



Minutes

**Board of County Commissioners Regular Meeting
Monday, November 4, 2024 at 4:00 PM
Pender County Public Assembly Room
805 S. Walker Street, Burgaw, NC**

PRESENT:

Chairman Brad George
Vice-Chairwoman: District 4 Jackie Newton
Commissioner: District 5 Fred McCoy
Commissioner: District 3 Jerry Groves
Commissioner: District 2 Randy Burton

ABSENT:

**OTHER
PRESENT:**

Michael Silverman, County Manager
Trey Thurman, County Attorney
Lexi Stanfield, Clerk to the Board
Allen Vann, Assistant County Manager
Other Staff and Members of the Press and Public

1. CALL TO ORDER

Chairman George called the meeting to order at 4:00PM.

2. INVOCATION

Vice Chair Newton gave the invocation.

3. PLEDGE OF ALLEGIANCE

Commissioner Burton led the Pledge of Allegiance.

4. ADOPTION OF AGENDA

Vice Chair Newton made a motion to adopt the agenda as presented.
Commissioner Burton seconded the motion to adopt.
The motion passed unanimously.

5. PUBLIC HEARING

6. PUBLIC INFORMATION

6.1 Department of Labor Public Safety Awards
Presentation

Pam Brame

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Pam Brame, Human Resources Director, introduced Josh Dobson, Department of Labor Commissioner, to present the Public Safety Awards. The departments awarded were Environmental Health, Grounds and Maintenance, Jail, Sheriff's Office, Facility and Fleet, Information Technology Services, Parks and Recreation, Utilities, Health Department, Tax

Administration, Animal Shelter, Emergency Management, Finance, Human Resources, Inspections and Planning, Social Services, Tourism, Register of Deeds, Library, Housing, Board of Elections, County Manager's Office, Veterans' Services.

7. PUBLIC COMMENT

Charlies Schoonmaker spoke about the Union Rescue Squad.

Jon Martell spoke about the quality of the hospitals in the Lower Cape Fear region.

Donald Sullivan spoke about signing a resolution for the General Assembly to not go to war.

8. CONSENT AGENDA

Vice Chair Newton made a motion to approve the consent agenda as presented.

Commissioner Burton seconded the motion to approve.

The motion passed unanimously

8.1	Approval of the September 16, 2024, Board of County Commissioners Regular Meeting Minutes	Lexi Stanfield	4-11
8.2	Approval of Purchase Order for 2025 Toyota Tundra for \$52,654.40	Anthony Colon	12-16
8.3	Tax Mapper Reclassification Request	Pam Brame	17-24
8.4	Budget Ordinance Amendment and Grant Award Agreement: Apply additional COVID relief funding to architectural design for new Hampstead Library project	Allen Phillips-Bell	25-51
8.5	Approval to Revise FY 24-25 Fee Schedule	Zach White	52-55
8.6	Motor Vehicle Releases and Refunds	Melissa Radke	56-57
8.7	Refund/Release Requests for items meeting NC G.S. 105-381.	Melissa Radke	58-59
8.8	Approval of Resolution Supporting the Establishment of Emergency Certification for North Carolina Well-Drillers	Michael Silverman	60-61

9. APPROVALS AND RESOLUTIONS

9.1	Approval of Resolution Adopting Procedures Related to the Collection of Minimal Ad Valorem Taxes and	Melissa Radke	62-71
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Refunds and the Administration of Small
Underpayments and Overpayments of Ad Valorem
Taxes

Melissa Radke, Tax Administrator, presented the item. The item was originally brought before the Board in May 2024 and the item was tabled. Radke reviewed the minimal tax bills, overpayments under \$15.00, and small over and under payments of Ad Valorem Taxes. All of Pender County's policies are in line with the general statutes. Radke answered questions from the Board members.

Vice Chair Newton made a motion to approve.
Commissioner Burton seconded the motion.
The motion passed unanimously.

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| 9.2 | Authorization to Execute Contract for \$1,027,122 over 3 years with Tyler Technologies and to authorize a PO for \$333,330 for Tyler Technologies for the current fiscal year | Melissa Radke | 72-164 |
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Melissa Radke, Tax Administrator, presented the item. This Tyler system would replace the current system, Tyler Munis, used by the Tax Collections office. Marcel Miranda, ITS Director, assisted with presenting the item, clarifying technological terms. Board members voiced their concerns about the cost and the quality of the products from Tyler Technologies. The Board discussed contracting out the services while other opportunities were explored by staff. The item was tabled until more quotes for other systems could be gathered.

Vice Chair Newton made a motion to table the item.
Commissioner Burton seconded the motion..
The motion passed unanimously

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| 9.3 | Approval of Budget Ordinance Amendment & Purchase Order for continuation of countywide radio project in the amount of \$1,985,783.30 | Sarah Fulton | 165-175 |
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Sarah Fulton, Assistant to the County Manager, presented the item. The Board approved the first part of this purchase in May 2024. Fulton is asking the Board to approve the second half. These radios are not grant funded. Fire Departments and Pender EMS and Fire will repay the county over the next six years. The contract for the VIPER radios is with Radio Communications Company, which is a state contract. Fulton answered questions from the Board.

Vice Chair Newton made a motion to approve.
Commissioner McCoy seconded the motion.
The motion passed unanimously.

10. DISCUSSION

11. APPOINTMENTS

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| 11.1 | Term Amendment for Novant Pender Memorial Hospital Board Appointments | Lexi Stanfield | 176 |
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Michael Silverman, County Manager, presented the item. The most recent appointments to the

Novant Pender Memorial Board of Trustees were approved for four years instead of three. Staff requested the Board amend the terms to reflect the three-year limit.

Commissioner Burton made a motion to amend the terms.
Commissioner McCoy seconded the motion.
The motion passed unanimously

12. MAPLE HILL WATER AND SEWER DISTRICT

13. ROCKY POINT WATER AND SEWER DISTRICT

14. SCOTTS HILL WATER AND SEWER DISTRICT

15. MOORE'S CREEK WATER AND SEWER DISTRICT

16. CENTRAL PENDER WATER AND SEWER DISTRICT

17. PENDER COUNTY BOARD OF HEALTH

18. SOCIAL SERVICES BOARD

19. ITEMS FROM COUNTY ATTORNEY, COUNTY MANAGER,
ASSISTANT COUNTY MANAGER, & COUNTY COMMISSIONERS

Trey Thurman, County Attorney, requested the Board go into closed session for item three (3) Attorney Client Privilege, item four (4) Economic Development, item five (5) acquisition of real property, and item six (6) personnel.

Commissioner McCoy spoke about the upcoming holiday, Veterans Day.

Commissioner Groves thanked Tommy Batson and staff for their work on the Spot Festival. He also spoke about the maintenance of Central Pender Park and Union Rescue.

Commissioner Burton spoke about Union Rescue.

Chairman George invited the public to the Law Enforcement Center groundbreaking, reminded everyone of election day, and Veterans Day.

20. CLOSED SESSION (IF APPLICABLE)

Vice Chair Newton made a motion to go into closed session for item three (3) Attorney Client Privilege, item four (4) Economic Development, item five (5) acquisition of real property, and

item six (6) personnel.
Commissioner Burton seconded the motion.
The motion passed unanimously.

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

21.1	Amendment to Chapter 24, Offenses, Miscellaneous Provisions and Nuisances, of the Pender County Code of Ordinances.	Daniel Adams	37-42
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Daniel Adams, Planning Director, presented the item. Staff are requested to amend chapter 24, Offenses, Miscellaneous Provisions and Nuisances, of the Pender County Code of Ordinances. The current noise ordinance in place is vague and is difficult for law enforcement to enforce. The proposed changes exclude animals, emergency work, and school functions. It would add protected areas such as schools, places of worship, and public buildings. Adams reviewed the benefits of amending the ordinance. This ordinance amendment includes civil and criminal penalties. Adams answered Board members' questions and concerns.

Commissioner Groves made a motion to approve the amendment to Chapter 24 of the Pender County Code of Ordinances.
Commissioner McCoy seconded the motion.

Commissioner Groves voted in favor of the amendment.
Commissioner Burton voted in favor of the amendment.
Commissioner McCoy voted in favor of the amendment.
Chair George voted in favor of the amendment.

Vice Chair Newton voted opposed to the amendment.

The item will be brought back before the Board on November 18, 2024.

21.2	Derelict Vessels Ordinance	Daniel Adams	183-193
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Daniel Adams, Planning Director, presented the item. Staff are requesting to add an abandoned and derelict vessels ordinance as chapter 25, article one of the Pender County Code of Ordinances. Adams reviewed what qualified as a abandoned or derelict vessel. The purpose of this ordinance is to protect the health, safety, and general welfare of people using the public waters within Pender County, as well as create a consistency in regulations within neighboring jurisdictions to protect Pender County waterways. Adams reviewed how the ordinance would be enforced. Adams answered questions from the Board.

Vice Chair Newton made a motion to approve the Derelict Vessel Ordinance.
Commissioner Burton seconded the motion.
The motion passed unanimously.

21.3	REZONE 2024-75: Request to add 84 multifamily units to the existing Hawthorne at Hampstead development and unify adjacent developments under one zoning	Daniel Adams	194-289
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Daniel Adams, Planning Director, presented the item. The applicant has withdrawn the request.

Doug Holstein, 3131 Quickby Drive, spoke opposed to the item.

- 21.4 REZONE 2024-70: Request to rezone approximately Adam Moran
5.46 acres from the RP, Residential Performance, and
RA, Rural Agricultural, zoning districts to a conditional
zoning district for the development of a gas station with
convenience store in the Holly Township

Adam Moran, Long Range Planner, presented the item. Hardison Building, Inc is the applicant and owner. They are requesting to rezone two parcels from Rural Agricultural to Residential Performance and one parcel from Residential Performance to Conditional Zoning for a gas station with a convenience store. The location is off Shaw Highway. The property is undeveloped. Moran reviewed the proposed site plan, which includes a 5000 square foot convenience store and ten gas pumps. Moran reviewed the proposed uses of the property, setbacks, and environmental concerns. Staff recommend approval with conditions. The Planning Board unanimously denied the request. Moran answered questions from the Board.

Sam Frank, Applicant Representative, presented to the Board. Frank reviewed the proposed uses of the convenience store and gas station. He also reviewed the site plan and provided some context on the design. Frank gave an overview of surrounding recreational and professional activities and the proposed aid this site would offer. Thomas Amonds, an environmental specialist, gave insight into fuel tank pressures regarding flooding and environmental impacts. Sam Frank continued his presentation. He reviewed the proposed conditions of approval. The owner answered questions from the Board regarding whether it would be private or a chain gas station.

Katie Thomas, 8848 NC Highway 53 E, spoke in opposition to the item.

Blake Thomas, 8848 NC Highway 53 E, spoke in opposition to the item.

W. Farren, 74 Shelterwood Rd, spoke in opposition to the item.

Thomas Urmston, 12443 Shaw Highway, spoke in opposition to the item.

Doug Kenan, 380 Orchid Rd, spoke in opposition to the item.

Robert Kenan, 380 Orchid Rd, spoke in opposition to the item.

Sam Frank and experts addressed the comments and concerns of the citizens and the commissioners.

Commissioner McCoy made a motion to deny the zoning map amendment.
The motion did not receive a second and failed.

22. ADJOURNMENT

Vice Chair Newton made a motion to adjourn.

Commissioner Groves seconded the item.

The motion carried.