



MINUTES
Board of County Commissioners Meeting
Monday, October 3, 2022 4:00 PM
Pender County Public Assembly Room

MEMBERS PRESENT:

George Brown
Fred McCoy
Jacqueline A. Newton
David Piepmeyer
Jimmy Tate

MEMBERS ABSENT:

OTHERS PRESENT:

David Andrews County Manager
Tera Cline, Clerk to the Board
Allen Vann, Assistant County Manager
Other Staff and Members of the Press and Public.

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1 CALL TO ORDER

Chairman McCoy called the meeting to order at 4:00 PM

2 INVOCATION

Commissioner Brown gave the invocation

3 PLEDGE OF ALLEGIANCE

Commissioner Piepmeyer led the pledge

4 ADOPTION OF AGENDA

4.1 Motion to excuse Commissioner Tate for being late

Moved by George Brown, seconded by David Piepmeyer

Motion to excuse

	For	Against	Abstained	Absent
George Brown	x			
Fred McCoy	x			

Jacqueline A. Newton	x			
David Piepmeyer	x			
Jimmy Tate				x
	4	0	0	1

CARRIED.

4.2 Motion to adopt the agenda

Moved by George Brown, seconded by David Piepmeyer

Motion to approve

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

CARRIED.

5 PUBLIC INFORMATION

5.1 Penderlea Community Park Update

Zach White, Pender County Parks and Rec, provided an update on Penderlea Community Park. Before and after pictures were shown of the undergrowth and vegetative debris that was removed. Photos of the classroom were shown to show the painted walls, new blinds, new vinyl base cove and tables/chairs. Photos were shown of the vinyl siding repairs that were completed on the Penderlea gym. Photos were shown of the gym floor patch that was completed for the HVAC unit. Photos were shown of the replaced ADA ramps on both the auditorium and the gym, as well as the front deck replacement on the auditorium. Photos were shown of the floor refinishing project for the gym and auditorium. Photos were shown of the auditorium curtain replacement project. Photos were shown for the lawn game area concrete cornhole boards and the newly installed playground. Photos were shown of the new shingle roof on the storage building and the roof resealing of the gym and auditorium. Other completed projects discussed were fire alarm system, all restrooms are in working order, new sump pump installed and picnic tables have been installed in the park. Upcoming programs at

Penderlea community park are Open Gym on Thursdays 6pm-8pm and Cosmic Bingo on Thursday Oct. 27th.

5.2 Eastern Pender County R/O Plant and Well Field Site Update

Commissioner Piepmeyer presented on the request to acquire 200 Acres in the Holly Shelter Game Lands. He stated the public needed to be made aware of the counties request. He gave a brief history on the project and where it started. He stated that many of the emails that he sent out were ignored. The last email received was from the Chairman of the North Carolina Wildlife Resource Commission named Monty Crump. Mr. Crump stated that this matter is closed and no land will be given. Commissioner Piepmeyer stated that its been extremely difficult to acquire land on the east side of the county. He stated he just wanted to make sure the public knew what was being done. The Commissioners for Pender County identified that we had a water distribution problem 7 years ago when I was elected to the board and have been spending a majority of our time at our annual BOCC Retreat trying to develop and agree on a Strategic Plan to address this issue. We have even proposed to pay Cape Fear Utilities (New Hanover County) for a "Metered" connection at Scott's Hill (Pender / New Hanover County Line) as well as for water consumed. This proposal was "rejected". Pender Utilities hired consultants to determine if it was better to run a dual water line from Rocky Point to Hampstead or to build a Reverse Osmosis Water Plant and Well field here on the east side. We were advised to build RO Plant and Well Field. Pender County and Pender County Utilities Managers have been actively searching for the last 4 years for a large enough tract of land, in and around the east side of Pender County, to build a Reverse Osmosis Water Plant and 16 Water Wells (~200 acres). Likewise, Pender County Board of Education has put forth a Bond Referendum, That if passed in November, Requires Pender County to Acquire Two more 100+ acre Tracts of Land on the East Side to Build Two More Schools. All discussions with Large Landowners have Ended with either an Emphatic "Not Interested in Selling" or a HUGE Price Tag that the County just CAN'T Afford. The request that was sent was for the NC Wildlife Resources Commission (or the State of NC) to Lease, Gift, Partner or Sell 200 acres of Land on Highway 17, at or near the intersection of Sloop Point Loop Road, in the Holly Shelter Game Land Tract for the Purpose of Pender County Building a Reverse Osmosis Water Plant as well as 16 Water Wells to meet the Demand for Drinking Water on the East Side of Pender County (Scott's Hill, Hampstead, as well as potentially the Town of Topsail Beach). We would also be happy with just 50 acres for the RO Plant located on 17 near the Sloop Point Loop Road intersection and a lease agreement that allows the county to place nonintrusive Wells and Elevated Tanks along the GL Lodge and GL Field Roads. Commissioner

Piepmeyer stated the justification for the request was since Pender County Invested Over a Million Dollars to Purchase Property to Build a 3 Slip Vehicle Boat Ramp and Parking Lot on the ICWW in Partnership with NC Wildlife Resource Commission And Since Pender County Again Partnered with the NC Wildlife Resource Commission to Purchase and Construct a Public Shooting Range on Shaw Highway to promote Safety and Provide Gun Safety Instruction as well as a Safe Range for Target Practice And since the State of North Carolina owns over a 105,227 acres of land in the Pender County at a value of over \$215 Million Dollars And Since Pender County loses \$1.585MM annually in Tax Revenue because the State does Not pay Property Taxes on the 105,227 acres it owns in Pender County. This is NOT an Unprecedented Request as the State has granted Similar Requests Previously to other NC Counties or Municipalities And since the State of North Carolina owns over a 48,470 acres of land in ONE Tract in the Holly Shelter Game Lands at a value of over \$85 Million Dollars And Since Pender County is only Requesting to Acquire 200 Acres, Which is LESS than ½ a Percent of the 48,470 State Owned Acres in the Holly Shelter Game Lands Then, the State of North Carolina, as well as the NC Wildlife Resource Commission, should see Pender County's Request as Reasonable and Well Founded and thus Honor and Grant this Request for Property to Support the Infrastructure (drinking water) Needed to Meet the RISING Population Growth Demand. He wanted to make sure the public was aware and the media has been notified as well.

6 PUBLIC COMMENT

John Westbrook, 410 Freemont Street, spoke to the board about planting a memorial tree at the courthouse square. He gave a lay out of where and what kind of tree.

Tommy Batson, EM Director, gave a brief update on Hurricane Ian. He stated that staff begin meeting a week ahead of landfall. Landfall was at Georgetown, SC as a Cat 1 storm with 85 mph winds. Surf City and Topsail had sound side flooding. Flooding in Hampstead along the sound was 2 feet under Florence. Max power outages were approximately 1350. EOC was open for 18 hours.

7 CONSENT AGENDA

- 7.1 Approval of Tax Releases and Refunds
- 7.2 Approval to carryover purchase orders from FY22 to FY23
- 7.3 Approval of the Board of Commissioner Meeting Minutes September 19, 2022

- 7.4 Approval of Budget Ordinance Amendment Assigning Revenue Received from SEDC Grant of \$10,000 for US 421 Sewer Project Fund 86
- 7.5 Budget Ordinance Amendment - Holly Shelter Shooting Range for NRA Foundation Award
- 7.6 Request Approval for Demolition of Dental/COVID Trailer and Purchase Order to Robert Palmer & Son's in the amount of \$10,900.
- 7.7 Motion to adopt Consent agenda

Moved by George Brown, seconded by David Piepmeyer

Motion approved

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

CARRIED.

8 APPROVALS AND RESOLUTIONS

- 8.1 Approval of Offer & Authorize Closing Process for Sale of Surplus Property - Parcel 2286-65-9062-0000 Country Court Apartments US Hwy 421

Meg Blue, Finance Director, stated to the board to please consider attached documentation of bid for surplus property - parcel number 2286-65-9062-0000 Country Court Apartments on US Hwy 421. Note that because this property was authorized for public auction previously and auctioned on GovDeals, no upset bid period is required. It is recommended that the \$655,000 bid from Preston Harrell of Currie for this parcel be accepted by the County and authorize County Manager's Office to begin closing process. The attached letter indicates the details of the bid for this property. The tax value for this property is listed at \$393,140. The County acquired through charitable contribution in 1982. She confirmed the property would be sold as is.

Moved by David Piepmeyer, seconded by Jacqueline A. Newton

Motion to approve

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

CARRIED.

8.2 Approval of Surplus Property Advertisement for Auction - 2907
Englishtown Road, Willard

Meg Blue, Finance Director, requested the board consider attached documentation requesting authorization to advertise auction of surplus property located at 2907 Englishtown Road in Willard. Parcel ID number 2373-58-7162-0000. Note that this authorization only allows it to be publicly posted for auction, the final sale will require formal Board approval. For your consideration is a proposed sale of parcel number 2373-58-7162-0000 located at 2907 Englishtown rd. in Willard that we acquired on 03/24/2016 thru tax foreclosure proceedings. The parcel consists of a house in poor condition on a wooded lot on 0.46 of an acre. The estimated tax value of the land is \$53,421.00 in GIS. I recommend the sale, via auction, of this parcel on the GovDeals.com website as it reaches a global audience. I recommend the starting bid for this parcel will be the current tax value of the land and go up from there. The County will not make any guarantees on the use of these properties. Published notice of the summary of this resolution and subsequent auction will be by electronic advertisement only on the County's website located under "Bid & RFP's." The electronic publication will provide a link to the GovDeals.com auction website. The electronic published notice and auction is pursuant to G.S. Chapter 160A-270(c).

Moved by Jimmy Tate, seconded by George Brown

Motion to approve

	For	Against	Abstained	Absent
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
Jimmy Tate	x			

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CARRIED.

8.3 Approval of Capital Project Ordinance and Budget Ordinance Amendment for LCFWASA Parallel Raw Water Main to PCU Water Plant

Kenny Keel, Utilities Director, stated Lower Cape Fear Water and Sewer Authority (LCFWASA) is the entity that provides raw water from the Cape Fear River to the Pender County Surface Water Plant (as well as Brunswick County's plant, CFPUA's plant, and two industries on US 421). They recently completed a 54" parallel pipeline from the source at Lock & Dam # 1 in Riegelwood to the raw water ground storage tank at the Brunswick County water plant for additional capacity as well as redundancy. A single 48" raw water pipe runs from that location across the Cape Fear River to the Pender County Surface Water Plant, the industries on 421, and to CFPUA. This pipeline had a major break in late 2021 which jeopardized the water supply of Pender and New Hanover Counties. LCFWASA and its partners then began discussing a project to parallel the 48" pipeline from Brunswick to CFPUA. LCFWASA received a \$23.5 million special appropriation towards this project from the NC General Assembly. Attached are graphics depicting three construction options to spend these funds. The utility directors came together, and Option #3 is our minimum recommended investment. It covers the high-risk areas and uses all \$23.5 million in special appropriations. Option #2 would require an additional \$11.7 million in funding. This would have to come from CFPUA, Pender County and the two industrial users along highway 421, who directly benefit from this parallel line (in keeping with past precedent). Option #2 has the advantage of providing Pender County with full redundancy and demonstrating to the NCGA that the local communities "have some skin in the game" in terms of partial funding of the final project. Pender County and CFPUA have a planned water system interconnection on Highway 421 that will occur in the new few years, so this redundancy also benefits CFPUA. CFPUA Executive Director Kenny Waldroup and I have been discussing possible funding structures. We have come up with a two-tiered approach. We are recommending dividing the cost using raw water allocations. Right now, Pender has a 6 MGD allocation but in the future that will grow to 11 MGD, so we are recommending an initial division upon current system allocations and a later charge some period of time afterwards... say 5-years after Pender acquires the 5 MGD currently held in trust for Pender by Brunswick County (acceptance deadline is 7/1/28). We are designing the lower section to deliver the full future 61 MGD river allocation for all downstream partners. Using that logic, the tables below provide the full cost breakdown.

Agency	Initial Funding Structure MGD	Initial Funding Structure (%)	Cost Share (Million)
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CFPUA	38	0.83	9.67
PenderCounty	6	0.13	1.53
421 Industries	2	0.04	0.51
Total	46		11.7

Agency	FinalFunding StructureMGD	FinalFunding Structure(%)	CostShare (Million)
CFPUA	48	0.79	9.21
PenderCounty	11	0.18	2.11
421 Industries	2	0.03	0.38
Total	61		11.7

Under the two-tiered approach, Pender County's initial costs would be \$1.53 million and five years after Pender County purchases their additional capacity from Brunswick County, they would provide a similar reimbursement to CFPUA (the difference between \$1.53 million and \$2.11 Million, or \$580,000). CFPUA would initially fund \$9.67 million of the project. If Pender County agrees with this concept, CFPUA will start drafting an Interlocal Agreement and their ED will bring a funding request to the CFPUA Board in October.

Next year LCFWASA and its partners will approach the NC General Assembly delegation to fund the final segment of this parallel line project, which is estimated to cost approximately \$21 million, which will parallel the pipeline all the way to CFPUA. That request will be much easier to make if we demonstrate the local funding as described above.

Moved by Jacqueline A. Newton, seconded by George Brown

Motion to approve

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

CARRIED.

- 8.4 Resolution Requesting Safety Feasibility Study from NCDOT on the NC 210 Corridor Between Hampstead and Rocky Point

13 - 14

Commissioner Piepmeyer stated that the The North Carolina Highway 210 Corridor between Hampstead and Rocky Point is already one of the most important corridors in Pender County. With projected population growth, a future interchange with the Hampstead Bypass, and future County infrastructure projects in the area including schools, this importance will only increase. Yet, the corridor remains a narrow, two-lane road with little to no shoulders. As such, Pender County proposes the attached resolution requesting a safety study of the corridor from NCDOT that will identify solutions to increase the safety and reliability of the corridor in the future.

Moved by Jacqueline A. Newton, seconded by George Brown

Motion to approve Resolution for a safety feasibility study request.

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

CARRIED.

[NC 210 Safety Resolution](#)

9 DISCUSSION

9.1 Eastern Pender Water Improvements Project Cost Updates & Comparisons

Kenny Keel, Director of Utilities, Presented to the board three conceptual capital cost estimates are provided as a guide to the costs to provide drinking water for the growth of eastern Pender County. As in the 2019 report, the estimates provide a near-term (i.e., immediate need) cost as well as a long-term (future 2040 project) cost for three alternatives: **Alt 1:** Expand the existing surface water plant at US 421, install parallel piping where needed, and use this source for all future county water needs. This option includes a near-term expansion to 6 mgd, parallel pipes along Montague Road, NC 210, and US 17 to the new Scotts Hill elevated tank, and new 210 Booster Pump Station (BPS). Long-term improvements needed are a plant expansion to 10 mgd, parallel pipeline on US 421 to Montague and US 17 to the Hampstead

tank, additional elevated tank at Rocky Point, and larger 210 BPS pumps. **Alt 2:** Build a new Reverse Osmosis (RO) water plant in central Hampstead area and some pipeline improvements. This option includes a near-term 3 MGD RO plant construction, parallel pipelines on NC 210 between Little Kelly Rd & US 117, along US 17 to the new Scotts Hill elevated tank, and a new concentrate discharge pipe to the discharge point. Long-term improvements include expansion of the RO plant to 5 mgd, expansion of the surface water plant to 6 mgd, parallel pipeline on Montague Rd and Little Kelly Rd to NC 210, and an additional elevated tank at Rocky Point. **Alt 2b:** This alternative is mostly identical to Alt 2, except with an RO plant location at the DBL property on NC 210. This would represent the northwesternmost potential location of an RO plant to remain economically feasible. This option includes a near-term 3 MGD RO plant construction, parallel pipelines on NC 210 between Little Kelly Rd & US 117, along US 17 to the new Scotts Hill elevated tank, new pipeline from the plant to US 17, repurposing the existing 12" water line from the plant to US 17 as our concentrate discharge pipe, and a new concentrate discharge pipe to the discharge point. o Long-term improvements include expansion of the RO plant to 5 mgd, expansion of the surface water plant to 6 mgd, parallel pipeline on Montague Rd and Little Kelly Rd to NC 210, and an additional elevated tank at Rocky Point. The cost of 2b (DBL site) is the most expensive near-term option, but less expensive than Alt 1 (421 plant) in the long-term, primarily due to the cost of expansion of the surface water plant to 10 mgd and parallel 421 pipeline. Also, there are current unknowns regarding potential increased regulations over our surface water supply at the 421 plant which could increase its cost of expansion (and current operation). Without question, our best alternative is Alt 2 (RO plant in central Hampstead), as long as we can secure a plant site within somewhat close proximity to US 17 and the intracoastal waterway. Depending on the site we ultimately utilize, the cost of the RO plant option will likely be somewhere between Alt 2 and 2b. The estimates provided are our best effort at this time with our current knowledge. Once a site is secured and actual design begins, we will be better able to determine the ultimate cost of the project.

10 APPOINTMENTS

10.1 Approval of Re-appointment to the Pender County Advisory Board of Health

Moved by George Brown, seconded by David Piepmeyer

Motion approved

	For	Against	Abstained	Absent
George Brown	x			

Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer	x			
Jimmy Tate	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

17 SOCIAL SERVICES BOARD

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

David Andrews, County Manager, promoted EM and staff on job well done during storm and advised people to read the Pender County Event newsletter.

Allen Vann, Assistant County Manager, Thanked all employees for hurricane Ian coverage. He told the board that the warranty painting performed at the courthouse Friday Oct 7th through Sunday Oct 16th.

Commissioner Piepmeyer, stated he has been invited to a dinner NC Board of Transportation. He made a request to David Andrews for an update on the plans for Pender Memorial Hospital by the October 17th meeting. Requesting to know who will be responsible for managing the project, the scope of the project, a timeline, RFQ for actual bids and suggest to the board having public meetings to open it up to citizens for public input how citizens feel about their current healthcare in Pender County and what they would like to see and what their expectations are their desire. Commissioner Newton stated she had an earlier conversation with State Treasurer Dale Folwell and thanked Commissioner Piepmeyer for bringing that information up.

19 CLOSED SESSION (IF APPLICABLE).

- 19.1 5:31 pm Commissioner Brown made a motion to go into closed session for Items 1 to prevent the disclosure of information that is confidential pursuant to the state law, specifically GS 131E-97.3 and Item 3 Attorney Client Hospital Discussion.

Moved by George Brown, seconded by Jacqueline A. Newton

Motion Approved

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

CARRIED.

20 ADJOURNMENT

Board of County Commissioners
Archibald "Fred" McCoy- Chairman
Jimmy Tate-Vice Chairman
George R. Brown, Jr.
Jaqueline A. (Jackie) Newton
David A. Piepmeyer



County Manager
David Andrews
County Attorney
Carl W. "Trey" Thurman
Clerk to the Board
Tera C. Cline

Resolution Requesting that the North Carolina Department of Transportation Conduct a Safety Feasibility Study that Once Completed, Will Support the Initiation and Funding of a Future Project to Widen (and Increase the Roadside Shoulder Area) on the Highway 210 Corridor between Hampstead and Rocky Point in Pender County.

WHEREAS, Pender County supports efforts towards a safe and reliable transportation system across the County and the Cape Fear Region; and

WHEREAS, Pender County's rapid growth is being felt in the Hampstead and Rocky Point communities and across the County overall; and

WHEREAS, North Carolina Highway 210 (NC 210) is a vital corridor across the County and is a posted Hurricane Evacuation Route between Hampstead and Rocky Point; and

WHEREAS, NC 210 will have an interchange with the currently under construction Hampstead Bypass (NC 417) in the near future, further exacerbating existing traffic volumes; and

WHEREAS, NC 210 plays a major role in the safe evacuation of Pender County citizens and visitors in advance of incoming storms and tropical systems and in recovery efforts following natural disasters; and

WHEREAS, Pender County owns property along the corridor and anticipates constructing vital infrastructure along it, including schools, to respond to current and future population growth; and

WHEREAS, the current distance between the roadside edge and the ditch on each side of the roadway along the corridor does not enable a vehicle to pull safely and completely off the road either because it is mechanically disabled, involved in an accident, or being stopped by law enforcement.

NOW THEREFORE, be it resolved that the Pender County Board of Commissioners requests the completion of a safety study by the North Carolina Department of Transportation to examine methods and actions that could be taken to increase the safety of the NC 210 corridor between Hampstead and Rocky Point, including shoulder widening, sight line improvements, and any other method that may be appropriate to ensure that the corridor is safe and reliable for all travelers.

Adopted this the 3rd Day of October, 2022


Fred McCoy, Chairman
Pender County Board of Commissioners

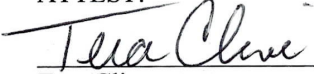


Board of County Commissioners
Archibald "Fred" McCoy- Chairman
Jimmy Tate-Vice Chairman
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David A. Piepmeyer



County Manager
David Andrews
County Attorney
Carl W. "Trey" Thurman
Clerk to the Board
Tera C. Cline

ATTEST:



Tera Cline
Clerk to the Board

