



MINUTES
Board of County Commissioners Meeting
Monday, August 15, 2022 4:00 PM
Pender County Public Assembly Room

MEMBERS PRESENT: George Brown
Fred McCoy
Jacqueline A. Newton
Jimmy Tate

MEMBERS ABSENT: David Piepmeyer

OTHERS PRESENT: Carolyn Moser, Interim County Manager
Trey Thurman, County Attorney
Tera Cline, Clerk to the Board
Allen Vann, Assistant County Manager
Other Staff and Members of the Press and Public.

1 CALL TO ORDER

Vice Chairman Newton called the meeting to order at 4:00 PM

2 INVOCATION

Commissioner Brown

3 PLEDGE OF ALLEGIANCE

Commissioner McCoy

4 ADOPTION OF AGENDA

4.1 Motion to excuse Commissioner Piepmeyer

Moved by George Brown, seconded by Fred McCoy

Motion approved

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

	3	0	0	1
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CARRIED.

4.2 Motion to adopt agenda

Moved by Fred McCoy, seconded by George Brown

Motion Approved

	For	Against	Abstained	Absent
George Brown	x			
Fred McCoy	x			
Jacqueline A. Newton	x			
David Piepmeyer				x
	3	0	0	1

CARRIED.

5 PUBLIC INFORMATION

5.1 Appointment of vacant Commissioner seat District 1 and administration of oath to Mr. Jimmy Tate by Superior Court Judge Kent Harrell.

Vice Chair Newton read the General Statute 153A-27.1 as follows:

(d) If the member who vacated the seat was elected as a nominee of a political party, the board of commissioners, the chairman of the board, or the clerk of superior court, as the case may be, shall consult the county executive committee of the appropriate political party before filling the vacancy, and shall appoint the person recommended by the county executive committee of the political party of which the commissioner being replaced was a member, if the party makes a recommendation within 30 days of the occurrence of the vacancy.

Superior Court Judge Kent Harrell swore Commissioner Jimmy Tate in as District 1 county commissioner. Mr. Tate's nieces held the bible for him as he took his oath.

Commissioner Tate addressed the board and the staff and audience and thanked them all for being there for his oath.

5.2 Conceptual design for the new Health and Human Services facility.

Carolyn Moser, Director of Health, introduced Tim Murphy with Bobbitt construction. Baily Allred engineer with the project. Showed an overview of the plan to the board. Pointed out the wetland behind the building that was delineated at an earlier date. Went over the new driveway that is being put in. Bottom floor will be Health Department,

WIC, Child Support, etc. Second floor will hold the Department of Social Services. North side of building second floor will be the public portion of DSS. Shared space is on the bottom floor. Carolyn Moser stated that child support is primarily a separate part of DSS and therefore will be on the bottom level due to public traffic coming in and out. She stated the federal government will reimburse the old DSS building. Commissioner Tate ask if this building is based on current or expected growth. Bailly stated that the projected growth was set at 20 years. Tim Murphy spoke to the board in regards to design build and why it works. Design build combines engineers and construction experts together at the start of the project. See attached presentation from Tim Murphy in regards to Project Delivery methods. Gave an overview of the consult team. He laid out the phases of the build. Commissioner Newton asked about the trade partners and if they are entities that are included in the project or will they will be brought in at the budget discussion. They make recommendations during the phases and they can also bid once a decision has been made. General Statue was stated based on design build. Commissioner McCoy asked what the timeline is. Tim stated the building should be finished within 16 months with site plan we have now. Carolyn stated mid 2025. Tim stated the range of the budget is 22.4 Million to 26.8 Million. Commissioner Tate asked what the projected cost would be with all these projects. Trey Thurman, Attorney stated he needed to know some numbers before signing off on the contract. Tim Murphy stated monies would not be discussed until design development stage. If the project is put on hold the only money due would be is what is done up to that point. The contract can not be pre-audited until the monies are known. Tim Murphy stated he could have some numbers within a week. Commissioner Tate, asked if all the projects have been budgeted. Meg Blue came up and stated some projections have been done. Nothing has been budgeted straight out general fund but the debt funding has been been included. Commissioner Brown suggested once these numbers start coming in we need to bring Davenport back to give an update on the debt funding.

5.3 Update on the Community Rating System (CRS)

Daniel Adams, Floodplain administrator, presented and explained what the CRS is. It is a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the Nation Flood Insurance Program (NFIP). The CRS is managed by FEMA. The three goals of the CRS are: Reduce and avoid flood damage to insurable property. Strengthen and support the insurance aspects of the National Flood Insurance Program. Foster comprehensive floodplain management. CRS awards points to local communities for various activities related to floodplain management. The total number of points earned translates to discounts

on flood insurance policy premiums. Activities fall within four categories: Public information, mapping and regulations, flood damage reduction activities, and warning and response. Pender County joined the CRS on October 1, 2020. Pender County earns credit for the following activities: Providing floodplain information to the public via online maps, conducting outreach projects like sending mailers to homeowners in flood zones, as well as preserving open space in flood zones (game lands and buyout properties) and enforcing regulations that exceed NFIP minimums. The flood plain maps have not been adopted by the board at this time. Pender County currently earns 1708 points, translating to a Class 7 Rating.

6 PUBLIC COMMENT

No Sign Ups

7 CONSENT AGENDA

- 7.1 Approval of the Pender County Energy Outreach Plan.
- 7.2 Approval to carryover Purchase Order # 507 to the UNC Institute of Public Health in the amount of \$50,000
- 7.3 Approval of a Budget Amendment to Increase Health Department Revenues and Expenditures for Fiscal Year 2022-2023 in the amount of \$118,361
- 7.4 Approval of a Budget Amendment to move budgeted revenue into separate revenue lines as described on the Budget Ordinance form in the amount of \$412,152.
- 7.5 Approval of a Budget Amendment to Increase Health Department Revenues and Expenditures for Fiscal Year 2022-2023: \$2,058
- 7.6 Approval of a Purchase Order to SHI for Computer Replacement in the amount of \$259,350.00.
- 7.7 Approval of a Purchase Order to Software House International (SHI) for Barracuda Backup Server Annual Support & Maintenance Renewal in the amount of \$40,468.92.
- 7.8 Approval of a Purchase Order to Software House International (SHI). for Barracuda Total Email Protection for Microsoft Office 365 Annual Support & Maintenance Renewal in the amount of \$55,996.92.
- 7.9 Approval of a Purchase Order to Software House International (SHI) for Manage Engine's IT Service Management Annual Software Licensing Renewal in the amount of \$57,228.00.
- 7.10 Approval of Purchase Order to Mission Communications for SCADA Monitoring of PCU's Water & Sewer Systems PO amount \$9541.20

- 7.11 Approval of Sub grant Agreement from The Southeastern Partnership Inc for the Pender Commerce Park Water & Sewer Extensions
- 7.12 Approval of Capital Project Ordinance for PCU/Facilities Warehouse & Shelters Project
- 7.13 Approve a Purchase Order/Sole Source for CAS (Connected Automotive Systems) for FY23 \$1295.00
- 7.14 Approve a Purchase Order/Sole Source for Mitchell1 for FY23 \$2631.00
- 7.15 Approve a Purchase Order/Sole Source for Campbell Oil for FY23 \$3500.00
- 7.16 Request for approval of a Budget Ordinance Amendment for Transportation Infrastructure Resiliency Fund Grant
- 7.17 Approval of a Budget Amendment for increase funds in Insurance/Property Loss proceeds in the amount of \$36,499.60..
- 7.18 Requesting funds for annual ESRI Contract renewal for GIS in the amount of \$16,300.
- 7.19 Approval of Purchase Order/Sole Source to Correctional Behavioral Health for the Jail Inmate Mental Health Services in the amount of \$19,500.
- 7.20 Approval to carry over Purchase Order # 526 to National Power, LLC in the amount of \$310,376.40.
- 7.21 Approval of the Board of Commissioner Meeting Minutes August 1, 2022
- 7.22 Motion to adopt Consent Agenda

Moved by Fred McCoy, seconded by Jimmy Tate

Consent Agenda adopted

	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.

8 APPROVALS AND RESOLUTIONS

8.1 Consideration of Grant Agreement for Streamflow Rehabilitation Assistance Program (StRAP) Grant and Budget Ordinance Amendment

Daniel Adams, Flood Plain Administrator, presented to the board stating the North Carolina General Assembly allocated funding in the FY 21-22 budget aiming to reduce flooding across the state's waterways, creating the Streamflow Rehabilitation Assistance Program (StRAP). This program allocates money for projects that protect and restore the integrity of drainage infrastructure. The StRAP program is managed by the North Carolina Department of Agriculture and Consumer Services - Division of Soil and Water Conservation. Pender County submitted an application for funding to this grant program in March 2022 and was recently notified of an award of \$357,888. The grant predominantly funds debris removal work, which involves removing vegetative debris, such as downed trees and limbs, from waterways to improve drainage and reduce the impact of future flood events. This grant primarily covers work along portions of Harrison Creek near NC HWY 210, Big Branch near US HWY 421, and Bulltail Creek near Indian Hill Road. Staff expects to seek qualified bidders through a competitive bidding process in the coming months. This work is fully funded through the State allocation and does not require any matching funds from the County.

Moved by George Brown, seconded by Fred McCoy

Motion Approved

	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.

8.2 Approval for Pender County to Establish its Local Emergency Planning Committee

Tommy Batson, EM Director, requested establishment of the Pender County Local Emergency Planning Committee that is authorized by Title III of the Superfund Amendment and Reauthorization Act (SARA) of 1986, known as the "Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986", the North Carolina Executive Order No. 125 (December 18, 1997) and by resolution of the Pender County Board

of Commissioners. Under the Emergency Planning and Community Right-to-Know Act (EPCRA), Local Emergency Planning Committees (LEPCs) must develop an emergency response plan, review the plan at least annually, and provide information about chemicals in the community to citizens. If you have an active LEPC, you may be able to get funds for training, planning, exercises and equipment. The LEPC serves as a forum to help involve citizens in the discussion on emergency planning and response. Participate in exercises and drills to improve community's preparedness. The Local Emergency Planning Committee (LEPC) is a federally mandated entity composed of state and local officials, business representatives and members of the press. The role of the LEPC is to form a partnership with local governments and industries as a resource for enhancing hazardous materials preparedness. The LEPC will meet at least four (4) times a year. Mr. Batson was asked to give a brief update on the Juniper Road Fire. He stated the fire started on Tuesday August 2 by a lighting strike. The fire is at 1230 acres. He stated there were not structures threatened at this time. The NC Forest Service is using every aviation resource available to include scout planes, helicopters, lead plane and single engine air tankers. For emergency information notifications you can sign up for the Pender EM Code Red at www.pednerem.com.

Moved by George Brown, seconded by Jimmy Tate

Motion Approved

	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.

8.3 Approval of Offer & Start of Upset Bid Process for Sale of Surplus Property - 2393-48-3645-0000 on Red Tip Lane

Meg Blue, Finance Director, recommended that the \$12,000 bid from Matthew Walker for parcel number 239348-3645-0000 be accepted by the County and the upset bid process to begin as of August 15, 2022. The attached letter indicates the details of the bid and upset bid process for this property. The tax value for this property is listed at \$19,460.

No motion made. Commissioner Tate would like staff to make sure the bidder understands the property is land locked. Motion tabled until next meeting.

CARRIED.

8.4 Approval of Offer & Start of Upset Bid Process for Sale of Surplus Property - 3255-77-4454-0000 at 9549 NC HWY 210 in Rocky Point

Meg Blue, Finance Director, recommended that the \$7,500 bid from Leslie Weaver for parcel number 3255-774454-0000 be accepted by the County and the upset bid process to begin as of August 15, 2022. The attached letter indicates the details of the bid and upset bid process for this property. The tax value for this property is listed at \$8,000.

Moved by Fred McCoy, seconded by George Brown

Motion Approved

	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.

8.5 Approval of Surplus Property Advertisement for Auction & Related BOA - Country Court Apartments on US 421

Meg Blue, Finance Director, Country Court Apartments is currently experiencing significant cost prohibitive repair issues. We have discussed the situation with the USDA Rural Development folks and they are expediting our mortgages on this property so that we may pay them off early and transition these tenants to our other Housing Choice Vouchers program. These tenants have begun this transition and we are working diligently to make all of these moving parts fall in line. We are now requesting to surplus this complex and while the General Fund loans the funds to the Housing Authority to pay off these loans. Once sold, the Housing Authority will pay back the General Fund for the loan and transfer remaining proceeds back to the General Fund. Please consider attached documentation requesting authorization to advertise auction of surplus property Country Court Apartments located on US

421 and related budget amendment as attached. Ms. Blue confirmed that all tenants will be moved by October 1, 2022.

Moved by Fred McCoy, seconded by George Brown

Motion to approve to post the auction on Gov Deals with the tax value noted in the sale and noted that property is being sold "As Is".

	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.

8.6 Approval of Offer & Start of Upset Bid Process for Sale of Surplus Property - 3282-29-4762-0000 on 210 in Hampstead

Meg Blue, Finance Director, recommended that the \$6,882 bid from Joel Reyes for parcel number 3282-294762-0000 be accepted by the County and the upset bid process to begin as of August 15, 2022. The attached letter indicates the details of the bid and upset bid process for this property. The tax value for this property is listed at \$5,985.

Moved by Jimmy Tate, seconded by Fred McCoy

Motion Approved

	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.

9 DISCUSSION

Commissioner Jimmy Tate asked the board if the school bond does not pass what is the alternative funding plan for the schools and county projects? The board discussed different ideas as to next steps if that were to happen.

Margaret Blue the finance director stepped in to provide some financial information such as it will be based on debt funded. Commissioner Brown suggested that the next board immediately meet with the school board to discuss options and made a plan with them if the bond is not approved.

10 APPOINTMENTS

10.1 Approval of Appointments to the Pender County Fire Commission

Moved by Fred McCoy, 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			
	4	0	0	1

CARRIED.

10.2 Approval of Reappointment of Rebecca Drake to the Nursing Home and Adult Care Home Advisory Board

Moved by Jimmy Tate, seconded by George Brown

Motion approved

	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.

10.3 Approval of an Appointment to the Pender County Tourism Development Authority

Moved by Jimmy Tate, seconded by George Brown

Motion to table to next meeting to confirm rule on how many boards a person can serve on.

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

Trey Thurman, County Attorney, stated items for closed session are Item 3 attorney client, Item 5 Land Acquisition, and Item 6 personnel. He also stated that the tax money appeal by Donald Sullivan has been dismissed.

Allen Vann, Assistant County Manager, stated his appreciation to ALL county employees for all their hard work during this transition.

Carolyn Moser, Interim County Manager, announced there would be a blood drive at the Pender County library in Burgaw on Friday August 19, 2022.

Commissioner Fred McCoy announced how great he thought the concerts of summer have gone at the courthouse and in Hampstead.

Commissioner Tate, recognized Tammie Parris with CFCC.

Vice Chairman Newton asked Tammie Parris with the Pender County Partnerships in Schools to come and briefly speak on the C.F. Pope alumni association and documentary banquet held at the train depot. She requested that NCACC legislative mandates be sent to the commissioners for review before it goes to General Assembly.

19 CLOSED SESSION (IF APPLICABLE).

Motion to go into closed session for items 3 Attorney Client, Item 5 Acquisition of Land and Item 6 Personnel made by Commissioner Brown at 6:22 PM and Seconded by Commissioner Fred McCoy.

20 7PM PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP AMENDMENTS/ RESOLUTIONS

20.1 SUP 2022-34 - Special Use Permit Request for Indoor Storage of Boats and RVs on Sloop Point Road in the Topsail Township

Greg Feldman, Planner 1, presented on behalf of the applicant Gloria Lowe, applicant, and owner who is requesting the approval of a Special Use Permit to allow the enclosed storage of boats and recreational vehicles (RV) under the 53 NAICS Code, Rental and Real Estate and Leasing in the RP, Residential Performance zoning district, a permitted use via Special Use Permit in that zoning district. The subject properties are located at the intersection of Southwinds Drive and Sloop Point Road approximately one-half mile east of US Highway 17 and Sloop Point Road in the Topsail Township. The applicant is seeking to obtain a Special Use Permit in order to develop an enclosed storage facility in accordance with the Real Estate and Rental and Leasing land use definition within the North American Industry Classification System (NAICS). This sector comprises establishments primarily engaged in renting, leasing or otherwise allowing the use of tangible or intangible assets. Establishments primarily engaged in managing real estate for others; selling, renting and/or buying of real estate for others; and appraising real estate, are also included. The applicant has stated within the submitted narrative that the Special Use Permit request is to allow for fully enclosed storage of watercrafts and recreational vehicles for weather protection. The applicant has also stated within their narrative that an existing pond on site will be undisturbed, and measures will be taken to preserve as many existing trees as possible. The site is proposed to be accessed from a two-lane asphalt driveway with a grassed median in a 70-foot-wide private right-of-way to Sloop Point Road (SR 1651), per the applicant's submitted narrative. Should the Special Use Permit request be approved the applicant will be required to obtain a Driveway Permit from NCDOT. Because a Traffic Impact Analysis is not required to be completed at this time, the volume to capacity ratio for Sloop Point Road near the subject site has been provided. This ratio is based on average daily trips and the design characteristics of a given roadway, which can provide a general idea of the function of such roadway. Based upon the available volume to capacity data, this segment of Sloop Point Road has the capacity to handle the anticipated traffic volume increases associated with the

proposed Special Use Permit. Planning staff finds the proposed request to be inconsistent with the Future Land Use Map (FLUM) classification for the property as the Low-Density Residential designation identifies commercial and industrial land uses as inappropriate. In addition to the Future Land Use Map, the request was found to conflict with Policy 5.1.D because the policy supports the strategic placement of commercial development which is informed by the underlying Future Land Use Map designation. Therefore, strategic placement of this use would not be supported in this area due to the Low-Density Residential designation. However, Policy 5.1.K, Commercial Development, supports the request as the proposed use is intended to provide a needed service in area experiencing significant growth.

Conditions to Consider in Issuing a Special Use Permit for this Project

1. 1. The project shall comply with all requirements of the Pender County Unified Developed Ordinance.
2. 2. The obligations imposed by this permit will be the responsibility of the property owner and shall continue in effect for the duration of this permit.
3. 3. The applicant shall meet all other local, state, and federal regulations.
4. 4. Any violations of the conditions of this permit, confirmed by the Zoning Administrator shall result in the pursuit of revocation actions pursuant to N.C.G.S. 160D-403(f), if not corrected within 30 days of receipt of the notice of violation.
5. 5. Unless a request for additional time is granted or approved otherwise as a condition of the permit, a Special Use Permit shall expire and become void if final Zoning Approval has not been issued for the project within 24 months after the Notice of Approval of the Special Use Permit has been served on the applicant.
6. 6. The applicant shall combine all parcels of land associated with this request with the exception of the 6 lots closest to Sloop Point Road as identified by Pender County PINS: 4215-40-1301-0000, 4215-40-1273-0000, 4215-40-0117-0000, 4215-40-1074-0000, 4214-49-2964-0000, and 4214-49-3833-0000.
7. 7. Hours of operation for the facility shall be limited to 5am-10pm daily.

Gloria Lowe, 501 Dogwood Ln, applicant, stated the property was originally going to be a development which never happened. She stated she has seen the growth in the community and understands that boat and RV storage is needed.

Michael Onatolu, 73 Beaumont Cir, stated he lives in the subdivision across the road and is concerned with the traffic the project will generate.

Frances Vail, 554 Sloop Point Rd, voiced her concerns with the traffic and the fact that her cable line has been torn down by boats being towed down the road.

Mike Caison, 1741 Hwy 117N, stated he had concerns with the hours of operation and traffic.

Harry Kraly, 2406 W. 23rd St, as the developer of Crown Pointe stated he had issues with the time his notice was received. The turning lane is currently in its 3rd revision. He stated the turning lane is mandatory. He stated his objections were the time frame he had to respond, putting a commercial project in a residential neighborhood, and how it will effect the turn lane into crown pointe.

Commissioner Brown asked if DOT is requiring a turning lane for the SUP. Jimmy Fentress confirmed no it does not. He also confirmed that the traffic impact if the property was developed as original would be a lot more traffic and it would be year round not just seasonal.

Moved by George Brown, seconded by Fred McCoy

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.

20.2 ZTA 2022-15 - Zoning Text Amendment to Section 3.2.1 'Zoning Approval' to Allow for Issuance of Clearing and Grading Permits

Travis Henley, Planning Director, presented on behalf of the applicant Trask Land Company Inc., applicant, is requesting approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 3.2.1 'Zoning Approval' to allow for the issuance of clearing and grading permits prior to the issuance of final zoning approval. A detailed description of the proposed changes can be found in the Planning & Community Development Offices. The proposed Zoning Text Amendment to the Pender County Unified Development Ordinance seeks to increase efficiency in the application submittal and review processes while providing an opportunity to increase the speed of the development process if certain

conditions are met. The applicant has requested that language proposed within the pending Pender County Unified Development Ordinance Update be brought forward early to create a Zoning Approval process for clearing and grading work to be completed prior to the issuance of final zoning approval. This language shall require certification by Planning Staff that the proposed site plan meets all standards of the Unified Development Ordinance, a permit for erosion and sedimentation control has been issued by NCDEQ and provided to Planning Staff, and if applicable, a significant tree inventory and mitigation plan has been submitted and reviewed and approved by Planning Staff. The specific language proposed to be added to Section 3.2.1 'Zoning Approval' can be found as an attachment to this report. The request seeks to build efficiency in the development process by allowing for clearing and grading of a site to begin prior to final zoning approval, which is contingent upon receipt of any and all applicable external permits. That requirement shall still apply, and no installation of any infrastructure (including but not limited to roads and utility lines) nor any building permits shall be issued until final zoning approval has been issued.

Furthermore, the proposed language ensures that if clearing and grading approval is issued and then the project does not move forward, the requirements of any significant tree mitigation plan shall be required to be executed by the property owner. Failure to do would result in a Notice of Violation being issued by Planning Staff and would subject the site to any and all enforcement proceedings under Article 13 'Enforcement and Penalties' of the Pender County Unified Development Ordinance.

There was brief discussion on why this was being brought forward by Trask group and Mr. Henley explained that it is included in the draft UDO but since that project was placed on hold they decided to let Trask go ahead a bring it forward.

Moved by George Brown, seconded by Jimmy Tate

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.

20.3 Resolution requesting approval for text amendments to Article 11 (Road Name and Addressing) of the Pender UDO.

Mike Dickson, Addressing GIS, Pender County, applicant, is requesting the approval of Zoning Text Amendments to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 11.1 “Authority;” Section 11.3.1 “New Road Names;” Section 11.4.1.B “Petition for Road Names;” Section 11.4.3.A “Prohibited Road Names;” Section 11.6.1.D, L, and Q “Numerical Addressing Requirements;” Section 11.10.2 “Identification;” and Section 11.11.1 “Installation;” Section 11.11.2 “Maintenance.” These amendments are requested to increase the health and safety of the citizens through 911 addressing requirements, clear up ambiguous language, to grant more property rights to the owners of unnamed access easements, to align the code with current workflows and designated departments, to delineate exceptions for addressing requirements, and to encode the necessity of street signs for private roads. A detailed description of the proposed changes is available in the Pender County Information Technology Services Department. In Article 11.1.C, the current text says a road may not be named if the name is “deceptively” like any other nearby roads. Article 11.2.1.B.3) calls for the elimination of “duplicate or phonetically similar” road names. Also, Article 11.4.3.A, 4), 6), and 8) pair the words “duplicate” and “phonetic.” Therefore, the applicant argues that changing “deceptively” to “phonetically” aligns the Article 11.1.C with existing language. In the paragraph following 11.1.C, the applicant suggests omitting some words for the purpose of preventing unnecessary public hearings. Public hearings are required for the naming of private roads and for the renaming of roads. However, most roads are now created within subdivision housing developments. In these instances, the roads are named before the existence of multiple landowners which would require the need for petitioning and public hearings. The roads are named after a vetting process in which developers submit road names for approval. This process is described in Article 11.5.1 New Road Proposals. The applicant argues that removing “name or” and “or assign” in the first sentence, and removing “naming or” and “, or assigning” from the third sentence should prevent the possibility of dozens of yearly public hearings. Two additional lines are being proposed for Article 11.3.1 New Road Names. Under the direction of Commissioner David Piepmeyer, there is proposed language which would allow for easements greater than two hundred (200) feet to be named by petition of the landowner. Another line states that if a single property owner owns the entirety of an unnamed easement, they alone shall be responsible for the naming of the road in conjunction with the Addressing Coordinator, even if other landowners are affected. The addition of a sentence to Article 11.4.1.B. Petition for Road Names would further reinforce this proposal. Article 11.6.F.

requires that when structures are more than two hundred (200) feet from the road, it changes how a structure is to be addressed. While this section does not directly impact the proposed addition to the text, it was used as a guide for determining the length of road which may be named. Furthermore, there are many unnamed logging roads in the county which do not have the required number of structures in order to trigger a required name. This language can permit their naming and assist emergency personnel in the event of a backwoods emergency. Under 11.4.3.A. 8) Prohibited Road Names, there is a proposal to clear up some language. The applicant claims that “cardinal direction designations” is a more thorough term than “directionals” when describing duplicate and non-contiguous road names. Because of the permitting workflow created many years ago, Article 11.6.1.D Numerical Addressing Requirements has become obsolete. Addresses are no longer assigned during the “footing inspection” as is codified in the UDO, but rather during the building permit approval phase of development. The applicant also wishes to add exceptions to this. These exceptions include preliminary addresses in an approved subdivision, bona fide farm determinations, and unforeseen exceptions which the addressing coordinator finds appropriate. Another exception was made necessary in the aftermath of Hurricane Florence. Small Business Administration (SBA) loans were used by many displaced persons after the storm. The SBA requires an address to process the loan well before Pender County usually assigns one. North Carolina General Statute Chapter 160D covers the requirements for bona fide farms. Text regarding garage apartments exists in Article 11.6.1.L. The applicant wishes to expand this line to include anything that may be considered an accessory residence (e.g. A guest house) or a an accessory business (e.g. a business run out of an unattached garage or a workshop). Coming from situations which have happened to addressing coordinators in the past, the applicant wishes to add a line “Q” to Article 11.6.1. This language would permit giving temporary addresses to fireworks stands, FEMA trailers, and construction trailers. These situations occur, and the need for addresses is obvious because of potential emergency situations. In Article 11.10.2 Identification gives the requirements for road signs. However, this text only requires signs for public roads. The addition of a sentence fixes this safety issue to include privately-owned named roads. In Articles 11.1.1 Installation and 11.1.2 Maintenance require the Public Works Department to install, repair, and replace road signs. However, the Facilities and Fleet Services Department has been doing these tasks for many years. The proposed edits will correspond with the actual situation. Proposed language from Article 11 “Road Naming and Addressing” within which all proposed amendments are located, is provided as Attachment 1.

There were several discussions and questions asked in regards to the amendments and the language being used.

Doug Holstein, 313 Creekview Dr, gave an example of a road name change that took place in the Deer Field community that was deceptive in nature.

Moved by George Brown, seconded by Fred McCoy

Motion to table to September 19th meeting.

	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.

21 ADJOURNMENT

Motion to adjourn the meeting at 8:54 pm