MINUTES
Board of County Commissioners Meeting
Monday, March 15, 2021 4:00 PM
Pender County Public Assembly Room

MEMBERS PRESENT: George Brown
Fred McCoy
Jacqueline A. Newton
David Piepmeyer
David Williams

MEMBERS ABSENT:

OTHERS PRESENT: Chad McEwen, County Manager
Trey Thurman, County Attorney
Melissa Long, Clerk to the Board
Doug Shipley, Assistant County Manager
Allen Vann, Assistant County Manager
Other Staff and Members of the Press and Public.

Page

1 CALL TO ORDER

Chairman Brown called the meeting to order at 4:01 p.m. and thanked and welcomed all to the meeting.

2 INVOCATION

Commissioner Williams offered the invocation.

3 PLEDGE OF ALLEGIANCE

Commissioner McCoy led the Pledge of Allegiance.

Chairman Brown recognized veterans and first responders who were in attendance and thanked them for their service. Chairman Brown also recognized Sheriff Alan Cutler and Sharon Willoughby, Register of Deeds.

4 ADOPTION OF AGENDA

Moved by David Williams, seconded by David Piepmeyer

Motion to add an item 5.5 to discuss the cemetery issue in Hampstead, move item 8.7 before item 8.1, and to adopt the rest of the agenda as presented.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

5 PUBLIC INFORMATION

5.1 Discussion Regarding Existing Water and Sewer Districts.

Bob Jessup with Sanford Holshouser LLP was present along with his colleague Sam Smotherman to discuss options for the existing water and sewer districts. Mr. Jessup stated that the goal here is to simplify county operations and provide equitable rate structures. Mr. Jessup stated that they believe an operating agreement for the districts is the best approach. This agreement would consist of a contract among the county and all districts. The county would assume all activities of the districts such as rate-setting, billing and maintenance. The approach allows the county to be the central borrower if it desires. The districts would allow the County to charge rates that best serves the County's interests and there would be no requirement that each District must operate independently on a self-supporting basis. In the case of a payment default, (by County or a District), each District would remain liable to generate funds to pay their general obligation bonds. If Pender County does pursue this option, no changes will be needed under current bond documents. There would also be no requirement for LGC approval and no impact on ability of individual Districts to borrow money from USDA or otherwise. The agreement could also be structured in such a way that it could unwind for any District if it were to become an issue. Mr. Jessup gave some background on other options that they have looked at and why this is the recommended action. He explained that only one other county operates under an operating agreement approach, which is Beaufort County. They adopted this approach several years ago and created a Capital Improvement Plan (CIP) for their water and sewer districts. They will be moving forward with one uniform water rate over a five-year period. They are currently on year three of five. They have built a borrowing package into the schedule for every 3-4 years. They also have recouped money spent from the General Fund for Water-related services by charging an administrative fee to the Enterprise Fund. Their finance director is very happy with how things are running with their operating agreement. Commissioner Williams asked if this approach would make for a cleaner audit. Mr. Jessup stated that it makes for an easier audit. Mr. Jessup stated that if the Board decides to move forward, an agreement would need to be drafted between the county and the districts. The County would also have to adopt a resolution to move forward, both of which can be done before the new fiscal year begins. The Board thanked Mr. Jessup for providing this information.

5.5 Hampstead Cemetery Discussion and Update.

Commissioner Williams asked for an update from Planning Director Travis Henley regarding the situation with the graves and cemetery that have been discovered in Hampstead late last week. Mr. Henley updated the Board on this issue. He stated that this particular property is down Edens Lane in Hampstead. There is an application pending for a subdivision at this location but it has not yet been approved. Mr. Henley explained that he had received a call about graves being disturbed on this parcel. The GIS has a layer that shows where the recorded cemeteries are in Pender County, but it is not accurate as there are cemeteries that have not been reported. He explained that staff has met with the surveyor to locate the graves on this property. As of today, six more unmarked graves have been located in addition to the two that had markers. These graves do not seem to have been disturbed by the current work, but look like they may have been vandalized in the past. The Board agreed that the County takes this very seriously and reiterated that there is a state law in place that makes in unlawful to disturb graves in the State of North Carolina. Mr. Henley stated that there is currently no permit for this land clearing, the developer is in violation, and work has stopped on the property. Mr. Henley reiterated that the state has issued their permit, but the county has not. Commissioner Williams stated that he would like to see the county work on the inventory of cemeteries noting that unless a cemetery is reported there is no way to know that it exists. The Board thanked Mr. Henley for the update.

5.2 Update on the Empowering Youth and Families Program.

Cooperative Extension Director Mark Seitz began by recognizing Liz Peterson Hamm who has worked as the 4-H agent for Pender County for the last four years. He stated that she got married last week and is moving back home to Nebraska. The Board congratulated and thanked Ms. Hamm for the work she has done in Pender County. He then introduced Tracy Spencer to provide the update on the Empowering Youth and Families Program (EYFP). Ms. Spencer explained that the EYFP is made of two components: Strengthening Families Program 10-

14 and Powerful Communities. The Strengthening Families Program 10-14 is an evidence-based parent, youth, and family skills-building curriculum that prevents teen substance abuse and other behavior problems, strengthens parent/youth communication skills, increases academic success in youth, and prevents violence and aggressive behavior at home and at school. Powerful Communities is a pilot program written by the NC Cooperative Extension 4-H Youth Development Program to equip our participants with the knowledge and understanding about the opioid crisis in the US and in their county. Powerful Communities empowers cohorts of families to resist opioid misuse and to tell their communities what they have learned. In 2019, EYFP also began piloting Powerful Families (PF), a new family communication and relationship program that complements Powerful Communities (PC). In Spring 2021, all EYFP programs will use PFPC for the entirety of their family sessions. A new cohort of this program will begin on March 30, 2021. Ms. Spencer also stated that there will be a Drive-Thru Resource Fair on Saturday March 27 from 10 a.m. until 12 p.m. There is limited space and registration is required. To register, citizens need to visit https://go.ncsu.edu/peyfp. Ms. Spencer stated that those who are interested may also reach out to her at tjspence2@ncsu.edu. The Board thanked her for the update.

5.3 Quarterly Report on the Pender ABC System Involving Financial Information and Other Progress.

Ms. Crawford was not present for the meeting and requested that this be removed from the agenda and placed on the next.

Moved by Jacqueline A. Newton, seconded by David Piepmeyer

Motion to remove item 5.3 from the agenda.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

5.4 Update on Pender County Courthouse Remediation and Repairs.

Mr. Vann introduced Patrick Watkins who is the project superintendent for Thomas Construction. Mr. Watkins began by giving an update on the roofing process. Mr. Watkins then listed the complete items which include the Metal Framing and Sheetrock Installation, Skim Coat of Plaster Walls, Floor Feathering and Patching, MEP In Wall Installation, HVAC Equipment Set - Floor 1, and the Attic Access Stairs Installation. On-going items include the MEP Rough In, Equipment Start Up, Plaster Installation, Wood Trim Installation, and Sheetrock Finish. Upcoming items include the Ceiling Grid and Tile, Painting, Tile Installation, Flooring, and Acoustical Spray on Courtroom Ceiling. Mr. Watkins showed photos of the project to illustrate the progress. Mr. Watkins stated that the project is 83% complete to date. The Board thanked Mr. Watkins for the update.

6 PUBLIC COMMENT

There were signups for Public Comment:

- Sheriff Alan Cutler stated that he was present today to recognize two employees of the Pender County Sheriff's Office who have been voted on by their peers as Deputy of the Year and Employee of the Year. Sheriff Cutler presented the Deputy of the Year award to Detective Eric Short. Sheriff Cutler presented the Employee of the Year award to Laura Thomas. The Board thanked Sheriff Cutler and thanked the employees for the work that they do for the citizens of Pender County.

7 CONSENT AGENDA

Moved by Fred McCoy, seconded by David Williams

Motion to approve the consent agenda as presented.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

7.1 Approval of Minutes: February 16, 2021.

7.2 Resolution Accepting Petition to add Woodcroft Lane in the Woodcroft Subdivision, Rocky Point, to the State Maintained System. 23

WOODCROFT ROADS RESOLUTION

7.3 Approval of an Amendment to the 2021 Board of Commissioners Meeting Schedule. 25

BOARD MEETING CALENDAR 2021_v2

7.4 Approval to increase Purchase Orders for US Food Services in the amount of $30,000 and NC DPS in the amount of $10,000.00.

7.5 Approval of a Budget Amendment to Increase Health Department Revenues and Expenditures for Fiscal Year 2020-2021: $44,622. 27

BOA 7.5

7.6 Approval of a Budget Amendment to Increase Health Department Revenues and Expenditures for Fiscal Year 2020-2021: $75.00. 29

BOA 7.6

7.7 Approval of a Facility Usage Agreement Addendum.

7.8 Approval of Budget Amendment for the Pender County Board of Elections. 31

BOA 7.8

7.9 Approve Purchase Order for Core & Main for $100,000 for water meters and supplies for the remainder of FY21.

7.10 Approve Memorandum of Agreement with Lower Cape Fear River Program for Sampling for Wastewater Plant.

7.11 Approval of Budget Ordinance Amendment to Revise Fee Schedule for Pender County Permitting and Inspections.

8 APPROVALS AND RESOLUTIONS

8.7 Consideration of a Contract with United Way of the Cape Fear Area to Assist with Hurricane Florence Recovery.

Floodplain Administrator Daniel Adams explained at The Pender Long Term Recovery Group (LTRG) contacted County staff about using money earmarked for administrative purposes under the Hurricane Florence Disaster Recovery Act (DRA) grant to continue to fund a portion of the Project Coordinator position with the LTRG. The current DRA grant structure allows for up to $200,000 in administrative expenses. This request is to cover a portion of the Project Coordinator position's salary through December 31, 2021, reaching a maximum commitment of $27,500. Staff have confirmed with the North Carolina Office of State Budget and Management that this is an eligible expense and will be fully reimbursed at no cost to the County. The Project Coordinator position was previously funded through an American Red Cross grant and worked with the LTRG as an employee of the United Way of the Cape Fear Area. The grant funding for this position expired on January 31, 2021. Under the proposed contract, the Project Coordinator will continue to be an employee of the United Way, but will work exclusively with the Pender Long Term Recovery Group to assist with the implementation of the Hurricane Florence DRA grant. Since this role's inception, the Project Coordinator has worked with the Baptists on Mission, Habitat for Humanity, and the Disaster Assistance Relief Team (DART-ilm) to help manage their caseloads and streamline the application process for Pender County residents impacted by Hurricane Florence. The Project Coordinator also helps determine eligibility for various grants and serves as a liaison between applicants, nonprofit agencies, and state and federal grant administrators. Mr. Adams introduced those involved with the LTRG that were in attendance.

Moved by Jacqueline A. Newton, seconded by David Williams

Motion to approve the contract and a purchase order in the amount of $27,500 for the United Way of the Cape Fear Area.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

8.1 Request of Refund for the Overpayment of Excise Tax (NCGS 105-228.37).

Register of Deeds, Sharon Willoughby explained that a request from Gallimore Levy Chrisawn Gallimore PLLC requesting a refund of Excise Tax for a Deed that was submitted electronically for recording on February 8, 2021. There was $5,750.00 in Excise Taxes paid on this document. The filing Attorney inadvertently paid the wrong amount of Excise Taxes which should have been in the amount of $1,060.00. Gallimore Levy Chrisawn Gallimore PLLC is requesting a refund in the amount of $4,690. It should be noted that half of the Excise Tax has been submitted to the state.

Moved by David Piepmeyer, seconded by Jacqueline A. Newton

Motion to approve the request for refund of overpayment for the total requested amount of Excise Tax: $4,690.

	For	Against	Abstained	Absent
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

8.2 Adoption of 2021 Southeastern NC Regional Hazard Mitigation Plan 33 - 34

Interim Emergency Management Director Carson Smith explained that in July of 2019, ESP and Associates began working with Pender, Brunswick, New Hanover and Onslow Counties to develop an update to the Regional Hazard Mitigation Plan. This plan is required to be updated every five years, per federal mandate. Hazard Mitigation Plans are required to be adopted at the local level for the County to receive any federal assistance after a declared disaster. ESP and Associates was selected by North Carolina Emergency Management and the state has assumed all costs incurred in the development of this plan. Commissioner Piepmeyer asked if there are any major changes in this plan in comparison with the last. Mr. Smith stated that Onslow has been added to the plan this time. There are also 36 action plans as part of this plan, compared to 28 action plans in the previous plan. Discussion briefly ensued regarding shelters. The Board noted that Mr. Smith's last day as Interim Emergency Management Director is Wednesday, March 24. The Board thanked Mr. Smith for all he has done and continues to do for Pender County.

Moved by Fred McCoy, seconded by Jacqueline A. Newton

Motion to approve the 2021 Southeastern NC Regional Hazard Mitigation Plan.

	For	Against	Abstained	Absent
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

Hazard Mitigation Resolution - Signed

8.3 Approval for Purchase Order for Fairway Ford in the amount of $47,040.82.

Sheriff Cutler explained that the Pender County Sheriff's Office would like to purchase a 2021 Ford Explorer Police Interceptor Utility SUV through the North Carolina Sheriff's Association Vehicle Procurement Program in the amount of $47,040.82. These fund will come out of 510-407403. These expenditures were budgeted for in FY 2021.

Moved by David Williams, seconded by David Piepmeyer

Motion to approve the Purchase Order to Fairway Ford in the amount of $47,040.82.

	For	Against	Abstained	Absent
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

8.4 Consideration of BASF Environmental Assessment RFP Statements of Qualification and Recommendation

Mr. McEwen explained that Pender County recently solicited bids for an environmental consultant to review the related NCDEQ files on the groundwater monitoring program being conducted by the former landowner of the BASF/Tekada property. The review is required in order to sufficiently gain an understanding of the groundwater chemistry trends, monitoring well locations and regulatory importance for each of the monitoring wells located in the parcels slated for redevelopment. After the file reviews and becoming familiar with the details of the groundwater monitoring program, the selected consulting firm will meet with the lead regulatory agency NCDEQ IHSB in Raleigh either in-person or through on-line meetings to discuss the monitoring wells present at the BASF site and work with the agency to develop a strategy that meets the requirements and needs of Pender County. The County's long-term objective is to redevelop the parcels without the monitoring wells in the future development areas. The selected consulting firm will also need to have discussions, as needed, with the former landowner and their consultant on how to best facilitate the County's needs. The selected consulting firm hired by the County is required to engage and communicate with Pender County throughout the process. In terms of deliverables, the selected firm will prepare a report documenting the activities and results of the file reviews and meetings. This report will provide a detailed plan with associated cost and regulatory implications for closing the monitoring wells. As part of this process Pender County waived the requirements of the Mini Brooks Act and required all submittals to include a fee for the scope of services requested. Five firms submitted proposals but only 4 submittals were deemed responsive in regard to scope of services required. Mr. McEwen listed the bidders. Wood Environment and Infrastructure Solutions, Inc. was selected as the lowest responsive bidder at a cost of $6,930. In addition to being the lowest responsive bidder, Wood Environment and Infrastructure Solutions, Inc and Chris Pruneau worked on the original site assessment and remediation years ago for BASF. This background and knowledge will assist Wood in their performance of the required tasks required as part of the scope of services. Discussion ensued regarding the deliverables and the time table in which those will be provided. Mr. McEwen stated that the process should take 3-4 months depending on the state.

Moved by Fred McCoy, seconded by David Williams

Motion to approve the submitted Statement of Qualification provided by Wood Environment and Infrastructure Solutions, Inc. and to authorize the County Manager be authorized to execute the associate contract on behalf of the Board of Commissioners.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

8.5 Approval of the sale of real property (PIN 3281-88-8193-0000) located in the Cottages at Island Palms subdivision owned by Pender County.

Mr. McEwen explained that in 2011, Pender County conducted delinquent tax foreclosure proceedings on this lot at the front of the Cottages at Island Palms subdivision in Hampstead. The parcel was foreclosed for non-payment of taxes by the developer in the amount of $1,328. Complaints were received after Hurricane Isaias from residents in the neighborhood who complained about the trees that had fallen and Pender County spent $4,800 for clean up the property. This property also contains the stormwater pond for the HOA. In the bid, the HOA stated that they are prepared to transfer the current stormwater permit into their name. At their January 4, 2021 meeting the Board authorized staff to advertise for sealed bids for this property for an amount no less than $6,128. An advertisement for bids was published in the Pender Post on January 21, 2021, January 28, 2021, and February 4, 2021 with bids being due by 3pm on February 22, 2021. Only one bid was received from the Cottages at Island Palms HOA whose bid was for $6,128.

Moved by David Piepmeyer, seconded by David Williams

Motion to approve the sale of Parcel 3281-88-8193-0000 as described.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

8.6 Consideration of the sale of Surplus Property.

Ms. Long explained that an offer was submitted on February 7, 2021 for $5,750.00 by Regina Walker for the property at 185 Mott Town Road (Parcel ID 2248-17-4530-0000). According to the Deed, Pender County acquired the property in 2016 because of unpaid taxes. Staff has followed up with the ProTax and verified that Pender County was the highest bidder (no bids were received at auction) in the amount of $5,568.37. Per the Pender County GIS, the property has a tax value of $5,736.00. The Offer, Property Map and Deed are attached for the Board's review.

Moved by Fred McCoy, seconded by David Williams

Motion to approve the sale of Parcel 2248-17-4530-0000 as described.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			

David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

9 PENDER COUNTY BOARD OF HEALTH

The Board convened as the Pender County Board of Health at 5:16 p.m.

Health and Human Services Director Carolyn Moser gave an update on the COVID-19 metrics for Pender County. Ms. Moser stated that as of today, there have been 4,879 cases in Pender County. Of those cases, 98% have recovered. There is currently one person in the hospital and there have been 67 deaths due to COVID-19 in Pender County. Pender County currently has a 5.2% positive rate with an average of 13-14 new cases per day. Ms. Moser then updated the Board on the vaccine process. Vaccine appointments are taking slightly longer to book. Ms. Moser stated that she expects that vaccine appointments will be open to anyone beginning in mid-April. The Board thanked Ms. Moser and her staff for all of their work through this pandemic.

Discussion briefly ensued regarding the property behind the Health Department that is proposed for the new Health and Human Services building.

10 SOCIAL SERVICES BOARD

There was no business to be conducted as the Social Services Board.

11 ITEMS FROM THE COUNTY ATTORNEY, COUNTY MANAGER, ASSISTANT COUNTY MANAGER, & COUNTY COMMISSIONERS

11.1 Items from the County Attorney.

- Mr. Thurman stated that there were items for closed session, items 3, 4 and 6.

11.2 Items from the County Manager.

- Mr. McEwen recognized Carson Smith who has served as Interim Emergency Management Director for the last year. The Board thanked Carson for his service.
- Mr. McEwen also recognized Sam Shore who will begin working for the Cape Fear Council of Governments in April. He explained that Mr. Shore has been an asset during the recent changes in the Planning Department but that he looks forward to continuing to working with him through the Cape Fear Council of Governments.

11.3 Items from the Assistant County Managers.

- Mr. Shipley gave an update on the metrics of the COVID-19 Call Center.
- Mr. Shipley stated that teleworking is ending for employees on May 17.
- Mr. Shipley stated that Parks and Recreation held a Drive-In movie on Friday, March 12. Brief discussion ensued regarding the summer concert series.

11.4 Items from the County Commissioners.

Commissioner Newton:

- Commissioner Newton commented on the roof replacement at the courthouse. She explained that had the Board been aware that the roof needed replacement, the Board would have had the roof replaced before working on the interior of the building. She reiterated that the Board was not made aware of this need until later in the process. Commissioner Piepmeyer added that the Board asked about the condition of the roof early on. Trees on the Courthouse Square were also briefly discussed.

Commissioner McCoy:

- Commissioner McCoy stated that he recently had cataract surgery at Pender Memorial Hospital. He added that he is preparing to have his other eye done and that he is thankful the the Hospital is here in Burgaw.
- Commissioner McCoy stated that Ms. Johnson still has her offer open regarding the donation of trees for the Courthouse Square.

Commissioner Piepmeyer:

- Commissioner Piepmeyer thanked Mr. McEwen, Planning Director Travis Henley, and others for their assistance regarding questions on flooding in Scotts Hill.
- Commissioner Piepmeyer also commented that he had a nice discussion with Damien Buchannan on Sunday. Mr. Buchannan serves on the Pender County Planning Board.

Commissioner Williams:

- Commissioner Williams thanked the Board for allowing him time at the beginning of the meeting to discuss the cemetery issue.

Chairman Brown:

- Chairman Brown asked for an update on the salary study. Mr. McEwen stated that the draft is probably about 90% complete. He explained that the report should be coming later this week. Mr. McEwen explained that it will probably take 2-3 years to implement. He also briefly discussed options for the county to fund the implementation.

12 CLOSED SESSION (IF APPLICABLE).

Moved by David Williams, seconded by Fred McCoy

5:52 p.m.
Motion to enter into closed session pursuant to G.S. 143-318.11: 3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded; 4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session; and 6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy matters may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting. The Board exited closed session at approximately 7:00 p.m. No announcement was made upon exiting closed session.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			

Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

13 7PM PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP AMENDMENTS/ RESOLUTIONS

13.1 Resolution Requesting Approval of a Conditional Zoning Map Amendment from PD, Planned Development to CZ-1, Conditional Zoning District 1. 35 - 36

Chairman Brown opened the public hearing at 7:03 p.m.
Long Range Planner Sam Shore explained that Chris & Vickie Jones, applicants, on behalf of PH Lanco Inc, owner, are requesting approval of a Conditional Zoning Map Amendment of one tract totaling approximately ±8.42 acres from PD, Planned Development zoning district to CZ-1, Conditional Zoning district 1 to allow for boat sales and service (NAICS 441222), recreational vehicle storage (NAICS 531130), and storage of boats and watercraft outdoors or on dry stack structures. The subject property is located in the Topsail Township at the intersection of US HWY 17 and Pinnacle Parkway (Private), to the west of US HWY 17 and to the south of Pinnacle Parkway, and may be further identified by Pender County PIN: 4204-65-5211-0000. The applicant proposes to establish a business for boat sales and service (NAICS 441222), which is classified under “Motor Vehicle and Parts Dealers” in the Table of Permitted Uses. The applicant has also proposed a fenced storage area for RVs and boats, which are classified under “Real Estate and Rental and Leasing”, and “Storage of boats and watercraft outdoors or on dry stack structures” respectively. A boat display area is proposed along US Hwy 17. Section 7.12 Outdoor Display and Storage of the Pender County Unified Development Ordinance details screening standards for display and storage uses on a property. However, the section also states that the display of vehicles for sale by a vehicle dealer or nursery stock by a commercial nursery, along with other products for sale that are normally displayed outdoors, shall be exempt from the above requirements. There are Special Flood Hazard Areas (SFHA) located on the subject parcel according to FEMA Flood Insurance Rate Map Number 3720420400J, adopted February 16, 2007. Specifically, the western half of the parcel is largely within an A zone without established flood elevation. The preliminary flood maps

also indicate Special Flood Hazard Areas (SFHA) on the subject parcel, specifically an AE zone with a Base Flood Elevation of 45ft above sea level within the western corner and an AO zone with a depth of 2ft throughout a significant portion of the parcel's remainder. A preliminary staff analysis finds that ±1.95 acres of the parcel are not encumbered with SFHAs on the preliminary maps. Natural grade on the parcel ranges from ±42ft to ±46ft above sea level. The applicant initially proposed to construct an 8,000 square foot building within the preliminary AO flood zone. The structure as proposed would not be constructed in the current regulatory flood zone. The applicant has accepted a proposed condition of approval not to construct any structures within the Special Flood Hazard Area as depicted on the regulatory or preliminary maps. The National Wetland Inventory (NWI) and North Carolina Division of Coastal Management (DCM) have identified preliminary wetlands on the subject parcel. Wetlands were also identified by the applicant's environmental consultant, Land Management Group, and illustrated on the submitted site plan. No Jurisdictional Determination has been provided by the Army Corps of Engineers; however, no disturbance of jurisdictional wetlands is proposed. The North Carolina Department of Environmental Quality (DEQ) has not identified any Areas of Environmental Concern (AECs) on the site. The North Carolina Wildlife Resources Commission (WRC) publishes the Biodiversity and Wildlife Habitat Assessment as part of their Conservation Planning Tool. Land that has been inventoried through this Assessment is ranked on scale ranging from 1 to 10, with higher numbers signifying a more prevalent presence of "more rare, abundant, and diverse species and habitats" in those areas. Within the subject parcel, the highest Assessment ranking found is a 7, signifying a high conservation priority. This ranking is found on approximately one third of the parcel's area. The applicant has proposed an A Buffer along both boundaries abutting a right-of-way, with a B buffer along a small portion of the southern property boundary. The remainder of the buffer is proposed to remain undisturbed due to the wetland presence on the site. These proposed buffers are in compliance with the Unified Development Ordinance. Specific landscaping plans shall be required prior to administrative approval of the project. A significant tree survey conforming with Section 8.1.3 of the Pender County Unified Development Ordinance will be required prior to approval of any subsequent Site Development Plan for this project. Any significant tree proposed for removal shall be mitigated by the on-site planting of two trees of the same species with a minimum caliper of 2" or greater. The subject parcel has frontage on both US Hwy 17 and Pinnacle Parkway, with the applicant proposing access via both streets. The parcel's legal access to Pinnacle Parkway is referenced in Deed Book 1481 Page 113 and Map Book 32, Page 98 recorded with the Pender County Register of Deeds. The applicant has agreed to a condition of approval to accept a portion of the financial responsibility for road maintenance on Pinnacle Parkway. Any access to US Hwy 17 would be subject to the driveway permit process of the North Carolina Department of Transportation. The submittal has not triggered a Traffic Impact Analysis (TIA) with the number of trips generated by the proposed development. Per Section 6.3.C.7 a TIA is required when the development generates 100 trips in the morning or evening peak hours or 1,000 trips per day. The proposed development is anticipated to generate 81 daily trips, with 5 AM peak-hour trips and 6 PM peak-hour trips. The applicant has proposed 20 parking spaces, four of which would be pervious. This proposal is compliant with Section 7.10 Off-Street Parking and Loading/Parking Requirements of the Pender County Unified Development Ordinance. The applicant has proposed to manage wastewater via a septic field along the northern property boundary. The location was chosen based on a soils analysis by Land Management Group. Pender County Environmental Health has not yet provided a permit for the site. The applicant has not yet determined the main source of water for the proposed development. Public water lines are located in the vicinity of the proposed development, though a well is also under consideration. Any connection to Pender County Utilities for the purposes of providing water services to the site shall require documentation from PCU certifying the existence of capacity to serve the project prior to the issuance of any construction authorization for the project. The applicant has proposed a stormwater pond on the southern portion of the development. The applicant will be required to obtain a stormwater permit from the North Carolina Department of Environmental Quality and certify that the development meets the standards of Section 7.9 Stormwater Management prior to administrative approval of the development. According to the submitted site plan, no signs are proposed at this time. Any future signage shall be reviewed by Staff in accordance with the provisions of Article 9 of the Pender County Unified Development Ordinance. The public meeting was held on January 5, 2021 at 6:00 PM at the applicant's current business location, 220 NC Hwy 210 W in Hampstead. Notices of the meeting being held were mailed to all residents within 500 feet of the subject property at least 10 days prior to the meeting. Community concerns included traffic, curb appeal, and legal access to Pinnacle Parkway. The applicant did not propose any changes to the site plan based on the results of the meeting. Per Section 3.3.9.B.4) of the Pender County Unified Development Ordinance, the Pender County Planning Board and the Board of County Commissioners can add reasonable and appropriate conditions based on mutually established goals with the Applicant and adjacent property owners. Any such conditions should relate to the relationship of the proposed use(s) and design to the impact on County services and capital plans adopted, surrounding properties and population, proposed support or accessory facilities such as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, stormwater drainage, the provision of or access to open space, and other matters that the participants in the public input meeting, staff, Planning Board and County Commission find appropriate, or that the petitioner may propose. Such conditions may include, but are not limited to, right-of-way dedication to the state, as appropriate, of any rights-of-way or easements for streets, water, sewer, or other public utilities necessary to serve the proposed development. Staff worked with the applicant on three conditions, which were mutually agreed to prior to the February 2, 2021 Planning Board meeting (Conditions 1-3). Staff discussed additional conditions with the applicant regarding pervious pavement throughout the site, certifying the site to meet Low Impact Development standards, and placing the property's jurisdictional wetlands under a conservation easement. The applicant expressed concern about the impact of those conditions on the viability of the project at the time of the discussions prior to the Planning Board meeting. At the February 2, 2021 Planning Board meeting, the applicant agreed to two additional conditions of approval for the project to address the impact of the proposal on the site's environmental features (Conditions 4-5). The conditions are as follows:

1. Unless and until Pinnacle Parkway is accepted for maintenance by the North Carolina Department of Transportation, or other public entity, the applicant and its successors, assigns and Grantees shall be responsible for payments for maintenance and repair of the roadway based on the ratio of usage and the cause for the need for repair and maintenance to the Pinnacle Ridge HOA or successor entity with responsibility for road maintenance.
2. No structures shall be constructed in a Special Flood Hazard Area as illustrated on the 2007 effective flood maps (Panel 3720329300J) or the 2014 preliminary flood maps (Panel 3720420400K).
3. The applicant shall construct a 5' sidewalk along the property boundary with US Hwy 17.
4. The applicant shall place wetlands on the property under permanent conservation easement.
5. The site shall be designed, constructed, and certified by a qualified engineer to meet the standards of Section 7.14 Low Impact Development of the Pender County Unified Development Ordinance.

Discussion ensued regarding the wetlands and the additional conditions that were put in place by the Pender County Planning Board. Several Commissioners were opposed to Conditions 4 and 5. Bryce Morrison of Cape Fear Commercial was present on behalf of the applicant. He discussed the wetland issue and how the additional conditions would

affect the project.
There were signups for public comment:

- Issac Moore of 43 Baron Oaks Court stated that he was most concerned with road maintenance, the wetlands on this property, and considerations for a buffer.
- John Balbuena of 356 Scrub Oaks Drive stated that he was present on behalf of the Homeowners Association. He wanted to confirm that there would be no dry stack, which was confirmed by the applicant. He also explained that he was concerns with the added traffic to Pinnacle Parkway.
- Andy Wood of 1680 Pinnacle Parkway spoke regarding his concerns for the wetlands on this property as well as concerns for traffic on Pinnacle Parkway.

There being no further discussion, Chairman Brown closed the public hearing at 8:04 p.m.

Moved by David Piepmeyer, seconded by David Williams

Motion to recommend approval of the Zoning Map Amendment with Conditions 1-3 only, removing Conditions 4-5, and to make a finding that the approval is consistent with the following goals, objectives, and policies in the Pender 2.0 Comprehensive Land Use Plan:

- *Goal 5.1*
- *Policy 5.1.D*
- *Policy 5.1.E*
- *Policy 5.1.K*
- *Objective 5.8*

The proposed rezoning is consistent with the transition between the Low Density Residential and Regional Mixed Use Future Land Use classifications in the Pender 2.0 Comprehensive Land Use Plans because the proposed use has limited anticipated impacts on established adjacent residential uses and the existing vegetative buffering will further minimize those impacts.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton		x		
David Piepmeyer	x			
David Williams	x			
	4	1	0	0

CARRIED.

REZONE 2020-19 - SIGNED

13.2 Resolution Requesting Approval of a Zoning Text Amendment.

Chairman Brown opened the public hearing at 8:06 p.m.
Planning Director Travis Henley explained that Pender County, applicant, has requested this text amendment to the Unified Development Ordinance to provide a mechanism to allow for front-facing loading and unloading facilities in unique scenarios within approved industrial parks. Currently, the Ordinance prohibits loading and unloading facilities along the front of buildings within approved industrial parks, allowing them only along the sides and rear of a building. However, loading and unloading facilities are allowed to face a right-of-way within an approved industrial park so long as these facilities are "screened by effective landscaping or otherwise from view of any public street or access road within or leading to our from the Park." The proposed Zoning Text Amendment would provide a mechanism to allow for front-facing loading and unloading facilities in scenarios where cross-dock loading and unloading facilities are proposed and with permission from property owner's board or other covenant holders within an approved industrial park. Cross-dock organization includes loading and unloading facilities on opposite sides of a building, which can allow for increased efficiency and ease of operations in many fields, particularly in logistics and freight movement operations. Cross-dock buildings are currently permitted in side-to-side arrangements under the standards of the Unified Development Ordinance, but not front-to-rear. The language also ensures that front-facing loading and unloading facilities are no more prevalent that rear-facing loading and unloading facilities on the same building to ensure that this standard is used only in true cross-dock situations. Furthermore, Industrial parks approved and functioning under the standards of Section 5.3.12.F 'Industrial Parks' are required to provide covenants that, among other things, establish a property owner's association at the time of initial creation. Were an industrial park not to have a property owner's board, the mechanism for obtaining front-facing loading and unloading facilities shall be through a Variance in accordance with Section 3.14 of the Unified Development Ordinance. At their March 2, 2021 meeting, the Pender County Planning Board voted unanimously to recommend approval of the Zoning Text Amendment to the Unified Development Ordinance described in this report, with the Administrator also respectfully recommending approval, as the amendment is consistent with the Pender County Unified Development Ordinance and with the Pender 2.0 Comprehensive Land Use Plan. The text amendment provides a mechanism for loading and unloading facilities to be placed along the front of buildings within approved industrial parks in certain unique circumstances, particularly when attempting a cross-dock arrangement within an industrial building. The text amendment is consistent with one policy in the Pender 2.0 Comprehensive Land Use Plan. Mr. Henley stated that the Pender

Commerce Park is the only example to be used here as it is the only industrial park in the county. There being no discussion, Chairman Brown closed the public hearing at 8:12 p.m.

Mr. Henley recognized Sam Shore for all of his help in the Planning Department during the last year. He explained that this is Mr. Shore's last meeting with Pender County. He added that Mr. Shore will be working with the Cape Fear Council of Governments so the Board will still see him around. The Board thanked Mr. Shore and wished him well.

Moved by Jacqueline A. Newton, seconded by David Williams

Motion to approve the Zoning Text Amendment and to make a finding that the approval is consistent with the Pender 2.0 Comprehensive Land Use Plan. Generally, the Pender 2.0 Comprehensive Land Use Plan supports efforts to increase industrial uses, and provide flexibility for those uses, in specific areas within the County where consistent with the Plan. The proposed amendment is consistent with the policy in the Pender 2.0 Comprehensive Land Use Plan:

- *Policy 5.1.N*

There are no specific goals, objectives, or policies that conflict with the proposal. The proposed Zoning Text Amendment is consistent with the spirit, purpose, and intent of the Pender 2.0 Comprehensive Land Use Plan and with the Pender County Unified Development Ordinance.

	For	**Against**	**Abstained**	**Absent**
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

13.3 Request to consider the surplus of real property (PIN 3228-84-6662-0000) 15 +/- acres and to allow sale by sealed bid.

The Board convened as the Rocky Point Topsail Water and Sewer District Board at 8:14 p.m.
Mr. McEwen explained that the county has been approached regarding land on Highway 117S in St. Helena. Only one acre of this sixteen acre tract is being utilized by the Rocky Point Topsail Water and Sewer District for a pump station. The Board is being asked to consider allowing 15 +/- acres of this parcel to be surplused and sold by sealed

bid, with a minimum allowed bid of $6,200 per acre.

Moved by David Williams, seconded by David Piepmeyer

Motion to surplus 15+/- acres of Parcel 3228-84-6662-0000 and allow sale by sealed bid with a minimum bid of $6,200.

	For	Against	Abstained	Absent
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
David Williams	x			
	5	0	0	0

CARRIED.

14 ADJOURNMENT

There being no further business, the meeting adjourned at 8:17 p.m.

Resolution Accepting Petition to add Woodcroft Lane in the Woodcroft Subdivision, Rocky Point, to the State Maintained System.

WHEREAS, As a matter of standard operating procedure, the Manager's Office will routinely bring any petitions requesting either additions to, maintenance of, or improvements to any county roads to the Board, without evaluation, upon Board approval, to be summarily forwarded to the North Carolina Department of Transportation; and

WHEREAS, David A. Willoughby is requesting a resolution for the addition of, Woodcroft Lane in the Woodcroft Subdivision, Rocky Point, to the State Maintained System; and

WHEREAS, the petition submitted to the County Manager's office has been delivered to the Board for review and consideration.

NOW, THEREFORE IT BE RESOLVED by the Pender County Board of Commissioners that the petition to add, Woodcroft Lane in the Woodcroft Subdivision, Rocky Point, to the State Maintained System is hereby approved, and the Clerk is authorized to submit the petition to N.C. Department of Transportation.

Adopted this the 15th day of March 2021.

George R. Brown
George R. Brown, Chairman
Pender County Board of Commissioners

ATTEST:
Melissa Long
Melissa Long
Clerk to the Board

PENDER COUNTY COMMISSIONERS
NORTH CAROLINA

PO Box 5 – 805 S. Walker Street, Burgaw, NC 28425 (910) 259-1200 Office | www.pendercountync.gov

2021 CALENDAR
REGULAR MEETINGS
PENDER COUNTY BOARD OF COMMISSIONERS

DAY	DATE	TIME
Monday	January 4	4:00 p.m.
Tuesday (Hampstead Annex)	January 19	4:00 p.m./7:00 p.m.
Monday	February 1	4:00 p.m.
Tuesday	February 16	4:00 p.m./7:00 p.m.
Thursday (Hampstead Annex)	March 4 (Board Retreat – Day 1)	4:00 p.m.
Friday (Hampstead Annex)	March 5 (Board Retreat – Day 2)	9:00 a.m.
Monday	March 15	4:00 p.m./7:00 p.m.
Tuesday	April 6	4:00 p.m.
Monday	April 19	4:00 p.m./7:00 p.m.
Thursday	April 29 (Budget Work Session)	4:00 p.m.
Monday	May 3	4:00 p.m.
Monday	May 10 (Budget Work Session)	4:00 p.m.
Thursday	May 13 (Budget Work Session)	4:00 p.m.
Monday	May 17	4:00 p.m./7:00 p.m.
Thursday (If Needed)	May 20 (Budget Work Session)	4:00 p.m.
Monday	June 7	4:00 p.m.
Monday	June 21	4:00 p.m./7:00 p.m.
Monday	July 12	4:00 p.m./7:00 p.m.
Monday	August 2	4:00 p.m.
Monday	August 16	4:00 p.m./7:00 p.m.
Tuesday	September 7	4:00 p.m.
Monday	September 20	4:00 p.m./7:00 p.m.
Monday	October 4	4:00 p.m.
Monday (Hampstead Annex)	October 18	4:00 p.m./7:00 p.m.
Monday	November 1	4:00 p.m.
Monday	November 15	4:00 p.m./7:00 p.m.
Monday	December 6	4:00 p.m./7:00 p.m.

Note: All Meetings Held at Pender County Public Assembly Room, 805 South Walker Street, Burgaw, Unless Otherwise Advertised.

Thursday, February 18, 2021

Pender County Budget Ordinance Amendment

Date Thursday, February 18, 2021

Board Meeting Date (If Applicable) Monday, March 15, 2021

Fiscal Year FY 2020-2021 **Fund** 11 - HEALTH

Division, Program, Project, etc. Communicable Disease Program - AA 543 Revision #1 **Department** 900052 - COMM DISEASE/TB/AIDS

Purpose of Request

Additional funds allocated for COVID-19 under Communicable Disease Program AA 543 ELC Enhancing Detection Activities Revision #1

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	11-375025	Communicable Disease/DEH	$44,622
2			
3			
4			
5			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	900052-404500	Contracted Services	$44,622
2			
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues 44622 **Total Expenditures** 44622

Budget Amendment Balances when Zero. 0

Prepared By: Donna Ramos **Email** dramos@pendercountync.gov

Thursday, February 18, 2021

Pender County Budget Ordinance Amendment

Date Thursday, February 18, 2021

Board Meeting Date (If Applicable) Monday, March 15, 2021

Fiscal Year FY 2020-2021

Fund 11 - HEALTH

Division, Program, Project, etc. BCCCP

Department 900064 - BREAST/CERVICAL CANCER

Purpose of Request

Additional Funding was allocated to BCCCP.

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	11-375013	BREAST/CERVICAL CANCER ATC	75.00
2			
3			
4			
5			

<u>Proposed Amendment:</u>

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	900064-404500	CONTRACTED SERVICES	75.00
2			
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues 75

Total Expenditures 75

Budget Amendment Balances when Zero. 0

Prepared By: Donna Ramos

Email dramos@pendercountync.gov

Thursday, February 25, 2021

Pender County Budget Ordinance Amendment

Date Thursday, February 25, 2021

Board Meeting Date (If Applicable) Monday, March 15, 2021

Fiscal Year FY 2020-2021 **Fund** 10 - GENERAL

Division, Program, Project, etc. HAVA FUNDS **Department** 430 - BOARD OF ELECTIONS

Purpose of Request
To budget for reimbursement and disbursement of HAVA related election expenses.

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	430-348822	HAVA	29,054
2			
3			
4			
5			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	430-401803	HAVA	29,054
2			
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues 29054 **Total Expenditures** 29054

Budget Amendment Balances when Zero. 0

Prepared By: Susan Williams **Email** srwilliams@pendercountync.gov

RESOLUTION
ADOPTING SOUTHEASTERN NC REGIONAL
HAZARD MITIGATION PLAN

WHEREAS, the citizens and property within Pender County are subject to the effects of natural hazards that pose threats to lives and cause damage to property; and

WHEREAS, Pender County desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has enacted General Statute Section 166A-19.41 (*State emergency assistance funds*) which provides that for a state of emergency declared pursuant to G.S. 166A-19.20(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2000, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act; and.

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, Pender County has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the Pender County Board of Commissioners to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, THEREFORE, be it resolved that the Pender County Board of Commissioners hereby:

1. Adopts the Southeastern NC Regional Hazard Mitigation Plan.

2. Vests Pender County Emergency Management with the responsibility, authority, and the means to:

(a) Inform all concerned parties of this action.

(b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.

3. Appoints Pender County Emergency Management to assure that the Hazard Mitigation Plan is reviewed, as specified in the Plan, and is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Board of Commissioners for consideration.

Adopted this the 15th day of March, 2021.

George R. Brown, Jr., Chairman of the Board

Attest:

Melissa Long, Clerk to the Board of Commissioners

Certified by: Melissa Long, Clerk

Date: 3/15/2021

Pender County

Request For Board Action

DATE OF MEETING:	March 15, 2021
REQUESTED BY:	Travis N. Henley, Director, Planning and Community Dev.
SHORT TITLE:	Resolution Requesting Approval of a Conditional Zoning Map Amendment from PD, Planned Development zoning district to CZ-1, Conditional Zoning district 1.
BACKGROUND:	Chris & Vickie Jones, applicants, on behalf of PH Lanco Inc, owner, is requesting approval of a Conditional Zoning Map Amendment of one (1) tract totaling approximately ±8.42 acres from PD, Planned Development zoning district to CZ-1, Conditional Zoning district 1 to allow for boat sales and service (NAICS 441222), recreational vehicle storage (NAICS 531130), and storage of boats and watercraft outdoors or on dry stack structures. The subject property is located in the Topsail Township at the intersection of US HWY 17 and Pinnacle Parkway (Private), to the west of US HWY 17 and to the south of Pinnacle Parkway, and may be further identified by Pender County PIN: 4204-65-5211-0000.
SPECIFIC ACTION REQUESTED:	To Hold a Public Hearing and Consider the Approval of a Conditional Zoning Map Amendment from PD, Planned Development zoning district to CZ-1, Conditional Zoning district 1.

RESOLUTION

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

on February 16, 2021, the Pender County Board of Commissioners approved the Zoning Map Amendment, as described herein. The Chairman/County Manger is authorized to execute any/all documents necessary to implement this resolution.

AMENDMENTS:

MOVED: Piepmeyer **SECONDED:** Williams

☑ APPROVED ☐ DENIED

YEA VOTES: ☑ BROWN ☑ MCCOY ☐ NEWTON ☑ PIEPMEYER ☑ WILLIAMS

George R. Brown, Chairman 3/15/2021
Date

Clerk to the Board 3/15/2021
Date