



Pender County

Agenda

**Parks & Rec Advisory Board Meeting
 Wednesday, January 17, 2024 @ 6:30 PM
 Pender County Public Assembly Room
 805 S. Walker Street, Burgaw, NC**

	Presenter	Page
1. CALL TO ORDER		
2. ROLL CALL		
3. ADOPTION OF AGENDA		
4. ADOPTION OF MINUTES		
4.1. Parks & Rec Advisory Board - 29 Nov 2023 - Minutes		3 - 5
5. PRESENTATIONS		
6. PUBLIC COMMENT		
7. DISCUSSION AND ACTION ITEMS		
7.1. Approval of Dogs in Parks Ordinance		
7.2. Park Signage Upgrades		7 - 15
Park Rules - Abbey Nature Preserve		
Park Rules - Kiwanis Park		
Park Rules - Millers Pond Park		
Park Rules - Pender Memorial Park		
Park Rules - Penderlea Community Park		
7.3. Update on approved County Gifts and Donations Policy		17 - 22
Gifts and Donations Policy		
8. NEXT MEETING DATE		
March 19th 6:30pm at Penderlea Community Park Auditorium		
9. ADJOURNMENT		



MINUTES
Parks & Rec Advisory Board Meeting
Wednesday, November 29, 2023 Pender County Public Assembly Room
12:00 PM

MEMBERS PRESENT:

Cynthia Tart
Ray Rosso
Daniel Price
Jamie Moore
Brandi Odom
Shane Mellin
Commissioner Brad
George

MEMBERS ABSENT:

Tandra Shepard-
Henderson

OTHERS PRESENT:

Zach White
Dee Turner
Jessica Herring
Tom O'Neill

1 CALL TO ORDER

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 274 901 415 958

Passcode: 5YqTnC

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Phone Conference ID: 520 439 91#

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2 ROLL CALL

3 ADOPTION OF AGENDA

Motion Cynthia
Second Brandi
Carried

4 ADOPTION OF MINUTES

Motion Shane
Second Cynthia
Carried

It was requested that we provide an update of the smoking ordinance at our next meeting.

5 PRESENTATIONS

6 PUBLIC COMMENT

7 DISCUSSION AND ACTION ITEMS

a) Independent Contractor Application

Staff discussed the need for the independent contractor policy and handbook.

Brandi expressed concern with the enforcement of the policy and added that she would like to see improved signage.

Cynthia asked if the Hampstead Annex events were included in this policy. She also request that we add a statement as follows:
Pender County Parks and Recreation Department reserves the right to make any decisions regarding programming and facilities use that are in its best interests, and the best interest of the residents of Pender County.

Brandi asked about the requirements for the background check. Staff stated that they will check with the staff attorney about developing guidelines for this.

Ray recommended that we add a statement about having a minimum for facilities such as the Penderlea Gym.

Motion to approve with comments was made by Cynthia
Seconded by Ray
For: Cynthia, Ray, Shane and Daniel
Opposed: Brandi and Jamie
Carried.

b) Athletic Field Use and Allocation Policy

Staff discussed the need for the athletic field use and allocation policy.
Brandi asked a question about could we switch Pender County Schools to 2 and Recreation partners to 3.
Cynthia asked did we require insurance for usage.
Brandi commented that we needed additional signage.
Jamie added that every organization should have the sign and agree to this policy.

Motion for approval was made by Brandi with the understanding that the items in green would be included in the Recreation Partner Agreement
Seconded by Jamie
Carried by All

c) 2024 Meeting Schedule

Staff will email out the 2024 meeting schedule

8 NEXT MEETING DATE

TBA

9 ADJOURNMENT

Motion Jamie
Second Cynthia
Carried
Adjourned at 1:29pm

WELCOME TO ABBEY NATURE PRESERVE



PARK HOURS: SUNRISE TO SUNSET
EXCEPT DURING AUTHORIZED PROGRAMS & EVENTS

PENDER COUNTY PARK RULES
PLEASE ENJOY OUR PARKS WHILE ADHERING TO THE FOLLOWING RULES

DO

VISIT PARK DURING OPEN HOURS ONLY

LEAVE PARK CLEAN & UNLITTERED

SMOKE ONLY IN PARKING LOTS

USE PARK AMENITIES FOR THEIR INTENDED PURPOSE & AT YOUR OWN RISK

KEEP MOTORIZED VEHICLES ON ROADWAYS & PARKING LOTS

HAVE FUN!

DON'T

INTERFERE WITH THE ENJOYMENT OF OTHERS

VANALIZE OR DEFACE PUBLIC PORPERTY

USE ALCOHOL, CONTROLLED SUBSTANCE, WEAPONS, OR PROFANITY

LITTER, METAL DETECT, OR WALK PETS OFF LEASH

SWIM IN THE POND

REMAIN IN PARK AFTER HOURS

CONTACT US

TO RESERVE A FACILITY

OR FOR MORE RULES

& INFORMATION, VISIT:

[HTTPS://:PENDERPR.RECDESK.COM](https://penderpr.recdesk.com)



FOR QUESTIONS,

REPORTING PARK CONCERNS,

OR OBTAINING A PERMIT,

CALL 910.259.1330

FOR EMERGENCIES CALL 911

WELCOME TO HAMPSTEAD KIWANIS PARK



PARK HOURS: SUNRISE TO SUNSET
EXCEPT DURING AUTHORIZED PROGRAMS & EVENTS

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DO

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KEEP MOTORIZED VEHICLES ON ROADWAYS & PARKING LOTS

OBTAIN A PERMIT FOR GROUP USE/EVENTS

UNDERSTAND THAT SCHEDULED USE OF FACILITIES HAS PRIORITY

HAVE FUN!

DON'T

INTERFERE WITH THE ENJOYMENT OF OTHERS

VANDALIZE OR DEFACE PUBLIC PROPERTY

USE ALCOHOL, CONTROLLED SUBSTANCE, WEAPONS, OR PROFANITY

LITTER, HIT GOLF BALLS, METAL DETECT, OR WALK PETS OFF LEASH OR ON FIELDS/PLAYGROUNDS

REMAIN IN PARK AFTER HOURS

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WELCOME TO MILLERS POND PARK



PARK HOURS: SUNRISE TO SUNSET
EXCEPT DURING AUTHORIZED PROGRAMS & EVENTS

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DO

- VISIT PARK DURING OPEN HOURS ONLY
- LEAVE PARK CLEAN & UNLITTERED
- SMOKE ONLY IN PARKING LOTS
- USE PARK AMENITIES FOR THEIR INTENDED PURPOSE & AT YOUR OWN RISK
- KEEP MOTORIZED VEHICLES ON ROADWAYS & PARKING LOTS
- OBTAIN A PERMIT FOR GROUP USE/EVENTS
- UNDERSTAND THAT SCHEDULED USE OF FACILITIES HAS PRIORITY
- HAVE FUN!

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- VANDALIZE OR DEFACE PUBLIC PROPERTY
- USE ALCOHOL, CONTROLLED SUBSTANCE, WEAPONS, OR PROFANITY
- LITTER, METAL DETECT, OR WALK PETS OFF LEASH OR ON PLAYGROUND
- SWIM IN THE POND
- REMAIN IN PARK AFTER HOURS

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WELCOME TO PENDER MEMORIAL PARK



PARK HOURS: SUNRISE TO SUNSET
EXCEPT DURING AUTHORIZED PROGRAMS & EVENTS

PENDER COUNTY PARK RULES
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WELCOME TO PENDERLEA COMMUNITY PARK



PARK HOURS: SUNRISE TO SUNSET
EXCEPT DURING AUTHORIZED PROGRAMS & EVENTS

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	Pender County Government STANDARD PROCEDURE
Subject: Gift and Donations Policy	Effective Date: Upon approval
Prepared by: Patrick Buffkin, Staff Attorney	Revised: n/a
Approved by: Board of Commissioners	Approval Date:
Chair's Signature:	# of Pages: 6

PURPOSE:

The purpose of this policy is to establish standard procedures by which the County may consider accepting gifts and donations and to provide guidance to community members, County staff, and members of the Board of Commissioners on the process for considering acceptance of gifts and donations. This policy also identifies certain gifts and donations that are not eligible for acceptance and details on how Pender County will consider recognition of donors.

DEFINITIONS:

“Board” means the Pender County Board of Commissioners.

“County” means Pender County, North Carolina.

“County Manager" means the county manager appointed by the Board pursuant to G.S. 153A-81.

“Donation” means a thing of monetary value, whether real or personal property, including money and money-like substitutes such as gift cards (but excluding cryptocurrencies), that is offered to be given to the County for charitable purposes to support a public service.

“Donor” means a person, whether natural or corporate, for profit or non-profit, who proposes to make a donation or gift to the County.

“Director” means a County employee that works in a position with the title of director and serves as the manager of a County department.

“County Finance Officer” means the county employee who is appointed pursuant to G.S. 159-24 and oversees the collection of revenues and ensures property tracking of funds.

“Gift” means a thing of monetary value, whether real or personal property, including money and money-like substitutes such as gift cards (but excluding cryptocurrencies), that is offered to be given to the County willingly without payment.

“Public Spaces” means parks and park space, greenways, open spaces, buildings, or other real property that is owned, leased, or maintained by the County.

“Recognition” means formal or informal acknowledgement and expression of appreciation, which may take any one or more forms as detailed in this policy.

ADMINISTRATION:

The County Manager shall be responsible for administering this policy in consultation with, and subject to direction from, the Board. As more specifically identified in this policy, the County Manager shall keep the Board apprised of offers received to make a gift or donation, shall implement the processing of applications to make gifts or donations in accordance with this policy, and seek the approval of the Board prior to accepting certain offers of a gift or donation. The County Manager may delegate authority to administer this policy to a qualified member of the County Staff with respect to individual applications to make a gift or donation, but remains responsible for the oversight of the administration of this policy.

The County Finance Officer shall be responsible for supporting the lawful implementation of this policy to ensure compliance with the Local Government Budget and Fiscal Control Act (Chapter 159 of the General Statutes).

APPLICATION TO MAKE GIFT OR DONATION REQUIRED:

Each Donor shall be required to make an application to the County setting out in detail the amount, purpose, goals, and requested recognition associated with any proposed gift or donation to the County. The application may include any other information that is helpful or necessary to the County’s consideration of whether to accept the proposed gift or donation.

CERTAIN GIFTS AND DONATIONS PROHIBITED:

The County shall not consider applications that propose a gift or donation that is

- (i) in violation of law;
- (ii) offered by a Donor who is a vendor or is seeking to be a vendor for goods or services and the gift or donation is offered with the intent to influence or under circumstances that a reasonable person would conclude is offered to influence the County’s procurement decisions;
- (iii) offered by a Donor who has or is anticipated to have a permit or request for approval and the gift or donation is offered with the intent to influence or under circumstances that a reasonable person would conclude is offered to influence the County’s permitting or approval decisions;
- (iv) offered by a Donor who has been convicted of a serious criminal offense or has been charged with a serious criminal offense which is pending at the time that the application is submitted to the County;
- (v) offered by a Donor who has a background that is connected to immoral or unethical conduct which is not unlawful but is offensive to the moralities of the County; or
- (vi) offered by a Donor who identifies, or is objectively recognizable, as a political organization of any type.

The County Manager shall determine when the County is prohibited from considering an application under this section of this policy and shall inform the Board of the facts and circumstances underlying that determination. Except for applications within (i) – (iii), above, the Board may reconsider the County Manager’s determination by scheduling the matter for discussion or decision, as appropriate, at a regular meeting of the Board.

When an application to make a gift or donation would otherwise be prohibited from consideration under (ii) or (iii) of this section of this policy, the County Manager may direct the Donor to a division of the County for negotiation of a contract agreement appropriate under the circumstances.

This section of this policy does not prohibit the acceptance of gifts and donations that are of di minimis value, such as greeting or sympathy cards, foods, non-alcoholic beverages, flowers, gift baskets, and the like, so long as the value of the gift or donation does not exceed one hundred dollars (\$100.00), and the gift or donation was made under circumstances that are lawful, not intended to influence official action, and does not give the appearance of attempting to influence official action.

PROCESSING OF APPLICATIONS TO MAKE GIFT OR DONATION:

The County Manager or his/her designee shall receive applications to make a gift or donation to the County and make an initial determination as to whether the application is complete in setting out in detail the amount, purpose, goals, and requested recognition associated with any proposed gift or donation to the County. If the County Manager or his/her designee determines that the application is prohibited under this policy, then the County Manager or his/her designee shall inform the applicant and the Board as required by this policy. If the County Manager or his/her designee determines that additional information is required to determine whether the application is prohibited, the County Manager or his/her designee shall promptly request the applicant to provide the additional information required. If the County Manager or his/her designee determines that the application is complete and is not prohibited by this policy, then the County shall proceed to prepare for the receipt of the gift or donation.

RECOGNITIONS OF DONORS:

As stated by the preceding section of this policy, the application to make a gift or donation may include a requested recognition of the donor. Examples of recognitions include the following: honorary resolution of the Board expressing appreciation for the gift or donation; proclamation of the Chair of the Board declaring a day to be observed in honor of the donor; installation of a commemorative plaque or signage in a public place honoring the donor or donors; or the naming of a public space in honor of the donor or donors. With respect to an installation or naming, the Board retains the discretion to limit the time that the installation or naming shall remain effective. When a recognition is proposed to name a public space after a person, the person should have been deceased for at least three (3) years.

In determining the appropriate recognition, the Board, in its discretion, may consider the following:

- (i) The total value of the gift or donation;
- (ii) The lasting impact of the gift or donation to furthering a public purpose;
- (iii) The historical contributions to the betterment of the County by the donor or donor's chosen honoree;
- (iv) The time and effort involved in collecting and delivering the gift or donation;
- (v) In the case of a recognition honoring an individual, whether that individual is living or deceased, and if deceased whether at least 3 years has passed since the individual died.
- (vi) Any other factor that the Board deems appropriate to consider.

PREPARATIONS FOR THE RECEIPT OF GIFTS OR DONATIONS:

The County Manager or his/her designee shall initiate preparations for the receipt of gifts or donations as follows:

- (i) The County Manager or his/her designee shall convene a meeting of the appropriate County staff to identify and review considerations relevant to accepting the proposed gift or donation;
- (ii) The County staff shall prepare a report detailing the application to make a gift or donation, and discussing the considerations relevant to accepting the gift or donation, including the appropriateness or necessity for contract agreements related to acceptance of the gift or donation, and, subject to the direction of the Chair of the Board, place the matter on the Board's agenda at a regularly scheduled meeting of the Board;
- (iii) If the Board approves accepting the gift or donation, then the County Manager shall undertake to receive the gift or donation, including preparation of such documents and initiation of such activities as are required or necessary to lawfully accept and, in the case of monetary donations, expend the funds donated.

In cases where an application to make a gift or donation is received and by the nature of the gift or donation, a decision on the application is required to be made immediately, for example to avoid spoliation of the thing to be gifted or donated or to avoid the loss of the opportunity to receive a gift or donation, the County Manager may, after consultation with and the approval of the Chair of the Board, waive the formal requirements of preparations for the receipt of gifts or donations and proceed to approve acceptance of the gift or donation.

BOARD CONSIDERATION OF APPLICATION TO MAKE GIFT OR DONATION:

The Board has discretion to approve an application to make a gift or donation for any lawful purpose, to require modifications to an application, or to reject an application, as the Board determines is in the public interest. In considering whether to accept, require modifications, or to reject an application to make a gift or donation, the Board may consider all relevant factors, including but not limited to the following:

- (i) With respect to monetary donations:

- a. The extent to which the gift or donation furthers a public purpose by fulfilling a need that would otherwise be unmet;
- (ii) With respect to donations of improvements to County owned property:
 - a. The extent to which the gift or donation enhances the appearance and aesthetics of public spaces;
 - b. The extent to which the gift or donation presents conflicts with the County's plans for the public space;
 - c. The extent to which the gift or donation is in harmony with the uses and purposes of the public space;
 - d. The extent to which the gift or donation represents the history and culture of the County and adds to the cultural value of the public space;
 - e. The extent to which the gift or donation presents an unreasonable burden to the County to maintain the gift or donation.
- (iii) With respect to gifts of real property:
 - a. The extent to which the land is involved in a dispute as to ownership;
 - b. The extent to which the land presents an unreasonable burden to the County to maintain;
 - c. The extent to which the land is useful to the County for a public purpose;
 - d. The extent to which the use of the land is restricted.

GIFTS OR DONATIONS REQUIRING CONTRACTUAL AGREEMENT:

If the County Manager or his/her designee determines that a contractual agreement is necessary or advisable related to the acceptance of a gift or donation, then the County shall prepare the contract and other documents for execution by the County and the donor. Contractual agreements related to the acceptance of a gift or donation will be required when any sharing of costs related to siting, installation, or maintenance is involved in the proposed gift or donation. The execution of the contractual agreement may be made a condition of the approval of the application to make a gift or donation.

COUNTY TO SITE AND INSTALL DONATED IMPROVEMENTS:

If a gift or donation involves the installation of improvements on County owned property, then the County, in its sole discretion, shall be responsible for decisions related to the siting and installation of the improvement. If an approved application to make a gift or donation requests the installation of an improvement in a specific place or configuration, the County will endeavor to site and install the improvement as requested, but the precise location shall be subject to the County final approval.

TAX ADVICE NOT TO BE PROVIDED; RECEIPTS PROVIDED IN CERTAIN CIRCUMSTANCES:

The County shall not provide advice to applicants seeking to make a gift or donation regarding whether the gift or donation may be tax deductible or otherwise have an impact on the donor's tax liability or tax status. Upon request, the County will provide a receipt of the gift or donation.

NONDISCRIMINATION AND AVOIDANCE OF ENDORSEMENT OR EXCESSIVE ENTANGLEMENT:

The County will make decisions pursuant to this policy without discrimination based on race/color, sex, disability, age, or national origin; will seek to avoid acceptance of gifts or donations that give the appearance of endorsements of organizations, movements, or political views; and will seek to avoid excessive entanglement in religion or controversies.