (22 CVS 1029)**

TO: Board of County Commissioners
FROM: Trey Thurman
DATE: June 5, 2023
SUBJECT: 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, 2022 (22 CVS 1029)

SUMMARY:

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, 2022 (22 CVS 1029)

ACTION REQUESTED:

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, 2022 (22 CVS 1029)