Minutes

Board of County Commissioners Regular Meeting
Tuesday, February 18, 2025 at 4:00 PM
Pender County Public Assembly Room
805 S. Walker Street, Burgaw, NC

PRESENT:	Commissioner Brad George Commissioner Jerry Groves Chairman Randy Burton Commissioner Ken Smith
ABSENT:	Commissioner Brent Springer
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

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1. CALL TO ORDER

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

2. INVOCATION

   Vice Chair Smith gave the invocation.

3. PLEDGE OF ALLEGIANCE

   Chairman Burton led the Pledge of Allegiance.

4. ADOPTION OF AGENDA

   Commissioner Groves requested to move item 8.3 to 10.1 for discussion and to table item 9.9.

5. PUBLIC HEARING

6. PUBLIC INFORMATION

6.1 Charters of Freedom — Ron Lewis — 4

Presenter was not present.

6.2 CAB 2.0 Presentation — Jeffrey Brooks — 5

Jeffrey Brooks, North Carolina Department of Information Technology, provided a Broadband and digital opportunity update. Brooks reviewed the funding and organizations involved in establishing the Broadband internet. There are two primary programs through NCDIT: GREAT and CAB. Brooks went over the federal programs available and identified underserved areas within Pender County. Brooks reviewed the approval process for Broadband internet. He urged citizen's to reach out with any questions. His number is (919) 602-8080.

6.3	The 1865 Society of Pender County	Karen Malloy	6

Karen Malloy of the 1865 Society of Pender County presented the item. Ms. Malloy spoke about the affiliated resources and reviewed the projects the non-profit is currently working on. The Juneteenth celebration will be held for the third time this upcoming June. Ms. Malloy requested a $3,000.00 donation from the County.

6.4	Veteran Services Winter-Spring 2025 Updates	Michelle Leach	7-13

Michelle Leach, Veterans' Services, presented the item. Ms. Leach reviewed the upcoming events either sponsored by the Veterans Services department or that are beneficial to veterans and their community. Ms. Leach also reminded disabled veterans, present or watching on the stream, that State Parks are free to disabled veterans if they fill out the Disabilities Request Form.

6.5	Update on the Imagine Pender 2050 Comprehensive Land Use Plan	Daniel Adams	14-22

Daniel Adams, Planning Director, presented the item. Adams reported the online survey for the Comprehensive Land Use Plan received 1410 responses and that over 700 people showed up to the community engagement events over the course of a few months. Adams reviewed the main priorities of the Comprehensive Land Use Plan and urged citizens to reach out to imagine@pendercountync.gov for more infromation.

6.6	Proclamation Honoring Pender County's 150th Anniversary	Brandi Cobb	23-25

Michael Silverman, County Manager, presented the item. Pender County celebrated its 150th anniversary as a county on February 16th, 2025. This proclamation honors the anniversary.

7. PUBLIC COMMENT

Olivia Dawson recognized the Rotary Club for their donation to the 150 Anniversary Clock for Pender County.

Charlie Schumaker read a Star Wars parable about Union Rescue and Pender EMS and Fire.

Jim Harris spoke about his opposition to item 9.9 ICE Resolution.

Martha Harris spoke about her opposition to item 9.9 ICE Resolution.

Georgia Kurre spoke about her opposition to item 9.9 ICE Resolution.

Alice Southerland spoke about her opposition to item 9.9 ICE Resolution.

Don Ragan spoke about his opposition to item 9.9 ICE Resolution.

Alicia Taylor spoke about her opposition to item 9.9 ICE Resolution.

Julian Reserdez spoke about his opposition to item 9.9 ICE Resolution.

Samantha Worrells spoke about her opposition to item 9.9 ICE Resolution.

Sarah Kurick spoke about her opposition to item 9.9 ICE Resolution.

8. CONSENT AGENDA

Commissioner George made a motion to approve the consent agenda.
Commissioner Groves seconded the motion.
Motion carried unanimously.

8.1	Approval of a Purchase Order for the Central Square (Zuercher) Annual Subscription and Annual Maintenance fee in the amount of $125,636.15.	Alan Cutler	26-36
8.2	Approval to increase Purchase Order #236 for GenPro Power, LLC in the amount of $16,584.00.	Wyatt Richardson	37-51
8.3	Approval of Budget Ordinance Amendment to carryforward remaining Fund 88 Project Budget for WWTP Berm Project	Margaret Blue	57-58
8.4	Approval of Budget Ordinance Amendment to carryforward remaining Fund 29 Revaluation Budget	Margaret Blue	59-60
8.5	Refund/Release Requests for items meeting NC G.S. 105-381	Melissa Radke	61-62

9. APPROVALS AND RESOLUTIONS

9.1	Request for Approval to Issue Citations for Illegal Dumping	Susan Barnhill	63-64

Susan Barnhill, Solid Waste Supervisor, presented the item. Solid Waste cannot issue citations for illegal dumping without the Board's approval. Commissioner George and Groves voiced their approval of the item.
Commissioner Groves made a motion to approve the item.
Commissioenr George seconded the motion.
The motion carried unanimously.

9.2	Requesting approval of Donation of a (10-ton forklift) from Surplus Military Property Program	Alan Cutler	65

Sheriff Cutler presented the item. The Sheriff's office would like to accept a donation from the military surplus for a 10-ton forklift. Sheriff Cutler listed uses in various departments for this equipment.

Vice Chair Smith made a motion to approve.
Commissioner Groves seconded the motion.
Motion carried unanimously.

9.3	Resolution of Support for ICE's 287(g) Program	Randy Burton	66-68

Chairman Burton read hte resolution aloud. Commissioner George and Vice Chair Smith stated their opposition to the item. Chairman Burton stated his support for the item. Sheriff Cutler was invited to the podium to speak about the item. Sheriff Cutler reported he would not sign an MOU with ICE and requested the Board reword the resolution.

Commissioner Smith made a motion to kill the item.
Commissioner George seconded the motion.
Vice Chairman Smith, Commissioner George, and Commissioner Groves voted in favor of killing the item.
Chairman Burton voted opposed.

9.4	Authority to Execute Contract Amendment of the New Health and Human Services Facility for Dental Equipment in the amount of $529,894.00.	Dario Ramirez-Duenas	69-78

Dario Ramirez-Duenas, Project Manager, presented the item. The dental equipment was not in any of the original contracts' scope of work. This contract will provide the equipment, furnishings, installation, and design for the dental part of the Health and Human Services building. The chairs Pender County currently uses are not compatible with the new equipment. Staff plan to sell the old chairs.

Vice Chair Smith made a motion to approve.
Commissioner Groves seconded the motion.
The motion carried unanimously.

9.5	Authority to Execute Contract Amendment of New Health and Human Services Facility for Shell Space Fit-Out in the amount of $1,071,886.00.	Dario Ramirez-Duenas	79-85

Dario Ramirez-Duenas, Project Manager, presented the item. The shell space will accommodate future growth. It is best to fit-out the shell space now while hte building is under construction and staff and citizens are not walking around.

Vice Chair Smith made a motion to approve.
Commissioner Groves seconded the motion.
The motion carried unanimously.

9.6	Removal of lien of Seven Oaks Apartments	Sue Sava	86-87

Sue Sava, Housing Director, presented the item to the Board. The loan expired in December 2023. Sava reporting releasing the lien on the property is in the best interest of the County.

Commissioner Goerge made a motion to approve.
Commissioner Groves seconded the motion.
The motion carried unanimously.

9.7	Approval of Budget Ordinance Amendment to appropriate funds for additional staffing required for the former Shiloh station for the remainder of the fiscal year.	Margaret Blue	88-90

Meg Blue, Financing Director, presented the item. Staff are requesting the Board approve a Budget Ordinance Amendment to allocate funds from the fire tax service funds to fund staffing needs at the former Shiloh Volunteer Fire Department, now run by the Penderlea Fire Department.

Vice Chairman Smith made a motion to approve the item.

Commissioner Groves seconded the motion.
The motion carried unanimously.

9.8	Approval of Budget Ordinance Amendment to appropriate funds for newly issued debt service interest payments for Law Enforcement Center and DHHS Facility	Margaret Blue	91-93

Meg Blue, Financing Director, presented the item. Blue explained hte the DHHS and LEC bonds had not been issued, so the debt service interest payments had not begun. They will begin on April 1, 2025.

Commissioner George made a motion to approve.
Commissioner Groves seconded the motion.
The motion carried unanimously.

9.9	Amendment to the Board of Commissioners Regular Meeting Schedule	Lexi Stanfield	94-95

This item was tabled until the March 10, 2025, Board of Commissioners meeting.

9.10	Boards, Committees, and Commissions Appointments Deadlines	Lexi Stanfield	96

Lexi Stanfield, Clerk to the Board, presented the item. The Board had requested the clerk bring an item before the Board to discuss the possibility of advertising deadlines for applications to boards, committees, and commissions. The clerk found only one neighboring county advertises deadlines. The clerk informed the Board of the pros and cons to advertising deadlines. The Board agreed the deadlines should be made at the discretion of the clerk.

Vice Chairman Smith made a motion to advertise deadlines for applications at the discretion of the Clerk.
Commissioner George seconded the motion.
The motion carried unanimously.

9.11	Tax Revaluation Timeframe	Melissa Radke	97-106

Melissa Radke, Tax Administrator, presented the item. Radke informed the Board there is no minimum number of years in between appraisals, but they must be done at most every eight (8) years per NC Statutes. The NCDOR recommends a four (4) year cycle. Fifty-one counties in NC are currently on four-year cycles. Radke informed the Board that long cycles, such as an eight-year cycle, can create disparities. Radke reviewed the losses the County takes every year since the appraisals have not been completed in seven years. Radke reviewed the differences in appraisals and tax rates, citing that tax rates are set by the commissioners and do not influence the appraisals.

Commissioner Groves made a motion to return to the seven-year cycle.
Vice Chair Smith seconded the motion.
Chairman Burton, Vice Chair Smith, and Commissioner Groves voted in favor of the motion.
Commissioner George voted in opposition of the motion.

10. DISCUSSION

10.1	Approval of the sale of Pender County surplus	Margaret Blue	52-56

property.

Commissioner Groves stated he would like to donate three vehicles to the Pender County High Schools' Music Booster Clubs. Of the surplus list, he would like to donate the three 2019 Dodge Chargers. Meg Blue, Finance Director, informed the Board she was uncertain if the cars would run. Commissioner Groves said the cars could be sold for $100.00 by the boosters, and that would be enough. Blue informed the Board they would need to approve the entire listing of surplus property and then make another motion to donate the three.

Commissioner Groves made a motion to approve the sale of Pender County Surplus Property.
Commissioner George seconded the motion.
The motion carried unanimously.

Commissioner Groves made the motion to donate the three 2019 Dodge Chargers to the High School Music Boosters.
Commissioner George seconded the motion.
The motion carried unanimously.

11. APPOINTMENTS

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 items three (3) Attorney Client Privilege, four (4) Economic Development, and five (5) Acquisition of Real Property.

Andre Hogan, Staff Attorney, requested the Board add another Attorney Client Privilege item.

Vice Chair Smith spoke about his registration from the Board of Commissioners.

Commissioner Groves stated he would miss Vice Chair Smith.

20. CLOSED SESSION (IF APPLICABLE)

The Board went into closed session for item three (3) Attorney Client Privilege, item four (4) Economic Development, and item five (5) Acquisition of Real Property.

Commissioner George made the motion to go into closed session.
Commissioner Groves seconded the motion.
The motion carried unanimously.

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

The Board returned to open session at 7:00PM.

Vice Chair Smith made a motion to return to open session.
Commissioner George seconded the motion.
The motion carried unanimously.

21.1	REZONE 2024-79: Request to rezone one parcel totaling approximately 0.96 acres from the RP, Residential Performance, zoning district to a conditional zoning district in the Topsail Township	Taylor Davis	107-135

Taylor Davis, Planner, presented the item. RSC Engineering, PLLC, applicant, on behalf of Hooked-Up Properties LLC, owner, is requesting approval of a Conditional Zoning Map Amendment to rezone approximately 0.96 acres from the RP, Residential Performance, zoning district to a conditional zoning district. Specifically, the request is to allow three uses - Miscellaneous Store Retailers (NAICS 453); Sporting, Hobby, Book, and Music Stores (NAICS 451); and Support Activities for Road Transportation (NAICS 4884) within the conditional zoning district. Davis reviewed the site plan and district dimensional requirements. There was a public input meeting on October 21, 2024, and no citizens attended. Staff recommended approval with conditions.

Commissioner George made a motion to approve the item with conditions, changing the 8-foot fence to 6-foot. Item approval is appropriate and in line with 5.1.D, 5.1.E, 5.1.E, 5.1.F, 51.H, and 5.1.K.
Vice Chair Smith seconded the motion.
Motion carried unanimously.

21.2	ZTA 2024-28: Request to amend the Unified Development Ordinance to modify setback and separation requirements for accessory structures	Justin Brantley	136-150

Justin Brantley, Deputy Director of Planning, presented the item. Brantley requested the Board approve a text amendment to the Unified Development Ordinance to loosen regulations on setback and separation requirements for accessory structures on commercial and residential lots. The Board praised this change.

Vice Chairman Smith made a motion to approve.
Commissioner George seconded the motion.
The motion carried unanimously.

21.3	Petition to Name Road	Michael Dickson	151

Michael Dickson, GIS, requested the Board name two private roads in Rocky Point Butterbean Way and Squirrel Drive. These roads are occupied by one residence each.

Commissioner George made a motion to approve.
Commissioner Groves seconded the motion.
The motion carried unanimously.

22. ADJOURNMENT

Commissioner George made a motion to adjourn the meeting at 7:32PM.
Vice Chair Smith seconded the motion.
The motion carried unanimously.