



Pender County

Agenda

Board of County Commissioners Meeting
 Monday, April 15, 2024 @ 4:00 PM
 Pender County Public Assembly Room
 805 S. Walker Street, Burgaw, NC

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- 18. SOCIAL SERVICES BOARD
- 19. PUBLIC COMMENT
- 20. ITEMS FROM THE COUNTY ATTORNEY, COUNTY MANAGER, ASSISTANT COUNTY MANAGER, & COUNTY COMMISSIONERS
- 21. CLOSED SESSION (IF APPLICABLE).
- 22. 7PM PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP AMENDMENTS/ RESOLUTIONS
 - 22.1. REZONE 2024-63: Request to reclassify 2.37 acres of a 5.65 acre parcel from the Medium Density Residential future land use category to the Neighborhood Mixed Use future land use category in the Long Creek Township
[REZONE 2024-63 - Pdf](#) Davis 165 - 213
 - 22.2. REZONE 2023-59: Request to rezone approximately 2.37 acres of an approximately 5.65 acre parcel from the RA, Rural Agricultural zoning district to the CZ-5, Conditional Zoning District 5 in the Long Creek Township
[REZONE 2023-59 - Pdf](#) Davis 215 - 263
- 23. ADJOURNMENT



**Pender County
Resolution Proclaiming April 2024 as
Child Abuse Prevention Month in Pender
County**

TO: Board of County Commissioners
FROM: Lexi Stanfield
DATE: April 15, 2024
SUBJECT: Proclamation naming April 2024 as Child Abuse Prevention Month in Pender County

SUMMARY:

Carousel Child Advocacy Center launched their Tri-County Child Sexual Abuse Prevention Initiative in April 2022. They have received support from various sectors of the community including government agencies, schools, businesses, organizations, and individuals. Carousel Child Advocacy Center has asked the Pender Board of Commissioners to show their support by proclaiming April 2024 as Child Abuse Prevention Month.

ACTION REQUESTED:

Adoption of the attached Proclamation

Board of County Commissioners
Brad George – Chair
Jacqueline A. (Jackie) Newton – Vice Chair
Wendy Fletcher-Hardee
Archibald (Fred) McCoy
Jerry Groves



County Manager
David Andrews
Assistant County Manager
Allen Vann
County Attorney
Carl W. (Trey) Thurman
Staff Attorney
Patrick Buffkin

**PENDER COUNTY BOARD OF COMMISSIONERS
CHILD ABUSE PREVENTION MONTH PROCLAMATION**

WHEREAS, in the fiscal year 2022 - 2023, Carousel Child Advocacy Center (CCAC) received 412 child abuse case referrals with 60 of those referrals being for children in Pender County; and

WHEREAS, children are our most vulnerable members as well as our most valuable resources, helping to shape the future of our communities; and

WHEREAS, child sexual abuse, physical abuse, emotional abuse, and neglect are serious problems affecting every community, and can have long-term psychological, emotional, and physical consequences throughout an individual's lifetime, impacting future generations; and

WHEREAS, children who have access to safe adults, protective environments and live in families with access to concrete economic and social supports are less likely to experience abuse and neglect; and

WHEREAS, positive childhood experiences (PCES)—like loving caregivers and safe, stable, and nurturing relationships—can help mitigate trauma and the negative impact of adverse childhood experiences (ACES) to promote the social, emotional, and developmental well-being of children; and

WHEREAS, in order to solve the public health and safety issues of child abuse, we must work together to change social norms, break down bias and barriers, center the needs of families, and inspire education and action in all sectors of society; and

WHEREAS, Pender County is committed to preventing child abuse and recognizes the need to invest in primary prevention efforts, intervention services, and equitable, responsive, and effective systems that ensure all children and families are healthy and thriving.

NOW, THEREFORE, BE IT PROCLAIMED by the Pender County Board of Commissioners that April 2024 will be recognized as “Child Abuse Prevention Month” in Pender County. All citizens, community agencies, parent/caregiver groups, medical facilities, elected leaders, and businesses are called upon to increase their participation in our efforts to support increased awareness, promote education, build connections, and support families, thereby preventing child abuse and strengthening the community in which we live.

ADOPTED this the 15 day of April, 2024.

PENDER COUNTY

ATTEST:

Brad George, Chair

Lexi Stanfield, Clerk to the Board

P.O. Box 5, 805 South Walker Street, Burgaw, N.C. 28425

910-259-1200 Office | www.pendercountync.gov





**Pender County
2024 Child Abuse Prevention Month P**

TO: Board of County Commissioners
FROM: Wes Stewart
DATE: April 15, 2024
SUBJECT: 2024 Child Abuse Prevention Month

SUMMARY:

April is National Child Abuse Prevention Month. National Child Abuse Prevention Month recognizes the importance of families and communities working together to prevent child abuse and neglect. DSS will be hosting a Family fun day on April 20th in honor of Child Abuse Prevention month.



State of North Carolina

ROY COOPER
GOVERNOR

CHILD ABUSE PREVENTION MONTH

2024

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, children's healthy development and well-being is a priority for our state and children need safe, stable, and nurturing families, schools, and communities; and

WHEREAS, childhood trauma, including abuse and neglect, is a serious problem affecting communities across our state and has long-term negative effects on children, families, and future generations; and

WHEREAS, children who live in families with access to economic, health, educational, and social supports are less likely to experience abuse and neglect; and

WHEREAS, nurturing positive, healthy childhoods and preventing child maltreatment requires action by all North Carolinians and is achieved through partnerships built among families, prevention advocates, child welfare professionals, schools, health care providers, community and faith-based organizations, businesses, law enforcement agencies, and local, state, and national governments; and

WHEREAS, in order to solve the public health issue of abuse and neglect we must work together to ensure all children and families are healthy and thriving and invest more in effective child abuse prevention initiatives and family-strengthening policies and supports;

NOW, THEREFORE, I, ROY COOPER, Governor of the State of North Carolina, do hereby proclaim April, 2024, as "CHILD ABUSE PREVENTION MONTH" in North Carolina, and commend its observance to all citizens.



Roy Cooper
Governor

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Carolina at the Capitol in Raleigh this twenty-seventh day of March in the year of our Lord two thousand and twenty-four and of the Independence of the United States of America the two hundred and forty-eighth.

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Child Abuse Prevention



Family Fun Day

April 20, 2024

2:00pm -4:00pm

Join us for games, face painting,
food and lots of FUN!!

PENDER COUNTY DSS

810 South Walker Street
Burgaw, NC 28425
910-259-1240

Prevención de abuso a Los Niños



Día de Diversión para las Familias

El sábado del 20 de abril,
de las 2 p.m. a las 4.

¡Juegos, pintura facial, comida, y
mucha diversión!!

El Condado de Pender del DSS

810 South Walker Street
Burgaw, NC 28425
910-259-1240



Pender County Public Information

TO: Board of County Commissioners
FROM: Michelle Leach
DATE: April 15, 2024
SUBJECT: Vietnam War Commemoration

SUMMARY:

The 2008 National Defense Authorization Act authorized the Secretary of Defense to conduct a program to commemorate the 50th anniversary of the Vietnam War. March 29 marks seven years since The Vietnam War Veterans Recognition Act of 2017 was signed into law, designating its perpetual commemoration like that of our other military-centric annual observances, such as Memorial Day, Independence Day and Veterans Day.

The United States of America Vietnam War Commemoration honors all veterans who served on active duty in the U.S. Armed Forces at any time from November 1, 1955, to May 15, 1975, regardless of location.

Pender County Veteran Services is recognized as a Commemorative Partner to assist and support our nation in thanking and honoring our Vietnam War Veterans and their families.

Commemoration objectives

1. To thank and honor veterans of the Vietnam War, including personnel who were held as prisoners of war or listed as missing in action, for their service and sacrifice on behalf of the United States and to thank and honor the families of these veterans.
2. To highlight the service of the armed forces during the Vietnam War and the contributions of federal agencies and governmental and non-governmental organizations that served with, or in support of, the armed forces.
3. To pay tribute to the contributions made on the home front by the people of the United States during the Vietnam War.
4. To highlight the advances in technology, science, and medicine related to military research conducted during the Vietnam War.

5. To recognize the contributions and sacrifices made by the allies of the United States during the Vietnam War.

THE UNITED STATES OF AMERICA



A GRATEFUL NATION THANKS AND HONORS YOU



*A Grateful Nation Thanks and Honors
Our Vietnam War Veterans for Their
Service, Valor & Sacrifice*

DEPARTMENT OF DEFENSE VIETNAM WAR COMMEMORATION



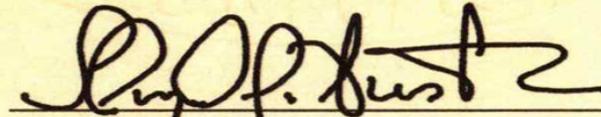
Recognizes

PENDER COUNTY VETERAN SERVICES

as a

Commemorative Partner

Awarded in recognition of your willingness to assist and support a grateful nation in thanking and honoring our Vietnam War Veterans, their families, and those who served with, or in support of, the Armed Forces. Done this 19TH day of MARCH, 2024.


SECRETARY OF DEFENSE



**Pender County
March 11, 2024, BOCC Special Meeting
Minutes**

TO: Board of County Commissioners
FROM: Lexi Stanfield
DATE: April 15, 2024
SUBJECT: March 11, 2024, BOCC Special Meeting Minutes

SUMMARY:

Attached are the minutes for the March 11, 2024, BOCC Special Meeting.

ATTACHMENTS:

Minutes



MINUTES
Board of County Commissioners Meeting
Monday, March 11, 2024 1:00 PM
Pender County Public Assembly Room

MEMBERS PRESENT: Brad George
 Jacqueline A. Newton
 Wendy Fletcher-Hardee
 Jerry Groves

MEMBERS ABSENT: Fred McCoy

OTHERS PRESENT: David Andrews, County Manager
 Trey Thurman, County Attorney
 Patrick Buffkin, Staff 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

1.1 Chairman George called the meeting to order at 1:00PM.

2 MOTION TO ENTER INTO CLOSED SESSION PURSUANT TO NCGS § 143 318.11(A)(6) PERSONNEL

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to go into closed session pursuant to NCGS § 143 318.11(A)(6) personnel.

	For	Against	Abstained	Absent
Fred McCoy				X
Jacqueline A. Newton	X			
Jerry Groves	X			
Wendy Fletcher-Hardee	X			
Brad George	X			
	4	0	0	1

CARRIED.

3 Motion to return to open session

4 ADJOURNMENT

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to adjourn the meeting at 3:55PM.

	For	Against	Abstained	Absent
Fred McCoy				x
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	4	0	0	1

CARRIED.



Pender County Concurrent BOCC March Meetings Minutes

TO: Board of County Commissioners
FROM: Lexi Stanfield
DATE: April 15, 2024
SUBJECT: Concurrent BOCC March Meetings Minutes

SUMMARY:

The Board of County Commissioners held multiple meetings in the month of March that ran concurrently with one another. The minutes attached document the meetings and reflect them running concurrently. The meetings are listed below:

March 11, 2024, Regular Meeting
March 14, 2024, Budget Retreat
March 15, 2024, Budget Retreat

ACTION REQUESTED:

Approval of Minutes

ATTACHMENTS:

March 11, 2024, Regular Meeting Minutes
March 14, 2024, Budget Retreat Minutes
March 15, 2024, Budget Retreat Minutes



MINUTES
Board of County Commissioners Meeting
Monday, March 11, 2024 4:00 PM
Pender County Public Assembly Room

MEMBERS PRESENT: Fred McCoy
 Jacqueline A. Newton
 Jerry Groves
 Wendy Fletcher-Hardee
 Brad George

MEMBERS ABSENT:

OTHERS PRESENT: David Andrews, County Manager
 Trey Thurman, County Attorney
 Patrick Buffkin, Staff 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

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

2 INVOCATION

2.1 Commissioner Fletcher-Hardee gave the invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Vice Chair Newton led the Pledge of Allegiance.

4 ADOPTION OF AGENDA

Moved by Fred McCoy, seconded by Wendy Fletcher-Hardee

Motion to add a Staff Report Regarding the Primary Elections on March 5, 2024.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			

Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to Pull Item 8.6 From the Consent Agenda.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to Adopt the Consent Agenda with the Aforementioned Changes.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

5 PUBLIC HEARING

6 PUBLIC INFORMATION

6.1 The 1865 Society of Pender County

Karen Malloy, President of the 1865 Society of Pender County,

addressed the Board to ask for support for the Juneteenth Celebration. Ms. Malloy thanked the commissioners for their support in 2023. Chairman George requested Ms. Malloy to give the Board more time to look over her packet and to make a decision at the next meeting. Ms. Malloy finished her presentation with a slideshow of past events.

6.2 Veterans Services Spring 2024 Update

Michelle Leach, Veteran's Services Director, spoke about upcoming events with Pender County's Veteran's Services office. On March 15th from 9-10:30AM there will be a Veteran's Coffee. March 26th from 5:30-7PM there will be another screening of Veteran's Battlefield. The Pender Strong Resource Expo will be on April 20th. Veteran's Standdown will be coming in the fall of 2024. Pender County Veteran's Services is having Wellness Wednesdays where seminars will cover various topics. Leach provided the Board and the public the contact information for both the Hampstead and Burgaw office locations. Leach answered Board questions.

6.3 Presentation of the FY2023 Audit Report

Meg Blue, Finance Director, introduced Erica Brown from Martin Starnes & Associates CPAs. Brown is Pender County's auditor for FY 2023-24. Brown went over the findings of Pender County's most recent audit. It was reported that there were new standards for auditing this year. Brown covered recent changes in auditing standards and the GASB96 (Governmental Accounting Standards Board). The General Fund Revenue increased by 8.6 percent and the expenditure increased by 5 percent since 2022. Brown reviewed what a fund balance is. Pender County's fund balance 10.7 percent and the available fund balance increased 5 percent since 2022. Brown went over Major Enterprise Funds such as Solid Waste and Pender County Utilities. Brown reported negative and positive key performance indicators. She covered the Tourism Development Authority summary briefly. Brown answered questions from the Board. Commissioner McCoy offered praise for the Emergency Fund Balance.

6.4 Presentation on behalf of the Pender LTRG & Area NonProfits

Olivia Dawson, Tourism Director, went over the Pender Long Term Recovery Group's (PLTRG) history. The group was established in 2018 post Hurricane Florence. It provides support for individuals needing disaster relief. Dawson covered the partners and organizations of PLTRG. It was reported there are over fifty-five homes still waiting on assistance to recover from Hurricane Florence. Dawson went over various statistics and spoke about on-going and increasing needs within the community. Dawson answered questions from the Board. Sandy

Harris, CEO of Pender County Christian Services and Pender Alliance Resource Center, presented the second half of the presentation. The Board recognized the non-profit representatives present at the meeting. Harris reported the current projects being worked on and asked the Board for support. Harris addressed concerns with the homeless population and the work being done to combat it. Harris asked the Board to hire a Community Resource Director and to match \$500,000 for a new building to house all the non-profits.

6.5 Staff Report Regarding Pender County Primary Elections

Patrick Buffkin, Staff Attorney, addressed the Board and the Public to discuss the primary election issues that occurred on March 5, 2024. The Board of Elections was not present at the meeting. Buffkin reported the Board of Elections is investigating the issue but that elections are not over. Pender County will receive a full after-action report at a later date. Buffkin stated the things known to be true: The polls opened on-time, all votes were cast, the state Board of election agrees, and a contingency plan was used. The late reporting of the results was at least partly to blame due to technology issues. The Board of Elections could have done a better job. Lastly, the county will have a role to play in the Board of Elections' effort to do a better job.

7 PUBLIC COMMENT FOR AGENDA ITEMS

7.1 Amery Wells spoke about land use and UDO changes for out-buildings on secondary structures.

8 CONSENT AGENDA

8.1 Preservation of Death and Marriage Records

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to Approve Consent Agenda without Item 8.6.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

- 8.2 January 16, 2024, BOCC Meeting Minutes
- 8.3 February 5, 2024, BOCC Special Meeting Minutes
- 8.4 February 5, 2024, BOCC Meeting Minutes
- 8.5 February 20, 2024, BOCC Meeting Minutes
- 8.6 Amendment to BOCC Regular Meeting Schedule

Item pulled from agenda.
- 8.7 Appointment to the WMPO
- 8.8 Appointment to CFCC Board of Trustees
- 8.9 Approval of Sole Source vendor for Keystone Information Services for server migration for historical tax data
- 8.10 Motor Vehicle Releases and Refunds
- 8.11 Refund/Release Requests for items meeting NC G.S 105-381
- 8.12 Approval of Budget Amendment to transfer funds from revenue to expenditure in the amount of \$28,333.99.
- 8.13 Approval for Purchase Order to the Town of Surf City for School Resource Officer salary of \$49,600.62.
- 8.14 Approval to accept \$62,484 State Fiscal Recovery Funds Directed Grant for Library
- 8.15 Resolution Expressing Support for Contingency Funding for Two Traffic Signals on Hwy. 17
- 8.16 Resolution of the Pender County Board of Commissioners Authorizing Upset Bid Process with respect to the Disposition by Sale of Parcel 2384-79-9996-0000 Located off of Willard Road in Willard, NC
- 8.17 Resolution of the Pender County Board of Commissioners Authorizing Upset Bid Process with respect to the Disposition by Sale of Parcel 2385-31-8240-0000 Located on Bay Road in Union, NC

9 APPROVALS AND RESOLUTIONS

- 9.1 Resolution to Direct the Expenditure of Opioid Settlement Funds

Carolyn Moser, Health and Human Services Director, presented the item. Moser gave the Board background information about the opioid settlement funds. She presented options for the use of the funds. Option A's "high impact" abatement strategies and guiding principles were discussed. There are three projects recommended for funding: Sheriff's Department D.A.R.E. program, a Coastal Horizons Post-Overdose response team, and Pender County Schools' Early Intervention and

Skills Building Program. The funds would be disperse annually following a yearly report. Moser answered questions from the Board.

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Motion to approve the Resolution to Direct the Expenditure of Opioid Settlement Funds.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

9.2 Resolution Accepting Strategic Buyout Program Properties

Daniel Adams, Planning Director, presented the Resolution Accepting Strategic Buyout Program Properties. Adams reported to the Board that the resolution formalizes the last step of the buyout program with NCOR.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to Approve the Resolution Accepti.ng Strategic Buyout Program Properties

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

9.3 Award of contract for architecture and engineering services for future Hampstead Branch Library and approval of associated budget amendment, purchase order, and capital project ordinance

Allen Phillips-Bell, Library Director, presented the item to the Board. He started off by thanking all those who have helped the Pender County libraries. Bell asked the Board to approve managerial power to execute the contract. It was reported that staff recommend Sawyer, Surewood, and Associate. The cost is \$1,129,000.00. The estimated construction cost is \$14million. The total estimated cost for this project is \$15,308,000.00. Phillips-Bell reported Pender County has received \$2,141,968.00 in donations, grants, and assets. \$13,165,747.00 will come from the General Fund. Phillips-Bell reviewed the proposed projects schedule. The Board asked questions.

Moved by Fred McCoy, seconded by Jerry Groves

Motion to Approve the awarding of contract for architecture and engineering services for future Hampstead Branch Library and approval of associated budget amendment, purchase order, and capital project ordinance.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton		x		
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	4	1	0	0

CARRIED.

- 9.4 A resolution of Pender County, North Carolina, supporting the America 250 NC committee for the United States semi quincennial (AMERICA 250 NC).

Olivia Dawson, Tourism Director, present the resolution of Pender County, North Carolina, supporting the America 250 NC committee for the United States semi quincennial (AMERICA 250 NC). Dawson explained the 250th birthday of America was approaching (year 2026), and she is asking the Board to approve the creation of a committee to highlight events regarding that event. Dawson reviewed collaborators for the committee and discussed the grant opportunities available.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to approve the resolution of Pender County, North Carolina, supporting the America 250 NC committee for the United States semi

quincennial (AMERICA 250 NC).

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

9.5 Approval of FY2023-2024 Audit Contract and related Purchase Order

Meg Blue, Finance Director, presented the item. Blue reported the contract would be with Martin Starnes & Associates CPAs, the same auditor Pender County used for FY2022-23. Blue explained it is hard to find auditors that will take new governments. The contract price is about the same as FY2022-23.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to Approve FY2023-2024 Audit Contract and related Purchase Order

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

10 DISCUSSION

10.1 Discussion of various land use topics

Daniel Adams, Planning Director, presented the discussion item to the Board. Adams explained staff were seeking feedback from the Board on accessory structures (Appendix A of the Pender County UDO), as well as the interpretation and intent. Adams suggested adding thresholds.

Newton expressed she felt this discussion would be better in a planning setting rather than a Board of Commissions meeting, and suggested the public be involved. The Board members discussed among themselves the item and asked Adams to bring back recommendations.

11 APPOINTMENTS

11.1 Appointment to the Advisory Board of Health

Lexi Stanfield, Clerk to the Board, present the Board Bonita Sue Pylers application for the Advisory Board of Health's physician position. Ms. Pylers is already serving on the board as a public member. She has a history as a nurse practitioner. The Advisory Board of Health has used nurse practitioners in the past to fill the physician position. Stanfield reported she had not received any physician applications for almost a year and recommended the Board approve Ms. Pylers's application.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to Approve Bonita Sue Pylers for the Physician Position on the ABOH.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

- 12 MAPLE HILL WATER AND SEWER DISTRICT**
- 13 ROCKY POINT WATER AND SEWER DISTRICT**
- 14 SCOTTS HILL WATER AND SEWER DISTRICT**
- 15 MOORES CREEK WATER AND SEWER DISTRICT**
- 16 CENTRAL PENDER WATER AND SEWER DISTRICT**
- 17 PENDER COUNTY BOARD OF HEALTH**

18 SOCIAL SERVICES BOARD

19 PUBLIC COMMENT

- 19.1 Cheryl Highsmith: Discussed bringing public awareness for kidney disease and gave an update on her internet with Focus Broadband.
- 19.2 William Nixon: Discussed water and property issues he is facing.
- 19.3 Ross Demay: Discussed UDO issues.

20 ITEMS FROM THE COUNTY ATTORNEY, COUNTY MANAGER, ASSISTANT COUNTY MANAGER, & COUNTY COMMISSIONERS

- 20.1 Trey Thurman, County Attorney, asked the Board to go into closed session pursuant to item three (3) attorney client privilege including Pender vs Shiloh Volunteer Fire Department, Pender County vs Warmingham, and Coastal Pines Solar Farm vs Pender County.
- 20.2 Allen Vann, Assistant County Manager, reminded the public the next BOCC meeting on April 2, 2024, would begin the 4:00Pm closed session followed by a 5:00PM public session. Vann also reminded the public about the Budget Retreats scheduled for the week of the 14th. Vann gave an update from Kris Ward at Focus Broadband.
- 20.3 Commissioner Groves stated there was not enough infrastructure in Pender County to support the citizens. Additionally, he voiced his desire to move public comment to the beginning of meetings.
- 20.4 Commissioner McCoy stated he would miss staff after his term ended but would not miss late night meetings.
- 20.5 Vice Chair Newton stated she will also miss staff and plans to finish out her term. She discussed complaints she received regarding the appraisers and not respecting boundaries. She urged the tax administrator to explain what the law allows appraisers to do at the next meeting. Lastly, Newton stated she felt confederate statues should be put in a more appropriate place than the courthouse square.

21 CLOSED SESSION (IF APPLICABLE).

- 21.1 The Board went into closed session at 6:26PM. The Board returned to open session at 7:05PM.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to go into closed session pursuant to item three (3) attorney client privilege including Pender vs Shiloh Volunteer Fire Department, Pender County vs Warmingham, and Coastal Pines Solar Farm vs Pender County.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to return to open session.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.

22 7PM PUBLIC HEARINGS: SPECIAL USE PERMITS/ZONING MAP AMENDMENTS/ RESOLUTIONS

22.1 REZONE 2023-47 CZMA: Request to revise a Conditional Zoning Map Amendment for the Falls Mist Development

Daniel Adams, Planning Director, presented REZONE 2023-47 CZMA to the Board and introduced Sam Potter, the applicant's attorney, to present their own presentation. Potter gave a brief overview of the item. He went over the zoning conditions and the modifications requested. Potter noted the planning board and the planning staff support this rezoning case. Potter addressed the concerns about public health and safety, as well as emergency access. he discussed the side setbacks of 5-feet. Potter answered Board questions.

Aubrey Harvey: Expressed support for the rezoning.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to Approve REZONE 2023-47 CZMA: Request to revise a Conditional Zoning Map Amendment for the Falls Mist Development.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves		x		
Wendy Fletcher-Hardee	x			
Brad George		x		
	3	2	0	0

CARRIED.

22.2 REZONE 2023-61: Request to rezone two parcels from the GB, General Business zoning district to the CZ-6, Conditional Zoning District 6 in the Topsail Township

Daniel Adams, Planning Director, presented REZONE 2023-61. TW and AG Timber, LLC is the applicant and owner of the property. They own 6.2 acres and are asking to have it rezoned from General Business to Conditional Zoning District 6. The property is northwest of HWY 210 and HWY 17. Majority of the surrounding properties are zoned general business and residential performance. Adams reviewed the proposed uses of the property and dimensional standards. Traffic impacts were compared from the past versus with the proposed uses. Staff recommend approval of the rezoning however, the Planning Board voted 4-1 to deny. Adams answered questions from the Board. Sam Potter, the applicant's attorney, addressed Board comments and concerns. He gave a brief overview of the rezoning request and discussed the surrounding businesses. Potter discussed storm water runoff. Wes Wooten, applicant, addressed the Board's questions regarding the gate on the property and other concerns of the Board.

Moved by Wendy Fletcher-Hardee, seconded by Jacqueline A. Newton

Motion to Approve REZONE 2023-61 and find it consistent with the Policies 5.1.C, 5.1.D., 5.1.F., 5.1.K., 5.1.N.; with the conditions: development on the site shall comply with all requirements of the Pender County Unified Developed Ordinance, development on the site shall meet all other local, state, and federal regulations, there shall be no cleaning and pumping of portable toilets on site. Disposal or storage of any waste of any type on the site shall be prohibited, Equipment stored on site shall be required to meet the standards outlined in Table 2 of this report, A six-foot-tall opaque fence shall be established around

the perimeter of the site that operates under NAICS codes 532490 and/or 562991, Lighting shall be shielded so that it does not cast direct light beyond the property line, The existing 30-foot-wide gate with direct access to Peanut Road on parcel 3282-88-1093-0000 shall be removed prior to issuance of zoning approval. The existing 40-foot-wide gate with direct access to NC Highway 210 on parcel 3282-88-1093-0000 shall remain as emergency access only and shall comply with the state fire code, Mobile office units stored on site shall not be stacked more than two high and a licensed professional shall provide documentation that the units are properly anchored to comply with the appropriate wind zone rating.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George		x		
	4	1	0	0

CARRIED.

22.3 ZTA 2024-22: Request to amend the Unified Development Ordinance, specifically Article 3: Review Procedures

Alex Moran, Planner, presented ZTA 2024-22: Request to amend the Unified Development Ordinance, specifically Article 3: Review Procedures. Moran explained to the Board the amendment to article three of the UDO is putting all requirements for advertising and informing the public in one place. The planning department has to follow regulations made by the state and by Pender County. This amendment would combine the regulations on paper. Moran answered questions from the Board.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to Approve ZTA 2024-22: Request to amend the Unified Development Ordinance, specifically Article 3: Review Procedures

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-	x			

Hardee				
Brad George	x			
	5	0	0	0

CARRIED.

23 ADJOURNMENT

23.1 The meeting was recessed until March 14, 2024, at 1:00PM with the intent to go into closed session for item six (6) Personnel.

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

Motion to recess the meeting until March 14, 2024, at 1:00PM.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.



MINUTES
Board of County Commissioners Meeting
Thursday, March 14, 2024 4:00 PM
Hampstead Annex Auditorium

MEMBERS PRESENT: Brad George
Jacqueline A. Newton
Jerry Groves
Wendy Fletcher-Hardee

MEMBERS ABSENT: Fred McCoy

OTHERS PRESENT: David Andrews, County Manager
Trey Thurman, County Attorney
Patrick Buffkin, Staff 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

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

**2 FY 2024-25 THROUGH FY 2028-29 CAPITAL IMPROVEMENT PLAN (CIP) --
GENERAL FUND**

2.1 DHHS Building
4:00PM-4:30PM

Carolyn Moser, Health and Human Services Director, presented to the Board. Moser gave a brief recap of the new DHHS building. Moser reported they are set to look at the final design. Bailey Allred, Studio Director of Bobbitt Construction, reported to the Board where the DSS building currently stands. Bobbitt reported the building is still set to be two stories with health and training on the first floor and social services on the second floor. There will be two entries, one for the public and one for employees. Allred broke down some of the architectural design choices for the board. Allred gave a general update on the timeline of the DHHS building: May 2024 bidding begins, June 2024 they will complete the planning and permitting, July 2024 they will complete the

design, October 2024 is the expected groundbreaking on the property, and May 2026 is the planned grand opening. Allred addressed some residents' concerns. Bobbitt covered the project costs. The total project cost is estimated to be \$40,646,000.00. Pender County has spent \$2,753,617.00 on the project so far. Carolyn Moser, Bailey Allred, and Sarah Fulton (Assistant to the County Manager) answered questions from the Board.

2.2 Animal Shelter
4:30PM-5:00PM

Carolyn Moser, Health and Human Services Director, presented to the Board. Moser reported not much has changed since last year. Cape Fear Engineering will begin phase one of the environmental assessment. The new building would allow more space inside for dogs and cats per NC Animal Welfare laws. The cost is roughly \$555/square foot for the animal shelter. It is projected to be 13,000 square feet. The estimated overall cost is \$7,500,000. Design and permitting is expected to be a 12–18-month timeline. The cumulative donations are estimated at \$10,000.00. There are some grants available that can be as much as \$50,000.00. This amount would cover flooring replacement in the current building. Moser answered questions from the Board. Commissioner McCoy offered praise for Moser's direction over the years.

2.3 LEC / Detention Center
5:00PM-5:30PM

Jared Cass, Project Manager, presented the LEC/Detention Center. He went over the estimated timeline. The design phase is expected to be complete in May 2024 directly followed by planning and permitting. Bidding and financing are expected to begin in June 2024. Groundbreaking is projected to begin in January 2025 and the grand opening is estimated to be September 2026. Cass covered the projected costs. The total estimated cost is \$65,012,060.00. Pender County has spent \$2,379,938.00 on the project so far. Sheriff Culter and Bryan Payne from Moseley Architects were also present for the item. Sheriff Cutler and Payne provided input on the project and expected outcomes. David Andrews and Allen Vann, County Manager and Assistant County Manager respectively, gave input on the project as well. Meg Blue, Finance Director, provided input on the financial aspects of the project. Cass, Sheriff Cutler, and Payne answered questions from the Board.

2.4 New Hampstead Library
5:30PM-6:00PM**

Allen Phillips-Bell, Library Director, presented the New Hampstead Library. John Sawyer, Library Architect was also present. Phillips-Bell gave a brief overview of the project. It will be 20,000 square feet and located next to the Hampstead Annex. It is a one-story floor plan with a large community meeting room and multiple small study rooms. The new library will have an expanded children's area and space for programming to accommodate growing needs for families. Phillips-Bell went over the current timeline. The design phase will begin in April 2024 and is expected to be completed by March 2025. January through April 2025, they plan on executing the permitting phase. Bidding and financing will begin in April 2025 and last through July 2025. July 2025 is the estimated groundbreaking, and the grand opening is estimated to be September 2026. Sawyer offered some insight on his company's process for staying in budget and on time. The estimated cost for the new library is \$15,308,000.00. \$13,166,032.00 that cost will come from the General Fund Balance. The remaining estimated cost will come from a Friends of Library Donation, State Aid to Public Libraries Grant, Capital Reserves, and proceeds from the sale of the current library. Phillips-Bell answered questions from the Board.

2.5 Kiwanis Park Expansion
6:00PM-6:30PM

Zach White, Parks and Recreation Director, presented the Kiwanis Park Expansion. White gave a brief overview of the project. White reviewed the estimated timeline. The design phase began in June 2023 and is estimated to be complete in April 2024. Bidding and financing is estimated to begin in June 2024. The planning and permitting is estimated to be complete in September 2024. Groundbreaking is estimated to begin November 2024 and the grand opening in September 2025. The project cost is \$3,766,062.00. Pender County has spent \$12,000 on the project so far. Jared Cass, Project Manager, asked the Board for input and direction on the project. Cass reported White was able to cut \$650,000 from the original estimated cost.

2.6 Central Pender Park
6:30PM-7:00PM

Zach White, Parks and Recreation Director, presented Central Pender Park. White gave a brief summary of the project. The county is under contract with Pond and Company for this project. Currently Pender is in phase one of the project. White went over the timeline for the project. In October 2023 the design phase began. September 2024, Pender County plans to complete the design phase and go on to the bidding and financing phase. In October 2024, planning and permitting is estimated to be complete and groundbreaking will begin. June 2025 is the estimated grand opening. The total project cost estimate is

\$5,633,725.00. Pender County has spent \$1,928,725.00 on the project so far. White and Juan Morales, Senior Project Manager for Pond and Company, answered questions from the Board.

2.7 Malpass EMS Facility
7:00PM-7:30PM

Everrett Baysden, EMS and Fire Director, presented the Malpass EMS Facility. Baysden went over the EMS station timeline. In October 2023 funding was obtained in the NC budget via Direct Grant. In January 2024 testing and permits were completed. In February 2024 bidding began for the design and engineering. Pender is currently still receiving bids. Groundbreaking is estimated to begin in August 2024 and the grand opening is estimated for November 2024. The land for this station was donated by Pender County Schools. The total cost estimate is \$1,350,000.00 and is based on comps with a similar design. A more detailed cost breakdown will be reported after the bidding phase. Baysden answered questions from the Board.

2.8 K-8 School Site
7:30PM-8:00PM

Brad Breedlove, Pender County Schools Superintendent, presented the K-8 School Site. The K-8 school site will serve 800 elementary students and 1,200 middle school students. This site will replace the current Topsail middle school with room for growth. Mike Taylor, Operations Manager for Pender County Schools, covered the timeline for the project. The design phase began in July 2023 and is expected to be completed in July 2024. The planning and permitting phase began in March 2024. Bidding and financing are expected to begin in September 2024. Groundbreaking is expected to begin in Fall 2024 and the grand opening is estimated for August 2026. The estimated total project cost is \$135,547,525.00. Pender County purchased land for the new K-8 School Site at a price of \$6,000,000.00. \$5,003,800.00 was paid upfront by Pender County and is expected to be recouped from bond proceeds. The estimated annual debt service is \$8,052,324.00. Taylor and Breedlove answered questions from the Board.

3 ADJOURNMENT

****Working Dinner**

- 3.1 The March 14, 2024, Budget Retreat ran concurrently with the March 11, 2024, Regular Board Meeting.
- 3.2 The Board recessed the meeting until 9:00AM Friday, March 15, 2024.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to recess until 9:00AM Friday, March 15, 2024.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.



MINUTES
Board of County Commissioners Meeting
Friday, March 15, 2024 9:00 AM
Hampstead Annex Auditorium

MEMBERS PRESENT: Brad George
Jacqueline Newton
Wendy Fletcher Hardee
Jerry Groves

MEMBERS ABSENT: Fred McCoy

OTHERS PRESENT: David Andrews, County Manager
Trey Thurman, County Attorney
Patrick Buffkin, Staff Attorney
Lexi Stanfield, Clerk to the Board
Allen Vann, Assistant County Manager
Other Staff and Members of the Press and Public.

1 BREAKFAST AND OPEN DISCUSSION
9:00AM-9:30AM

2 CALL TO ORDER

2.1 Chair George called the meeting to order at 9:00AM.

3 FY 2024-25 THROUGH FY 2028-29 CAPITAL IMPROVEMENT PLAN (CIP)
9:30AM-10:30AM

3.1 Pender County Utilities

- Scotts Hill Water Tower
- US 421 Sewer Extension
- Water Treatment Plant
- Western Pender Water Distribution Expansion
- Pender Commer Park Wastewater Treatment Plant Expansion
- Raw Water Purchase from Lower Cape Fear Water Authority
- PCU Office and Warehouse Facilities
- Meter Change-outs
- Convenience Center Upgrades

Anthony Colon, Utilities Director, presented the Pender County Utilities items. Colon explained Utilities currently has three projects that will cost over one million dollars. These projects are the Scotts Hill Water Tower, US 421 Water and Sewer Extension, and the Membrane Plant.

The Scotts Hill Water Tower consists of three wells and one elevated tank. As of today, all wells are sustainably complete and are waiting for NCDEQ to sign off on the permits to make them operational. The total cost of the project is \$13,450,740.00. The loan for this project has an 18% interest rate and is to be paid over the next twenty years. With principal, the total payment per a year is \$672,537.00.

The US 421 Water and Sewer Extension includes a .75 MGD Pump Station and approximately 805 miles of water and sewer mains. It will allow western Pender County access to county water and sewer. The project is estimated to be complete in October 2025. The total estimated cost is \$12,819,186.00. This project received funding from the American Rescue Plan Act (ARPS) in the amount of \$12,248,666.00 and \$262,000.00 in grant Fund 86 - Project #6963. \$308,520.00 is being funded from Fund 72.

Pender County has closed on 795 acres of land for the new the Membrane Plant. The plant is estimated to have the capability to treat three million gallons per a day and is expandable up to six million gallons per a day. Colon reported the only source of water currently are two wells and a line of water coming from Rocky Point. Colon stated a break in the Rocky Point water line will hurt the eastern part of the county, so a membrane water treatment plant is necessary. The Water Treatment Plant will address PFAS and conduct reverse osmosis. The estimated date of operation is Fall 2028. The engineering firm is working on utility rights-of-way and sanitary sewer. The sanitary sewer will be shared with the K-8 Elementary school on HWY 210. The first production well will be constructed in the upcoming six months. The projected cost is \$110,000,000.00. The 795 acres land for the site cost \$10,350,000.00 and includes a discharge line. The estimated construction cost is \$89,400,000.00. Pender County has currently obtained \$75,000,000.00 in funding from NCDWI. Utilities received a DWSRK loan of \$53,750,000.00 with an interest rate of .18%. There is Additional Supplemental Appropriations for Disaster Relief Act of 2019 loan in the amount of \$20,000,000.00 up to 25% of the loan has a principal forgiveness and an interest rate of .10%.

Colon went over future projects that will cost more than one million dollars.

By June 2028, PCU will need to purchase the remaining six million gallons per day Raw Water Capacity from Brunswick County to ensure enough flow from the LCFWSA. The total cost is \$4,000,000.00.

Colon reviewed the Meter Change-Outs project. Currently, the meters need to be changed out due to age and related build-up of minerals. The current meter readings are personnel intensive and a safety concern. PCU has planned to install meter-reading antennas to help reduce leaks. This project is something that has been discussed since 2019. Colon would like to begin this project in the Mapel Hill area. An RFQ has been published for this project with the intentions to award in the new fiscal year. The total cost is estimated to be \$700,000.00 for the Mapel Hill area. It will total out to \$140,000.00 per a year for five years. This cost includes maintenance and services for fifteen years. After Mapel Hill, Colon expressed interest in changing out the Scotts Hill meters.

Colon went over the Convenience Center upgrades. Pender County has twelve convenience center sites in total. Concrete is to be laid at each site that Pender County owns. Currently, Pender County owns five, leases six, and has one with perpetual usage at no cost. Pender Solid Waste will partner with GFL to improve the sites. GFL will be responsible for laying the concrete at one site per a year with a contract of ten years with Pender Solid Waste. Contract negotiations are on-going. Colon addressed fencing issues as well for the sites. Katie Leubner, PCU Project Manager, has found \$63,000.00 in the PCU budget to put towards fencing and security. Colon briefly touched on a Rocky Point transfer station.

Colon discussed the Office and Warehouse Facility for PCU project. Colon reported a warehouse is needed to provide a staging/storage area for pipes and other materials. PCU has seven 53 feet containers throughout the county for storing parts however, a facility would allow for a quicker response time and an increased efficiency of operations. Colon reported a office and warehouse facility would offer a space for Utilities would not only allow storage space but would provide an area for day-to-day business to be conducted. Pender County Schools has agreed to donate unused land. The Board of Commissioners approved of the property on February 5th. A letter of intent was sent to the Board of Education shortly after. The total budgeted estimate for FY 2024 for the design is \$500,000.00.

Colon reviewed the Western Pender Water Distribution Expansion. An interconnection with the Town of Harrells on US 421 will provide an emergency water supply for both PCU and Harrells and supply water to Pender County residents along US HWY 421 that are currently using

private wells. Colon reported he has enough funding currently to lay 5,000 feet of water line. Once more funding is secured, PCU plans to go to bid. The total estimate cost is \$35,000,000.00.

Colon answered questions from the Board.

4 5-YEAR FINANCIAL FORECAST

10:30AM-12:00PM**

4.1 General Fund

Ted Cole from Davenport, Financial Advisor for Pender County, presented the item. Cole reported the various topics for discussion including Credit Rating and Peer Comparatives, General Fund Operations and Fund Balance, Tax Supported Debt Profile, and CIP Project Funding Analysis. Pender County's GO Bonds are currently rated Aa2 on Moody's Rating Methodology and AA on S&P's Rating Methodology. North Carolina has twenty-one counties rated Aa2 by Moody's. Looking over the General Fund financial performance, Cole reported the County's operating revenues have exceeded operating expenditures in each of the last six completed fiscal years, resulting in a structurally balanced budget and annual operating surpluses. Additionally, the County has consistently added to unassigned and total fund balance over the last three years. From FY 2020 to FY 2023, Total General Fund Balance has grown by approximately \$33.5 Million from \$41.1 Million to \$74.6 Million. Over the same time period, Unassigned General Fund Balance has grown by approximately \$41.2 Million from \$22.0 Million to \$63.2 Million. Cole reviewed the history of Pender County's General Fund Balance over the course of the last five years and discussed Pender County's policy regarding its fund balance. Pender County's tax-supported Debt Services total is \$69,193,193.00. Using the 10-year payout ratio, Pender County will have paid off eighty percent by year ten. The 10-Year Payout Ratio measures the amount of principal to be retired in the next 10 years. Pender County has a policy establishing a minimum 10-Year Payout Ratio of 55%. Meg Blue offered insight on capital purchases, operating budget, and tax rates in response to Board questions. County Manager David Andrews assisted in providing some important markers and possible solutions for the future. Cole reviewed Pender County's Debt Affordability Analysis. Cole then reported an overview of CIP Projects in Pender County. Pender County is considering moving forward with a range of County and School projects. This analysis provided by Davenport Public Finance focused on the \$40.6 million Health and Human Services Building, \$62.5 Million Law Enforcement Center and Jail Construction, and \$178 million on various school projects. The County is moving forward with funding both the Human Services Building and LEC/Jail Project through the

United States Department of Agriculture's ("USDA") Community Facilities program. The USDA financings are assumed to be issued with two years of interest only (i.e., an interim construction financing), a 30-Year permanent financing with full payments of principal and interest beginning in FY 2027, a Level Debt Service Structure, and a 4.0% Interest Rate. All debt related to the school Projects is assumed to be issued based on the timing outlined below, a 20 Year term, a Level Principal Structure, and a 5.0% Interest Rate with interest payments beginning 6 months following issuance and principal payments beginning the fiscal year following issuance.

5 5-YEAR FINANCIAL FORECAST

12:00PM-2:00PM

5.1 Pender County Utilities

Ted Cole from Davenport, Financial Advisor for Pender County, presented the item. Cole gave a brief overview of what he plans on covering. Cole discussed existing Utility- Supported debt. Pender County is averaging four million dollars in supported-debt over the next ten years. Key Credit factors for the Utility Enterprise Funds include debt services coverage, system reserves, management, system size and assessment base, and economy and customer base. Cole discussed Moody's Rating Methodology and S&P Rating Methodology. Cole reviewed the financial operations of the combined funds. He focused mostly on 2023. Pender County's debt service coverage was 1.38 in 2023. Cole explained the Pender County's liquidity. Cole presented to the Board the anticipated funding for upcoming utility projects. Anthony Colon (PCU Director), James Proctor (PCU Deputy Director), and Meg Blue (Finance Director) provided additional insight on the subject. In order to analyze the effect of the County's ongoing and upcoming capital projects on the Utility Fund, a series of assumptions for the analysis were established based on discussions with County Staff. While discussing the Pro Forma Financial Model, Cole review revenue and expenditure assumptions. Cole walked the board through the project debt services for 2024 through 2044. Cole stressed keeping the reserves strong is important. Cole answered questions from the Board and County management regarding the project debt service. Colon and Proctor offered insight on the rates offered by Pender County Utilities.

6 FEDERAL AND STATE LEGISLATIVE AGENDA

2:00PM-3:00PM

6.1 Enter into Closed Session Pursuant to NCGS § 143 318.11(A)(3) Attorney Client Privilege

Moved by Jacqueline A. Newton, seconded by Wendy Fletcher-Hardee

*Motion to Enter into Closed Session Pursuant to NCGS § 143
318.11(A)(3) Attorney Client Privilege*

	For	Against	Abstained	Absent
Fred McCoy				x
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	4	0	0	1

CARRIED.

7 ADJOURNMENT

**Working Lunch

- 7.1 The Board voted to recess the meeting until Wednesday, March 20, 2024 at 2PM at the Hampstead Annex with the intent to go directly into closed session for item six (6) personnel.

Moved by Wendy Fletcher-Hardee, seconded by Jacqueline A. Newton

Motion to recess the meeting until Wednesday, March 20, 2024, at 2PM at the Hampstead Annex.

	For	Against	Abstained	Absent
Fred McCoy				x
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	4	0	0	1

CARRIED.

- 7.2 The March 11, 2024, Regular BOCC meeting that ran concurrently with the March 14th, 2024, and March 15, 2024, Budget Retreats adjourned on Wednesday, March 20, 2024, at 5:00PM.

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Motion to adjourn the March 11, 2024, Regular BOCC meeting that ran concurrently with the March 14th, 2024, and March 15, 2024, Budget Retreats.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Wendy Fletcher-Hardee	x			
Brad George	x			
	5	0	0	0

CARRIED.



Pender County Grant Acknowledgement and Allocation for Employee Spring Appreciation Event

TO: Board of County Commissioners
FROM: Pamela Brame
DATE: April 15, 2024
SUBJECT: Gift Donation from Smithfield

SUMMARY:

This report aims to formally acknowledge the receipt of a \$3,000 grant from Smithfield Foods. This generous contribution is earmarked for Pender County Government and execution of the Employee Spring Appreciation Event, scheduled for April 18th, 2024. This event is designed to honor and appreciate the hard work and dedication of our employees. The grant significantly assists in covering costs associated with the event, ensuring a memorable experience for all attendees. Furthermore, the report outlines proposed budget allocation and event planning details to ensure transparent and effective use of the funds.

ACTION REQUESTED:

Approval from the Pender County Board of Commissioners is sought for the following:

1. Formal acceptance of the \$3,000 grant from Smithfield Foods.
2. Authorization to allocate the received funds towards the planning and execution of the Employee Spring Appreciation Event.
3. Endorsement of the proposed event planning details and budget allocation towards "Middle of the Island Catering" as presented in the attached documentation.

ATTACHMENTS:

Attachment: Middle of the Island Catering Fee



Middle of the Island Catering Co
 PO box 425
 Wrigtsville Beach NC
 28480

Number E602

Date 3/19/2024

Bill To
 Pender County Government

Ship To

PO Number	Terms	Customer #	Ship	Via	Project
-----------	-------	------------	------	-----	---------

Item #	Description	Quantity	Price Each	Tax1	Amount
4-18-24	2 meat southern/6 sides/tea & water/bread	500	\$16.75	✓	\$8,375.00
1	Staff	6.00	\$125.00	✓	\$750.00

Amount Paid \$0.00
 Amount Due \$9,763.75

Discount \$0.00
 Shipping Cost \$0.00
 Sub Total \$9,125.00
 Sales Tax 7.00% on \$9,125.0 \$638.75
 Total \$9,763.75





**Pender County
Memorandum of Understanding with
Marine Forces Special Operations
Command related to off-base training
activities in Pender County**

TO: Board of County Commissioners
FROM: Patrick Buffkin
DATE: April 15, 2024
SUBJECT: Memorandum of Understanding with Marine Forces Special Operations
Command related to off-base training activities in Pender County

SUMMARY:

There is an existing memorandum of understanding (MOU) between Pender County, the Pender County Sheriff's Office, and the Marine Raider Training Center with Marine Forces Special Operations Command (MARFORSOC) based on Camp Lejeune. In summary, the MOU is an acknowledgement that MARFORSOC will be conducting off-base training in Pender County, and an agreement about where and how that training will be conducted. Of particular interest are that the training will not be in public places nor involve interactions with the public, will not involve firearms without prior notification, training participants will carry an Exercise Participant Card and government-issued identification, and that the County agree to keep confidential the details about the training conducted. This current agreement expires May 14, 2024.

On March 20, 2024, Mark Robinson of the Marine Raider Training Center contacted the County Manager to inquire about an extension to the existing MOU. The proposed extension will last for five years and the details of the MOU remain the same, as reflected in the attached document.

ACTION REQUESTED:

Approval of the MOU with Marine Forces Special Operations Command related to off-base training activities in Pender County



UNITED STATES MARINE CORPS
MARINE FORCES SPECIAL OPERATIONS COMMAND
PSC BOX 20116
CAMP LEJEUNE, NC 28542-0116

3307
MRTC

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
MARINE FORCES SPECIAL OPERATIONS COMMAND (MARFORSOC)
AND
PENDER COUNTY, NORTH CAROLINA BOARD OF COMMISSIONERS AND
SHERIFF'S OFFICE

MRTC-MOU-002

1. Purpose. The purpose of this memorandum is to memorialize the approval by the municipal leadership of Pender County Board of Commissioners and Sheriff's Office for MARFORSOC to conduct training in Pender County, North Carolina. MARFORSOC requests that the Pender County grant MARFORSOC the authority to periodically conduct required training within the county. All such training will be coordinated under the guidelines set forth in this agreement. All personnel involved in these exercises will be consenting military personnel, government civilian workers, or contractors; no private citizens will be part of or involved in the training exercises in any manner.

2. Agreement Creation or Renewal. This is a renewal.

3. Approval. The Pender County Board of Commissioners and Sheriff's Office hereby agrees to permit members of MARFORSOC (to include all military, civilian, and contractor support personnel) to conduct military training, to include surveillance, advanced communications, raid, reconnaissance, Convoy, Foot Movement of troops and Equipment, Drop Zone, Landing or Pick up Zone, other helicopter operations, and other required training necessary to develop special operations skills within the boundaries of Pender County. Training and informal meetings will be restricted specifically to commercial/restaurant and public gathering areas of the above stated city and will not involve direct contact with the local populace. Any training to be conducted on private property in the above-mentioned city will be coordinated with and approved by the property owners involved. This approval is subject to the following:

a. This MOU becomes effective upon execution by the Pender County Board of Commissioners and Sheriff's Office and MARFORSOC

MEMORANDUM OF UNDERSTANDING BETWEEN MARFORSOC AND PENDER COUNTY,
NORTH CAROLINA BOARD OF COMMISSIONERS AND SHERIFF'S OFFICE

and will run for five (5) years from the date of execution of the last signing party unless sooner terminated under the provisions of paragraph 10(b). This MOU recognizes that MARFORSOC intends to conduct training in Pender County on multiple occasions over that time period. Prior to conducting any training, MARFORSOC will provide advance written notice to civilian leadership and law enforcement officials. The notice will include current contact information, training personnel points of contact, type of training to be conducted, areas to be utilized during training and dates of intended usage (see enclosures (1) and (2)). The information will be provided in order to give the Pender County leadership the maximum possible visibility over training and to provide notice to law enforcement activities of our presence in the area. Every effort will be made by MARFORSOC to provide written notice at least thirty (30) days in advance of any training in order to allow sufficient time for both parties to mutually resolve any outstanding issues and address any concerns. During the conduct of any training, MARFORSOC will conduct daily liaison with the designated law enforcement personnel.

b. MARFORSOC shall not knowingly use any commercial/public gathering areas in any unlawful way.

c. MARFORSOC and Pender County are responsible to bear its own personnel costs. MARFORSOC and Pender County are responsible for the supervision and management of its respective personnel.

d. 31 U.S.C. Sect. 1341, "The Anti-Deficiency Act", prohibits open-ended indemnification and "hold harmless agreements" by the U.S. Government. However, sovereign immunity is waived if any damages do occur, in order to hold the federal government liable. The U.S. Government is responsible, under the terms of the Federal Tort Claims Act (FTCA), 28 U.S.C. 1346(b), 2671-2680, or the Military Claims Act (MCA) 10 U.S.C. 2733, as applicable, for any injury to persons or damage to property proximately caused by acts or omissions of Government employees acting within the scope of their employment. The FTCA, and supporting case law, provides several means of recovery for negligent acts of Government personnel. The injured party may submit a claim directly against the U.S. Government; a defendant may implead the U.S. Government as a third-party tortfeasor; or a defendant may later pursue the U.S. Government in a separate indemnity action or claim submission, for any amounts paid to the injured party due to negligence of the U.S. Government. A perfected claim requires a completed U.S. Government Standard Form 95 and proof substantiating the

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claimed amount. Other documentation may be required on a case by case basis. Claims packages may be submitted to the below offices by email, fax, or standard mail. For required documents, see [http://www.jag.navy.mil/organization/code 15 packets forms.htm](http://www.jag.navy.mil/organization/code%2015%20packets%20forms.htm). Claims packages may be submitted to the Camp Lejeune Office by standard mail.

Commanding General
LSSS-E (Claims)
PSC Box 20005
MCIEAST-MCB
Camp Lejeune, NC 28542-0005

4. For all training exercises, MARFORSOC, via the officer in charge (OIC) of the exercise, will ensure that local law enforcement is informed of all areas, times, and dates that will be utilized for training. All activities conducted at these venues will be appropriate for the intended training objective. Additionally, MARFORSOC staff will embed a liaison element within the Pender County Sheriff's Office that will notify the requisite elements of the Pender County Sheriff's Office of any activity within each district. MARFORSOC instructors will either be on site or in the vicinity of training in order to critique training as well as function as an on-site liaison to ensure training is conducted in accordance with this agreement. In the event a situation presents itself involving local law enforcement, an Exercise Participant Card will be provided that includes contact information of the MARFORSOC leadership responsible for the training and the MARFORSOC Public Affairs Office. The Pender County Sheriff's Office will intervene and act as they deem necessary to handle and resolve any situation.

5. Unless otherwise agreed upon in writing, MARFORSOC training activities in Pender County will be low-impact and low-visibility. MARFORSOC activities are not likely to attract undue attention nor should the conduct of activities alert any civilians/members of the establishment who are in the immediate area. In the event that a civilian/non-law enforcement official or uniformed member of local law enforcement approach and begin to question any personnel conducting training about their activities, the personnel conducting training will provide an Exercise Participant Card and Military Identification Card. The personnel conducting training will contact their OIC in any situation where civilians or law enforcement personnel intervene in the training. In this instance, all personnel conducting training will comply with instructions from local law enforcement officials and will immediately inform their OIC.

MEMORANDUM OF UNDERSTANDING BETWEEN MARFORSOC AND PENDER COUNTY,
NORTH CAROLINA BOARD OF COMMISSIONERS AND SHERIFF'S OFFICE

6. Prior to the start of the exercise, MARFORSOC members will receive classes and be thoroughly briefed on the safety plan and rules of training. No personal vehicles are authorized for use by the Marines conducting this training. Tactical vehicles, Rental and/or government plated vehicles consisting of sedans, mini-vans, and sport utility vehicles will be utilized during this training.

7. MARFORSOC personnel conducting training will not conduct concealed carry of firearms at any time during training. MARFORSOC personnel will not conduct open carry of firearms, simulated firearms, or pyrotechnic devices during the course of active training in Pender County without advance notice to Pender County leadership.

a. "Active training" does not include transportation of weapons between training locations.

b. MARFORSOC may be permitted to carry firearms, simulated firearms, or pyrotechnic devices on a case-by-case basis. In such instances, MARFORSOC will provide a description of the desired activity to Pender County in the required notification letter four weeks prior to commencement of the exercise. MARFORSOC will coordinate with the Pender County Sheriff's Office detailing the starting and ending point of each movement, time of movement, activities to be exercised, make/model/license plate of vehicles, and number of personnel executing activity. The Pender County leadership maintains the right to refuse to permit the desired activity. Any refusal will be provided by Pender County in writing in response to the notification within two weeks of receipt of the notification of training.

8. All MARFORSOC personnel will be in civilian attire or military uniforms; however, they will be able to produce an Exercise Participant Card and a government identification card at all times. All MARFORSOC personnel conducting training and exercise staff will obey all traffic laws and posted speed limits. At no time will MARFORSOC personnel engage in any activity that will put themselves or others in danger, and they will obey all orders from civilian law enforcement agencies. The training exercise will culminate when all exercise participants have departed the Pender County area. The MARFORSOC OIC will notify the Pender County Sheriff's Office upon completion of the exercise. The MARFORSOC OIC will provide the Pender County Office a signed copy of this document and a copy of the notification for each training event for the record.

MEMORANDUM OF UNDERSTANDING BETWEEN MARFORSOC AND PENDER COUNTY,
NORTH CAROLINA BOARD OF COMMISSIONERS AND SHERIFF'S OFFICE

9. Non-Disclosure. Pender County agrees not to disclose any MARFORSOC tactics, techniques, procedures, methods of training, or exercise concepts or scenarios that Pender County may learn during discussions with MARFORSOC about exercises or by observation during the conduct of an exercise. Additionally, Pender County agrees not to disclose the identity of MARFORSOC personnel conducting training or, if not active-duty Marines, their affiliation with MARFORSOC (e.g., contracted civilian role players or members of other armed services). Furthermore, Pender County agrees not to disclose the locations or dates of the MARFORSOC exercises beyond those with a need to know within Pender County's affiliation.

10. Modification or Termination

a. Modifications to this MOU must be in writing and signed by authorized representatives of Pender County and MARFORSOC. The representative for MARFORSOC can be contacted at MARFORSOC [MRTC], ATTN: Office of the Staff Judge Advocate, PSC Box 20116, Camp Lejeune, NC 28542-0116 or via phone at 910-440-0928. The representative for the office of Pender County Board of Commissioners can be contacted at phone (910) 259-1200, via email at dandrews@pendercountync.gov, and by postal mail at 805 South Walker P.O. Box 5, Burgaw, NC 28425.

b. This MOU shall remain in effect for five (5) years from the date of execution of the last signing party. Agreement must be reviewed and validated by both parties at the mid-point from the agreement effective date. Review may be conducted through informal coordination with the respective parties. Proposed amendments to this agreement must be submitted to the MARFORSOC Office of Staff Judge Advocate prior to signature. Both the Pender County and MARFORSOC retain the right to terminate this MOU at any time, with ninety (90) days written notice to the other party, for any reason.

11. Point of Contact.

a. The primary point of contact for MARFORSOC is: Name: Mark Robinson; Position: Deputy Officer in Charge; Office Identification MRTC SOTC3; Phone Number: (910) 440-1237; Email: mark.a.robinson.civ@socom.mil.

b. The additional primary point of contact for MARFORSOC is: Name: Edward Mcdermott; Position: SR Specialist; Office Identification B Co MRTC; Phone Number: 910-440-0030; Email: Edward.mcdermott@socom.mil

MEMORANDUM OF UNDERSTANDING BETWEEN MARFORSOC AND PENDER COUNTY,
NORTH CAROLINA BOARD OF COMMISSIONERS AND SHERIFF'S OFFICE

- c. The additional primary point of contact for MARFORSOC is: Name: Benjamin Blick; Position: PR/SERE Specialist; Office Identification B Co MRTC; Phone Number: 910-440-1441; Email: Benjamin.blick@socom.mil
- d. The secondary point of contact for MARFORSOC is: Name: Ray Boretti; Position: Training Officer; Office Identification MRTC S-3; Phone Number: 910-440-1188; Email: Raymond.boretti@socom.mil.
- e. The primary point of contact for Pender County is: Name: David Andrews; Position: County Manager; Office Identification Pender County; Phone Number: (910) 259-1200; Email: dandrews@pendercountync.gov.
- f. The secondary point of contact for Pender County is: Name: Alan Cutler; Position: Sheriff; Office Identification Pender County Sheriff's Office; Phone Number: (910) 259-1212; Email: alan.cutler@pendersheriff.com.

MEMORANDUM OF UNDERSTANDING BETWEEN MARFORSOC AND PENDER COUNTY,
NORTH CAROLINA BOARD OF COMMISSIONERS AND SHERIFF'S OFFICE

12. Entire Agreement. It is expressly understood that this MOU embodies the entire agreement between MARFORSOC and Pender County regarding the MOU's subject matter, thereby merging and superseding all prior agreement and representations by MARFORSOC and Pender County with respect to such subject matter.

Deputy Chief of Staff
MARFORSOC

Date: _____

David Andrews
County Manager
Pender County, NC

Date: _____

Alan Cutler
Sheriff
Sheriff's Office

Date: _____



**Pender County
Refund/Release Requests for items
meeting NC G.S 105-381**

TO: Board of County Commissioners
FROM: Melissa Radke
DATE: April 15, 2024
SUBJECT: Refund/Release Requests for items meeting NC G.S 105-381

SUMMARY:

The attached spreadsheet shows all requested releases/refunds. All meet the statutory requirements. It is the recommendation of the Tax Administrator to approve these releases as stated in the attached spreadsheet.

ACTION REQUESTED:

Requesting approval of the attached releases/refunds as recommended by the Tax Administrator.

Pender County BOCC Meeting February 20, 2024
 Releases Over \$100

Property to be released	Value to be released	\$ to be released	Tax year to be released	Reason for release	Recommendation
Mobile Home	31,306	\$557.38	2023	Was sold in 2022; Discovered to correct owner for 2023	Approve
Boat	46,495	\$476.00	2020	duplicated on Acct # P872351	Approve
Elderly Exclusion	44,093	\$410.91	2023	Application timely; processed after billing - 50% reduction would be the 44,092 value	Approve
Boat	36,207	\$344.61	2023	Sold in 2022; Boat being discovered to new owner	Approve
PUV	53,600	\$482.40	2023	Qualified for PUV; was not processed in office in time for billing; this was a timely application	Approve
PUV	74,097	\$666.88	2023	Qualified for PUV; was not processed in office in time for billing; this was a timely application	Approve



Pender County Board of Commissioners

TO: Board of County Commissioners
FROM: Carolyn Moser
DATE: April 15, 2024
SUBJECT: Approval of a Purchase Orders for Opioid Settlement Funds in the amount of \$536,780

SUMMARY:

On the March 11, 2024 the Board of County Commissioners approved a resolution submitted to disperse Opioid Settlement Funds for three projects. We are requesting that the board approve purchase orders for the following three projects. The first-year funding requests equal to a total of \$ 536,780.

Pender County Sheriff's Department \$305,443
Coastal Horizons Center \$218,937
Pender County Schools \$12,400

ACTION REQUESTED:

To approve purchase orders for Opioid Settlement Funds in the amount of \$536,780.



**Pender County
Capital Project Budget Ordinance
Amendment - Central Pender Park**

TO: Board of County Commissioners
FROM: Zack White
DATE: April 15, 2024
SUBJECT: Capital Project Budget Ordinance Amendment - Central Pender Park

SUMMARY:

This capital project budget ordinance amendment was discussed at the budget retreat on 3/14/24. This will provide a transfer from the general fund in the amount of \$1,928,725.00 into the Central Pender Park project fund for construction.

ACTION REQUESTED:

Approval of Capital Project Budget Ordinance Amendment for Central Pender Park

**CAPITAL PROJECT BUDGET ORDINANCE AMENDMENT #1
PENDER COUNTY PARKS AND RECREATION
CENTRAL PENDER PARK DEVELOPMENT**

WHEREAS, the Board of Pender County Commissioners adopted a capital project budget ordinance pursuant to and as provided by NCGS 159- 13.2 on June 5, 2023; and

WHEREAS, the Board of Pender County Commissioners desire to amend the original capital project budget ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Pender County Commissioners, as follows:

SECTION 1: The amounts herein set forth are hereby appropriated for the expenses related to the project:

Construction	\$1,928,725.00
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SECTION 2: The amounts herein set forth are hereby designated as the funding to be made available for the project to meet the foregoing appropriations:

Additional Transfer from General Fund	\$1,928,725.00
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SECTION 3: Authorized activities for the Central Pender Park Development Project include the expenditure of budgeted funds for construction. The project must be completed by 10/31/2025. The officials of Pender County are hereby directed to proceed with the project within the terms of the budget contained herein,

SECTION 4: The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to provide the accounting of federal, state and local regulations.

SECTION 5: Funds may be advanced from the General Fund for the purpose of making payments as due.

SECTION 6: Copies of this ordinance amendment shall be filed with the Finance Director and the Clerk to the Board of Commissioners to be kept by them for their direction in carrying out this project.

This ordinance amendment was introduced and passed at this meeting of the Board of Pender County Commissioners and was adopted this the ____ day of _____, 2024.

Brad George, Chairman

ATTEST:

Lexi Stanfield, Clerk to the Board

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Board of Pender County Commissioners:

that the Capital Project Budget Ordinance Amendment #1 for Central Pender Park Project to document the proposed additional project expenditures and funding in the amount of \$1,928,725.00 is approved and adopted.

The Chairman/County Manager is authorized to execute any document necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: George ___ Fletcher-Hardee ___ Groves ___ McCoy ___ Newton ___

Brad George, Chairman Date

ATTEST:

Lexi Stanfield, Clerk to the Board Date

Pender County Budget Ordinance Amendment

Fiscal Year **FY 2023-2024**

Department **665 - PARKS & RECREATIONAL DEPARTMT**

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-399000	General Fund Balance	3592694
2	60-397010-6027	Transfer from GF	1928725
3	60-397010-6028	Transfer from GF	1663969
4			
5			
6			
7			
8			
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-490000	Transfer to CIP	3592694
2	60-407460-6028	HKP Construction	1663969
3	60-407460-6027	CP Construction	1928725
4			
5			
6			
7			
8			
9			
10			

Total Revenues 7185388

Total Expenditures 7185388

Budget Amendment Balances when Zero. 0

Prepared By: Jacob Orman

Email jorman@pendercountync.gov



**Pender County
Capital Project Budget Ordinance
Amendment - Hampstead Kiwanis Park
Phase 4**

TO: Board of County Commissioners
FROM: Zack White
DATE: April 15, 2024
SUBJECT: Capital Project Budget Ordinance Amendment - Hampstead Kiwanis
Park Phase 4

SUMMARY:

This capital project budget ordinance amendment was discussed at the budget retreat on 3/14/24. This will provide a transfer from the general fund in the amount of \$1,663,969.00 into the Hampstead Kiwanis Park phase 4 project fund for construction.

ACTION REQUESTED:

To approve the Capital Project Budget Ordinance Amendment for Hampstead Kiwanis Park Phase 4

**CAPITAL PROJECT BUDGET ORDINANCE AMENDMENT #1
PENDER COUNTY PARKS AND RECREATION
HAMPSTEAD KIWANIS PARK PHASE 4**

WHEREAS, the Board of Pender County Commissioners adopted a capital project budget ordinance pursuant to and as provided by NCGS 159- 13.2 on June 5, 2023; and

WHEREAS, the Board of Pender County Commissioners desire to amend the original capital project budget ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Pender County Commissioners, as follows:

SECTION 1: The amounts herein set forth are hereby appropriated for the expenses related to the project:

Construction	\$1,663,969.00
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SECTION 2: The amounts herein set forth are hereby designated as the funding to be made available for the project to meet the foregoing appropriations:

Additional Transfer from General Fund	\$1,663,969.00
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SECTION 3: Authorized activities for the Central Pender Park Development Project include the expenditure of budgeted funds for construction. The project must be completed by 10/31/2025. The officials of Pender County are hereby directed to proceed with the project within the terms of the budget contained herein,

SECTION 4: The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to provide the accounting of federal, state and local regulations.

SECTION 5: Funds may be advanced from the General Fund for the purpose of making payments as due.

SECTION 6: Copies of this ordinance amendment shall be filed with the Finance Director and the Clerk to the Board of Commissioners to be kept by them for their direction in carrying out this project.

This ordinance amendment was introduced and passed at this meeting of the Board of Pender County Commissioners and was adopted this the ____ day of _____, 2024.

Brad George, Chairman

ATTEST:

Lexi Stanfield, Clerk to the Board

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Board of Pender County Commissioners:

that the Capital Project Budget Ordinance Amendment #1 for Hampstead Kiwanis Park Phase 4 to document the proposed project expenditures and funding in the amount of \$1,663,969.00 is approved and adopted.

The Chairman/County Manager is authorized to execute any document necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: George ___ Fletcher-Hardee ___ Groves ___ McCoy ___ Newton ___

Brad George, Chairman Date

ATTEST:

Lexi Stanfield, Clerk to the Board Date

Pender County Budget Ordinance Amendment

Fiscal Year **FY 2023-2024**

Department **665 - PARKS & RECREATIONAL DEPARTMT**

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-399000	General Fund Balance	3592694
2	60-397010-6027	Transfer from GF	1928725
3	60-397010-6028	Transfer from GF	1663969
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Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-490000	Transfer to CIP	3592694
2	60-407460-6028	HKP Construction	1663969
3	60-407460-6027	CP Construction	1928725
4			
5			
6			
7			
8			
9			
10			

Total Revenues 7185388

Total Expenditures 7185388

Budget Amendment Balances when Zero. 0

Prepared By: Jacob Orman

Email jorman@pendercountync.gov



Pender County Consideration of Adoption of NC 210 East Coast Greenway Feasibility Study

TO: Board of County Commissioners
FROM: Adam Moran
DATE: April 15, 2024
SUBJECT: Consideration of Adoption of NC 210 East Coast Greenway Feasibility Study

SUMMARY:

THE STUDY

The Cape Fear Council of Governments, in partnership with the Pender County Planning and Community Development Department, the Town of Surf City, and other partnering organizations as well as contracted consultant McAdams, have completed the NC 210 East Coast Greenway Feasibility Study. The study was completed last year and has been adopted by the Cape Fear Rural Transportation Planning Organization and the Town of Surf City. The feasibility study was conducted by a project team and steering committee which included staff members from the Cape Fear Rural Transportation Planning Organization, Duke Energy, the East Coast Greenway Alliance, Friends of the Mountains-to-Sea Trail, the Greater Topsail Area Chamber of Commerce and Tourism, North Carolina Department of Transportation, NC State Parks, Pender County, the Terry Benjey Cycling Foundation, the Town of Surf City, and the Wilmington Urban Area Metropolitan Planning Organization.

PUBLIC NEEDS AND DESIRES ASSESSMENT

The plan studied potential alignments of the East Coast Greenway and Mountains-to-Sea Trail, which are planned to connect near where NC 210 heads towards Surf City from US Highway 17. The study team also engaged with the public to gain feedback and insight into local needs and desires for greenway facilities in the Hampstead and Surf City areas. Two public engagement meetings were conducted in the fall of 2022 and winter of 2023. These meetings found a desire to allow children to travel to school and for citizens to access businesses from the greenway. An online survey, which garnered 1,774 responses and elicited 1,500 comments found that greenway facilities like the East Coast Greenway are highly desired for transportation and recreation, with others noting that the facility could be a draw for tourism, especially in the beach areas. There is concern that the current conditions do not allow for safe connections for pedestrians and bicyclists in the area.

Public engagement events found that safe biking and walking routes and crosswalks are desired amenities that would encourage more people to walk or bike. When asked which modes survey respondents would like to use in the future, the most frequently selected modes were bicycling (73% of respondents) and walking (52% of respondents). 82% of respondents, when asked, noted that they would be willing to travel 3-10 miles (or more) on the greenway.

RECOMMENDATIONS

The study provides an evaluation of route alternatives and a consolidated recommended preferred route from Topsail High School to the county line in Surf City on Topsail Island. The study considered criteria such as physical feasibility, desired connectivity, community priorities, cost, environmental impacts, accessibility, property impacts, potential funding opportunities, placemaking and user experience, leadership support, traffic impacts, and implementation timeframe when choosing the preferred route out of four alternatives. The study also includes cost estimates for various segments of the preferred route and connectors, which will assist in the process of securing funding for segments of the greenway.

NEXT STEPS AND IMPLEMENTATION

At their March 5, 2024 meeting, the Planning Board unanimously recommended approval of adopting the feasibility study. An adopted study would support implementation efforts including obtaining funding through grant opportunities as well as guiding staff when making policy and network facility decisions. To enable the proposed network to be built out, the study anticipates that Pender County may take a leading role in land acquisition, design, construction, and maintenance as well as coordinating with other partners (such as NCDOT, NC State Parks, and others) to secure funding opportunities for various phases of the project.

The North Carolina Department of Transportation often considers adopted plans and studies such as this one when designing facility improvements and additions. As the County applies for grant funding for transportation, infrastructure, recreation, and other related programs through Federal, State, non-profit, and private sources, having an adopted plan will give credibility to support the County's case for building out and improving the bicycle and pedestrian network in our area and increase the chance of receiving grant award funding.

ACTION REQUESTED:

To consider adoption of the 2023 NC 210 East Coast Greenway Feasibility Study.

ATTACHMENTS:

1. Maps showing the East Coast Greenway along the entire eastern US coastline; in North Carolina; and in the vicinity of Pender County; ECG Preferred Route and Connectors

2. Resolution for Adoption
3. Presentation

ATTACHMENT 1

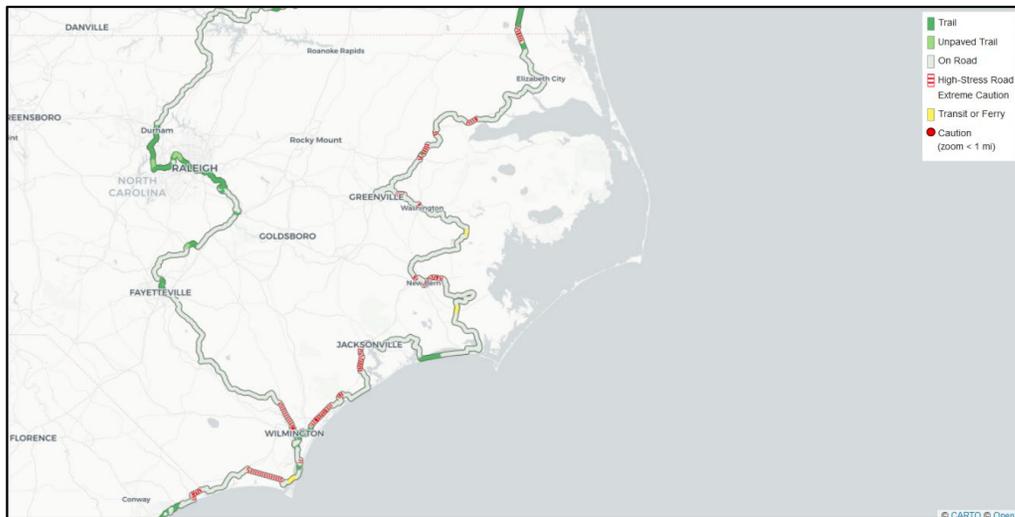
East Coast Greenway Maps

ATTACHMENT 1

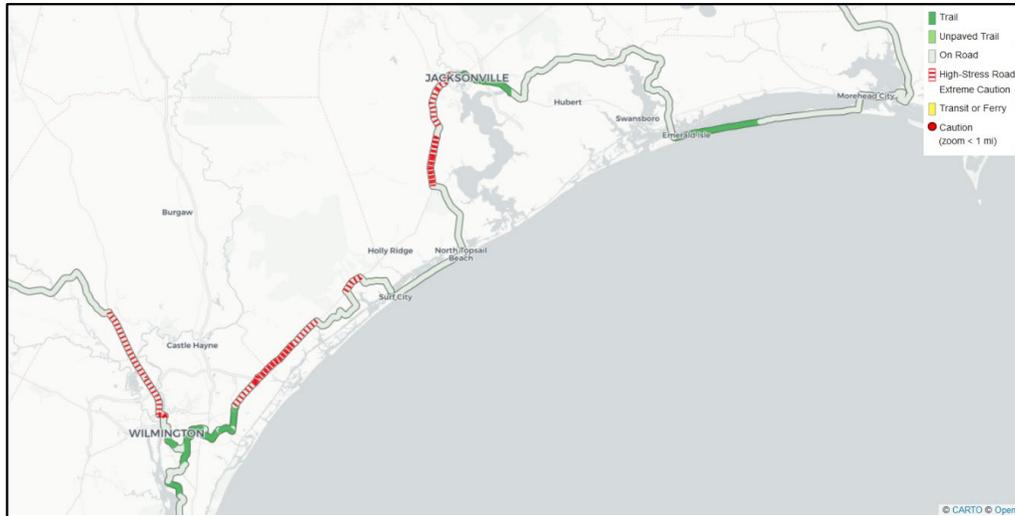
East Coast Greenway Existing Conditions (Entire Route)



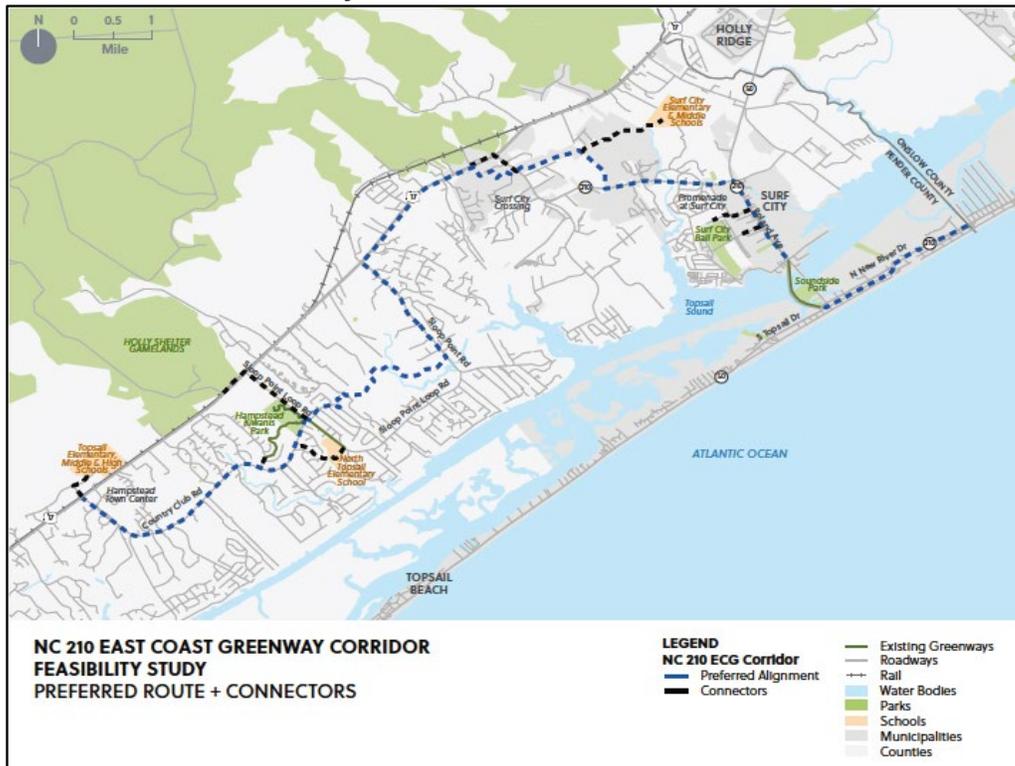
East Coast Greenway Existing Conditions (North Carolina Portion)



East Coast Greenway Existing Conditions (Pender Vicinity Portion)



NC 210 East Coast Greenway Corridor Preferred Route and Connectors



Board of County Commissioners
Brad George – Chair
Jacqueline A. (Jackie) Newton – Vice Chair
Wendy Fletcher-Hardee
Jerry Groves
Archibald (Fred) McCoy



County Manager
David Andrews
Assistant County Manager
Allen Vann
County Attorney
Carl W. (Trey) Thurman
Staff Attorney
Patrick Buffkin

**A RESOLUTION
ADOPTING THE 2023 NC 210 EAST COAST GREENWAY FEASIBILITY STUDY**

WHEREAS, the Cape Fear Rural Planning Organization (CFRPO), in partnership with Pender County and the Town of Surf City, has conducted a study to determine the feasibility of constructing a portion of the East Coast Greenway along a part of the NC 210 corridor in Pender County; and

WHEREAS, the planning and engineering consulting firm, McAdams, was contracted to write and develop the NC 210 East Coast Greenway Feasibility Study; and

WHEREAS, funding for the NC 210 East Coast Greenway Feasibility Study was provided by the Cape Fear Rural Planning Organization (CFRPO); and

WHEREAS, the process of this study considered criteria such as physical feasibility, desired connectivity, community priorities, environmental impacts, property impacts, traffic impacts, leadership support, accessibility, potential funding opportunities, and cost; and

WHEREAS, the process of this study considered potential alignments between the East Coast Greenway and the Mountains-to-Sea Trail as well as other greenway facilities in the Hampstead and Surf City areas; and

WHEREAS, the result of this study proposes a preferred alignment out of four alternatives based on public engagement and technical criteria.

NOW THEREFORE, BE IT RESOLVED that Pender County has adopted the NC 210 East Coast Greenway Feasibility Study to guide implementation efforts and policy decisions to plan, design, construct, and maintain a regional greenway facility along the East Coast Greenway corridor in eastern Pender County.

ADOPTED at a regular meeting of the Pender County Board of County Commissioners on April 15, 2024.

Brad George, Chair
Pender County Board of Commissioners

ATTEST:

David Andrews, Clerk to the Board





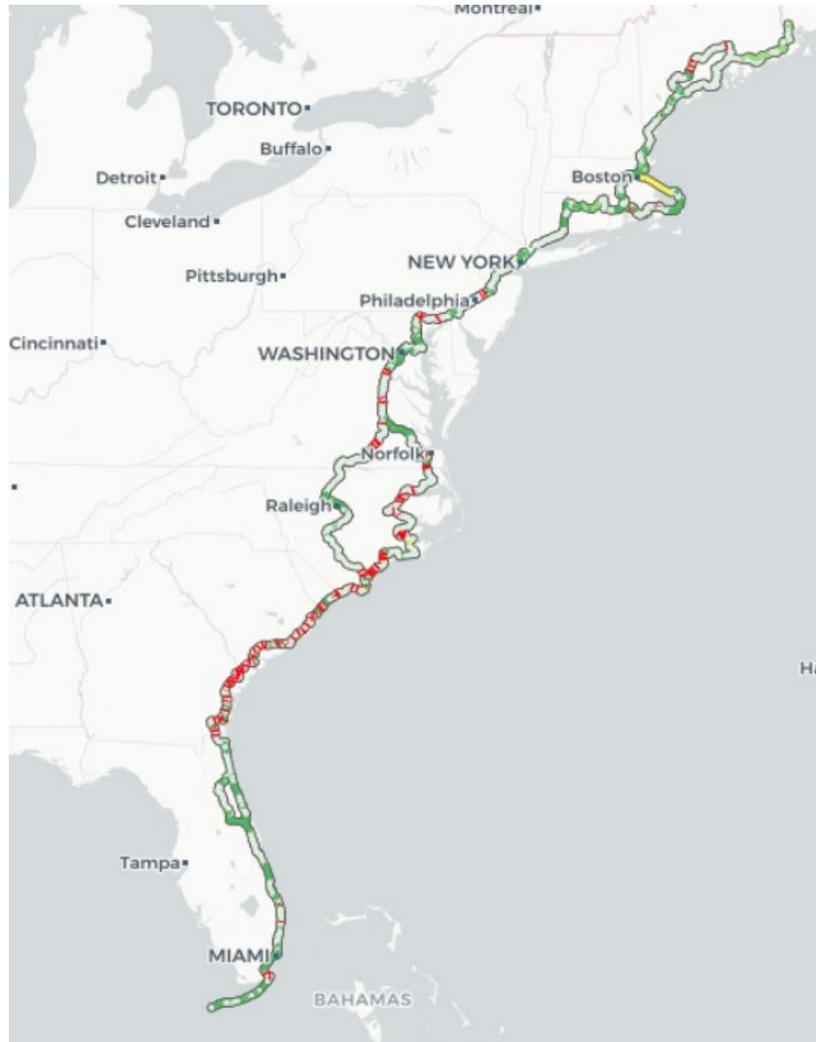
NC 210 East Coast Greenway Feasibility Study



East Coast



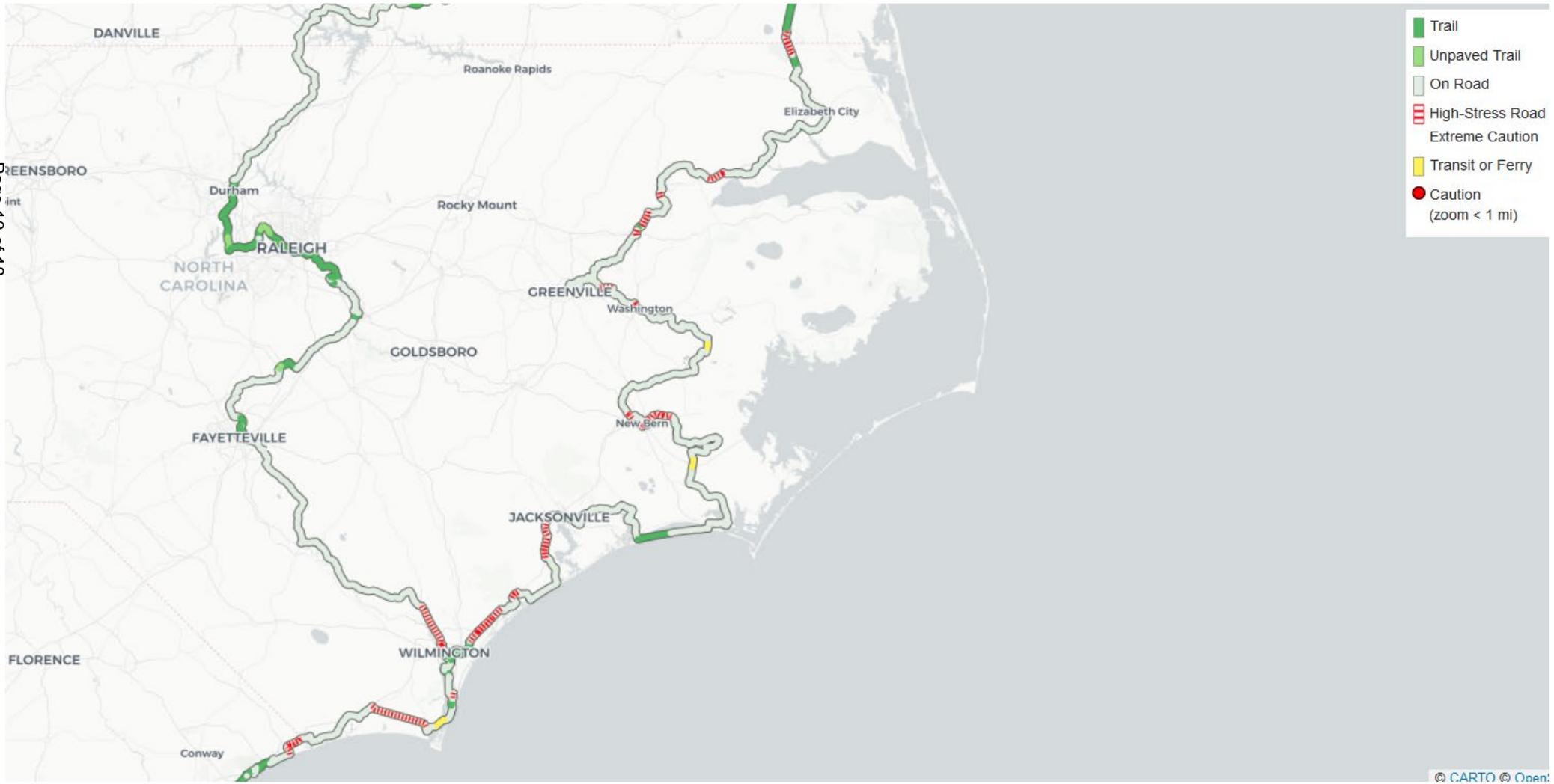
Greenway
ALLIANCE



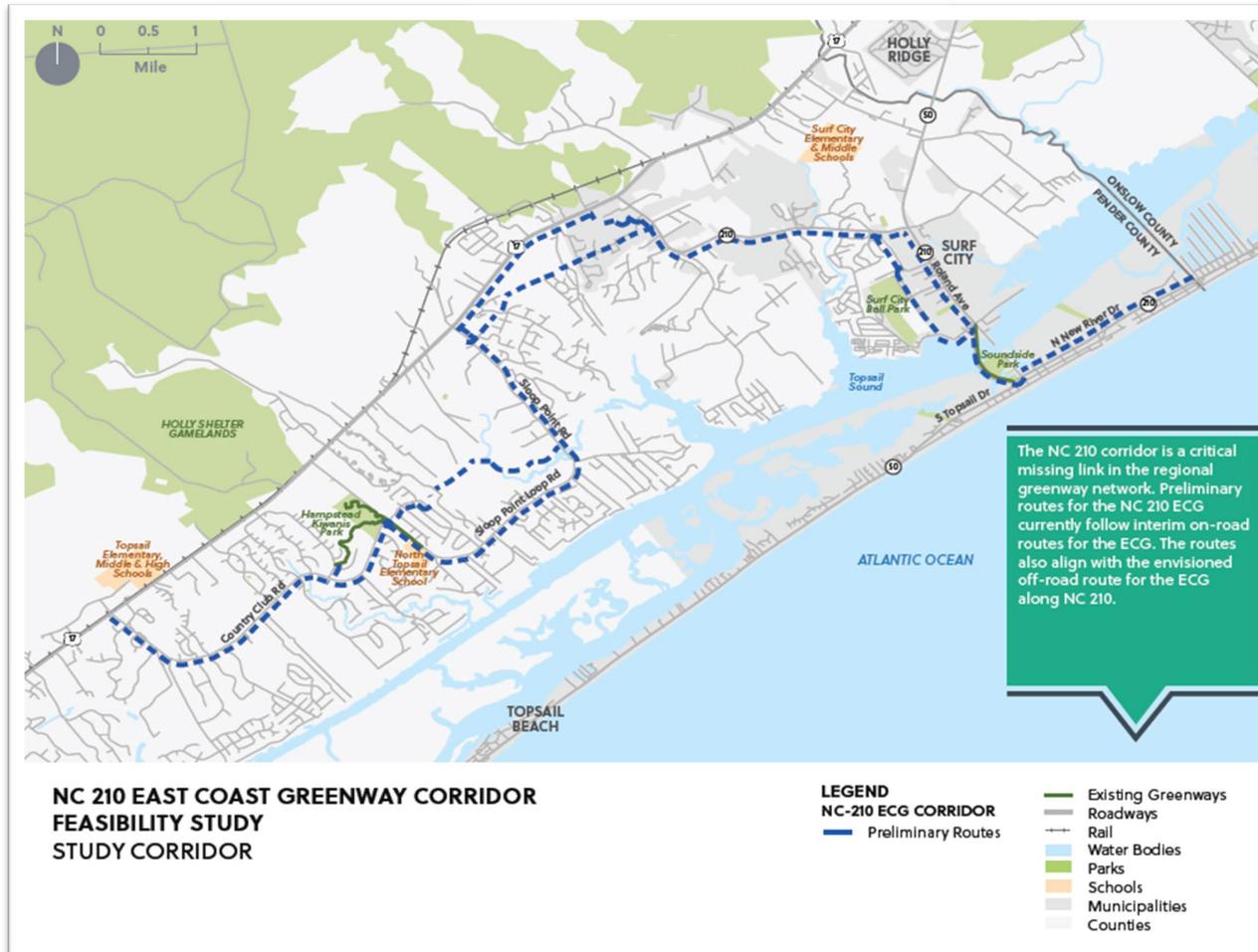
NC 210 Greenway Feasibility Study (Completed in 2023)

The NC 210 corridor is a critical missing link on both the **East Coast Greenway** (ECG) and the **Mountains-to-Sea Trail** (MST).

This corridor also has connections to the **Gullah Geechee Greenway-Blueway Heritage Trail** which runs from Jacksonville, NC, to Jacksonville, FL.







NC 210 Greenway Feasibility Study (Completed in 2023)

The NC 210 corridor is a critical missing link on both the **East Coast Greenway (ECG)** and the **Mountains-to-Sea Trail (MST)**.

This corridor also has connections to the **Gullah Geechee Greenway-Blueway Heritage Trail** which runs from Jacksonville, NC, to Jacksonville, FL.

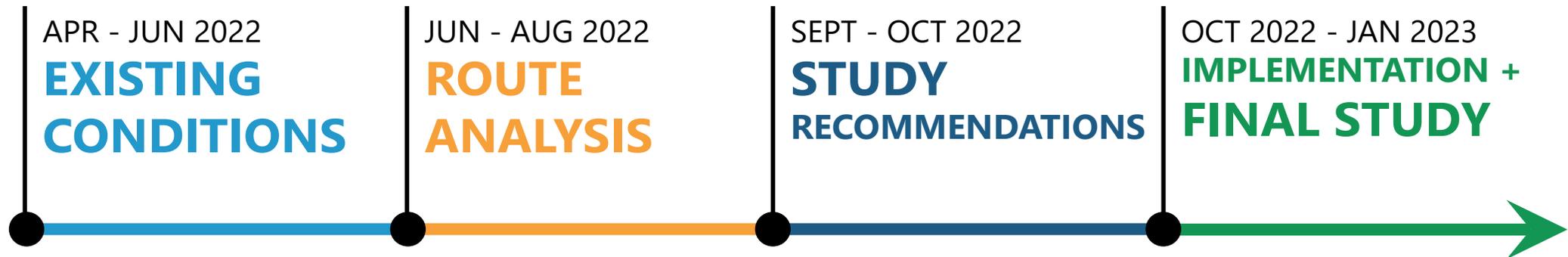
Study Goals & Process

Page 13 of 18

VISION & GOALS

- Provide safe access to the trail, at road crossings, and along paths
- Provide easy access for all abilities to parks, shopping, schools, etc.
- Facilitate coordination to support funding, design, construction, and maintenance

PROCESS



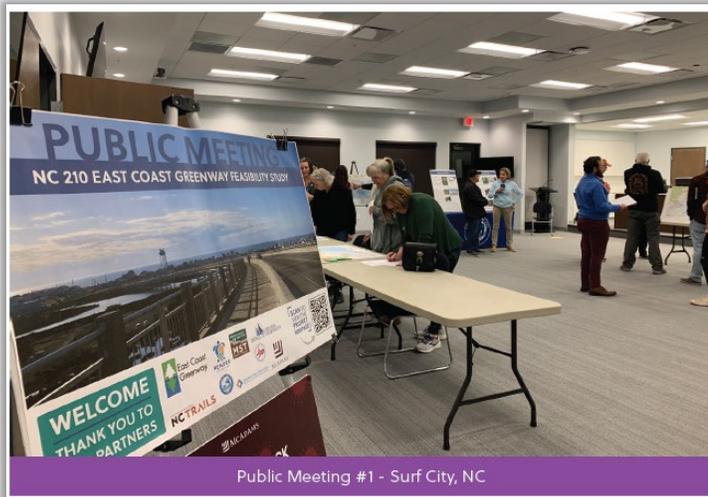
Community Engagement

Page 14 of 18

STEERING COMMITTEE INCLUDED:

Cape Fear RPO
Duke Energy
East Coast Greenway Alliance
Friends of the Mountains-to-Sea Trail
Greater Topsail Area Chamber

NC Department of Transportation
NC State Parks
Pender County
Town of Surf City
The Terry Benjey Cycling Foundation
Wilmington Metro Area MPO



Landowner Coordination

Landowners were contacted and attended public meetings where they submitted forms containing their input on the project.



Community Survey Results

Page 15 of 118

What amenities would encourage more people to walk or bike?



Safe biking and walking routes and crosswalks.



Which modes would like to use in the future?



Bicycling
73%



Walking
52%

How far would you travel on the greenway?

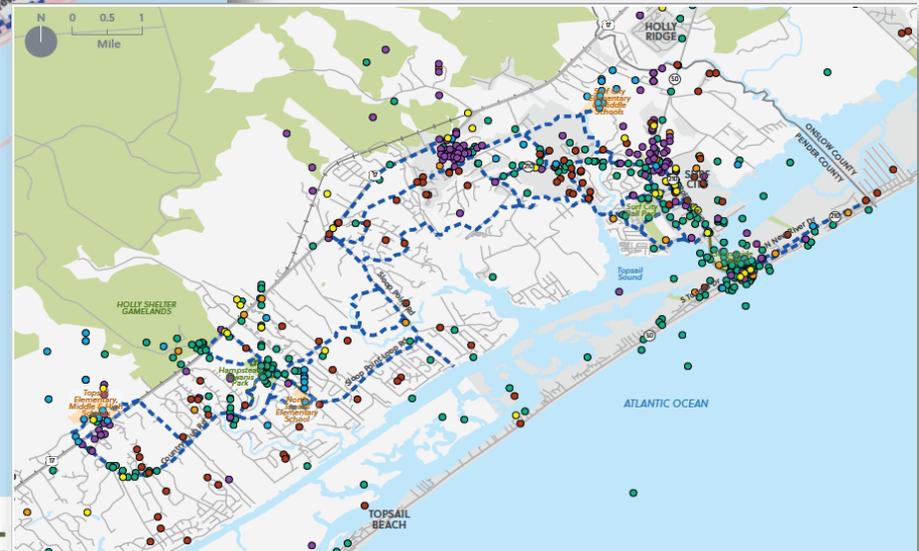


82%
would travel 3-10
miles (or more)



**NC 210 EAST COAST GREENWAY CORRIDOR
FEASIBILITY STUDY
AREAS IN NEED OF BICYCLE +
PEDESTRIAN INFRASTRUCTURE**

LEGEND
 Study Routes
BIKE/PED INFRASTRUCTURE NEEDS
 Identified Location
 Identified Corridor

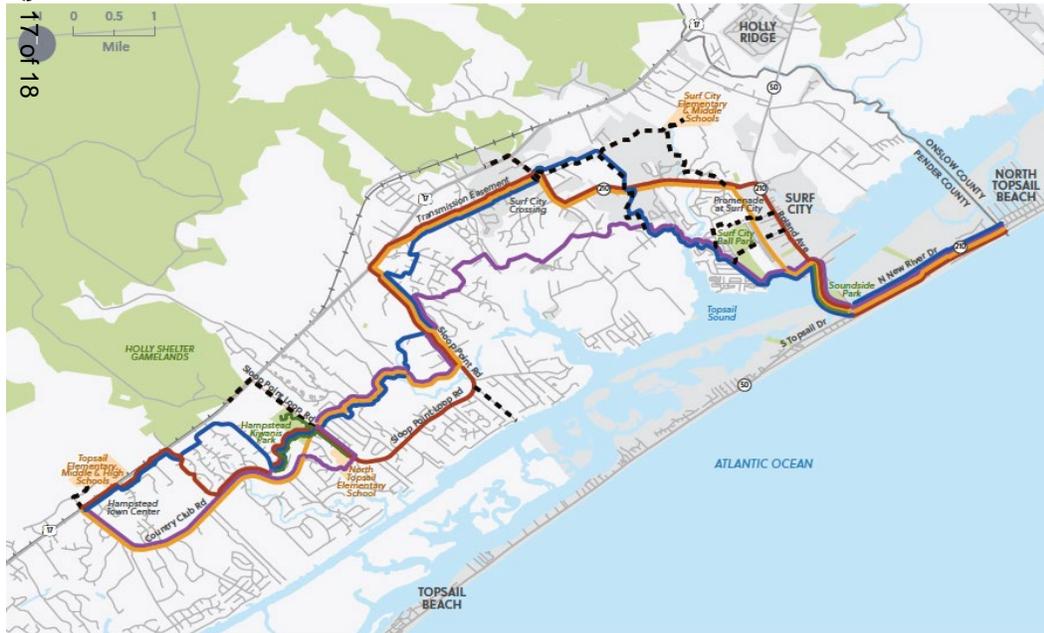


**NC 210 EAST COAST GREENWAY CORRIDOR
FEASIBILITY STUDY
PREFERRED DESTINATIONS**

LEGEND
 Study Routes
Preferred Destinations
 Work
 Home
 Recreation
 School
 Shopping
 Other
 Existing Greenways
 Roadways
 Rail
 Water Bodies
 Parks
 Schools
 Municipalities
 Counties

Community Engagement

Studied Routes & Preferred Alignment



**NC 210 EAST COAST GREENWAY CORRIDOR
FEASIBILITY STUDY
STUDIED ROUTES + CONNECTORS**

- LEGEND**
- STUDIED ROUTES**
- Route 1
 - Route 2
 - Route 3
 - Route 4
 - Study Connectors
- Existing Greenways
 - Roadways
 - Rail
 - Water Bodies
 - Parks
 - Schools
 - Municipalities
 - Counties

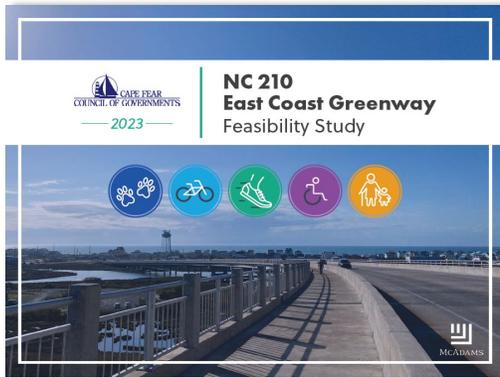


**NC 210 EAST COAST GREENWAY CORRIDOR
FEASIBILITY STUDY
PREFERRED ROUTE + CONNECTORS**

- LEGEND**
- NC 210 ECG Corridor**
- Preferred Alignment
 - Connectors
- Existing Greenways
 - Roadways
 - Rail
 - Water Bodies
 - Parks
 - Schools
 - Municipalities
 - Counties

Next Steps

ADOPT THE PLAN



CONTINUE COORDINATION & OUTREACH



PURSUE DESIGN & DEVELOPMENT





Pender County
Approval of PO for Commissioning
Agent for LEC in the amount of \$226,805

TO: BOCC
FROM: Jared Cass
DATE: April 15, 2024
SUBJECT: Approval of PO for Commissioning Agent for LEC in the amount of \$226,805

SUMMARY:

Per NC General Statute 143-135.35 through 143-135.40, a Building Commissioning agent will be required for the construction of the Law Enforcement Center. The Commissioning Process offers an additional layer of protection for the building owner and ensures the delivery of a high-quality end product by reviewing the design and installation of necessary systems such as plumbing, exhaust, air conditioning, and lighting.

Staff published RFQ 24-265 for a Commissioning Agent and received three responses. After reviewing the qualifications and meeting with the firms, staff is recommending to proceed with RMF Engineering. Staff has negotiated with RMF Engineering and received a proposal in the amount of \$226,805. The cost of a Commissioning Agent was included in the last cost estimate for the LEC.

ACTION REQUESTED:

Approval for staff to execute a contract with RMF Engineering and a Purchase Order in the amount of \$226,805 from account 60-407400-6093 for commissioning services.



March 28, 2024

Pender County
 805 S. Walker Street
 Burgaw, North Carolina, 28425

Attention: Jared Cass
Project Manager

Reference: Proposal for Commissioning Services
New Law Enforcement Center

Dear Mr. Cass,

We are pleased to submit this proposal to perform commissioning services for the new Pender County Law Enforcement Center. The new 96,900 SF facility includes three Law Enforcement Buildings combined; a single story Sheriff's Office, 911 Call Center and a three story Detention Center. An add alternate includes an additional 6000 SF wing for the Detention Center.

Scope of Work

Services proposed to be included within the scope of Commissioning are those required by the 2018 North Carolina Energy Conservation Code. Additional services are included as discussed with Pender County:

- Develop Commissioning Specifications (to be included within final Bid Documents)
- Develop Specifications for a Systems Manual to be generated by the Contractors
- Develop a Commissioning Plan
- Develop functional performance tests for the systems being commissioned
- Conduct six (6) virtual/telecom commissioning meetings
- Attend six (6) virtual/telecom OAC meetings
- Conduct six (6) construction phase site visits for progress updates and deficiencies
- Perform Special Inspections for Fire Stopping and Smoke Controls Systems
- Verify TAB readings for of all major equipment and 20% redundant/terminal equipment
- Witness operational, sequence testing of the systems being commissioned
- Maintain a Cx Issues Log and verify corrected Cx issues
- Complete statement of completion form(s) upon completion of commissioning
- Develop isometric diagrams depicting the layout and distribution of various system:
 - HVAC
 - DHW
 - E-Power
 - Lighting Relay Panels

Systems to be Commissioned

System No.	System	Associated Equipment & Description
223300	Domestic Water Heating System	Piping, Water Heaters, Circulation Pumps, Controls, Fixtures (20%)
233400	General Exhaust Systems (20%)	23 Exhaust Fans, Ductwork, VFD's, Associated Controls

8081 Arco Corporate Dr., Ste 300 Office: 919.941.9876
 Raleigh, North Carolina 27617 Web: rmf.com
 Page 2 of 5

<u>System No.</u>	<u>System</u>	<u>Associated Equipment & Description</u>
233813	Kitchen Exhaust Systems	2 Exhaust Fans, Kitchen Hoods, Ductwork, VFD's, Associated Controls
Terminal Equipment		
233600	General Terminal Units (20%)	25 Terminal Units, 23 Fan Powered Terminal Units, Reheat Coils, Ductwork, & Associated Controls
238200	Terminal AC Components (20%)	2 Gas Unit Heaters, 20 Electric Unit Heaters, 1 Duct Heater, Ductwork & Associated Controls
Packaged Air Conditioning Systems		
237400	Central Air Conditioning Systems	5 Outdoor Air Units, 6 Rooftop Units, 1 Make-Up Air Unit, Split A/C Systems, Supply & Return Fans, VFD's, Ductwork & Associated Controls
238100	Split A/C Systems	8 Split AC Units (50%), 1 Heat Pump, 1 Computer Room AC Unit, Ductwork, Piping & Associated Controls
Instrumentation & Controls		
230900	Energy Management & Control System (EMCS)	Overall Control System Test to verify the interconnected systems are integrated together properly and proper graphics are displayed.
230902	Building Pressurization & Control System	Overall Control System Test to verify the HVAC systems are integrated together properly to achieve correct building pressurization throughout the various sequences and modes of operation
Lighting Controls		
260923	Scheduled Lighting Controls (20%)	Control Panels, Fixtures, Switches, Relays, Light Sensors
260936	Occupancy Sensor Controls (20%)	Sensors, Controllers, Fixtures

Commissioning Services Fee Summary

Our costs to provide the commissioning services as described above is **\$226,805**. The fee breakdown is as follows:

	MEP Cx	Special Inspections	Sub-Total
Design Phase	\$ 29,970	\$ 4,800	\$ 34,770
Construction Phase	\$ 63,020	\$ 40,020	\$ 103,040
Acceptance Phase	\$ 58,735	\$ 19,740	\$ 78,475
Warranty Phase	\$ 10,520	\$	\$ 10,520
Total	\$ 162,245	\$ 64,560	\$ 226,805

Recommended Services Not Included

Services recommended but not specifically selected to be included within the scope of commissioning include:

- Include the additional 6000 SF Detention Center Wing for both Cx and Special Inspections
- Review contractor submittals and shop drawings for Systems being Commissioned

- Develop Construction Checklists (Pre-Functional Checklists)
- Verify quality control activities are identified and completed by the installing contractors
- Verify operator/occupant training is organized and fully conducted per the specifications
- Re-Witness failed tests not to exceed one (1) week on site
- Engage team for a building operational review at 10 months into the warranty period

Additional Services Fees

Our costs to provide the commissioning services as described above is itemized as follows:

Additional Detention Center Wing	\$	21,275
Submittal Review	\$	33,920
Installation Checklists (PFCs)	\$	28,260
Quality Control Verification	\$	13,200
Equipment Training Verification	\$	10,000
Re-Testing Failed FPTs	\$	13,840
10 Month Warranty Review	\$	8,400

Recommended Systems to be Commissioned

Systems recommended but not specifically selected to be included within the scope of commissioning include:

<u>System No.</u>	<u>System</u>	<u>Associated Equipment & Description</u>
Plumbing Systems		
220500	Stand Alone Plumbing Systems	Elevator Sump Pumps, Lift Stations, Associated Controls
221100	Domestic Cold Water System	Piping, Backflow Preventers, Booster Pumps, Fixtures, Associated Controls
Instrumentation & Controls		
262704	Integrated Systems Test	Overall Control and Back-Up Power System Test to verify the operation of all building systems through a power outage and restoration
Electrical Systems		
260526	Grounding System	Conductors, Relays, Bus Bars, Grids, Loops, etc.
262701	Low Voltage Normal Power Systems	2 Switchboards, 26 Panelboards, 7 Dry Type Transformers, Feeders Power Monitoring, Associated Controls
262703	Low Voltage Emergency Power Systems	3 Generators, 7 Automatic Transfer Switches, 3 Manual Transfer Switches, Associated Controls
Data & Communications Systems		
272000	Structured Cabling Systems	Network Cables, Coax Cabling, Grounding, Backbone Cabling, Data Outlets, Telecom Outlets
Security Systems		
281300	Electronic Security Access Control	Card Readers, Electronic Locks, Magnetic Holders, Door Controls, Notification Devices, Control Panels, Associated Controls



<u>System No.</u>	<u>System</u>	<u>Associated Equipment & Description</u>
282300	Security Monitoring	Cameras, CCTV, Motion Detectors, Control Panels, Associated Controls

Recommended Additional Systems Fee Summary

Our costs to provide additional systems commissioning, following the baseline services as described above is itemized as follows:

Plumbing Systems	\$	17,840
Integrated Systems Test	\$	7,660
Electrical Systems	\$	25,400
Telecom Systems	\$	TBD
Security Systems	\$	TBD

Schedule Summary

The commissioning team is prepared to join the project right away in the final Construction Design Phase. The commissioning activities will follow the current construction schedule which RMF understands to be seven hundred and thirty (730) days from notice to proceed. Notice to proceed is anticipated to occur in April of 2024 which results in the final acceptance in April of 2026.

Jared, we are very excited about this opportunity to work with Pender County at the new Law Enforcement Center. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

RMF ENGINEERING, INC.


 Robert Clegg, PE
 Project Manager

APPROVED: _____

TITLE: _____

DATE: _____



**Pender County
Approval of a PO for Materials Testing
for LEC in the amount of \$197,580**

TO: BOCC
FROM: Jared Cass
DATE: April 15, 2024
SUBJECT: Approval of a PO for Materials Testing for LEC in the amount of \$197,580

SUMMARY:

Per NC General Statute 143-135.35 through 143-135.40, a Materials Testing agent will be required for the construction of the Law Enforcement Center. Materials testing helps to quantify and understand whether a material or product is suitable for a certain application under a particular load or operating condition.

Staff published RFQ 24-266 for Materials Testing and received four responses. After reviewing the qualifications and meeting with firms, staff is recommending to proceed with ECS Southeast, LLC. Staff has negotiated with ECS and received a proposal in the amount of \$197,580. The cost of materials testing was included in the last cost estimate for the LEC.

ACTION REQUESTED:

Approval for staff to execute a contract with ECS Southeast and a Purchase Order in the amount of \$197,580 from account 60-407400-6093 for materials testing.



ECS Southeast, LLC

Proposal for Special Inspections & Construction Materials Testing Services

**Pender County Law Enforcement Center
Burgaw, North Carolina**

ECS Proposal Number 22:28387

March 12, 2024





March 12, 2024

Jared Cass
Pender County
805 S. Walker St.
Burgaw, NC 28425

ECS Proposal Number: 22:28387

Reference: Proposal for Special Inspections & Construction Materials Testing
Pender Co. Law Enforcement Center
Old Savannah Road
Burgaw, North Carolina

ECS Southeast, LLC (ECS) appreciates this opportunity to submit this proposal to provide Special Inspections and Construction Materials Testing services for the above-referenced project. This proposal reviews our understanding of the project information, outlines our proposed scope of services, and presents our fee estimate—together with the applicable schedule of unit rates for this project.

Our considerable experience with similar projects will help us provide efficient, cost-effective construction observation, testing, and engineering consulting services.

SCOPE OF SERVICES

We propose to provide qualified engineers and engineering technicians to perform the requested services. Smoke Control Special Inspections has been excluded from our proposed services. The following reporting, testing and inspection services is listed in the Schedule of Special Inspections and may be requested on this project:

Earthwork/Soils

- Observe the proofroll of existing soil subgrade and ABC stone subgrades. Observe soil subgrade for compliance with the geotechnical report.
- Conduct laboratory tests on proposed fill soils (ASTM D-6913, ASTM D-1140, and ASTM D-698).
- Perform in-place density testing of fill materials to verify the percent compaction/in-place dry density is in compliance with the project specifications.
- Compaction testing of fill materials for building pads, pavement areas, and utilities.
- Check the thickness and test compaction of aggregate base course materials prior to pavement installation.
- Periodic inspections and testing by Dynamic Cone Penetrometer of soils at footing bearing level to verify that the soils encountered are satisfactory for the allowable design pressure recommended.
- Observe foundations for depth, width, and correct soils materials.

6714 NETHERLANDS DRIVE, WILMINGTON, NC 28405 • T: 910-686-9114 • F: 910-686-9666

ECS Florida, LLC • ECS Mid-Atlantic, LLC • ECS Midwest, LLC • ECS Pacific, Inc. • ECS Southeast, LLC • ECS Southwest, LLP
ECS New York Engineering, PLLC - An Associate of ECS Group of Companies • www.ecslimited.com

"ONE FIRM. ONE MISSION."

Concrete

- Collect and review concrete batch tickets to confirm compliance with the approved mix design(s).
- Observe reinforcing steel prior to concrete placement to confirm bar size, grade of steel, lap splices, clearances, support methods, and cleanliness.
- Anchor bolts shall be observed prior to concrete placement to confirm proper placement and embedment.
- Visually check the concrete in each truck as it arrives on site for proper slump and observe general placement procedures.
- Sample and test plastic concrete to include slump tests, air content, unit weight of lightweight concrete, and temperature.
- Facilities for storage of field curing test samples and initial curing should be provided by the contractor.
- Cast and cure 4 by 8 inch concrete cylinder test specimens for compressive strength testing per specifications.
- Deliver test specimens to the ECS laboratory within 24 hours after casting.
- Provide laboratory curing, compressive strength testing and reporting of concrete cylinder test specimens.
- Observe post-installation of anchors into existing concrete.

Structural Masonry

- Verify contractor's certificates of compliance.
- Verify f'm with testing of prisms at the beginning of construction and every 5000 sq. ft. of wall.
- Observe preparation of site-prepared mortar and grout on a periodic basis to document compliance with the manufacturer's and/or project specifications. Periodically observe mortar joint thicknesses for conformance with the project documents.
- Observe reinforcing steel placement (layout, size, grade, cleanliness, cover, support, and lap splices) and connectors prior to grout placement.
- Observe reinforced CMU cells prior to grouting to evaluate cleanliness of grout space and presence of cleanouts (if required).
- Observe structural members and anchors in masonry walls for compliance with the project drawings.
- Perform full-time observations during grout placement to evaluate compliance with the project documents and document use of the approved grout mix design(s).
- Sample grout and prepare sets of four (4) compressive strength specimens (ASTM C-1019), as necessary. After the initial curing, return the samples to the laboratory and perform compressive strength testing at the following ages: three (1) at 7 days and three (3) at 28 days.

Structural Steel

- We anticipate that the project steel and decking fabricators will be American Institute of Steel Construction (AISC) or Steel Deck Institute (SDI) certified fabrication facilities and will be exempt from Special Inspections per NCBC 1704.2. Therefore, we do not anticipate having to perform shop inspections. At the completion of fabrication, collect a copy of the Certificate of Compliance prepared by the fabricators for structural steel and decking, as applicable.



- Observe mill test reports and piece markings on structural members, high-strength bolts and nuts, and welding electrodes to verify conformance with the project drawings and specifications.
- Collect and review Welding Procedures and Welding Qualifications from the contractor prior to beginning work.
- Observe steel members, connectors, anchors, and welding rods are stored and maintained in accordance with the project specifications.
- Observation of high strength bolts for compliance with project drawings and specifications.
- Observe steel framing and bracing to verify conformance with the project structural drawings.
- Observe shear studs for type, size, spacing, locations, and welded connections.
- Observe metal decking materials for type and gauge compliance with project specifications.
- Provide documentation of events in the field and notify the appropriate personnel upon recognition of deficiencies. Perform the following periodic/continuous inspections as related to on-site structural steel erection and welded connections:
 - Continuous observation of following welded connections:
 - Complete and partial penetration groove welds
 - Multi-pass fillet welds
 - Single pass fillet welds exceeding 5/16 inches
 - Periodic observation of following welded connections
 - Single pass fillet welds 5/16 inches or less
 - Floor and roof deck welds
- Perform Ultrasonic Testing on CJP groove welds.
- Observe cold-formed steel framing for specified materials and accessories.
- Provide periodic inspection of cold-form screw attachments, bolting, framing, anchoring of members including struts, braces, and hold-downs.

Spray Fire Resistant Material

- Review UL fire resistive design for each rated beam, column, or assembly.
- Provide periodic inspections of the installation of the fireproofing system.
- Inspect preparation of substrate prior to installation.
- Check substrate for minimum ambient temperature before and after application.
- Test thickness and density of sprayed on material per approved submittals.
- Test bond strength of each type of member for every 10,000 SF or level.

Fire-Resistant penetration and Joints

- Observe thorough-penetration firestop systems at fire walls, barriers, and partition walls
- Observe penetration firestop systems at penetrations through membranes that are part of that horizontal assembly.
- Inspect Fire-resistant joint systems.

Asphalt Pavements

- Observe the proofroll and test compaction of ABC stone subgrades prior to asphalt placement.
- Check compaction of asphalt pavements during the paving operation for compliance with City of Wilmington specifications.



Engineering and Project Management

- A principal engineer of ECS will be assigned as the Special Inspector for the project. ECS reports will be reviewed by the principal engineer and non-compliance items will be logged in a report available the request of the project team.
- Our engineers and project managers are available for site visits, pre-construction meetings, and monthly meetings throughout the duration of the project.
- ECS project engineers review field and laboratory reports prior to distribution to the project team.
- ECS project engineers provide recommendations and support our field staff and are available to discuss the project with our client on a daily basis.

Communications

To expedite the timely distribution of our daily reports, our field personnel utilize laptop computers to collect, process, and return data to our office. Our use of laptops typically facilitates electronic distribution of our reports within approximately **24 hours**. This reporting technology allows us to simultaneously communicate our testing data with all project team members.

The appropriate contractor or owner representative should contact our scheduling coordinator to provide the appropriate level of staffing to meet the project requirements; the direct phone number is 910-726-3025. All scheduling requests must be made prior to 12 pm the day before the testing is needed so that the proper personnel may be scheduled for the required inspection task. We also ask that we be provided with up-to-date project drawings and specifications prior to starting work on this project.

ECS will transmit reports by e-mail and, if requested, via U.S. Mail. Please list those to whom the reports should be sent and provide their e-mail addresses or mailing addresses, as appropriate, on the attached Proposal Acceptance Form.

FEES/COST OF SERVICES

Based upon the scope of services and our fee schedule, ECS estimates that our SI & CMT services for this project will be on the order of **\$197,580.00**. This cost does not include Smoke Control Inspections and Testing, which has been excluded from our proposed scope.

ECS will invoice for our services on a unit-rate basis in accordance with the unit rates provided in the attached Project Fee Schedule. Invoices will be submitted on a monthly basis—typically on or about the 10th day of each month. Our estimated cost provided does not constitute a lump-sum or not-to-exceed price for our services. Additional visits, re-inspections and unanticipated scopes of services may be required and will be invoiced in accordance with the attached fee schedule.

At the time of this proposal a construction schedule was not available. This cost estimate is based on the provided schedule and our assumptions from the project drawings and specifications. The actual cost may be more or less than our cost estimate and will depend on the duration of construction and the frequency of testing scheduled by the general contractor. Should a defined construction schedule and detailed scope of services, we would be happy to prepare a more defined cost estimate. Should the construction schedule change and/or change in the scope of services differ from the proposed schedule or supplied schedule and scopes, our estimate will be revised utilizing the enclosed unit rates within this proposal. ECS will notify you of any changes in such schedule and/or scope of services prior to executing our services. ECS will invoice only the actual costs of services expended.



AUTHORIZATION

If the scope of work as outlined above and the attached Terms and Conditions are acceptable to you, please sign the attached Proposal Acceptance Form and return one copy of the Proposal Acceptance Form to ECS. Please note that the attached Terms and Conditions of Service are incorporated herein by reference and are an integral part of this agreement between us.

Alternatively, you could issue a letter of acceptance or purchase order. If you opt to do so, ECS would ask that you include the proposal number and date hereof on such documents in order to incorporate this proposal by reference.

By signing the Proposal Acceptance Form—or by referencing this proposal in other documents intended to authorize ECS to proceed with the scope of services described above—you are also accepting the Terms and Conditions of Service and making this proposal the agreement. This proposal is valid for a period of sixty (60) days; beyond that date it may be necessary to revise our schedule or fee.

Fully completing and signing the attached Proposal Acceptance Form will provide formal authorization for ECS to enter the site and perform the above work, as well as providing proper invoicing instructions and distribution lists for reports and correspondence. Please provide any specific instructions or details not covered in this proposal on the attached Proposal Acceptance Form. Please note we have provided a place for you to enter invoicing instructions and report distribution.

We look forward to the opportunity to work with you on this project and hope to serve as your consultant in the future. If you have questions, or if we can be of additional service, please contact us at (910) 686-9114.

Respectfully submitted,

ECS SOUTHEAST, LLC



William Cromartie
Construction Service Manager



Kris J. Stamm
Branch Manager, Principal

- Attachments: Cost Estimate
ECS Fee Schedule
Proposal Acceptance Form
ECS Terms and Conditions of Service





6714 Netherlands Drive
 Wilmington, North Carolina 28405
 Phone: (910) 888-9114
 Fax: (910) 888-9888

Project Name: **Pender Law Enforcement Center**
 Proposal Number: **28387**
 Date: **March 12, 2024**

SPECIAL INSPECTIONS & CONSTRUCTION MATERIALS TESTING SERVICES

Assumptions:

Field Services:	Quantity	Unit Rate	Cost
Earthwork (Tech 2)	60 visits @ 8 hours / visits	\$65.00 / hour	\$ 31,200.00
Foundations (Tech 2)	30 visits @ 8 hours / visits	\$65.00 / hour	\$ 15,600.00
Concrete Slabs (Tech 2)	20 visits @ 8 hours / visits	\$65.00 / hour	\$ 10,400.00
Sample Pick-ups (Tech 1)	15 visits @ 3 hours / visits	\$55.00 / hour	\$ 2,475.00
Masonry	75 visits @ 8 hours / visits	\$75.00 / hour	\$ 45,000.00
Structural Steel	20 visits @ 6 hours / visits	\$105.00 / hour	\$ 12,600.00
Spray Applied Fireproofing	4 visits @ 6 hours / visits	\$90.00 / hour	\$ 2,160.00
Fire Penetrations and Joints	20 visits @ 5 hours / visits	\$90.00 / hour	\$ 9,000.00
Asphalt (Tech 2)	6 visits @ 8 hours / visits	\$65.00 / hour	\$ 3,120.00
Mileage	250 visits @ 50 miles / visits	\$0.75 / mile	\$ 9,375.00
Field Services Subtotal:			\$ 140,930.00
Laboratory Testing:	Quantity	Unit Rate	Cost
Standard Proctor (ASTM D-698)	5 samples	\$150.00 / sample	\$ 750.00
Grain Size Analysis (ASTM D-6913)	5 samples	\$90.00 / sample	\$ 450.00
Permeability Testing (Pond Clay Liner)	2 samples	\$500.00 / sample	\$ 1,000.00
Comp. Strength of Concrete Cyl	70 sets	\$20.00 / cylinder	\$ 7,000.00
Comp. Strength of Grout Prisms	25 sets	\$20.00 / prism	\$ 2,000.00
Comp. Strength of Masonry Prisms	12 sets	\$75.00 / prism	\$ 2,700.00
Laboratory Testing Subtotal			\$ 13,900.00
Equipment Rental:	Quantity	Unit Rate	Cost
Nuclear Density Equipment	40 fees	\$75.00 / day	\$ 3,000.00
Ultrasonic Equipment	2 fees	\$250.00 / day	\$ 500.00
Fireproofing Equipment	4 fees	\$100.00 / day	\$ 400.00
Floor Flatness Equipment	5 fees	\$150.00 / day	\$ 750.00
Equipment Rental Subtotal:			\$ 4,650.00
Engineering/Project Management:	Quantity	Unit Rate	Cost
Principal Engineer (P.E. Licensed)	110 hours	\$190.00 / hour	\$ 20,900.00
Project Manager	85 hours	\$160.00 / hour	\$ 13,600.00
Secretary	60 hours	\$60.00 / hour	\$ 3,600.00
Engineering/Project Management Subtotal:			\$ 38,100.00
ESTIMATED TOTAL COST FOR CONSTRUCTION MATERIALS TESTING SERVICES:			\$ 197,580.00



**2024 FEE SCHEDULE
CONSTRUCTION MATERIALS TESTING**

Field Technician 1	\$ 55.00/hour
Field Technician 2	\$ 65.00/hour
Masonry or Concrete Special Inspector	\$ 75.00/hour
Wall Framing Inspector (Wood or Light Gauge Metal)	\$ 95.00/hour
AWS Certified Welding Inspector	\$ 105.00/hour
NDT Level 2 Steel Technician (UT or MT)	\$ 115.00/hour
Fireproofing Inspector (SFRM or Intumescent)	\$ 95.00/hour
Firestopping Inspector (Penetrations & Joints).....	\$ 95.00/hour
Secretary	\$ 60.00/hour
Project Manager	\$ 160.00/hour
Principal Engineer	\$ 190.00/hour
Transportation via company vehicle	\$ 0.75/mile

Note: Charges for engineering and technical personnel will be made for time spent in the field, in engineering analysis, in preparation and review of reports, and in travel to and from our office.

Overtime = Standard Rate x 1.5 for services performed exceeding 8 hours per day, outside our normal business hours of 7:00 am to 5:00 pm, holidays, Saturday, and Sunday.

EQUIPMENT and LABORATORY

Standard Proctor (ASTM D-698).....	\$150.00 each
Modified Proctor (ASTM D-1557).....	\$175.00 each
Asphalt Density Determination	\$ 60.00/core
Atterberg Limits (LL & PL) Determination (ASTM D-4318)	\$ 90.00/test
Grain Size Analysis Test (ASTM D-422)	\$ 90.00/test
Moisture Content (ASTM D-2216)	\$ 25.00/test
Organic Content.....	\$ 40.00/test
Testing of Cylinders, Core Specimens:	
Compressive strength of grout prisms	\$ 20.00 each
Compressive strength of concrete cylinders	\$ 20.00 each
Compressive strength of masonry prisms	\$ 75.00 each
Compressive strength of concrete cores, (ASTM C-42)	\$ 75.00 each
Density Test Equipment (Nuclear Gauge/Sand Cone/Drive Tube).....	\$ 75.00/day
Floor Flatness Equipment.....	\$ 200.00/day
Fireproofing Test Equipment.....	\$ 100.00/day
Vibration Monitoring Equipment (1 monitor).....	\$ 800.00/day
Ultrasonic Weld Testing Equipment.....	\$ 250.00/day
Core machine.....	\$ 200.00/day
Rental Equipment & Non-standard Supplies	Cost x 1.15

Note: The above charges will be made for tests and equipment operated by ECS SOUTHEAST, LLP personnel in addition to personnel charges already listed.



PROPOSAL ACCEPTANCE FORM
ECS SOUTHEAST, LLC
(Please Print or Type)

Project Name: Pender Co. Law Enforcement Center
Location: Burgaw, North Carolina

Please complete and return this Proposal Acceptance Form to ECS as shown at the bottom of this form. By signing and returning this form, you are authorizing ECS to proceed, providing ECS permission to enter the site, and making this proposal the agreement. Your signature also indicates you have read this document and the *Terms and Conditions of Service* in their entirety and agree to pay for services as above set forth.

CLIENT AND BILLING INFORMATION

Name of Client: _____
Contact Person: _____
Telephone No. _____
E-mail: _____

	<u>Responsible for Payment</u>	<u>Approval of Invoice (if different)</u>
Contact Name:	_____	_____
Company Name:	_____	_____
Address	_____	_____
Address	_____	_____
City, State, Zip	_____	_____
Telephone No.:	_____	_____
Fax No:	_____	_____
E-mail Address:	_____	_____

Reports are normally e-mailed directly to the client. If you require copies to others, please provide their names, e-mail addresses, and fax numbers below.

Name	e-mail Address	Phone Number	Fax Number
_____	_____	_____	_____
_____	_____	_____	_____

Special Instructions: _____

Client Signature: x _____ Date: _____

Please return signed authorization to William Cromartie at wcromartie@ecslimited.com.





**Pender County
Approval of PO for Materials Testing for
DHHS in the amount of \$77,382.50**

TO: BOCC
FROM: Jared Cass
DATE: April 15, 2024
SUBJECT: Approval of PO for Materials Testing for DHHS in the amount of \$77,382.50

SUMMARY:

Per NC General Statute 143-135.35 through 143-135.40, a Materials Testing agent will be required for the construction of the Health and Human Services Building. Materials testing helps to quantify and understand whether a material or product is suitable for a certain application under a particular load or operating condition.

Staff published RFQ 24-266 for Materials Testing and received four responses. After reviewing the qualifications and meeting with firms, staff is recommending to proceed with ECS Southeast, LLC. Staff has negotiated with ECS and received a proposal in the amount of \$77,382.50.

ACTION REQUESTED:

Approval for staff to execute a contract with ECS Southeast and a Purchase Order in the amount of \$77,382.50 from account 60-404505-6094 for materials testing.



ECS Southeast, LLC

**Proposal for Special Inspections, Construction Materials Testing & Pay
Application Review Services**

Pender County HSS
Burgaw, North Carolina

ECS Proposal Number 22:28444-R

March 28, 2024





March 28, 2024

Jared Cass
Pender County
805 S. Walker St.
Burgaw, NC 28425

ECS Proposal Number: 22:28444-R

Reference: Proposal for Special Inspections, Construction Materials Testing & Pay Application
Review Services
Pender County HSS
Progress Drive
Burgaw, North Carolina

ECS Southeast, LLC (ECS) appreciates this opportunity to submit this proposal to provide Special Inspections, Construction Materials Testing, and Pay Application Review services for the above-referenced project. This proposal reviews our understanding of the project information, outlines our proposed scope of services, and presents our fee estimate—together with the applicable schedule of unit rates for this project.

Our considerable experience with similar projects will help us provide efficient, cost-effective construction observation, testing, and engineering consulting services.

SCOPE OF SERVICES

We propose to provide qualified engineers and engineering technicians to perform the requested services. The following reporting, testing and inspection services be requested on this project. At the time of our proposal limited project drawings were available including civil and architectural. A schedule of Special Inspections was also not available. Once the structural drawings and a Schedule of Special Inspections is provided, our scope may change.

Earthwork/Soils

- Observe the proofroll of existing soil subgrade and ABC stone subgrades. Observe soil subgrade for compliance with the geotechnical report.
- Conduct laboratory tests on proposed fill soils (ASTM D-6913, ASTM D-1140, and ASTM D-698).
- Perform in-place density testing of fill materials to verify the percent compaction/in-place dry density is in compliance with the project specifications.
- Compaction testing of fill materials for building pads, pavement areas, and utilities.
- Check the thickness and test compaction of aggregate base course materials prior to pavement installation.
- Periodic inspections and testing by Dynamic Cone Penetrometer of soils at footing bearing level to verify that the soils encountered are satisfactory for the allowable design pressure recommended.
- Observe foundations for depth, width, and correct soils materials.

6714 NETHERLANDS DRIVE, WILMINGTON, NC 28405 • T: 910-686-9114 • F: 910-686-9666

ECS Florida, LLC • ECS Mid-Atlantic, LLC • ECS Midwest, LLC • ECS Pacific, Inc. • ECS Southeast, LLC • ECS Southwest, LLP
ECS New York Engineering, PLLC - An Associate of ECS Group of Companies • www.ecslimited.com

Concrete

- Collect and review concrete batch tickets to confirm compliance with the approved mix design(s).
- Observe reinforcing steel prior to concrete placement to confirm bar size, grade of steel, lap splices, clearances, support methods, and cleanliness.
- Anchor bolts shall be observed prior to concrete placement to confirm proper placement and embedment.
- Visually check the concrete in each truck as it arrives on site for proper slump and observe general placement procedures.
- Sample and test plastic concrete to include slump tests, air content, unit weight of lightweight concrete, and temperature.
- Facilities for storage of field curing test samples and initial curing should be provided by the contractor.
- Cast and cure 4 by 8 inch concrete cylinder test specimens for compressive strength testing per specifications.
- Deliver test specimens to the ECS laboratory within 24 hours after casting.
- Provide laboratory curing, compressive strength testing and reporting of concrete cylinder test specimens.
- Observe post-installation of anchors into existing concrete.

Structural Masonry

- Verify contractor's certificates of compliance.
- Verify f'm with testing of prisms at the beginning of construction and every 5000 sq. ft. of wall.
- Observe preparation of site-prepared mortar and grout on a periodic basis to document compliance with the manufacturer's and/or project specifications. Periodically observe mortar joint thicknesses for conformance with the project documents.
- Observe reinforcing steel placement (layout, size, grade, cleanliness, cover, support, and lap splices) and connectors prior to grout placement.
- Observe reinforced CMU cells prior to grouting to evaluate cleanliness of grout space and presence of cleanouts (if required).
- Observe structural members and anchors in masonry walls for compliance with the project drawings.
- Perform full-time observations during grout placement to evaluate compliance with the project documents and document use of the approved grout mix design(s).
- Sample grout and prepare sets of four (4) compressive strength specimens (ASTM C-1019), as necessary. After the initial curing, return the samples to the laboratory and perform compressive strength testing at the following ages: three (1) at 7 days and three (3) at 28 days.



Structural Steel

- We anticipate that the project steel and decking fabricators will be American Institute of Steel Construction (AISC) or Steel Deck Institute (SDI) certified fabrication facilities and will be exempt from Special Inspections per NCBC 1704.2. Therefore, we do not anticipate having to perform shop inspections. At the completion of fabrication, collect a copy of the Certificate of Compliance prepared by the fabricators for structural steel and decking, as applicable.
- Observe mill test reports and piece markings on structural members, high-strength bolts and nuts, and welding electrodes to verify conformance with the project drawings and specifications.
- Collect and review Welding Procedures and Welding Qualifications from the contractor prior to beginning work.
- Observe steel members, connectors, anchors, and welding rods are stored and maintained in accordance with the project specifications.
- Observation of high strength bolts for compliance with project drawings and specifications.
- Observe steel framing and bracing to verify conformance with the project structural drawings.
- Observe shear studs for type, size, spacing, locations, and welded connections.
- Observe metal decking materials for type and gauge compliance with project specifications.
- Provide documentation of events in the field and notify the appropriate personnel upon recognition of deficiencies. Perform the following periodic/continuous inspections as related to on-site structural steel erection and welded connections:
 - Continuous observation of following welded connections:
 - Complete and partial penetration groove welds
 - Multi-pass fillet welds
 - Single pass fillet welds exceeding 5/16 inches
 - Periodic observation of following welded connections:
 - Single pass fillet welds 5/16 inches or less
 - Floor and roof deck welds
- Perform Ultrasonic Testing on CJP groove welds.
- Observe cold-formed steel framing for specified materials and accessories.
- Provide periodic inspection of cold-form screw attachments, bolting, framing, anchoring of members including struts, braces, and hold-downs.

Spray Fire Resistant Material

- Review UL fire resistive design for each rated beam, column, or assembly.
- Provide periodic inspections of the installation of the fireproofing system.
- Inspect preparation of substrate prior to installation.
- Check substrate for minimum ambient temperature before and after application.
- Test thickness and density of sprayed on material per approved submittals.
- Test bond strength of each type of member for every 10,000 SF or level.

Fire-Resistant penetration and Joints

- Observe thorough-penetration firestop systems at fire walls, barriers, and partition walls
- Observe penetration firestop systems at penetrations through membranes that are part of that horizontal assembly.
- Inspect Fire-resistant joint systems.



Asphalt Pavements

- Observe the proofroll and test compaction of ABC stone subgrades prior to asphalt placement.
- Check compaction of asphalt pavements during the paving operation for compliance with the project specifications.

Engineering and Project Management

- A principal engineer of ECS will be assigned as the Special Inspector for the project. ECS reports will be reviewed by the principal engineer and non-compliance items will be logged in a report available the request of the project team.
- Our engineers and project managers are available for site visits, pre-construction meetings, and monthly meetings throughout the duration of the project.
- ECS project engineers review field and laboratory reports prior to distribution to the project team.
- ECS project engineers provide recommendations and support our field staff and are available to discuss the project with our client on a daily basis.

Pay Application Review

- Perform monthly progress site visits to document the status of construction and review the contractor's request for payment.
- Document general observations of building construction progress and review the contractors request for payment regarding construction progress and materials stored on site.
- Information will be presented in a written report for each visit.
- Our scope of work does not include evaluating the quality of the contractor's work, quality control testing or inspections, or conformance of the construction methods with plans, specifications, and local building codes.
- The objectives of the progress site visits are to document the status of construction and review the contractor request for payment.
- During each visit, a registered engineer or his authorized representative from our office will document general observations of building construction progress and review the contractors request for payment in light of construction progress and quantity of materials stored on site.
- ECS requests: All available Construction Plans (Complete and Approved Set); Project specifications (Complete and Approved Set); and Detailed breakdown of the contractor's/owner's periodic funding request on AIA form G702 and G703 or on equivalent forms.

Communications

To expedite the timely distribution of our daily reports, our field personnel utilize laptop computers to collect, process, and return data to our office. Our use of laptops typically facilitates electronic distribution of our reports within approximately **24 hours**. This reporting technology allows us to simultaneously communicate our testing data with all project team members.



The appropriate contractor or owner representative should contact our scheduling coordinator to provide the appropriate level of staffing to meet the project requirements; the direct phone number is 910-726-3025. *All scheduling requests must be made prior to 12 pm the day before the testing is needed so that the proper personnel may be scheduled for the required inspection task.* We also ask that we be provided with up-to-date project drawings and specifications prior to starting work on this project.

ECS will transmit reports by e-mail and, if requested, via U.S. Mail. Please list those to whom the reports should be sent and provide their e-mail addresses or mailing addresses, as appropriate, on the attached Proposal Acceptance Form.

FEES/COST OF SERVICES

Based upon the scope of services and our fee schedule, ECS estimates that our SI & CMT services as well as our Pay Application review for this project will be on the order of **\$77,382.50**. At the time of this proposal, structural drawings and the schedule of Special Inspections was not available. ECS requests the opportunity to revise our proposal was the drawings and schedule are available.

ECS will invoice for our services on a unit-rate basis in accordance with the unit rates provided in the attached Project Fee Schedule. Invoices will be submitted on a monthly basis—typically on or about the 10th day of each month. Our estimated cost provided does not constitute a lump-sum or not-to-exceed price for our services. Additional visits, re-inspections and unanticipated scopes of services may be required and will be invoiced in accordance with the attached fee schedule.

At the time of this proposal a construction schedule, structural drawings, and a Schedule of Special Inspections were not available. This cost estimate is based on the provided schedule and our assumptions from the architectural and civil drawings. The actual cost may be more or less than our cost estimate and will depend on the duration of construction and the frequency of testing scheduled by the general contractor. Once the Structural Drawings, Schedule of Special Inspections, and a construction schedule are provided, we would be happy to prepare a revised cost estimate. Should the construction schedule change and/or change in the scope of services differ from the proposed schedule or supplied schedule and scopes, our estimate will be revised utilizing the enclosed unit rates within this proposal. ECS will notify you of any changes in such schedule and/or scope of services prior to executing our services. ECS will invoice only the actual costs of services expended.

AUTHORIZATION

If the scope of work as outlined above and the attached Terms and Conditions are acceptable to you, please sign the attached Proposal Acceptance Form and return one copy of the Proposal Acceptance Form to ECS. Please note that the attached Terms and Conditions of Service are incorporated herein by reference and are an integral part of this agreement between us.

Alternatively, you could issue a letter of acceptance or purchase order. If you opt to do so, ECS would ask that you include the proposal number and date hereof on such documents in order to incorporate this proposal by reference.

By signing the Proposal Acceptance Form—or by referencing this proposal in other documents intended to authorize ECS to proceed with the scope of services described above—you are also accepting the Terms and Conditions of Service and making this proposal the agreement. This proposal is valid for a period of sixty (60) days; beyond that date it may be necessary to revise our schedule or fee.



March 28, 2024

ECS SOUTHEAST, LLC

Fully completing and signing the attached Proposal Acceptance Form will provide formal authorization for ECS to enter the site and perform the above work, as well as providing proper invoicing instructions and distribution lists for reports and correspondence. Please provide any specific instructions or details not covered in this proposal on the attached Proposal Acceptance Form. Please note we have provided a place for you to enter invoicing instructions and report distribution.

We look forward to the opportunity to work with you on this project and hope to serve as your consultant in the future. If you have questions, or if we can be of additional service, please contact us at (910) 686-9114.

Respectfully submitted,

ECS SOUTHEAST, LLC



William Cromartie
Construction Service Manager



Kris J. Stamm
Branch Manager, Principal

Attachments: Cost Estimate
ECS Fee Schedule
Proposal Acceptance Form
ECS Terms and Conditions of Service





6714 Netherlands Drive
 Wilmington, North Carolina 28405
 Phone: (910) 686-9114
 Fax: (910) 686-9666

Project Name:
 Proposal Number:
 Date:

Pender County HSS
28444-R
March 28, 2024

SPECIAL INSPECTIONS & CONSTRUCTION MATERIALS TESTING SERVICES

Assumptions:

Field Services:	Quantity	Unit Rate	Cost
Earthwork (Tech 2)	25 visits @ 8 hours / visits	\$65.00 / hour	\$ 13,000.00
Foundations (Tech 2)	12 visits @ 8 hours / visits	\$65.00 / hour	\$ 6,240.00
Concrete Slabs (Tech 2)	8 visits @ 8 hours / visits	\$65.00 / hour	\$ 4,160.00
Sample Pick-ups (Tech 1)	8 visits @ 3 hours / visits	\$55.00 / hour	\$ 1,320.00
Masonry	15 visits @ 5 hours / visits	\$75.00 / hour	\$ 5,625.00
Structural Steel	12 visits @ 6 hours / visits	\$105.00 / hour	\$ 7,560.00
Spray Applied Fireproofing	3 visits @ 5 hours / visits	\$90.00 / hour	\$ 1,350.00
Fire Penetrations and Joints	4 visits @ 5 hours / visits	\$90.00 / hour	\$ 1,800.00
Asphalt (Tech 2)	4 visits @ 8 hours / visits	\$65.00 / hour	\$ 2,080.00
Mileage	91 visits @ 50 miles / visits	\$0.75 / mile	\$ 3,412.50
Field Services Subtotal:			\$ 46,547.50
Laboratory Testing:	Quantity	Unit Rate	Cost
Standard Proctor (ASTM D-698)	3 samples	\$150.00 / sample	\$ 450.00
Grain Size Analysis (ASTM D-6913)	3 samples	\$90.00 / sample	\$ 270.00
Comp. Strength of Concrete Cyl	25 sets	\$20.00 / cylinder	\$ 2,500.00
Comp. Strength of Grout Prisms	8 sets	\$20.00 / prism	\$ 640.00
Comp. Strength of Masonry Prisms	1 sets	\$75.00 / prism	\$ 225.00
Laboratory Testing Subtotal			\$ 4,085.00
Equipment Rental:	Quantity	Unit Rate	Cost
Nuclear Density Equipment	28 fees	\$75.00 / day	\$ 2,100.00
Fireproofing Equipment	3 fees	\$100.00 / day	\$ 300.00
Equipment Rental Subtotal:			\$ 2,400.00
Engineering/Project Management:	Quantity	Unit Rate	Cost
Pay Application Review	18 reports	\$500.00 / report	\$ 9,000.00
Principal Engineer (P.E. Licensed)	45 hours	\$190.00 / hour	\$ 8,550.00
Project Manager	35 hours	\$160.00 / hour	\$ 5,600.00
Secretary	20 hours	\$60.00 / hour	\$ 1,200.00
Engineering/Project Management Subtotal:			\$ 24,350.00
ESTIMATED TOTAL COST FOR CONSTRUCTION MATERIALS TESTING SERVICES:			\$ 77,382.50



**2024 FEE SCHEDULE
CONSTRUCTION MATERIALS TESTING**

Field Technician 1	\$ 55.00/hour
Field Technician 2	\$ 65.00/hour
Masonry or Concrete Special Inspector	\$ 75.00/hour
Wall Framing Inspector (Wood or Light Gauge Metal)	\$ 95.00/hour
AWS Certified Welding Inspector	\$ 105.00/hour
NDT Level 2 Steel Technician (UT or MT)	\$ 115.00/hour
Fireproofing Inspector (SFRM or Intumescent)	\$ 95.00/hour
Firestopping Inspector (Penetrations & Joints).....	\$ 95.00/hour
Secretary	\$ 60.00/hour
Project Manager	\$ 160.00/hour
Principal Engineer	\$ 190.00/hour
Transportation via company vehicle	\$ 0.75/mile
Pay Application Review.....	\$ 500.00/report

Note: Charges for engineering and technical personnel will be made for time spent in the field, in engineering analysis, in preparation and review of reports, and in travel to and from our office.
Overtime = Standard Rate x 1.5 for services performed exceeding 8 hours per day, outside our normal business hours of 7:00 am to 5:00 pm, holidays, Saturday, and Sunday.

EQUIPMENT and LABORATORY

Standard Proctor (ASTM D-698).....	\$150.00 each
Modified Proctor (ASTM D-1557).....	\$175.00 each
Asphalt Density Determination	\$ 60.00/core
Atterberg Limits (LL & PL) Determination (ASTM D-4318)	\$ 90.00/test
Grain Size Analysis Test (ASTM D-422)	\$ 90.00/test
Moisture Content (ASTM D-2216)	\$ 25.00/test
Organic Content.....	\$ 40.00/test
Testing of Cylinders, Core Specimens:	
Compressive strength of grout prisms	\$ 20.00 each
Compressive strength of concrete cylinders	\$ 20.00 each
Compressive strength of masonry prisms	\$ 75.00 each
Compressive strength of concrete cores, (ASTM C-42)	\$ 75.00 each
Density Test Equipment (Nuclear Gauge/Sand Cone/Drive Tube).....	\$ 75.00/day
Floor Flatness Equipment.....	\$ 200.00/day
Fireproofing Test Equipment.....	\$ 100.00/day
Vibration Monitoring Equipment (1 monitor).....	\$ 800.00/day
Ultrasonic Weld Testing Equipment.....	\$ 250.00/day
Core machine	\$ 200.00/day
Rental Equipment & Non-standard Supplies	Cost x 1.15

Note: The above charges will be made for tests and equipment operated by ECS SOUTHEAST, LLC personnel in addition to personnel charges already listed.



PROPOSAL ACCEPTANCE FORM
ECS SOUTHEAST, LLC
(Please Print or Type)

Project Name: Pender County HSS
Location: Burgaw, North Carolina

Please complete and return this Proposal Acceptance Form to ECS as shown at the bottom of this form. By signing and returning this form, you are authorizing ECS to proceed, providing ECS permission to enter the site, and making this proposal the agreement. Your signature also indicates you have read this document and the *Terms and Conditions of Service* in their entirety and agree to pay for services as above set forth.

CLIENT AND BILLING INFORMATION

Name of Client: _____
Contact Person: _____
Telephone No. _____
E-mail: _____

	<u>Responsible for Payment</u>	<u>Approval of Invoice (if different)</u>
Contact Name:	_____	_____
Company Name:	_____	_____
Address	_____	_____
Address	_____	_____
City, State, Zip	_____	_____
Telephone No.:	_____	_____
Fax No:	_____	_____
E-mail Address:	_____	_____

Reports are normally e-mailed directly to the client. If you require copies to others, please provide their names, e-mail addresses, and fax numbers below.

Name	e-mail Address	Phone Number	Fax Number
_____	_____	_____	_____
_____	_____	_____	_____

Special Instructions: _____

Client Signature: × _____ Date: _____

Please return signed authorization to William Cromartie at wcromartie@ecslimited.com.





**Pender County
Approval of BOA & PO for countywide
radio project in the amount of
\$1,456,427.15**

TO: BOCC
FROM: Sarah Fulton
DATE: April 15, 2024
SUBJECT: Approval of BOA & PO for countywide radio project in the amount of
\$1,456,427.15

SUMMARY:

This project will purchase public safety radios that will become obsolete on the state VIPER network in July 2025. Multiple public safety agencies are participating in this bulk purchase which reduces the overall cost to taxpayers through a bulk purchase discount and the elimination of interest departments would have paid if participating in traditional financing. Departments will be responsible for reimbursing the county for their portion of the radio replacement project and will responsible for the radio maintenance or services moving forward.

ACTION REQUESTED:

Approval of a BOA and PO in the amount of \$1,456,427.15 to Motorola Solutions and approval for staff to execute a purchase agreement with each town/department participating in this purchase.



MOTOROLA SOLUTIONS

Quote Number: QUOTE-2466655

Billing Address:
PENDER COUNTY
P O BOX 1025

Quote Name: Pender County Project
Quote Date: 2024-03-11
Expiration Date: 2024-05-11
Contract Name: 19144 - 725G NORTH CAROLINA, STATE
OF (NON-ARIBA BASED POS)

Quote Created By:
Mike Cavalluzzi

BURGAUW NC, 28425

mikecavalluzzi@callmc.com

Customer: PENDER COUNTY

Currency: USD

Payment Terms: 30 NET

Terms and Conditions: Each Department will Have an individual order to help with inventory purposes during the receiving process. Items will be invoiced upon shipment and all invoiced to Pender County. No programming, installation, or other services besides warranty is included. Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.

Penderlea

Line #	Item Number	Description	Quantity	Unit List Price	Ext. List Price	Discount %	Discount \$	Unit Sale Price	Ext. Sale Price
	APX™ 8500								
1	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE.	4	\$5,893.68	\$23,574.72	29.00%	\$1,709.17	\$4,184.51	\$16,738.04
1a	GA00580AA	ADD: TDMA OPERATION.	4	\$495.00	\$1,980.00	29.00%	\$143.55	\$351.45	\$1,405.80
1b	G51AT	ENH:SMARTZONE.	4	\$1,650.00	\$6,600.00	29.00%	\$478.50	\$1,171.50	\$4,686.00
1c	GA05509AA	DEL: DELETE UHF BAND.	4	-\$800.00	-\$3,200.00	29.00%	-\$232.00	-\$568.00	-\$2,272.00
1d	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	4	\$66.00	\$264.00	29.00%	\$19.14	\$46.86	\$187.44
1e	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1f	G67EH	ADD: REMOTE MOUNT E5 MP.	4	\$327.00	\$1,308.00	29.00%	\$94.83	\$232.17	\$928.68
1g	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	4	\$567.00	\$2,268.00	29.00%	\$164.43	\$402.57	\$1,610.28
1h	GA01670AA	ADD: APX E5 CONTROL HEAD.	4	\$717.00	\$2,868.00	29.00%	\$207.93	\$509.07	\$2,036.28
1i	W22BA	ADD: STD PALM MICROPHONE APX.	4	\$79.00	\$316.00	29.00%	\$22.91	\$56.09	\$224.36
1j	QA09113AB	ADD: BASELINE RELEASE SW.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1k	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	4	\$330.00	\$1,320.00	29.00%	\$95.70	\$234.30	\$937.20
1l	GA01513AB	ADD: ALL BAND MOBILE ANTENNA (7/8/V/U).	4	\$105.00	\$420.00	29.00%	\$30.45	\$74.55	\$298.20
1m	G78AT	ENH: 3 YEAR ESSENTIAL SVC.	4	\$288.00	\$1,152.00	0.00%	\$0.00	\$288.00	\$1,152.00
1n	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1o	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1p	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
	APX™ 8500								
2	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE.	4	\$5,893.68	\$23,574.72	29.00%	\$1,709.17	\$4,184.51	\$16,738.04
2a	GA00580AA	ADD: TDMA OPERATION.	4	\$495.00	\$1,980.00	29.00%	\$143.55	\$351.45	\$1,405.80
2b	G668N	ADD: DASH MOUNT E5.	4	\$138.00	\$552.00	29.00%	\$40.02	\$97.98	\$391.92
2c	G51AT	ENH:SMARTZONE.	4	\$1,650.00	\$6,600.00	29.00%	\$478.50	\$1,171.50	\$4,686.00
2d	GA05509AA	DEL: DELETE UHF BAND.	4	-\$800.00	-\$3,200.00	29.00%	-\$232.00	-\$568.00	-\$2,272.00
2e	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	4	\$66.00	\$264.00	29.00%	\$19.14	\$46.86	\$187.44
2f	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2g	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2h	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	4	\$567.00	\$2,268.00	29.00%	\$164.43	\$402.57	\$1,610.28
2i	GA01670AA	ADD: APX E5 CONTROL HEAD.	4	\$717.00	\$2,868.00	29.00%	\$207.93	\$509.07	\$2,036.28
2j	W22BA	ADD: STD PALM MICROPHONE APX.	4	\$79.00	\$316.00	29.00%	\$22.91	\$56.09	\$224.36
2k	QA09113AB	ADD: BASELINE RELEASE SW.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2l	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	4	\$330.00	\$1,320.00	29.00%	\$95.70	\$234.30	\$937.20
2m	GA01513AB	ADD: ALL BAND MOBILE ANTENNA (7/8/V/U).	4	\$105.00	\$420.00	29.00%	\$30.45	\$74.55	\$298.20
2n	G78AT	ENH: 3 YEAR ESSENTIAL SVC.	4	\$288.00	\$1,152.00	0.00%	\$0.00	\$288.00	\$1,152.00
2o	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2p	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
	APX™ 8000 Series								
3	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5.	15	\$7,392.32	\$110,884.80	29.00%	\$2,143.77	\$5,248.55	\$78,728.25
3a	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION.	15	\$567.00	\$8,505.00	29.00%	\$164.43	\$402.57	\$6,038.55
3b	Q361AN	ADD: P25 9600 BAUD TRUNKING.	15	\$330.00	\$4,950.00	29.00%	\$95.70	\$234.30	\$3,514.50
3c	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	15	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
3d	QA02006AC	ENH: APX8000XE RUGGED RADIO.	15	\$880.00	\$13,200.00	29.00%	\$255.20	\$624.80	\$9,372.00
3e	QA00580AA	ADD: TDMA OPERATION.	15	\$495.00	\$7,425.00	29.00%	\$143.55	\$351.45	\$5,271.75

3f	Q58AL	ADD: 3Y ESSENTIAL SERVICE.	15	\$184.00	\$2,760.00	0.00%	\$0.00	\$184.00	\$2,760.00
3g	H388S	ADD: SMARTZONE OPERATION.	15	\$1,650.00	\$24,750.00	29.00%	\$478.50	\$1,171.50	\$17,572.50
3h	QA09113AB	ADD: BASELINE RELEASE SW.	15	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
3i	QA01427AG	ALT: APX8000/XE HOUSING GREEN.	15	\$28.00	\$420.00	29.00%	\$8.12	\$19.88	\$298.20
3j	QA05509AA	DEL: DELETE UHF BAND.	15	-\$800.00	-\$12,000.00	29.00%	-\$232.00	-\$568.00	-\$8,520.00
	Standalone Items								
4	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA.	15	\$186.50	\$2,797.50	29.00%	\$54.08	\$132.42	\$1,986.30
5	PMMN4154A	XVE500 DIV 1 REMOTE SPEAKER MIC, HIGH IMPACT GREEN WITH KNOB, UL.	15	\$748.00	\$11,220.00	29.00%	\$216.92	\$531.08	\$7,966.20
	APX™ Consolette								
6	L37TSS9PW1AN	ALL BAND CONSOLETTTE.	1	\$9,933.04	\$9,933.04	29.00%	\$2,880.58	\$7,052.46	\$7,052.46
6a	GA00580AA	ADD: TDMA OPERATION.	1	\$495.00	\$495.00	29.00%	\$143.55	\$351.45	\$351.45
6b	CA01598AB	ADD: AC LINE CORD US.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
6c	G51AT	ENH:SMARTZONE.	1	\$1,650.00	\$1,650.00	29.00%	\$478.50	\$1,171.50	\$1,171.50
6d	GA05509AA	DEL: DELETE UHF BAND.	1	-\$800.00	-\$800.00	29.00%	-\$232.00	-\$568.00	-\$568.00
6e	L999AG	ADD: FULL FP W/E5/KEYPAD/CLOCK/VU.	1	\$868.00	\$868.00	29.00%	\$251.72	\$616.28	\$616.28
6f	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	1	\$567.00	\$567.00	29.00%	\$164.43	\$402.57	\$402.57
6g	QA09113AB	ADD: BASELINE RELEASE SW.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
6h	W382AM	ADD: CONTROL STATION DESK GCAI MIC.	1	\$186.00	\$186.00	29.00%	\$53.94	\$132.06	\$132.06
6i	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	1	\$330.00	\$330.00	29.00%	\$95.70	\$234.30	\$234.30
6j	G78AR	ADD: 3Y ESSENTIAL SERVICE.	1	\$288.00	\$288.00	0.00%	\$0.00	\$288.00	\$288.00
		ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
6k	G193AK		1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
							\$265,414.78	Net Total	\$189,996.67

UNION RESCUE

1	APX™ 6000 Series								
1	H98UCF9PW6BN	APX6000 700/800 MODEL 2.5 PORTABLE.	4	\$3,595.00	\$14,380.00	29.00%	\$1,042.55	\$2,552.45	\$10,209.80
		ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1a	Q667BB		4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1b	Q361AR	ADD: P25 9600 BAUD TRUNKING.	4	\$330.00	\$1,320.00	29.00%	\$95.70	\$234.30	\$937.20
1c	Q58AL	ADD: 3Y ESSENTIAL SERVICE.	4	\$184.00	\$736.00	0.00%	\$0.00	\$184.00	\$736.00
1d	QA00580AC	ADD: TDMA OPERATION.	4	\$495.00	\$1,980.00	29.00%	\$143.55	\$351.45	\$1,405.80
1e	H388T	ADD: SMARTZONE OPERATION.	4	\$1,320.00	\$5,280.00	29.00%	\$382.80	\$937.20	\$3,748.80
1f	QA09113AB	ADD: BASELINE RELEASE SW.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1g	Q806BM	ADD: ASTRO DIGITAL CAI OPERATION.	4	\$567.00	\$2,268.00	29.00%	\$164.43	\$402.57	\$1,610.28
	Standalone Items								
2	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA.	4	\$186.50	\$746.00	29.00%	\$54.08	\$132.42	\$529.68
3	PMMN4135B	XVP850 REMOTE SPEAKER MICROPHONE WITH CHANNEL KNOB.	4	\$507.60	\$2,030.40	29.00%	\$147.20	\$360.40	\$1,441.60
							\$28,740.40	Net Total	\$20,619.16

ROCKY POINT VFD

	APX™ 8000 Series								
1	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5.	26	\$7,392.32	\$192,200.32	29.00%	\$2,143.77	\$5,248.55	\$136,462.30
1a	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION.	26	\$567.00	\$14,742.00	29.00%	\$164.43	\$402.57	\$10,466.82
1b	Q361AN	ADD: P25 9600 BAUD TRUNKING.	26	\$330.00	\$8,580.00	29.00%	\$95.70	\$234.30	\$6,091.80
		ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	26	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1c	Q667BB		26	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1d	QA02006AC	ENH: APX8000XE RUGGED RADIO.	26	\$880.00	\$22,880.00	29.00%	\$255.20	\$624.80	\$16,244.80
1e	QA00580AA	ADD: TDMA OPERATION.	26	\$495.00	\$12,870.00	29.00%	\$143.55	\$351.45	\$9,137.70
1f	H388S	ADD: SMARTZONE OPERATION.	26	\$1,650.00	\$42,900.00	29.00%	\$478.50	\$1,171.50	\$30,459.00
1g	QA09113AB	ADD: BASELINE RELEASE SW.	26	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1h	QA01427AG	ALT: APX8000/XE HOUSING GREEN.	26	\$28.00	\$728.00	29.00%	\$8.12	\$19.88	\$516.88
1i	QA05509AA	DEL: DELETE UHF BAND.	26	-\$800.00	-\$20,800.00	29.00%	-\$232.00	-\$568.00	-\$14,768.00
1j	HA00690AA	ADD: 7Y ESSENTIAL SERVICE HTP.	26	\$386.00	\$10,036.00	0.00%	\$0.00	\$386.00	\$10,036.00
	APX™ 8500								
2	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE.	6	\$5,893.68	\$35,362.08	29.00%	\$1,709.17	\$4,184.51	\$25,107.06
2a	GA00580AA	ADD: TDMA OPERATION.	6	\$495.00	\$2,970.00	29.00%	\$143.55	\$351.45	\$2,108.70
2b	G668N	ADD: DASH MOUNT E5.	6	\$138.00	\$828.00	29.00%	\$40.02	\$97.98	\$587.88
2c	G51AT	ENH:SMARTZONE.	6	\$1,650.00	\$9,900.00	29.00%	\$478.50	\$1,171.50	\$7,029.00
2d	GA05509AA	DEL: DELETE UHF BAND.	6	-\$800.00	-\$4,800.00	29.00%	-\$232.00	-\$568.00	-\$3,408.00
2e	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	6	\$66.00	\$396.00	29.00%	\$19.14	\$46.86	\$281.16
2f	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	6	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2g	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED.	6	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2h	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	6	\$567.00	\$3,402.00	29.00%	\$164.43	\$402.57	\$2,415.42
2i	GA01670AA	ADD: APX E5 CONTROL HEAD.	6	\$171.00	\$4,302.00	29.00%	\$207.93	\$509.07	\$3,054.42
2j	W22BA	ADD: STD PALM MICROPHONE APX.	6	\$79.00	\$474.00	29.00%	\$22.91	\$56.09	\$336.54
2k	QA09113AB	ADD: BASELINE RELEASE SW.	6	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2l	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	6	\$330.00	\$1,980.00	29.00%	\$95.70	\$234.30	\$1,405.80

2m	GA01513AB	ADD: ALL BAND MOBILE ANTENNA (7/8/V/U).	6	\$105.00	\$630.00	29.00%	\$30.45	\$74.55	\$447.30
2n	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	6	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2o	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	6	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2p	HA00694AA	ADD: 7Y ESSENTIAL SERVICE HTM.	6	\$604.80	\$3,628.80	0.00%	\$0.00	\$604.80	\$3,628.80
	Standalone Items								
3	PMMN4154A	XVE500 DIV 1 REMOTE SPEAKER MIC, HIGH IMPACT GREEN WITH KNOB, UL.	26	\$748.00	\$19,448.00	29.00%	\$216.92	\$531.08	\$13,808.08
4	NNTN7624C	CHARGER, CHR IMP VEH EXT NA/EU KIT.	18	\$509.76	\$9,175.68	29.00%	\$147.83	\$361.93	\$6,514.74
5	NNTN8844A	CHARGER, MULTI-UNIT, IMPRES 2, 6-DISP, NA/LA-PLUG, ACC USB CHGR.	1	\$1,705.20	\$1,705.20	29.00%	\$494.51	\$1,210.69	\$1,210.69
6	PMNN4547A	BATT IMPRES 2 LIION TIA4950 R IP68 3100T.	14	\$213.15	\$2,984.10	29.00%	\$61.81	\$151.34	\$2,118.76
7	NNTN8860ATAA	TAA CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US.	8	\$225.70	\$1,805.60	29.00%	\$65.45	\$160.25	\$1,282.00
	APX™ Consolette								
8	L37TSS9PW1AN	ALL BAND CONSOLETTTE.	2	\$9,933.04	\$19,866.08	29.00%	\$2,880.58	\$7,052.46	\$14,104.92
8a	GA00580AA	ADD: TDMA OPERATION.	2	\$495.00	\$990.00	29.00%	\$143.55	\$351.45	\$702.90
8b	CA01598AB	ADD: AC LINE CORD US.	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
8c	G51AT	ENH: SMARTZONE.	2	\$1,650.00	\$3,300.00	29.00%	\$478.50	\$1,171.50	\$2,343.00
8d	GA05509AA	DEL: DELETE UHF BAND.	2	-\$800.00	-\$1,600.00	29.00%	-\$232.00	-\$568.00	-\$1,136.00
8e	L999AG	ADD: FULL FP W/E5/KEYPAD/CLOCK/VU.	2	\$868.00	\$1,736.00	29.00%	\$251.72	\$616.28	\$1,232.56
8f	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	2	\$567.00	\$1,134.00	29.00%	\$164.43	\$402.57	\$805.14
8g	QA09113AB	ADD: BASELINE RELEASE SW.	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
8h	W382AM	ADD: CONTROL STATION DESK GCAI MIC.	2	\$186.00	\$372.00	29.00%	\$53.94	\$132.06	\$264.12
8i	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	2	\$330.00	\$660.00	29.00%	\$95.70	\$234.30	\$468.60
		ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
8j	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
8k	HA00694AA	ADD: 7Y ESSENTIAL SERVICE HTM.	2	\$604.80	\$1,209.60	0.00%	\$0.00	\$604.80	\$1,209.60
							\$405,995.46	Net Total	\$292,570.49

BURGAW FD

	APX™ 6500 / Enh Series								
1	M25URS9PW1BN	APX6500 ENHANCED 7/800 MHZ MOBILE.	17	\$3,383.12	\$57,513.04	29.00%	\$981.10	\$2,402.02	\$40,834.34
1a	GA00580AA	ADD: TDMA OPERATION.	17	\$495.00	\$8,415.00	29.00%	\$143.55	\$351.45	\$5,974.65
1b	G51AU	ENH: SMARTZONE OPERATION APX6500.	17	\$1,320.00	\$22,440.00	29.00%	\$382.80	\$937.20	\$15,932.40
1c	G78AT	ENH: 3 YEAR ESSENTIAL SVC.	17	\$288.00	\$4,896.00	0.00%	\$0.00	\$288.00	\$4,896.00
		ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	17	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1d	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	17	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1e	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	17	\$66.00	\$1,122.00	29.00%	\$19.14	\$46.86	\$796.62
1f	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	17	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1g	G335AW	ADD: ANT 1/4 WAVE 762-870MHZ.	17	\$15.00	\$255.00	29.00%	\$4.35	\$10.65	\$181.05
1h	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	17	\$567.00	\$9,639.00	29.00%	\$164.43	\$402.57	\$6,843.69
1i	GA01670AA	ADD: APX E5 CONTROL HEAD.	17	\$717.00	\$12,189.00	29.00%	\$207.93	\$509.07	\$8,654.19
1j	W22BA	ADD: STD PALM MICROPHONE APX.	17	\$79.00	\$1,343.00	29.00%	\$22.91	\$56.09	\$953.53
1k	QA09113AB	ADD: BASELINE RELEASE SW.	17	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
		ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	17	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1l	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	17	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1m	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	17	\$330.00	\$5,610.00	29.00%	\$95.70	\$234.30	\$3,983.10
1n	G67DT	ADD: REMOTE MOUNT E5 APXM.	17	\$327.00	\$5,559.00	29.00%	\$94.83	\$232.17	\$3,946.89
	APX™ 6500 / Enh Series								
2	M25URS9PW1BN	APX6500 ENHANCED 7/800 MHZ MOBILE.	1	\$3,383.12	\$3,383.12	29.00%	\$981.10	\$2,402.02	\$2,402.02
2a	GA00580AA	ADD: TDMA OPERATION.	1	\$495.00	\$495.00	29.00%	\$143.55	\$351.45	\$351.45
2b	G628AC	ADD: REMOTE MOUNT CABLE 17 FT APX.	1	\$17.00	\$17.00	29.00%	\$4.93	\$12.07	\$12.07
2c	G607AC	ADD: REMOTE MOUNT CABLE 75 FT APX.	1	\$50.00	\$50.00	29.00%	\$14.50	\$35.50	\$35.50
2d	G51AU	ENH: SMARTZONE OPERATION APX6500.	1	\$1,320.00	\$1,320.00	29.00%	\$382.80	\$937.20	\$937.20
2e	G67DT	ADD: REMOTE MOUNT E5 APXM.	1	\$327.00	\$327.00	29.00%	\$94.83	\$232.17	\$232.17
2f	G78AT	ENH: 3 YEAR ESSENTIAL SVC.	1	\$288.00	\$288.00	0.00%	\$0.00	\$288.00	\$288.00
2g	GA00092AU	ADD: APXM DUAL E5 CH.	1	\$627.00	\$627.00	29.00%	\$181.83	\$445.17	\$445.17
		ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2h	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2i	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	2	\$66.00	\$132.00	29.00%	\$19.14	\$46.86	\$93.72
2j	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2k	G335AW	ADD: ANT 1/4 WAVE 762-870MHZ.	1	\$15.00	\$15.00	29.00%	\$4.35	\$10.65	\$10.65
2l	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	1	\$567.00	\$567.00	29.00%	\$164.43	\$402.57	\$402.57
2m	GA01670AA	ADD: APX E5 CONTROL HEAD.	1	\$717.00	\$717.00	29.00%	\$207.93	\$509.07	\$509.07

2n	W22BA	ADD: STD PALM MICROPHONE APX.	2	\$79.00	\$158.00	29.00%	\$22.91	\$56.09	\$112.18
2o	QA09113AB	ADD: BASELINE RELEASE SW.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
		ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2p	G193AK		1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2q	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	1	\$330.00	\$330.00	29.00%	\$95.70	\$234.30	\$234.30
		APX™ 6000 Series							
3	H98UCF9PW6BN	APX6000 700/800 MODEL 2.5 PORTABLE.	12	\$3,595.00	\$43,140.00	29.00%	\$1,042.55	\$2,552.45	\$30,629.40
		ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	12	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
3a	Q667BB		12	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
3b	Q361AR	ADD: P25 9600 BAUD TRUNKING.	12	\$330.00	\$3,960.00	29.00%	\$95.70	\$234.30	\$2,811.60
3c	QA02006AA	ENH: APX6000XE RUGGED RADIO.	12	\$880.00	\$10,560.00	29.00%	\$255.20	\$624.80	\$7,497.60
3d	QA00580AC	ADD: TDMA OPERATION.	12	\$495.00	\$5,940.00	29.00%	\$143.55	\$351.45	\$4,217.40
3e	H38BT	ADD: SMARTZONE OPERATION.	12	\$1,320.00	\$15,840.00	29.00%	\$382.80	\$937.20	\$11,246.40
3f	QA09113AB	ADD: BASELINE RELEASE SW.	12	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
3g	QA01427AB	ALT: IMPACT GREEN HOUSING.	12	\$28.00	\$336.00	29.00%	\$8.12	\$19.88	\$238.56
3h	Q806BM	ADD: ASTRO DIGITAL CAI OPERATION.	12	\$567.00	\$6,804.00	29.00%	\$164.43	\$402.57	\$4,830.84
3i	HA00690AA	ADD: 7Y ESSENTIAL SERVICE HTP.	12	\$386.00	\$4,632.00	0.00%	\$0.00	\$386.00	\$4,632.00
		Standalone Items							
4	PMMN4099CL	AUDIO ACCESSORY-REMOTE SPEAKER MICROPHONE,IP68 REMOTE SPEAKER MICROPHONE,3.5MM,UL.	4	\$142.56	\$570.24	29.00%	\$41.34	\$101.22	\$404.88
5	NNTN8844A	CHARGER, MULTI-UNIT, IMPRES 2, 6-DISP, NA/LA-PLUG, ACC USB CHGR.	2	\$1,705.20	\$3,410.40	29.00%	\$494.51	\$1,210.69	\$2,421.38
6	PMMN4154A	XVE500 DIV 1 REMOTE SPEAKER MIC, HIGH IMPACT GREEN WITH KNOB, UL.	8	\$748.00	\$5,984.00	29.00%	\$216.92	\$531.08	\$4,248.64
		APX™ Consolette							
7	L37TSS9PW1AN	ALL BAND CONSOLETTTE.	2	\$9,933.04	\$19,866.08	29.00%	\$2,880.58	\$7,052.46	\$14,104.92
7a	GA00580AA	ADD: TDMA OPERATION.	2	\$495.00	\$990.00	29.00%	\$143.55	\$351.45	\$702.90
7b	CA01598AB	ADD: AC LINE CORD US.	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
7c	G51AT	ENH:SMARTZONE.	2	\$1,650.00	\$3,300.00	29.00%	\$478.50	\$1,171.50	\$2,343.00
7d	GA05509AA	DEL: DELETE UHF BAND.	2	-\$800.00	-\$1,600.00	29.00%	-\$232.00	-\$568.00	-\$1,136.00
7e	L999AG	ADD: FULL FP W/ES/KEYPAD/CLOCK/VU.	2	\$868.00	\$1,736.00	29.00%	\$251.72	\$616.28	\$1,232.56
7f	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	2	\$567.00	\$1,134.00	29.00%	\$164.43	\$402.57	\$805.14
7g	QA09113AB	ADD: BASELINE RELEASE SW.	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
7h	W382AM	ADD: CONTROL STATION DESK GCAI MIC.	2	\$186.00	\$372.00	29.00%	\$53.94	\$132.06	\$264.12
7i	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	2	\$330.00	\$660.00	29.00%	\$95.70	\$234.30	\$468.60
7j	G78AR	ADD: 3Y ESSENTIAL SERVICE.	2	\$288.00	\$576.00	0.00%	\$0.00	\$288.00	\$576.00
7k	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
		MCD 5000 Deskset System							
8	HKVN4865A	LICENSE,CD, MCD 5000 DOCUMENTATION.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
9	FHN7469A	ASSY,P/S,MCD 5000 DESKSET / RGU PWR SPLY W/ USA PWR CORD.	2	\$100.00	\$200.00	29.00%	\$29.00	\$71.00	\$142.00
10	F2380A	SM,MCD 5000 DESKSET.	2	\$2,275.00	\$4,550.00	29.00%	\$659.75	\$1,615.25	\$3,230.50
					\$270,367.88		Net Total		\$194,974.97

SURF CITY

		APX™ 8500							
1	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE.	4	\$5,893.68	\$23,574.72	29.00%	\$1,709.17	\$4,184.51	\$16,738.04
1a	GA00580AA	ADD: TDMA OPERATION.	4	\$495.00	\$1,980.00	29.00%	\$143.55	\$351.45	\$1,405.80
		ADD: ALL BAND MOBILE ANTENNA (7/8/V/U).	4	\$105.00	\$420.00	29.00%	\$30.45	\$74.55	\$298.20
1b	GA01513AB		4	\$105.00	\$420.00	29.00%	\$30.45	\$74.55	\$298.20
1c	G51AT	ENH:SMARTZONE.	4	\$1,650.00	\$6,600.00	29.00%	\$478.50	\$1,171.50	\$4,686.00
1d	G78AT	ENH: 3 YEAR ESSENTIAL SVC.	4	\$288.00	\$1,152.00	0.00%	\$0.00	\$288.00	\$1,152.00
		ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1e	GA01606AA		4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1f	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	4	\$66.00	\$264.00	29.00%	\$19.14	\$46.86	\$187.44
1g	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1h	G67EH	ADD: REMOTE MOUNT E5 MP.	4	\$327.00	\$1,308.00	29.00%	\$94.83	\$232.17	\$928.68
1i	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1j	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	4	\$567.00	\$2,268.00	29.00%	\$164.43	\$402.57	\$1,610.28
1k	GA01670AA	ADD: APX E5 CONTROL HEAD.	4	\$717.00	\$2,868.00	29.00%	\$207.93	\$509.07	\$2,036.28
1l	W22BA	ADD: STD PALM MICROPHONE APX.	4	\$79.00	\$316.00	29.00%	\$22.91	\$56.09	\$224.36
1m	QA09113AB	ADD: BASELINE RELEASE SW.	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
		ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1n	G193AK		4	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1o	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	4	\$330.00	\$1,320.00	29.00%	\$95.70	\$234.30	\$937.20
1p	GA05509AA	DEL: DELETE UHF BAND.	4	-\$800.00	-\$3,200.00	29.00%	-\$232.00	-\$568.00	-\$2,272.00
		APX™ 8000 Series							

2	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5.	2	\$7,392.32	\$14,784.64	29.00%	\$2,143.77	\$5,248.55	\$10,497.10
2a	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION.	2	\$567.00	\$1,134.00	29.00%	\$164.43	\$402.57	\$805.14
2b	Q361AN	ADD: P25 9600 BAUD TRUNKING.	2	\$330.00	\$660.00	29.00%	\$95.70	\$234.30	\$468.60
2c	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2d	QA00580AA	ADD: TDMA OPERATION.	2	\$495.00	\$990.00	29.00%	\$143.55	\$351.45	\$702.90
2e	Q58AL	ADD: 3Y ESSENTIAL SERVICE.	2	\$184.00	\$368.00	0.00%	\$0.00	\$184.00	\$368.00
2f	H38BS	ADD: SMARTZONE OPERATION.	2	\$1,650.00	\$3,300.00	29.00%	\$478.50	\$1,171.50	\$2,343.00
2g	QA09113AB	ADD: BASELINE RELEASE SW.	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2h	QA02006AC	ENH: APX8000XE RUGGED RADIO.	2	\$880.00	\$1,760.00	29.00%	\$255.20	\$624.80	\$1,249.60
2i	QA01427AG	ALT: APX8000/XE HOUSING GREEN.	2	\$28.00	\$56.00	29.00%	\$8.12	\$19.88	\$39.76
	Standalone Items								
3	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA.	2	\$186.50	\$373.00	29.00%	\$54.08	\$132.42	\$264.84
4	PMMN4154A	XVE500 DIV 1 REMOTE SPEAKER MIC, HIGH IMPACT GREEN WITH KNOB, UL.	2	\$748.00	\$1,496.00	29.00%	\$216.92	\$531.08	\$1,062.16
	APX™ 8500								
5	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE.	1	\$5,893.68	\$5,893.68	29.00%	\$1,709.17	\$4,184.51	\$4,184.51
		ADD: BLUETOOTH/WIFI/GNSS FLEXIBLE CABLE LMR195.	1	\$110.00	\$110.00	29.00%	\$31.90	\$78.10	\$78.10
5a	GA00250AA		1	\$110.00	\$110.00	29.00%	\$31.90	\$78.10	\$78.10
5b	GA00580AA	ADD: TDMA OPERATION.	1	\$495.00	\$495.00	29.00%	\$143.55	\$351.45	\$351.45
5c	GA01513AB	ADD: ALL BAND MOBILE ANTENNA (7/8/V/U).	1	\$105.00	\$105.00	29.00%	\$30.45	\$74.55	\$74.55
5d	G51AT	ENH: SMARTZONE.	1	\$1,650.00	\$1,650.00	29.00%	\$478.50	\$1,171.50	\$1,171.50
5e	G78AT	ENH: 3 YEAR ESSENTIAL SVC.	1	\$288.00	\$288.00	0.00%	\$0.00	\$288.00	\$288.00
5f	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	1	\$66.00	\$66.00	29.00%	\$19.14	\$46.86	\$46.86
5g	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
5h	G67EH	ADD: REMOTE MOUNT E5 MP.	1	\$327.00	\$327.00	29.00%	\$94.83	\$232.17	\$232.17
5i	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
5j	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	1	\$567.00	\$567.00	29.00%	\$164.43	\$402.57	\$402.57
5k	GA01670AA	ADD: APX E5 CONTROL HEAD.	1	\$717.00	\$717.00	29.00%	\$207.93	\$509.07	\$509.07
5l	W22BA	ADD: STD PALM MICROPHONE APX.	1	\$79.00	\$79.00	29.00%	\$22.91	\$56.09	\$56.09
5m	QA09113AB	ADD: BASELINE RELEASE SW.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
5n	W969BG	ENH: MULTIKEY OPERATION.	1	\$363.00	\$363.00	29.00%	\$105.27	\$257.73	\$257.73
		ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
5o	G193AK		1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
5p	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	1	\$330.00	\$330.00	29.00%	\$95.70	\$234.30	\$234.30
					\$74,783.04			Net Total	\$53,620.28

EM

	APX™ 8500								
1	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE.	9	\$5,893.68	\$53,043.12	29.00%	\$1,709.17	\$4,184.51	\$37,660.59
1a	GA00580AA	ADD: TDMA OPERATION.	9	\$495.00	\$4,455.00	29.00%	\$143.55	\$351.45	\$3,163.05
1b	G66BN	ADD: DASH MOUNT E5.	9	\$138.00	\$1,242.00	29.00%	\$40.02	\$97.98	\$881.82
1c	G51AT	ENH: SMARTZONE.	9	\$1,650.00	\$14,850.00	29.00%	\$478.50	\$1,171.50	\$10,543.50
1d	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	9	\$66.00	\$594.00	29.00%	\$19.14	\$46.86	\$421.74
1e	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	9	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1f	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED.	9	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1g	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	9	\$567.00	\$5,103.00	29.00%	\$164.43	\$402.57	\$3,623.13
1h	GA01670AA	ADD: APX E5 CONTROL HEAD.	9	\$717.00	\$6,453.00	29.00%	\$207.93	\$509.07	\$4,581.63
1i	W22BA	ADD: STD PALM MICROPHONE APX.	9	\$79.00	\$711.00	29.00%	\$22.91	\$56.09	\$504.81
1j	QA09113AB	ADD: BASELINE RELEASE SW.	9	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1k	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	9	\$330.00	\$2,970.00	29.00%	\$95.70	\$234.30	\$2,108.70
		ADD: ALL BAND MOBILE ANTENNA (7/8/V/U).	9	\$105.00	\$945.00	29.00%	\$30.45	\$74.55	\$670.95
1l	G78AT	ENH: 3 YEAR ESSENTIAL SVC.	9	\$288.00	\$2,592.00	0.00%	\$0.00	\$288.00	\$2,592.00
		ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	9	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1n	GA01606AA		9	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1o	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	9	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
	APX™ 8500								
2	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE.	2	\$5,893.68	\$11,787.36	29.00%	\$1,709.17	\$4,184.51	\$8,369.02
2a	GA00580AA	ADD: TDMA OPERATION.	2	\$495.00	\$990.00	29.00%	\$143.55	\$351.45	\$702.90
2b	G51AT	ENH: SMARTZONE.	2	\$1,650.00	\$3,300.00	29.00%	\$478.50	\$1,171.50	\$2,343.00
2c	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	2	\$66.00	\$132.00	29.00%	\$19.14	\$46.86	\$93.72
2d	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2e	G67EH	ADD: REMOTE MOUNT E5 MP.	2	\$327.00	\$654.00	29.00%	\$94.83	\$232.17	\$464.34
2f	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	2	\$567.00	\$1,134.00	29.00%	\$164.43	\$402.57	\$805.14
2g	GA01670AA	ADD: APX E5 CONTROL HEAD.	2	\$717.00	\$1,434.00	29.00%	\$207.93	\$509.07	\$1,018.14
2h	W22BA	ADD: STD PALM MICROPHONE APX.	2	\$79.00	\$158.00	29.00%	\$22.91	\$56.09	\$112.18
2i	QA09113AB	ADD: BASELINE RELEASE SW.	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2j	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	2	\$330.00	\$660.00	29.00%	\$95.70	\$234.30	\$468.60

2k	GA01513AB	ADD: ALL BAND MOBILE ANTENNA (7/8/V/U).	2	\$105.00	\$210.00	29.00%	\$30.45	\$74.55	\$149.10
2l	G78AT	ENH: 3 YEAR ESSENTIAL SVC.	2	\$288.00	\$576.00	0.00%	\$0.00	\$288.00	\$576.00
2m	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2n	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED.	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
2o	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
	APX™ 8000 Series								
3	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5.	7	\$7,392.32	\$51,746.24	29.00%	\$2,143.77	\$5,248.55	\$36,739.85
3a	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION.	7	\$567.00	\$3,969.00	29.00%	\$164.43	\$402.57	\$2,817.99
3b	Q361AN	ADD: P25 9600 BAUD TRUNKING.	7	\$330.00	\$2,310.00	29.00%	\$95.70	\$234.30	\$1,640.10
3c	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	7	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
3d	QA00580AA	ADD: TDMA OPERATION.	7	\$495.00	\$3,465.00	29.00%	\$143.55	\$351.45	\$2,460.15
3e	Q58AL	ADD: 3Y ESSENTIAL SERVICE.	7	\$184.00	\$1,288.00	0.00%	\$0.00	\$184.00	\$1,288.00
3f	H388S	ADD: SMARTZONE OPERATION.	7	\$1,650.00	\$11,550.00	29.00%	\$478.50	\$1,171.50	\$8,200.50
3g	QA09113AB	ADD: BASELINE RELEASE SW.	7	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
	APX™ 8000 Series								
4	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5.	25	\$7,392.32	\$184,808.00	29.00%	\$2,143.77	\$5,248.55	\$131,213.75
4a	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION.	25	\$567.00	\$14,175.00	29.00%	\$164.43	\$402.57	\$10,064.25
4b	Q361AN	ADD: P25 9600 BAUD TRUNKING.	25	\$330.00	\$8,250.00	29.00%	\$95.70	\$234.30	\$5,857.50
4c	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	25	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
4d	QA00580AA	ADD: TDMA OPERATION.	25	\$495.00	\$12,375.00	29.00%	\$143.55	\$351.45	\$8,786.25
4e	Q58AL	ADD: 3Y ESSENTIAL SERVICE.	25	\$184.00	\$4,600.00	0.00%	\$0.00	\$184.00	\$4,600.00
4f	QA05509AA	DEL: DELETE UHF BAND.	25	-\$800.00	-\$20,000.00	29.00%	-\$232.00	-\$568.00	-\$14,200.00
4g	H388S	ADD: SMARTZONE OPERATION.	25	\$1,650.00	\$41,250.00	29.00%	\$478.50	\$1,171.50	\$29,287.50
4h	QA09113AB	ADD: BASELINE RELEASE SW.	25	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
	Standalone Items								
5	NNTN8860ATAA	TAA CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US.	32	\$225.70	\$7,222.40	29.00%	\$65.45	\$160.25	\$5,128.00
6	PMMN4135B	XVP850 REMOTE SPEAKER MICROPHONE WITH CHANNEL KNOB.	33	\$507.60	\$16,750.80	29.00%	\$147.20	\$360.40	\$11,893.20
					\$457,752.92			Net Total	\$327,631.10

PENDER SHERIFF

	APX™ 6000 Series								
1	H98UCF9PW6BN	APX6000 700/800 MODEL 2.5 PORTABLE.	40	\$3,595.00	\$143,800.00	29.00%	\$1,042.55	\$2,552.45	\$102,098.00
1a	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	40	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1b	Q361AR	ADD: P25 9600 BAUD TRUNKING.	40	\$330.00	\$13,200.00	29.00%	\$95.70	\$234.30	\$9,372.00
1c	QA00580AC	ADD: TDMA OPERATION.	40	\$495.00	\$19,800.00	29.00%	\$143.55	\$351.45	\$14,058.00
1d	QA07577AA	ALT: BATT IMPRES 2 LIION TIA4950 IP68 3100T STD.	40	\$156.45	\$6,258.00	29.00%	\$45.37	\$111.08	\$4,443.20
1e	H388T	ADD: SMARTZONE OPERATION.	40	\$1,320.00	\$52,800.00	29.00%	\$382.80	\$937.20	\$37,488.00
1f	QA09113AB	ADD: BASELINE RELEASE SW.	40	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1g	Q806BM	ADD: ASTRO DIGITAL CAI OPERATION.	40	\$567.00	\$22,680.00	29.00%	\$164.43	\$402.57	\$16,102.80
1h	H869BZ	ENH: MULTIKEY.	40	\$363.00	\$14,520.00	29.00%	\$105.27	\$257.73	\$10,309.20
1i	HA00690AA	ADD: 7Y ESSENTIAL SERVICE HTP.	40	\$386.00	\$15,440.00	0.00%	\$0.00	\$386.00	\$15,440.00
	Standalone Items								
2	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA.	40	\$186.50	\$7,460.00	29.00%	\$54.08	\$132.42	\$5,296.80
3	PMMN4135B	XVP850 REMOTE SPEAKER MICROPHONE WITH CHANNEL KNOB.	40	\$507.60	\$20,304.00	29.00%	\$147.20	\$360.40	\$14,416.00
	APX™ 8500								
4	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE.	1	\$5,893.68	\$5,893.68	29.00%	\$1,709.17	\$4,184.51	\$4,184.51
4a	GA00580AA	ADD: TDMA OPERATION.	1	\$495.00	\$495.00	29.00%	\$143.55	\$351.45	\$351.45
4b	GA01513AB	ADD: ALL BAND MOBILE ANTENNA (7/8/V/U).	1	\$105.00	\$105.00	29.00%	\$30.45	\$74.55	\$74.55
4c	G51AT	ENH: SMARTZONE.	1	\$1,650.00	\$1,650.00	29.00%	\$478.50	\$1,171.50	\$1,171.50
4d	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
4e	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX.	1	\$66.00	\$66.00	29.00%	\$19.14	\$46.86	\$46.86
4f	G444AH	ADD: APX CONTROL HEAD SOFTWARE.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
4g	G67EH	ADD: REMOTE MOUNT E5 MP.	1	\$327.00	\$327.00	29.00%	\$94.83	\$232.17	\$232.17
4h	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
4i	G806BL	ENH: ASTRO DIGITAL CAI OP APX.	1	\$567.00	\$567.00	29.00%	\$164.43	\$402.57	\$402.57
4j	GA01670AA	ADD: APX ES CONTROL HEAD.	1	\$717.00	\$717.00	29.00%	\$207.93	\$509.07	\$509.07
4k	W22BA	ADD: STD PALM MICROPHONE APX.	1	\$79.00	\$79.00	29.00%	\$22.91	\$56.09	\$56.09
4l	QA09113AB	ADD: BASELINE RELEASE SW.	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
4m	W969BG	ENH: MULTIKEY OPERATION.	1	\$363.00	\$363.00	29.00%	\$105.27	\$257.73	\$257.73
4n	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	1	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00

4o	G361AH	ENH: P25 TRUNKING SOFTWARE APX.	1	\$330.00	\$330.00	29.00%	\$95.70	\$234.30	\$234.30
4p	HA00694AA	ADD: 7Y ESSENTIAL SERVICE HTM.	1	\$604.80	\$604.80	0.00%	\$0.00	\$604.80	\$604.80
							\$327,459.48	Net Total	\$237,149.60

ATKINSON VFD

	APX™ 8000 Series								
1	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5.	15	\$7,392.32	\$110,884.80	29.00%	\$2,143.77	\$5,248.55	\$78,728.25
1a	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION.	15	\$567.00	\$8,505.00	29.00%	\$164.43	\$402.57	\$6,038.55
1b	Q361AN	ADD: P25 9600 BAUD TRUNKING.	15	\$330.00	\$4,950.00	29.00%	\$95.70	\$234.30	\$3,514.50
1c	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY).	15	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1d	QA02006AC	ENH: APX8000XE RUGGED RADIO.	15	\$880.00	\$13,200.00	29.00%	\$255.20	\$624.80	\$9,372.00
1e	QA00580AA	ADD: TDMA OPERATION.	15	\$495.00	\$7,425.00	29.00%	\$143.55	\$351.45	\$5,271.75
1f	H388S	ADD: SMARTZONE OPERATION.	15	\$1,650.00	\$24,750.00	29.00%	\$478.50	\$1,171.50	\$17,572.50
1g	QA09113AB	ADD: BASELINE RELEASE SW.	15	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00
1h	QA01427AG	ALT: APX8000/XE HOUSING GREEN.	15	\$28.00	\$420.00	29.00%	\$8.12	\$19.88	\$298.20
1i	HA00690AA	ADD: 7Y ESSENTIAL SERVICE HTP.	15	\$386.00	\$5,790.00	0.00%	\$0.00	\$386.00	\$5,790.00
	Standalone Items								
2	PMMN4154A	XVE500 DIV 1 REMOTE SPEAKER MIC, HIGH IMPACT GREEN WITH KNOB, UL.	15	\$748.00	\$11,220.00	29.00%	\$216.92	\$531.08	\$7,966.20
3	NNTN7624C	CHARGER,CHR IMP VEH EXT NA/EU KIT.	11	\$509.76	\$5,607.36	29.00%	\$147.83	\$361.93	\$3,981.23
4	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US.	4	\$186.50	\$746.00	29.00%	\$65.45	\$132.42	\$529.68
5	PMNN4486A	BATT IMPRES 2 LIION R IP67 3400T.	6	\$188.27	\$1,129.62	29.00%	\$54.60	\$133.67	\$802.02
							\$194,627.78	Net Total	\$139,864.88

PROJECT TOTAL **\$1,456,427.15**

Purchase Order Checklist	
Marked as PO/ Contract/ Notice to Proceed on Company Letterhead (PO will not be processed without this)	
PO Number/ Contract Number	
PO Date	
Vendor = Motorola Solutions, Inc.	
Payment (Billing) Terms/ State Contract Number	
Bill-To Name on PO must be equal to the <i>Legal</i> Bill-To Name	
Bill-To Address	
Ship-To Address (If we are shipping to a MR location, it must be documented on PO)	
Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)	
PO Amount must be equal to or greater than Order Total	
Non-Editable Format (Word/ Excel templates cannot be accepted)	
Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept	
Ship To Contact Name & Phone #	
Tax Exemption Status	
Signatures (As required)	

Pender County Budget Ordinance Amendment

Fiscal Year **FY 2023-2024**

Department **420 - COUNTY MANAGER**

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-399000	General Fund	1456427.15
2			
3			
4			
5			
6			
7			
8			
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	660-407400	Non-dept capital outlay	1456427.15
2			
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues 1456427.15

Total Expenditures 1456427.15

Budget Amendment Balances when Zero. 0

Prepared By: Sarah Fulton

Email sfulton@pendercountync.gov

Countywide Radio Project

The Purpose of the Project

- Certain radios will be inoperable on the VIPER system July 2025
- What is VIPER?
 - Voice Interoperability Plan for Emergency Responders (VIPER)
 - Statewide interoperability & capability enhancement
 - State maintains the infrastructure
 - 170,000 users as of 2023
- Fire Departments requested assistance with funding
 - Bulk purchase for discounts and elimination of interest
 - Opportunity to increase capabilities while saving money



Steering Committee

- County Manager's Office
- Emergency Management
- Pender County Sheriff's Office
- Pender County 911
- Pender EMS & Fire
 - Technical expertise
- Pender County Finance

Scope

Page 14 of 17

- Assessed current radio inventory of every agency
- Looked at increasing capabilities
 - Timeframe for effective implementation became a challenge
 - Overall cost
 - Current project just replaces radios that will be obsolete in July 2025
- Radio Network
 - Back-up/redundant 700MHz system
 - Initial proposal did not adequately provide coverage for the county
 - Funds for determining necessary infrastructure in budget proposal for FY24-25

Bulk Purchase Benefits

Page 15 of 17

- Why Motorola?
 - Existing equipment series is Motorola
 - State Contract pricing
- Received additional discount on top of state contract pricing
 - State contract is 10%-28% depending on item
 - Our proposal is 29% off all items
- Departments do not incur financing charges
 - Departments are not paying 5-8% financing charges

By Department

Department	Quantity	Amount	Payment
Atkinson FD	15 portable	\$139,864.88	<i>Monthly payments over 6 years</i>
Burgaw FD/PD	12 portable 17 mobile	\$194,974.97	<i>Monthly payments over 6 years</i>
Penderlea VFD	15 portable 4 mobile	\$189,996.67	<i>Monthly payments over 6 years</i>
Rocky Point VFD	26 portable 6 mobile	\$292,570.49	<i>Monthly payments over 6 years</i>
Surf City FD/PD/EM	2 portable 5 mobile	\$53,620.28	<i>One payment</i>
Union Rescue	4 portable	\$20,619.16	<i>One payment</i>
Pender County Sheriff's Office	40 portable 1 mobile	\$237,149.60	<i>County funds</i>
Pender Emergency Management	32 portable 11 mobile	\$327,631.10	<i>County funds</i>
Totals	146 portable 44 mobile	\$1,456,427.15	<i>\$564,780.70 in direct county funds \$891,646.45 to be paid back</i>

Summary

Required to continue providing emergency response

Saves taxpayer dollars on interest & discount

Seeking approval of a BOA & PO in the amount of \$1,456,427.15 and approval for staff to execute a purchase agreement with each Town/Department participating in this purchase



Pender County Adoption of Legislative Goals and Authorization to Execute Lobbying Services Contract

TO: Board of County Commissioners
FROM: Patrick Buffkin
DATE: April 15, 2024
SUBJECT: Adoption of Legislative Goals and Authorization to Execute Lobbying Services Contract

SUMMARY:

As a part of the Board of Commissioners' Annual Budget retreat, County staff presented proposed issues for inclusion on Pender County's legislative goals for 2024. Staff received feedback and prepared the attached legislative agenda for the Board's consideration. The legislative goals present a balanced agenda of statewide, local, short-term, and long-term goals. It is anticipated that the legislative goals will be updated prior to the General Assembly's long session that begins in January 2025, prior to the General Assembly short session that begins in spring of 2026, and annually thereafter.

Separately, the Board of Commissioners authorized County staff to issue a request for proposals (RFP) for lobbying services. The County received several proposals. Staff reviewed the proposals and identified three firms for interviews. After interviewing the three firms, County staff identified Maynard Nexsen law firm as the most qualified and best fit for Pender County's needs. Maynard Nexsen proposed an annual contract fee of \$42,000 prorated for 2024 at \$34,000. Staff requests the Board's approval to execute a contract with Maynard Nexsen law firm for lobbying services.

Should the board authorize execution of a contract with Maynard Nexsen, staff further requests board approval of a corresponding budget ordinance amendment for these expenses during the current fiscal year. A budget ordinance amendment is attached to this agenda item for the monthly fee during the current fiscal year. For FY25, expenses for lobbying services will be included in the Manager's recommended budget, within the County Manager's Office budget.

ACTION REQUESTED:

Adoption of legislative goals for 2024; authorization to execute lobbying services contract; adoption of budget ordinance amendment for FY24 expenses related to lobbying services.

Pender County Budget Ordinance Amendment

Fiscal Year **FY 2023-2024**

Department **410 - GOVERNING BODY**

REVENUES

	Account # (ORG-OBJECT)	Account Description	Amount
1	695-399000	Gen Fund Bal Appropriated	11334
2			
3			
4			
5			
6			
7			
8			
9			
10			

Proposed Amendment:

EXPENDITURES

	Account # (ORG-OBJECT)	Account Description	Amount
1	410-404500	Contract Services	11334
2			
3			
4			
5			
6			
7			
8			
9			
10			

Total Revenues 11334

Total Expenditures 11334

Budget Amendment Balances when Zero. 0

Prepared By: Angela Miller

Email amiller@pendercountync.gov



Pender County Approval to Move Public Comment to Item 7 of the Order of Business

TO: Board of County Commissioners
FROM: Lexi Stanfield
DATE: April 15, 2024
SUBJECT: Approval to Move Public Comment to Item 7 of the Order of Business

SUMMARY:

Last year the Board issued a change in the Order of Business to divide public comments between general comments and comments on agenda items. The Board recently discussed reversing this change and moving Public Comment for general items back to item 7 on the Order of Business and combine it with Public Comment for agenda items. It was decided the Board would vote at the next Board meeting with a formal agenda item presenting the change.

ACTION REQUESTED:

Approval to Move Public Comment to Item 7 of the Order of Business



Pender County Appointment to the Tourism Development Authority

TO: Board of County Commissioners
FROM: Lexi Stanfield
DATE: April 15, 2024
SUBJECT: Appointment to the Tourism Development Authority

SUMMARY:

Miles Bielec has applied to the Tourism Development Authority Board for the At-Large position. He has been a resident of Pender County for five years. Mr. Bielec has served on numerous committees in the Town of Carolina Beach including the Marketing Advisory Committee for six years and was the Chairman for four years. Additionally, he served on the Freeman Park Committee for four years, the Carolina Beach Downtown Initiative for eight years, the Boardwalk Planning Committee for two years, and the Carolina Beach Public Purpose Properties, Inc. since 2011.

The Tourism director has looked over the application and believes Mr. Bielec would provide experience to the TDA board. Should the Board vote to appoint Mr. Bielec, his term would begin on February 1, 2022, and expire on January 31, 2025.

ACTION REQUESTED:

Consideration to Appoint Miles Bielec to the Tourism Development Authority

ATTACHMENTS:

Miles Bielec Application



PENDER COUNTY

Application for Appointment to Boards/Commissions/Committees

Appointees to Pender County Boards/Commissions/Committees must be a Pender County resident and must be at least 18 years of age. Please complete this application and return to: Pender County Manager's Office, PO Box 5, Burgaw, NC 28425.

APPLICANT INFORMATION											
Last Name	Bielec			First	Miles			M.I.	F	Date	02-29-2024
Physical Address	129 Turtle Hill TRL							Apartment/Unit #			
City	Willard			State	NC			ZIP	28478		
Mailing Address (if different from above)	129 Turtle Hill TRL										
City	Willard			State	NC			ZIP	28478		
Home Phone	(919) 434-1707			Work Phone				E-mail Address 1	miles.bielec@yahoo.com		
Fax Number								E-mail Address 2			
Board Interest(s)	Tourism, Adjustment, Planning										
How long have you been a resident of Pender County?	5										
EDUCATION											
High School	Notre Dame High School			Location	Harper Woods			MI			
From	1973	To	1977	Did you graduate?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Diploma				
College	Northern Michigan University			Location	Marquette			MI			
From	1977	To	1981	Did you graduate?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Degree	Bachelors Degree			
Other	Wayne State University			Location	Detroit			MI			
From	1982	To	1982	Did you graduate?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Degree	Masters Degree			
EMPLOYMENT HISTORY											
Current Employment	Retired						Job Title	Retiree			
Responsibilities	Managed parking operations at ILM airport 2008-2021, continue to work one day a week as an analyst ...										
Previous Employment	SP+/USA Parking						Job Title	Manager			
Previous Employment	SAS Institute Inc						Job Title	Director, Security Operations			
Previous Employment	Nation Wide Security						Job Title	District Manager			
COMMUNITY INVOLVEMENT											
Please list current and past membership in civic or other organizations and offices held:											
Town of Carolina Beach: Marketing Advisory Committee (Chairman), Freeman Park Committee, CB Downtown Initiative (CBDI), Boardwalk Planning Committee, Carolina Beach Public Purpose Properties, Inc. (CBP3).											
Town of Cary, NC - EMS Board of Directors											

Have you ever served or are you currently a member of any Pender County or other local government board/commission/committee?			
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, explain (including length of service). CB Marketing Advisory Committee - six years, four as chairman. Worked directly with the Wilmington & Beaches CVB in planning marketing campaigns funded thru the ROT. Freeman Park Committee four years, worked with Town officials on managing the Town operated drive on beach park. CBDI eight years, worked with other citizens and business owners to improve the Boardwalk experience. Boardwalk Planning ...	
State reasons why you feel qualified for this appointment(s): I became active with citizen boards/committees in Carolina Beach after moving there in 2008 from the Cary, NC area. Through serving on the various boards and committees I gained exposure to the workings of local government and was able to provide what I felt was useful citizen input and oversight while at the same time broadening my understanding of the challenges facing local government.			
MILITARY SERVICE			
Branch Navy		From 1992	To 2002
Rank at Discharge Petty Officer 3rd Class		Type of Discharge (optional) Honorable	
CONFLICTS OF INTEREST			
Are you aware of any legal, ethical or personal conflict of interest by serving as a member of this Pender County board/commission/committee?			
YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, explain.	
Are you or any member of your family employed by Pender County, or currently serving on any Boards/Committee/Commission appointed by or affiliated with Pender County?			
YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, list family member name(s) and position/board or committee(s).	
Please add any additional information you would like to share supporting your interest and qualifications for this appointment. Being basically retired (I work an average of one day a week on a very flexible schedule) I have the time to devote to serving and would enjoy getting back into working with local government.			
DISCLAIMER AND SIGNATURE			
NOTE: This information will be used by the Pender County Board of Commissioners in making appointments to Pender County Boards/Commissions/Committees. In the event you are appointed, it may be used as a news release to identify you to the community. This application is considered a public record.			
Signature			Date

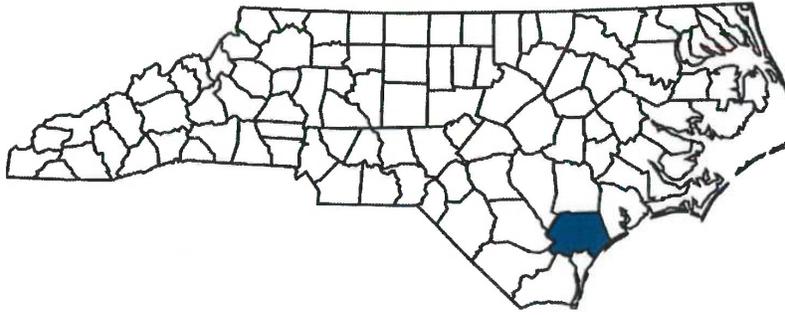


Pender County Public Information

TO: Board of County Commissioners
FROM: Carolyn Moser
DATE: April 15, 2024
SUBJECT: Presentation of the 2023 State of the County Health Report

SUMMARY:

The 2023 State of the County Health Report must be submitted to the Division of Public Health annually. It provides information of the health of our community, tracks progress of established health priorities and concerns and identifies new and emerging issues that affect the health status of Pender County residents. A copy of the 2023 State of the County Health Report has been provided for the board to review.



2023

State of the County Health (SOTCH) Report Pender County, North Carolina

The 2023 State of the County Health (SOTCH) Report serves as an update on the current health status of Pender County residents. The SOTCH provides health information that is intended to augment the 2022 Community Health Assessment (CHA). The CHA is conducted every four years and includes a more comprehensive analysis of the overall health status of the county. The main priorities identified from the 2022 Community Health Assessment were:

- 1- Heart Health**
- 2- Substance Use**
- 3- Access to Care**

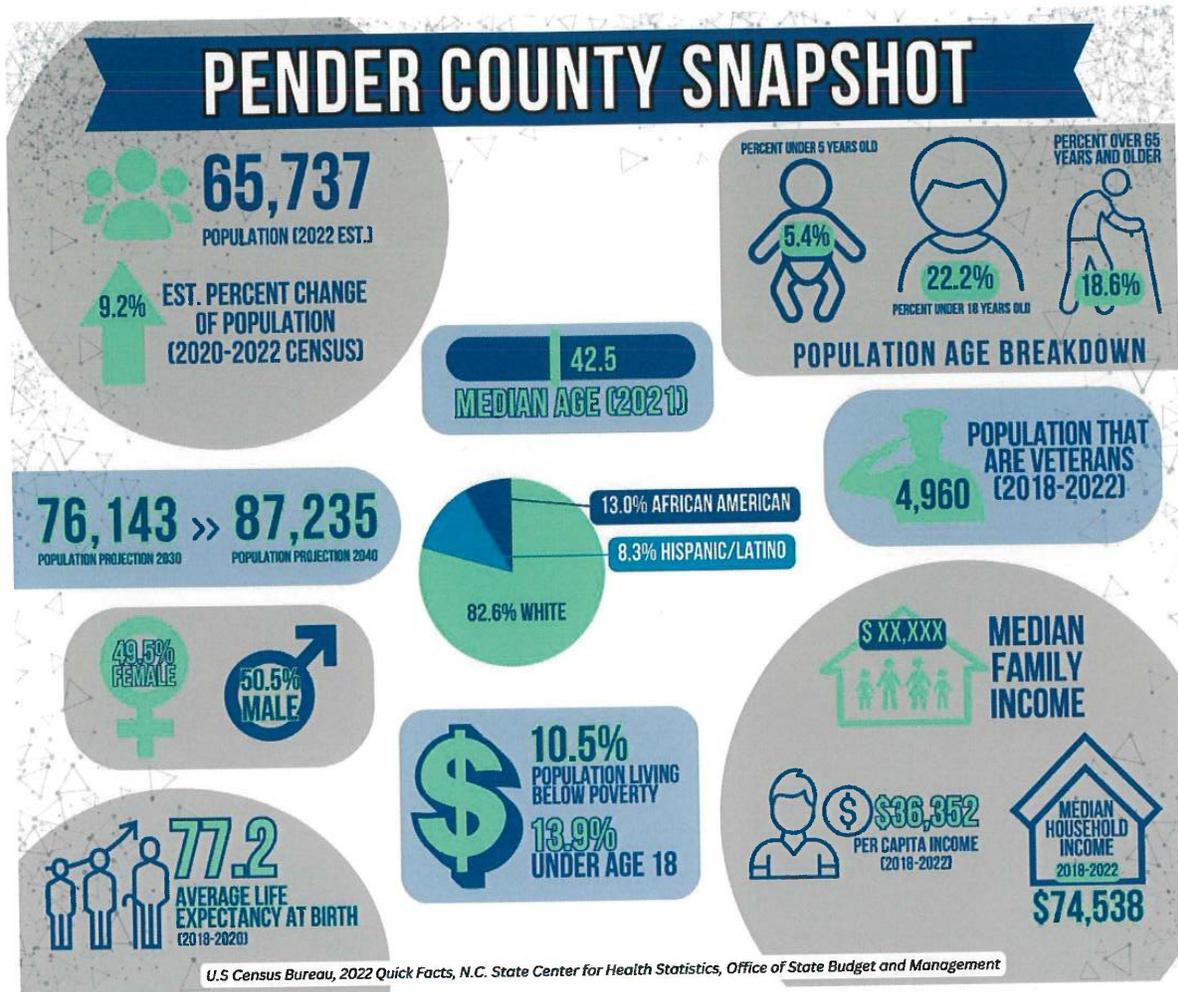
This report demonstrates progress made in the last year as it relates to these health priorities, recent health statistics, new initiatives and emerging issues that may impact the health status of residents in Pender County. The 2022 CHA and previous SOTCH reports may be found at the county libraries, the health department, or online at: <http://health.pendercountync.gov>



Building a Healthier Tomorrow...

Pender County Health Department

803 S. Walker Street | Burgaw, NC 28425
910-259-1230



Maternal and Child Health

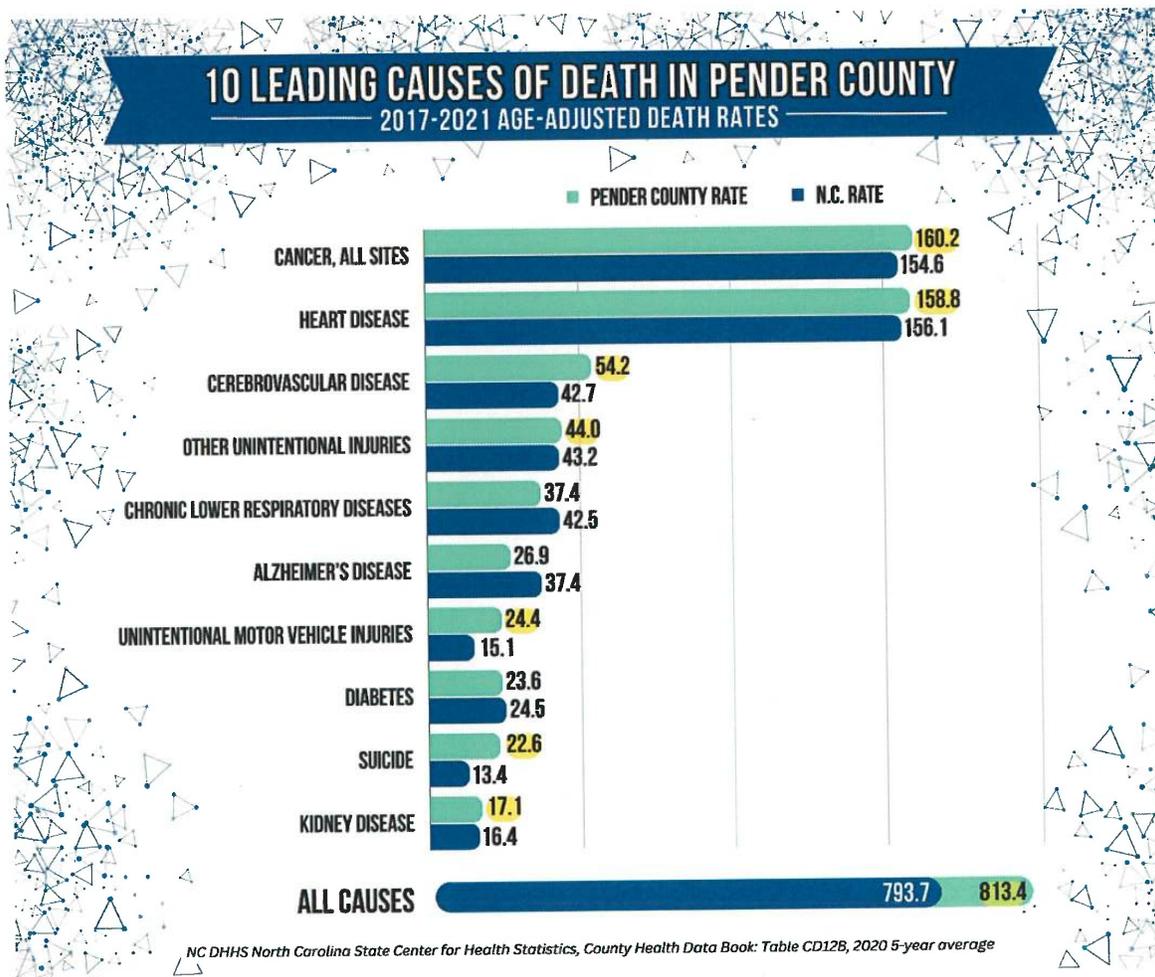
The NC State Center for Health Statistics shows the Pender County birth rate for teens ages 15-19 years old was 21.1% compared to 24% for North Carolina (2021). Approximately 20.3% of pregnant women had less than a high school education while 37.4% had a college or post-graduate degree (2021). The percentage of women who smoked during their pregnancy was 5.9% compared to a state rate of 5.6% (2021). About 81% of mothers had chosen to breastfeed at the time of hospital discharge (2021). About 70% of women sought prenatal care in the first trimester (2021). Only 2.1% percent of pregnant women received no prenatal care prior to delivery compared to the state rate of 3.8% (2021). Women receiving early prenatal care have lower rates for poor pregnancy outcomes such as low birth weight and infant death.

1 | Pender County Health Department: *State of the County Health Report 2023*

A brief look at the health of Pender County children showed that there was a 7.5% infant mortality rate in 2021 compared to the state rate of 6.8%. The child death rate was 49.4% with 34 child deaths, ages 0-17 years, during the five-year period 2017-2021.

One of the most important long-term factors that can affect a child’s health and development is poverty. 13.9% of children less than 18 years of age are living in poverty (2022). In addition, 19.1% of children are living in households that experience food insecurity (2018-2019).

Access to care means timely use of comprehensive, quality health care services that promote and maintain health; prevent and manage diseases; and reduce unnecessary disability and premature death. Health care access is a concern in Pender County, a designated “provider shortage area.” In 2019, there were 4.1 dentists per 10,000 residents compared to the state rate of 5.0 per 10,000 population. The rate for medical providers was much lower: 2.8 primary care compared to a state rate of 7.0.



As noted on page two, the highlighted death rates for Pender County are greater than the state rates over a 5-year average (2020). In addition, the overall death rate for the county exceeds the state rate. Many of these causes of death are preventable. Our prevention efforts face many challenges when trying to promote healthy lifestyles through physical activity, healthy nutrition, injury prevention and avoidance of tobacco and other substances. Progress toward many of the community health improvement activities are found in this document. However, residents must assess their own personal choices and behaviors and how their decisions may negatively impact their health outcomes.

From 2018-2020, the average life expectancy for Pender County residents at birth was 77.2 years of age. Life expectancy for women was 80.2 years compared to 74.4 years for men. Aside from gender, disparities are also found among African Americans with an average life expectancy of 73.2 years compared to 78 years for whites.

Changes in Data for 2023

The leading causes of death in Pender County for 2015-2019 compared to 2017-2021 revealed few changes. Deaths due to diabetes are unchanged and remains ranked as 8th leading cause of death. Unintentional motor vehicle injuries have remained unchanged. Concern remains for resident deaths due to other unintentional injuries and suicide.

Tracking Progress of Pender County Health Priorities

Substance Use	Progress
<p>Identify available resources for mental health and substance use prevention and increase awareness among Pender County residents.</p>  <p>1-800-QUIT-NOW 1 - 8 0 0 - 7 8 4 - 8 6 6 9</p> <p>Se Habla Español 1-800-Déjelo-Ya</p> <p>www.quitlinenc.com</p>  <p>988 SUICIDE & CRISIS LIFELINE</p> <p>CATCH[®] MY BREATH YOUTH E-CIGARETTE PREVENTION PROGRAM</p> <p>Opioid Overdose: Understanding the Epidemic Pender County Website Page: http://www.pendercountync.gov/hhs/notices-base/opioid-overdose-understanding-the-epidemic/</p>	<ul style="list-style-type: none"> ✓ On-going promotion of Quitline NC via community events, brochures, and social media. ✓ On-going multi-disciplinary <i>Substance Use Prevention Partnership</i> meetings and action planning/implementation to target mental health and substance use prevention efforts <ul style="list-style-type: none"> ○ Regular assessment of state and local data on unintentional poisoning, drug overdose deaths, opioid prescribing rates, and current interventions ✓ Continued participation in state and regional activities for the promotion of smoke-free/tobacco-free policies ✓ On-going promotion of <i>988 Suicide & Crisis Lifeline</i> ✓ Current standing order for Naloxone Kit onsite and staff trained to administer ✓ Website, Facebook, and Billboard up-to-date postings on Opioid Epidemic ✓ Promotion of county-wide “Drug Take Back Day” events and locations ✓ Promotion of <i>Integrated Family Services Mobile Crisis</i> team with patients and community ✓ On-going referrals to/promotion of Coastal Horizon’s Substance Use Prevention Programs via brochures, flyers, community events, social media, and website ✓ Continues to maintain an up-to-date Resource Guide of mental health providers in Pender County for community members ✓ Opioid Prevention Planning Committee ✓ Promotion of International Overdose Awareness Day ✓ Providing all county employees with educational materials on overdose prevention as well as awareness ribbons

Tracking Progress of Pender County Health Priorities



- ✓ Monthly Reproductive Life Planning Education Classes at Pender County Department of Social Services that includes the topic of Neonatal Abstinence Syndrome
- ✓ Partnered with Pender County Cooperative Extension to implement the *Empowering Youth and Families (EYFP)* Program to resident families
 - Training was completed
- ✓ Shared Naloxone Kits with Local Law Enforcement and Pender County Schools
- ✓ Began the planning process with Pender County Schools to get approval to teach CATCH My Breath Program to students

Community Outreach/Education



Pender County Billboard Designs-Hampstead, NC



Tracking Progress of Pender County Health Priorities

Heart Health	Progress
<p>Increase public awareness and promote opportunities for increasing physical activity and nutrition.</p>  <p>Matter of Balance Program</p>  <p>National "Wear Red Day"</p>   <p>Healthy Heart Walk</p>	<ul style="list-style-type: none"> ✓ On-going collaboration with <i>Pender County Parks and Recreation</i> to promote activities held at county parks ✓ On-going promotion of physical activity programs, community events, and opportunities across the county, via brochures, local newspapers, social media (Facebook, health department and county websites) ✓ Conduct <i>Diabetes Self-Management Education (DSME)</i> classes at the health department to provide education and prevention of heart disease ✓ Conduct <i>Matter of Balance (MOB)</i> classes in the community. Classes focus on falls-prevention, a common injury for older adults, as well as exercises geared towards older adults to improve mobility and heart health. ✓ Promotion of various nutritional programs to health care providers and community partners through Lunch and Learn events ✓ Facebook page posts on events that promote physical activity and good nutrition ✓ Promotion of <i>National Nutrition Month</i> through bulletin board displays and social media with focus on a heart healthy diet ✓ Partnered with Parks & Rec to promote "Year of the Trail" (Healthy Heart Walk) ✓ Raised awareness for American Heart Month by participating in "Wear Red Day"

Tracking Progress of Pender County Health Priorities

Access to Care	Progress
<p>Identify available resources for cancer screenings and provide the community with educational outreach events/programs to promote awareness.</p>	<ul style="list-style-type: none"> ✓ Monthly promotions to increase awareness in the prevention of many types of cancers ✓ Educational displays created and set up at all county departments ✓ Facebook posts to promote awareness of many types of cancers ✓ Billboard designs displayed in the county to promote cancer screening awareness ✓ Promotion of the Breast and Cervical Cancer Control Program to allow uninsured, low-income women the opportunity for breast and cervical screenings ✓ Partnered with Mt. Calvary Center for Leadership Development to hold Breast Cancer Awareness Tea Party ✓ Raised awareness for Breast Cancer by wearing pink ✓ Implementation of the CATCH My Breath program to decrease risk of teens engaging in tobacco and e-cigarette use ✓ Partnered with Cape Fear Homeless Continuum of Care by providing resources to the community at the Pender “Homeless Stand Down” event ✓ Partnered with Pender Alliance by providing resources and education to the community at the Community Resource Fair ✓ Partnered with Burgaw Lions Club and offered free health screenings to the community at Burgaw Fire Department ✓ Hosted Back to School Immunization Clinics and Community Flu Clinics
 <p>Breast Cancer Tea Party – Mt. Calvary</p>	
 <p>Health Screenings at Burgaw Fire Department</p>	
 <p>Back to School Immunization Clinic Advertisement</p>	
 <p>“Homeless Stand Down” Event</p>	
 <p>Breast Cancer T-Shirts</p>	

New Initiatives

Health and Human Services Facility – Efforts have begun to design and construct a new health and human services facility. The new building will include the health department and the Department of Social Services. Groundbreaking will occur in Fall 2024. Additional space is included in the facility to account for growth up to 2040.

Public Health Workforce Initiative – As part of the American Rescue Plan Act of 2021 (ARPA), the North Carolina Division of Public Health has distributed funds to ten regions in the state. Pender County is part of the Southeast Region. A workforce grant work plan will be developed to focus on public health staff recruitment and hiring; a regional training plan and a regional coordination plan to engage a regional leadership team. A main focus of the initiative will be to identify strategies to strengthen the local public health workforce and response to community health issues.

Opioid Prevention Planning Committee – Partnering to promote the implementation of a new Post Overdose Response Team (PORT) led by Coastal Horizons, the team will identify those at risk of overdose or who have experienced a recent overdose. They will remain in contact with individuals, encouraging them to participate in substance use treatment services.

Emerging Issues

Aging Public Health Workforce – In a 2021 Public Health Workforce Interest and Needs Survey, 44% of state and local health workers said they planned to retire in the next five years. With so many public health workers planning to retire, public health leaders must find new ways to identify, recruit and retain new graduates and health professionals. A strong public health workforce is key when responding to community health issues and pandemics.

Aging Population – Recent data from 2022 revealed that Pender County was the second fastest growing county in N.C. With this growth comes more risks for chronic diseases, higher rates of cancer, heart disease, stroke, obesity, injuries, economic disparity, isolation and Alzheimer's. Increased collaboration is needed among stakeholders to respond to the prevention of multi-morbidity factors.

Dental Care for Children – Since the COVID-19 pandemic, there have been increased challenges to providing dental care to children. Children's oral health is one of the greatest unmet health care needs. Studies have shown that poor oral health in children results in more missed school days and lower grades. Untreated cavities can cause pain and infections that can lead to problems with eating, speaking, and learning. Health promotion is necessary to increase awareness of the importance for oral health care and dental services available to the community.

Want to do something? Get involved.

Community members can get involved by participating on the Advisory Board of Health, attending meetings, forums, community coalitions and outreach events. Join us in our efforts to help support your family, friends, and neighbors as we work on "Building a Healthier Tomorrow."



Pender County Public Information

TO: Board of County Commissioners

FROM: Carolyn Moser

DATE: April 15, 2024

SUBJECT: 2023 Child Fatality Report

SUMMARY:

Presentation of the Annual 2023 Child Fatality Report

Pender County Health Department

...Building a healthier tomorrow...

Carolyn Moser, BSN, MPA
Health and Human Services Director

Pender County Child Fatality Prevention Team 2023 Annual Report

To: Pender County Commissioners
From: Pender County Child Fatality Prevention Team (CFPT)
Subject: Local CFPT Annual Report
Date: March 7, 2024

The purpose of the local Child Fatality Prevention Team (CFPT) is to:

- Identify delivery of service deficiencies to children and families by public agencies.
- Make and carry out recommendations for changes that will prevent future child deaths.
- Promote understanding of the causes of child deaths.

In 1993, the North Carolina General Assembly established a network of local Child Fatality Prevention Teams (CFPT's) across the state to confidentially review medical examiner reports, death certificates and other records of deceased residents under the age of eighteen. Each local team consists of representatives of public and nonpublic agencies in the community such as law enforcement, Guardian Ad litem, health departments, among others that provide services to children and their families. North Carolina Statute, Article 14, 7B-1406 and the Child Fatality Prevention Team (CFPT) Agreement Addenda with local health departments requires Local Child Fatality Prevention Teams to advocate for system improvements and needed resources where gaps and deficiencies may exist and submit a report annually to their local county commissioners and boards of health.

The CFPT's Current Active Representatives:

- 2-Health Department
- 2-DSS
- 1-Trillium
- 1-Pender County Schools
- 1-Community Representative
- 1-Pender EMS
- 1-Medical Examiner's office
- 1-Sheriff Department
- 1-New Hanover Regional Medical Center
- 1-Guardian Ad Litem
- 1-District Court Judge

2023 CFPT Reviews

The purpose of this report is to give a summary of the causes of death, the number of cases reviewed, recommendations for prevention, if any, that have been made and to share local team activities and accomplishments. In 2023, the Pender County CFPT reviewed eight child deaths. The committee met a total of three times, one time in person, and two times virtually via Microsoft Teams. The team received two cases for the first quarter, two cases for the second quarter, three cases for the third quarter and one case to review for the fourth quarter. The team reviewed all eight cases that were unanimously closed. There were no deficiencies

803 S. Walker St., Burgaw, NC 28425 (910) 259-1230 Fax (910) 259-1258

Dental Center (910) 259-1503 Environmental Health (910) 259-1233 WIC (910) 259-1290

in the delivery of services to the children and families by any public or private agency involved in the care of the decedents. There were no recommendations for legislative changes at the state level. Concurrent efforts to promote a better understanding of the causes for child deaths will remain active. The ages of the fatalities ranged from zero to seventeen years old.

The causes of death for the closed cases were as follows:

- Heart Disease, Acute Renal Failure, Cellular Rejection of Heart Transplant
- Birth Asphyxia, Cardiac Dysrhythmia
- Intentional Self-Harm by Handgun Discharge
- Assault by Hanging, Strangulation and Suffocation
- Atrioventricular Septal Defect
- Epilepsy Unspecified
- Other
- Homicide Assault by Other and Unspecified Firearm Discharge

System Problems Identified: There were no system problems identified by the team.

- Lack of prenatal care was not the issue
- Co-sleeping was not the cause of any of the fatalities listed above
- Lack of resources and follow up was not a factor in the fatalities
- Lack of standardized and automatic law enforcement report to DSS of a child death was not a factor

Pender County CFPT Activities and Accomplishments

Pender County Health and Human Services continues to work with community partners, health department care management staff, WIC, Pender County Health Department Dental Clinic and Trillium to reduce child health disparities by providing education and child health preventative and primary care. CMARC and CMHRP promote safe sleep by providing pack-n-plays to families as part of the safe sleep initiative. The health department partners with Smart Start to provide car seat safety education.

Recommendations from Committee:

- Provide education and resources on suicide prevention in youths to school counselors, parents and faith-based organizations
- Promote Firearm Safety Awareness among families by distributing educational materials at community events and in collaboration with Law Enforcement and School Resource Officers
- Provide education in collaboration with Law Enforcement on the effects of underage drinking and accident prevention through the distribution of handouts at community events and billboard advertisements
- Promote education and resources on disguised dangers in gummy snacks and supplements to parents and students in collaboration with the public school system and School Resource Officers
- Continue to provide safe sleep education materials to pregnant women at prenatal clinics and in collaboration with pregnancy care managers
- Encourage early prenatal and perinatal care to pregnant women and new mothers through distribution of educational materials at maternity clinics and in collaboration with pregnancy care managers.
- Provide education on car seat safety to families in collaboration with Pender County Smart Start

Salina Dixon-Public Health Social Worker
CFPT Review Coordinator



Pender County Public Information

TO: Board of County Commissioners
FROM: Carolyn Moser
DATE: April 15, 2024
SUBJECT: 2023 Annual Communicable Disease Report

SUMMARY:
Presentation of the Annual North Carolina Communicable Disease Report for 2023

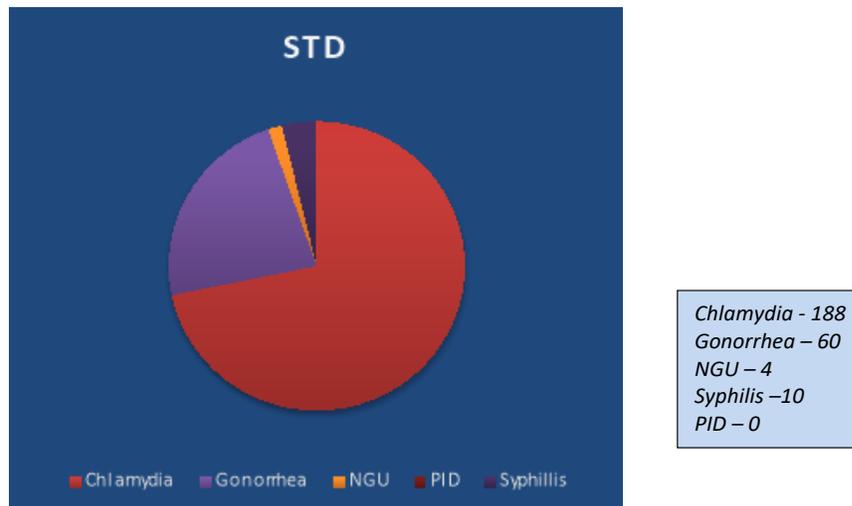
**Pender County Health Department
Communicable Diseases & STDs Reported to
N.C. Communicable Disease Control Branch**

Diseases	Jan 2019 - Dec 2019	Jan 2020 - Dec 2020	Jan 2021- Dec 2021	Jan 2022 - Dec2022	Jan 2023 - Dec 2023
Campylobacter	4	2	3	3	5
Cryptosporidiosis	3	1	3	3	4
Ehrlichiosis, HME	0	0	0	0	0
Haemophilus Influenzae	0	2	0	0	2
Hepatitis B – Acute	4	0	0	0	0
Hepatitis B - Chronic	2	1	1	1	8
Hepatitis C – Acute	1	2	1	0	1
Hepatitis C - Chronic	42	47	66	60	61
Influenza Related Adult Deaths	4	0	0	0	1
Legionellosis	1	0	4	1	2
Lyme Disease	0	0	1	0	1
Rocky Mountain Spotted Fever	2	0	0	0	0
Salmonellosis	20	33	24	15	19
Shigellosis	1	0	0	1	0
Streptococcal Infection Group A Invasive	1	1	0	1	3
Pneumococcal Meningitis	0	0	0	0	0

Communicable Disease

- Campylobacter and Salmonella infections are two types of foodborne disease caused by bacteria. Both diseases usually result in diarrhea, nausea, vomiting, abdominal pain, and fever, although patients may not experience all the symptoms. Salmonella continues to be the #1 foodborne communicable disease reported by Pender County.
- Shigellosis is a foodborne illness caused by a bacterium. The symptoms include diarrhea, fever, nausea, and vomiting. There were no cases in 2023.
- Ehrlichiosis HME and Lyme Disease are tickborne diseases that can occur after having contact with an infected tick. There was 1 confirmed case of Lyme disease in 2023. There were no confirmed cases of Rocky Mountain Spotted Fever in 2023.
- Legionnaires' disease is characterized by fever, myalgia, cough, and clinical or radiographic pneumonia. There were 2 confirmed cases in 2023.
- Hepatitis B is a potentially serious form of liver inflammation due to infection by the Hepatitis B virus and is one of the most common chronic infectious diseases worldwide. Hepatitis B is a vaccine preventable disease; there is no cure for Hepatitis B currently. Eight confirmed cases were reported in 2023. Three were transferred into confinement, 1 was diagnosed by provider in 2020 but was never reported, and the remaining 4 were old cases that had been retested.
- Hepatitis C is a potentially serious form of liver inflammation due to infection by the Hepatitis C virus. It is one of the most common causes of liver cirrhosis and cancer. There is no vaccine available for Hepatitis C, but treatment is available, and has had good success at completely clearing the infection in many patients. There was 1 confirmed Acute Hepatitis case in 2023.
- Haemophilus Influenzae can cause bacterial meningitis and other serious illnesses, such as, bacteremia, epiglottitis, and pneumonia. It is very rare due to the widespread usage of the Hib vaccine. There were 2 confirmed cases in 2023. Both cases were in the older adult population.
- Pneumococcal Meningitis is a bacterial form of meningitis. It is an infection of the membranes that cover your brain and spinal cord. Even with speedy diagnosis and treatment this disease can still cause long term health issues or death.
- Cryptosporidiosis is a zoonotic disease that usually causes mild diarrheal illness in humans with intact immune systems, however in the immunocompromised, (e.g., AIDS patients), it can induce quite serious, chronic, and even fatal infections. There were 4 cases identified in 2023, these were typically associated with travel.
- Streptococcal Infection Group A Invasive (GAS) is a bacterial disease commonly found on the throat and on the skin. Most of the cases of GAS infections are relatively mild, such as strep throat and impetigo. Occasionally, these bacteria can cause much more severe and even life-threatening diseases such as necrotizing fasciitis (often described as "the flesh-eating bacteria."). There were 3 confirmed cases in 2023, but none were severe.
- Toxic Shock Syndrome, Streptococcal is a rare, life-threatening complication of certain types of bacterial infections. There were no confirmed cases in 2023 or 2022.

Sexually Transmitted Diseases January 1-December 31, 2022



- The number of Gonorrhea cases reported in 2023 was 60 compared to 62 reported cases in 2022. Gonorrhea is a sexually transmitted infection wherein *Neisseria gonorrhoeae* is present and left untreated can cause infertility in women.
- Chlamydia still ranks as the county's number one reported sexually transmitted disease with 188 cases being reported in 2023. The number of cases has increased 14% since 2022. Untreated Chlamydia may progress to pelvic inflammatory disease in women and may also lead to infertility due to the scarring of fallopian tubes that occurs.
- The number of cases of non-gonococcal urethritis (NGU) decreased slightly in 2023. There were 7 reported cases in 2022 compared to 4 reported cases in 2023. Non-gonococcal urethritis is an inflammation of the urethra which is not the result of infection with *Neisseria gonorrhoeae*. NGU is treated with antibiotics.
- There were no cases of pelvic inflammatory disease reported in Pender County in 2023 or 2022. There has been 1 case during each of the previous two years.

HIV/Syphilis

- There were 10 new cases of syphilis identified in Pender County in 2023. Three of these cases were pregnant women whose babies were monitored and/or treated for congenital syphilis after birth. There were 6 new cases in 2022 and 19 cases in 2021. The large increase in number in 2021 may be associated with the Covid-19 pandemic due to patient's delay in seeking medical care. Furthermore, there has been a significant national increase in Syphilis among women of reproductive age as well as congenital syphilis in the past 10 years, and this trend does not seem to be slowing down.

- Two newly diagnosed cases of HIV were identified in Pender County for 2023. There were 4 newly identified cases in 2022, 3 newly diagnosed in 2021, and 2 new cases in 2020.

Tuberculosis

There were no confirmed cases of active TB in Pender County in 2023 or 2022. All 7 patients identified in 2021 successfully completed therapy. Tuberculosis is a highly contagious disease caused by *Mycobacterium tuberculosis*. This bacterium normally attacks the lungs but can attack any part of the body. Most recently there have been concerns with TB contracted through tissue transplantation which is rare. However, in 2023 and 2021 there have been incidents occurring across the nation in relation to bone allografts. People with TB disease can be treated if they seek medical help.

***This report covers only confirmed cases of each reportable condition. There are many additional cases that are investigated that do not meet case definition. Information is current as of February 5, 2024 and may change slightly as NCDHHS continues to update reporting.**



**Pender County
REZONE 2024-63: Request to reclassify
2.37 acres of a 5.65 acre parcel from the
Medium Density Residential future land
use category to the Neighborhood Mixed
Use future land use category in the Long
Creek Township**

TO: Board of County Commissioners
FROM: Taylor Davis
DATE: April 15, 2024
SUBJECT: REZONE 2024-63: Request to reclassify 2.37 acres of a 5.65 acre parcel from the Medium Density Residential future land use category to the Neighborhood Mixed Use future land use category in the Long Creek Township

SUMMARY:

Rhetson Companies Inc., applicant, on behalf of Livvie R. Lewis, owner, is requesting the approval of a Conditional Zoning Map Amendment to rezone approximately 2.37 acres of a 5.65 acre tract from the RA, Rural Agricultural zoning district to the CZ-5, Conditional Zoning District 5. Specifically, the request is for a 12,480 square foot general retail store classified under NAICS code 452990, Other General Merchandise Stores. In conjunction with this request, the applicant is also requesting an amendment to the Future Land Use Map within the Pender 2.0 Comprehensive Land Use Plan from the Medium Density Residential future land use category to the Neighborhood Mixed Use future land use category.

The subject property is located across the intersection of Clarks Landing Loop Road where NC HWY 133 merges with NC HWY 210. The property fronts Little Kelly Road and NC HWY 210 and is located in the Long Creek Township. The property may be further identified by Pender County PIN 3214-28-8318-0000.

ACTION REQUESTED:

Hold a public hearing and consider the proposal.

ATTACHMENTS:

1. Staff Report
2. Application
3. Narrative
4. Attachment 1: Site Plan
5. Attachment 2: Table of Permitted Uses

6. Attachment 3: Public Input Meeting Packet
7. Attachment 4: Survey

**STAFF REPORT FOR REZONE 2023-59 (CZMA) & REZONE 2024-63 (FLUMA)
ZONING MAP & FUTURE LAND USE MAP AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	REZONE 2023-59 & REZONE 2024-63 (FLUMA)
Hearing Dates	February 6, 2024 – Planning Board March 5, 2024 – Planning Board April 15, 2024 – Board of Commissioners
Applicant	Rhetson Companies, Inc.
Property Owner	Livvie R. Lewis C/O Elizabeth B. Grix
Parcel Identification Number(s)	3214-28-8318-0000
Proposed Rezoning Area	Approximately 2.37 Acres
Township	Long Creek
Pender 2.0 Future Land Use Category	Medium Density Residential

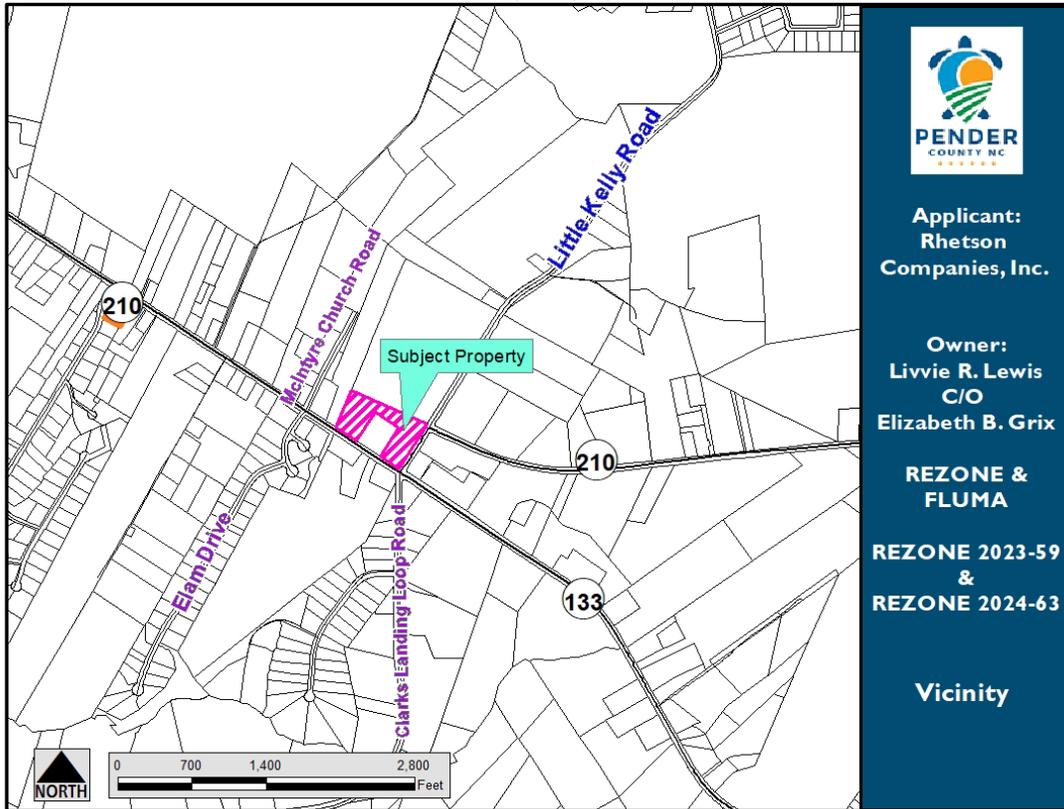
REZONING & FLUMA PROPOSAL

Rhetson Companies Inc., applicant, on behalf of Livvie R. Lewis, owner, is requesting the approval of a Conditional Zoning Map Amendment to rezone approximately 2.37 acres of a 5.65 acre tract from the RA, Rural Agricultural zoning district to the CZ-5, Conditional Zoning District 5. Specifically, the request is for a 12,480 square foot general retail store classified under NAICS code 452990, Other General Merchandise Stores. In conjunction with this request, the applicant is also requesting an amendment to the Future Land Use Map within the Pender 2.0 Comprehensive Land Use Plan from the Medium Density Residential future land use category to the Neighborhood Mixed Use future land use category.

LOCATION

The subject property is located across the intersection of Clarks Landing Loop Road where NC HWY 133 merges with NC HWY 210. The property fronts Little Kelly Road and NC HWY 210 and is located in the Long Creek Township. The property may be further identified by Pender County PIN 3214-28-8318-0000.

Below: Vicinity Map of the Area



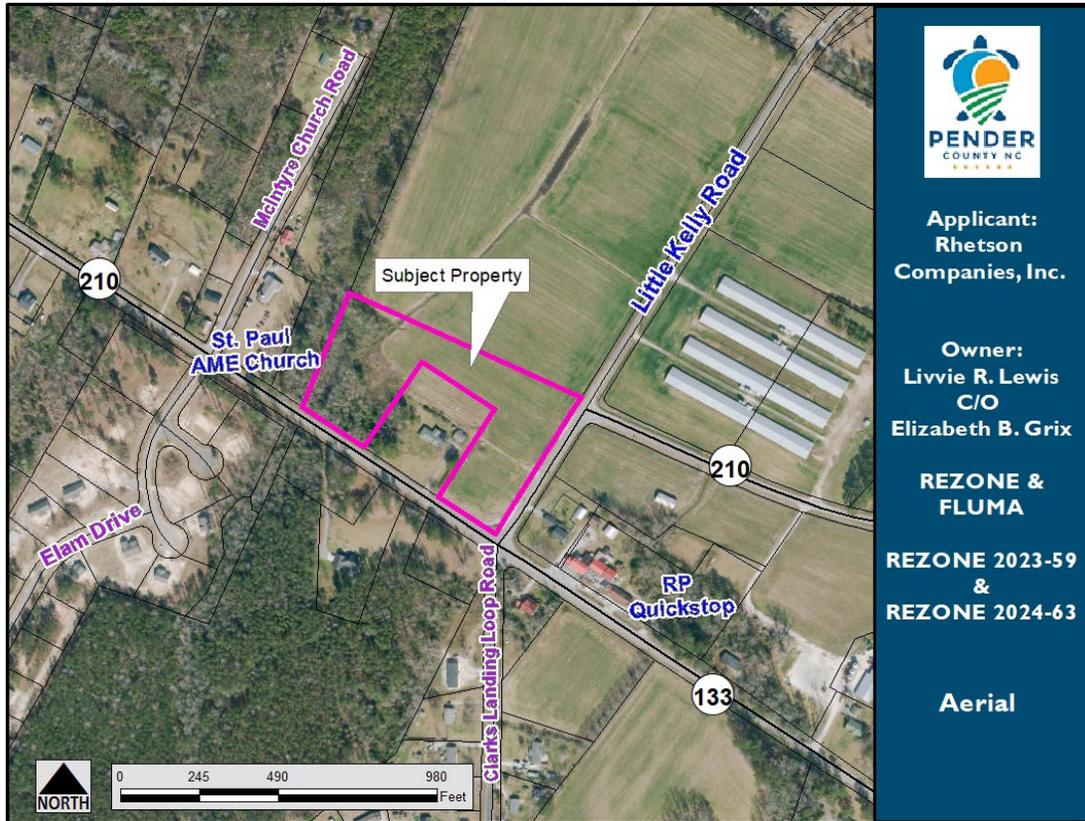
REZONING & DEVELOPMENT PROPOSAL

The applicant is proposing to rezone approximately 2.37 acres of a 5.65-acre tract from the RA, Rural Agricultural zoning district to the CZ-5, Conditional Zoning District 5. The outstanding 3.28 acres would remain in the RA zoning district.

The request is for a 12,480 square foot general retail store classified under NAICS code 452990, Other General Merchandise Stores. The entry point of the structure will face NC Highway 210 and be located at the southeastern corner of the parcel that sits at the intersection of NC Highway 210 and Little Kelly Road. The parcel is of unique shape whereby its configuration allows for an approximately 280-foot break in the center of its road frontage along NC Highway 210. It closely resembles a horseshoe in shape and partially surrounds an approximately 2.07-acre property containing one residential structure with an accessory building. Access to the development is proposed from NC Highway 210.

The applicant's site plan, included in the Boards packet as Attachment 1, provides an overview of the proposal and conceptual layout of the site.

Below: Aerial Map of the Subject Property



Intent of Conditional Zoning, Article 3.3.9.B

A conditional zoning district (aka “CZ”) is intended for a development that has a high level of certainty of being constructed and the most commonly expected application will contain a specified use or uses, permitted by right or special use, accompanied by a plan showing proof of concept, and typically including the spatial relation of uses and site elements.

If approved, the applicant would be required to submit a major site development plan application. The major site development plan would be reviewed by staff and the Pender County Technical Review Committee (TRC). Review and approval of the major site development plan would be an administrative procedure, meaning the authority to approve plans consistent with the requirements outlined in the Unified Development Ordinance (UDO) lies with staff. Changes to the proposed conditional zoning district, including an alteration of the proposed dimensional standards, uses, requirements or conditions would require the applicant to resubmit a conditional zoning proposal in accordance with Article 3.3.9.B.6 of the UDO.

Dimensional Standards

Per Article 4.13 of the UDO, standards of a conditional zoning district are specific to the conditions of the site and are set by a conditional rezoning application. The applicant has proposed the following conditions for the site:

Minimum Front Yard (NC Highway 210)	25'
Minimum Side Yard (Little Kelly Road)	12'
Minimum Side Yard (Adjoining Residential Boundary)	10'
Minimum Rear Yard (Property line abutting vacant RA)	10'
Maximum Building Height	25'

Allowable Uses

As shown on the site plan, the applicant is proposing a general commercial retail store classified under NAICS code 452990, Other General Merchandise Stores. This NAICS sector is comprised of industries with establishments primarily engaged in retailing new goods in general merchandise stores (except department stores, warehouse clubs, superstores, and supercenters). These establishments retail a general line of new merchandise, such as apparel, automotive parts, dry goods, hardware, groceries, housewares or home furnishings, and other lines in limited amounts, with none of the lines predominating.

Figure 1: Pender County Table of Permitted Uses (Attachment 2)

TABLE OF PERMITTED USES												
P=Permitted Use D=Permitted w/ Use Standards S=Special Use Approval Required SD=Special Use Approval Required w/ Additional Standards PM=Permitted in conjunction w/ the MDP process												
Use Category Specific Use Type	Ref NAICS	Zoning Districts										
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC	
Sectors 44-45 RETAIL TRADE												
Motor Vehicle and Parts Dealers	441	S					P		P			
Furniture and Home Furnishings Stores	442						P		P			
Electronics and Appliance Stores	443	S				P	P		P			
Building Material, Garden Equipment & Supplies Dealers	444	S					P		P	P		
Food and Beverage Stores	445	S	S			P	P		P			
Health and Personal Care Stores	446	S	S			P	P	P	P			
Gasoline Stations	447	S				P	P		P			
Clothing and Clothing Accessories Stores	448	S				P	P		P			
Sporting Goods, Hobby, Book, and Music Stores	451					P	P		P			
Miscellaneous Store Retailers	453	S				P	P		P			
Non store Retailers	454	S				P	P		P			
Liquefied Petroleum Gas Dealers	454312										P	

Landscaping and Buffers

There is no apparent existing vegetative buffer along any boundary in the proposed conditional zoning district of the subject parcel. Staff is proposing a condition of approval that fencing along the proposed C-1 buffer exceeds the 6-foot minimum requirement as called for in section 8.2.6 of the UDO. Staff’s recommendation is that the fencing along the C Buffer be at least 7 feet tall measured from the grade of the parking lot. The applicant is proposing a Type A buffer along the NC Highway 210 and Little Kelly Road boundaries, a Type C buffer along the furthest western boundary of the project which borders the adjacent residence, and a Type B buffer along the northern boundary. These proposed buffers are consistent with the vegetative buffering requirements found in Article 8 of the UDO.

Table 2: Proposed Buffers	
Northern Boundary	B-1
Eastern Boundary (Little Kelly)	A-1
Southern Boundary (NC Highway 210)	A-1
Western Boundary	C-1

See buffer standards below from the Pender County UDO (Figure 2):

Buffer A

Buffer "A" This buffer is designed primarily for road frontage areas and should run parallel to the street to provide a continuous, aesthetically pleasing streetscape. The requirements for buffer "A" shall be met by any one of the following:

A-1) 15 foot wide strip with 3 canopy trees, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet (width may be reduced to 10' for existing developed lots that are subject to new buffer requirements), or

A-2) 20 foot wide strip with 3 canopy trees, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 18 shrubs per 100 linear feet, or

A-3) 25 foot wide strip with 1 canopy tree, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet, or

A-4) 30 foot wide strip with 1 canopy tree, 2 understory trees and either a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 32 shrubs per 100 linear feet.

Buffer B

Buffer "B" This buffer is a medium density planting area to be used primarily along non street boundary lines to provide spatial separation between similar types of uses. The requirements for buffer "B" shall be met by any one of the following:

B-1) 10 foot wide strip with 3 canopy trees, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or

B-2) 15 foot wide strip with 3 canopy tree, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or

B-3) 20 foot wide strip with 1 canopy tree, 2 understory tree and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 15 shrubs per 100 linear feet, or

B-4) 25 foot wide strip with 0 canopy trees, 5 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet.

Buffer C

Buffer "C" This buffer is designed to provide a high density screen primarily along non street boundary lines to provide buffer and separation between different categories of uses such as commercial adjacent to residential uses or other non-residential uses adjacent to high density single family residential uses. The requirements for buffer "C" shall be met by any one of the following:
C-1) 10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-2) 15 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence or an evergreen hedge* that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or *Reference spacing requirements in plant list for specific species and spacing to achieve evergreen hedge
C-3) 20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-4) 25 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.

Proposed Signs

After discussion with staff and the Planning Board, the applicant has agreed to multiple conditions related to signs. Specifically, all signs must comply with Article 9.7 of the UDO, freestanding signs must be monument signs and not pylon signs, and signs shall be illuminated by uplighting only.

Public Input Meeting

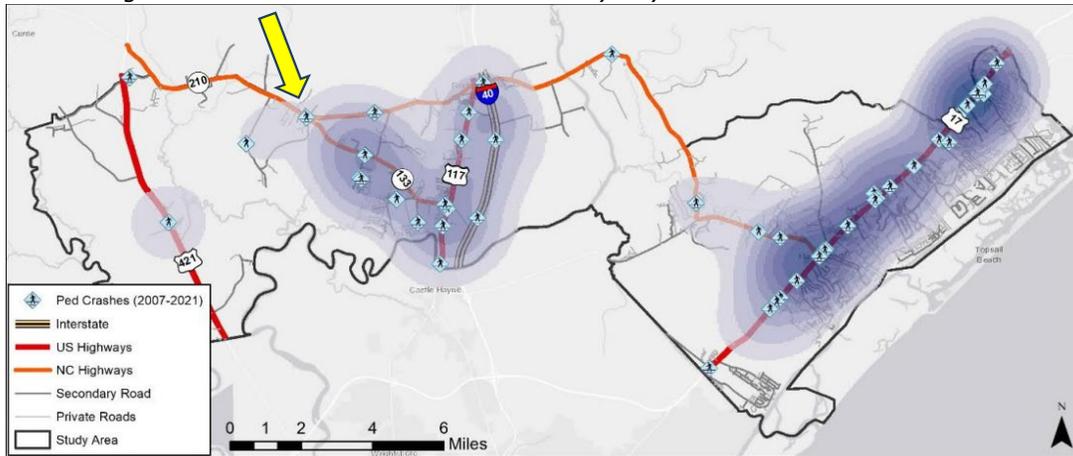
As required by Article 3.3.9 of the UDO, the applicant hosted a public input meeting located at Riley’s Creek Baptist Church on December 20th from 5:30-7:00pm. Notice of the meeting was mailed to all property owners within 500 feet of the subject parcel. As described in the applicant’s report of the meeting, 52 members of the public attended. Attendees raised concerns pertaining to the user being a “dollar store” type retailer, traffic at the intersection of Little Kelly Road and NC Highway 210, drainage, lighting, landscaping, and the diminishment of the rural setting the area currently possesses. The applicant’s report can be found as Attachment 3.

TRANSPORTATION INFRASTRUCTURE

Roadways and Access

The subject parcel (Parcel PIN: 3214-28-8318-0000) has direct access to NC Highway 210 and Little Kelly Road. As shown on the plan, the applicant is proposing access to the development solely from NC Highway 210.

Figure 4: Pedestrian Crashes – Pender County Bicycle and Pedestrian Plan 2023



OTHER INFRASTRUCTURE

Utilities

Public water is available through Pender County Utilities (PCU) via the water main that runs along NC Highway 210 and partially down Little Kelly Road. The applicant is proposing the installation of a septic tank in the rear of the parcel behind the commercial building. This septic area is directly perpendicular to the intersection where NC Highway 210 meets Little Kelly Road. A septic system in this section of the development may prevent future driveway connection from NC Highway 210 to the parcel or the adjoining parcel should they be developed further in the future.

Stormwater

Article 7.9 of the Pender County Unified Development Ordinance requires that stormwater infrastructure be built such that the post development runoff from the project be no more than ten (10) percent more than the pre-development runoff. Low-density projects are required to meet this standard for the 1 year 24-hour event, while high density projects shall meet this requirement for the 10- and 25-year return period events and be analyzed for the 50-year event. The applicant has proposed exceeding these standards by constructing a stormwater system which would accommodate a 10-, 25-, and 50-year event and be analyzed for a 100-year event.

Table 3: ENVIRONMENTAL CONCERNS	
Special Flood Hazard Areas	The subject property does not contain any Special Flood Hazard Areas. ¹
Wetlands	The subject property does not show characteristics of wetlands. ^{2,3}
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC). ⁴

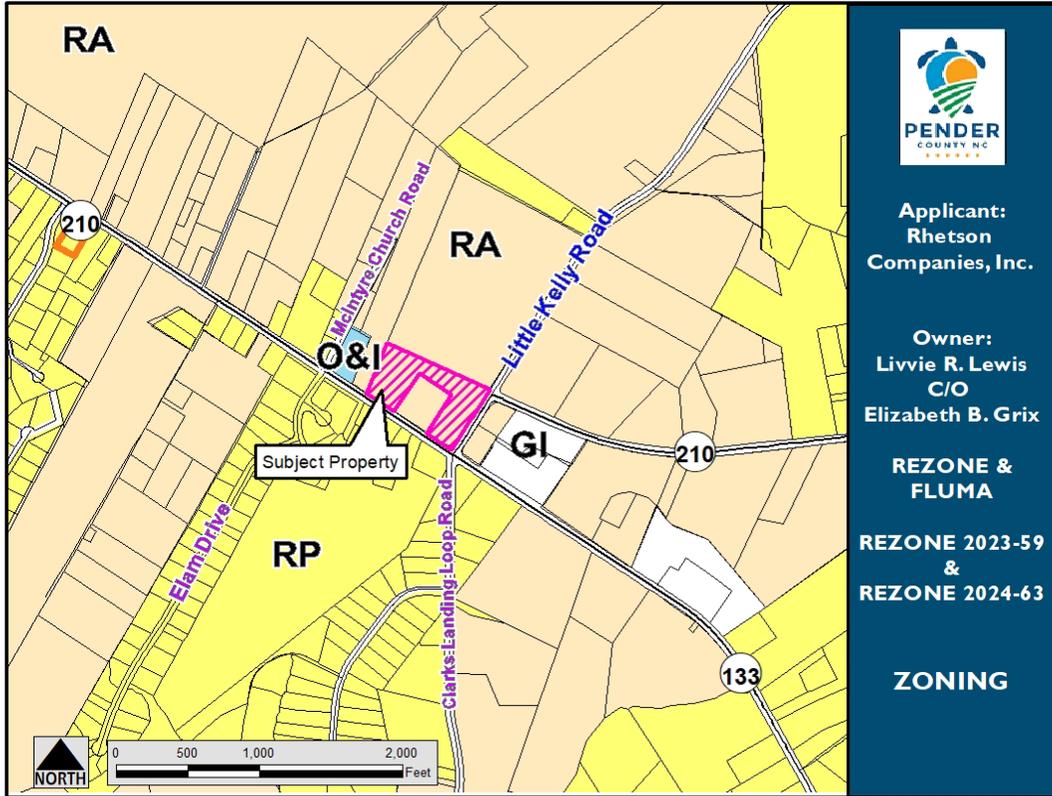
¹ According to the effective regulatory and preliminary Flood Insurance Rate Maps.

^{2,3}According to the National Wetlands Inventory (NWI) and Division of Coastal Management (DCM) layers found within the County's Geographic Information System (GIS) database

⁴According to the North Carolina Department of Environmental Quality (NCDEQ)

EVALUATION

Below: Zoning Map of the Area



CHARACTERISTICS OF THE SURROUNDING AREA

	LAND USE	ZONING
North	Vacant, Agriculture	RA, Rural Agricultural
East	Agriculture, Residential, Commercial	RA, Rural Agricultural GI, General Industrial
South	Residential, Vacant	RP, Residential Performance
West	Commercial, Vacant	RA, Rural Agriculture O&I, Office and Institutional

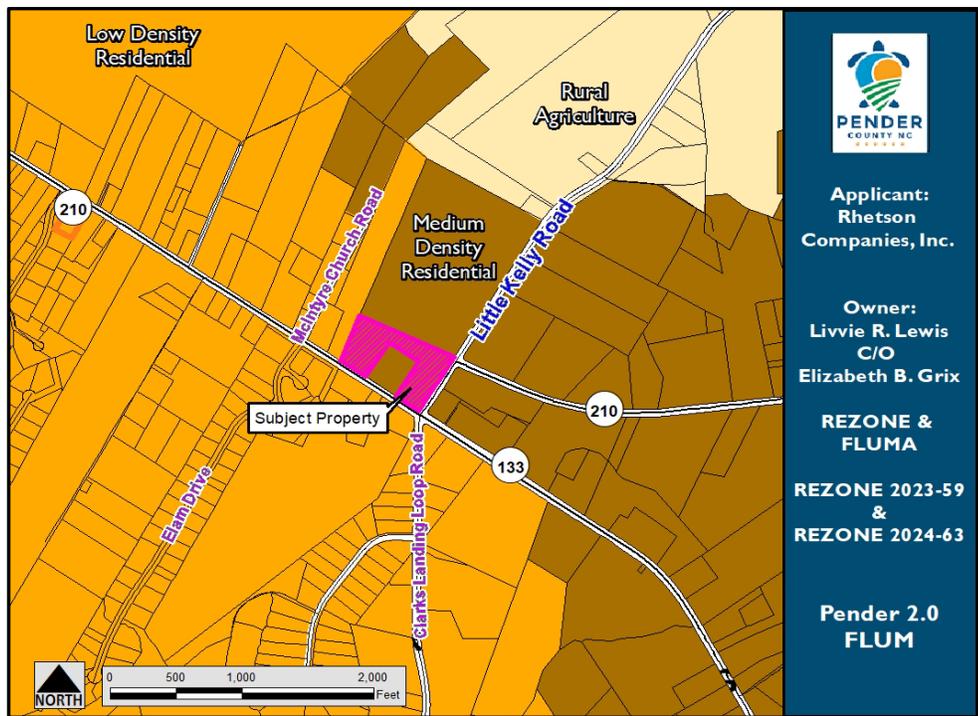
Surrounding Zoning

The subject property is currently zoned RA, Rural Agricultural. Properties in the surrounding area are currently zoned RA, Rural Agricultural; GI, General Industrial; RP, Residential Performance; and O&I, Office and Institutional as indicated by the zoning map and table above.

Pender 2.0 Comprehensive Land Use Plan Compliance

The subject property is located within the Medium Density Residential future land use category within the Pender 2.0 Comprehensive Land Use Plan (Comprehensive Plan) and as shown in the Future Land Use Map (FLUM).

Below: Future Land Use Map of the Area



Proposed Amendment to the Future Land Use Map

In conjunction with the conditional rezoning application, the applicant is also proposing to reclassify the indicated portion of the subject parcel’s Future Land Use Map designation within the Comprehensive Plan from the Medium Density Residential future land use category to the Neighborhood Mixed Use future land use category.

Medium Density Residential Overview – Current Future Land Use Category

Medium Density Residential uses are vital to supporting Pender County’s growing population by strategically locating more dense residential development in areas that will not create conflicts with existing neighborhoods. These uses are in close proximity to supporting services and a mixture of development types and are generally found in the southern portion of the County. Appropriate uses include single-family residences, duplexes, townhomes, community recreation and open space uses, and neighborhood-scale institutional uses such as religious and civic organizations. Townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Clustering of new residential communities is encouraged. Planned communities may also include well-integrated neighborhood-scale commercial and office uses. Industrial and manufacturing uses, and commercial and office uses not located within a planned community, are inappropriate. Development density within this category is three to six dwelling units an acre or less.

Neighborhood Mixed Use Overview – Proposed Future Land Use Category

Neighborhood Mixed Use allows for a transition between more intense commercial, office, and residential development to lower density residential neighborhoods. The neighborhood mixed use category is primarily dedicated to non-residential uses that provide services, entertainment, and amenities to residents within a three-mile radius. Land use and development within this category is closely coordinated with existing and planned roadway transportation networks, while encouraging bicycle and pedestrian access. This future land use category should be composed of a mixture of integrated commercial, office, institutional, and single-family residential uses and is not intended to be solely reserved for mixed use developments. Single use developments that contribute toward an integrated land use pattern of appropriate commercial, office, civic, and medium density residential uses are encouraged.

Appropriate uses include neighborhood-scale retail, restaurant, and office establishments; religious and educational institutions; and higher-density single-family residences – attached and detached. Large-scale or intense commercial establishments, multi-family development, and industrial operations are not appropriate. Building footprints are generally limited to 15,000 square feet in size or smaller. These areas should be served by water and sewer infrastructure.

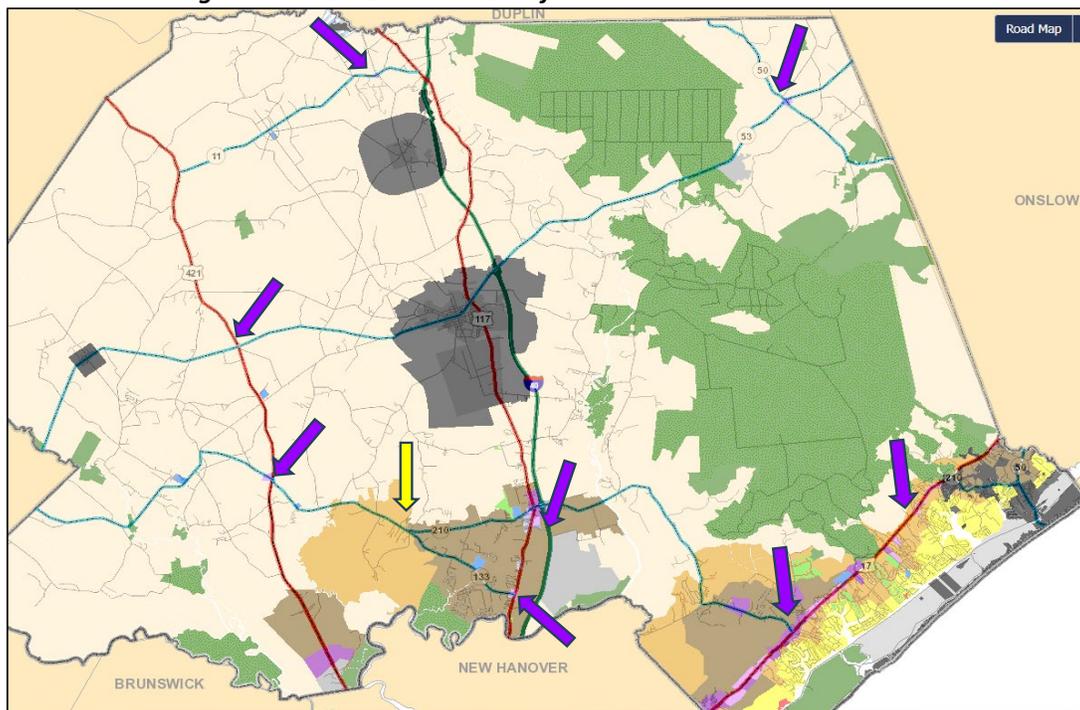
Evaluation

The proposal is not supported by the Medium Density Residential future land use category, which describes commercial uses that are not part of a master planned community as inappropriate. As noted in Figure 5 below, other similar intersections in the County, especially those where two highways meet, are designated as Neighborhood Mixed Use or Regional Mixed Use, and include commercial development. The proposed amendment to the FLUM brings this property into conformance with other similar intersections that support commercial uses that provide services to the predominantly residential uses nearby. Because this classification is typical of similar intersections, a reclassification of the property at the corner of NC Highway 210 and Little Kelly Road to Neighborhood Mixed Use would not be a deviation from the norm and would unify this intersection with other similar areas of the County. In this case, a reclassification to

Neighborhood Mixed Use could facilitate development in desired areas as sought after in the Comprehensive Plan.

Surrounding land uses include commercial, institutional and light industrial activity, which is consistent with the Neighborhood Mixed Use future land use category. As noted within the Comprehensive Plan, the Neighborhood Mixed Use future land use category supports non-residential uses that provide services to nearby residents. With the continued residential growth in Rocky Point, commercial services will be needed in this area.

Figure 5: Future Land Use Classifications at Similar Intersections



Purple Arrow: Similar Intersections Designated Neighborhood Mixed Use or zoned GB

Yellow Arrow: Subject Site

The proposal was also found to be consistent with at least five policies within the Pender 2.0 Comprehensive Land Use Plan:

Policy 5.1.C: Coordination with Infrastructure/Services: The County shall encourage development in areas where the necessary infrastructure – roads, water, sewer, broadband, and schools – is available, planned or can be most cost effectively provided and extended to serve existing and future development. Natural resource conservation should be considered.

Policy 5.1.D: Focused Growth and Development: The County supports a growth pattern that includes low density single-family residential communities, but also allows for the strategic placement of higher density residential, mixed uses, and commercial development to accommodate and support future population growth, where necessary infrastructure exists or is planned.

Policy 5.1.E: Compatible Development: The County supports new commercial and multi-family developments that blend with surrounding neighborhoods and limit traffic, noise, and light impacts on existing residential uses.

Policy 5.1.F: Conditional Zoning: The County shall continue to use the conditional zoning process as a tool for encouraging desirable development outcomes.

Policy 5.1.K: Commercial Development: The County supports a wide range of commercial development, particularly those businesses that provide needed services to residents and visitors, provided that the impacts on traffic are minimized.

Unified Development Ordinance Compliance: Section 3.3.5 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board and Board of County Commissioners before a favorable recommendation of approval for a rezoning can be made. These standards include evaluating proposals against whether adequate public facilities/services (i.e. water, wastewater, roads, schools, etc.) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change. The standards have been outlined in this report for consideration by the Planning Board and Board of County Commissioners.

3.3.9.B.3 Approval Criteria for Conditional Rezoning

When evaluating an application for the establishment of a conditional zoning district, the reviewing bodies shall consider the following:

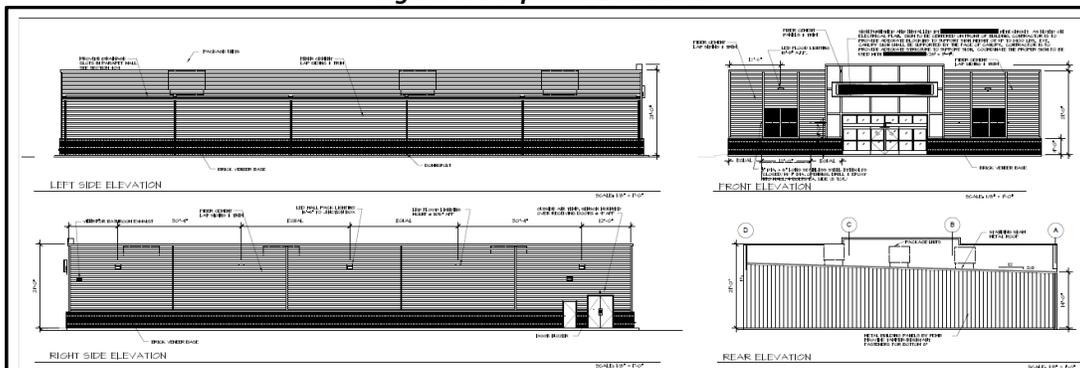
- A. The Approval Criteria for a Rezoning (Section 3.3.5).
- B. That the application meets the intent of a conditional rezoning, per this subsection.
- C. That the contents of the application are complete, sufficient, and recorded appropriately either as conditions of approval or on the associated site plan or preliminary plat, and that the appropriate procedures have been followed.
- D. The potential impacts and/or benefits on the surrounding area and adjoining properties.
- E. The report of results from the public input meeting.
- F. That sufficient guarantee is in place or can be made that any off-site impacts generated by the proposed project shall be mitigated appropriately at the time the need for the mitigating action is generated.

RECOMMENDATION

Planning staff is submitting the proposed Conditional Zoning Map and Future Land Use Map Amendment to the Board of Commissioners for disposition. The proposal is supported by five policies within the Pender 2.0 Comprehensive Land Use Plan. Based on the information outlined in this report, staff is recommending approval of the proposed Conditional Zoning Map and Future Land Use Map Amendment.

This case was first heard by the Planning Board at their February 6 meeting, where they tabled the proposal so that staff could work with the applicant to address several issues brought up while the case was being presented. The Planning Board expressed concern with the types of uses that would be allowed on site, the design standards of the proposed structure, the hours of operation, exterior lighting, and the types of signs that were proposed. In response to these concerns, the applicant agreed to additional conditions of approval that narrowed the allowable uses of the site, established architectural standards for the proposed structure that include fiber cement lap siding on the front and side facades (see elevations below), reduced the hours of operation to 8AM to 9PM, minimized light pollution on adjacent properties, and only monument signs will be used as freestanding signs. At their March 5 meeting, the Planning Board voted (3-2) to recommend approval of the proposed Conditional Zoning Map and Future Land Use Map Amendment.

Figure 6: Proposed Elevations



PROPOSED CONDITIONS OF APPROVAL

Per Section 3.3.9.B.4 of the Pender County Unified Development Ordinance, the Pender County Planning Board and the Board of County Commissioners can add reasonable and appropriate conditions based on mutually established goals with the applicant and adjacent property owners. Conditions may address parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, stormwater drainage, the provision of open space, and other matters that the participants in the public input meeting, staff, Planning Board

and County Commission find appropriate or the petitioner may propose. The following conditions have been proposed by staff:

1. The project shall comply with all requirements of the Pender County Unified Development Ordinance.
2. The project shall meet all other local, state, and federal regulations.
3. The project shall be designed such that the post development runoff from the project be no more than ten (10) percent more than the pre-development runoff for the 10-, 25-, and 50-year event and be analyzed for the 100-year event.
4. Dedicate a 10-foot-wide easement adjacent to the right-of-way along the site boundary adjacent to Little Kelly Road and NC Highway 210 for the development of a multi-use path. This easement shall be dedicated for public use.
5. Fencing along the C Buffer shall be at least 7 feet tall, measured from the grade of the parking lot.
6. Hours of operation shall be limited to 8AM to 9PM.
7. The buildings' front and side facades shall utilize fiber cement lap siding and trim materials with a four-foot stacked brick veneer wainscoting base. The entrance wall shall be broken up by approximately 64 square feet of louvered shutters on either side of the entrance doorway.
8. Monument signs shall be the only permitted free standing signs.
9. All exterior lighting shall be DarkSky compliant and shall not cast direct light beyond the property lines.
10. No sign shall be illuminated other than by uplighting and shall be lit during posted store operation hours only. No light emitted by or for a sign shall cross property lines and shall be shielded.
11. All signs shall comply with the standards set forth in Article 9 of the UDO.
12. Project elements such as mechanical equipment, storage areas, solid waste containers and handling areas shall be screened with materials similar to the structure and/or shall be located so as to not be visible from public streets.

BOARD OF COMMISSIONERS ACTION NEEDED:

TO APPROVE: Motion to approve the Future Land Use Map Amendment and to make a finding that the approval is consistent with the following policies in the Pender 2.0 Comprehensive Land Use Plan:

- 5.1.C: Coordination with Infrastructure/Services
- 5.1.D: Focused Growth and Development
- 5.1.E: Compatible Development
- 5.1.F: Conditional Zoning
- 5.1.K: Commercial Development

Motion to approve the Conditional Zoning Map Amendment and to make a finding that the approval is consistent with the following policies in the Pender 2.0 Comprehensive Land Use Plan:

- 5.1.C: Coordination with Infrastructure/Services
- 5.1.D: Focused Growth and Development
- 5.1.E: Compatible Development
- 5.1.F: Conditional Zoning
- 5.1.K: Commercial Development

The proposed rezoning is consistent with the Neighborhood Mixed Use Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan.

TO DENY: Motion to deny the Future Land Use Map Amendment and to make a finding of denial because although the proposal is consistent with five policies within the Pender 2.0 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING]...

Motion to deny the Conditional Zoning Map Amendment and to make a finding of denial because the proposal is inconsistent with the Future Land Use Map within the Pender 2.0 Comprehensive Land Use Plan. Said denial is reasonable and in the public interest and does not further the goals of the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING]...

PLANNING BOARD ACTION FOR FUTURE LAND USE MAP AMENDMENT

MOTION TO APPROVE	SECONDED
Buchanan	Pitts

APPROVED	DENIED	UNANIMOUS
Yes		No

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey
No	Yes	Absent	Yes	Absent	Yes	No

PLANNING BOARD ACTION FOR CONDITIONAL ZONING MAP AMENDMENT

MOTION TO APPROVE	SECONDED
Pitts	Buchanan

APPROVED	DENIED	UNANIMOUS
Yes		No

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey
No	Yes	Absent	Yes	Absent	Yes	No

REZONE 2024-63

Application

**Pender County
Planning and Community Development**

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

Future Land Use Plan Amendment Submission

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1. **Pre-submittal Meeting**
Date of Meeting 10-26-23 (rezoning)
2. **Signed Application**
3. Pending **Payment**
\$250
4. **Requested Revision Boundary Map**
Amendment must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing future land use designation and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
4. **Narrative**
A description and/or statement of the present and proposed land use classification and stating why the request is being made and any information that is pertinent to the case.
5. **Digital Submission**
For all documents submitted in paper copy, please bring a digital copy with paper submission
6. Already provided **Adjacent Property List**
A list of names and addresses, of the owners of all properties located within 500-feet of the perimeter of the project bounds as obtained from the county tax listings and tax abstract, of the property under consideration for project parcel.
7. Already provided **Adjacent Property Envelopes**
The applicant shall provide a set of business envelopes addressed to each person of the owners of all the properties located within 500-feet of the perimeter of the project bounds, accompanied with the amount of postage required for first class postage.

I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant

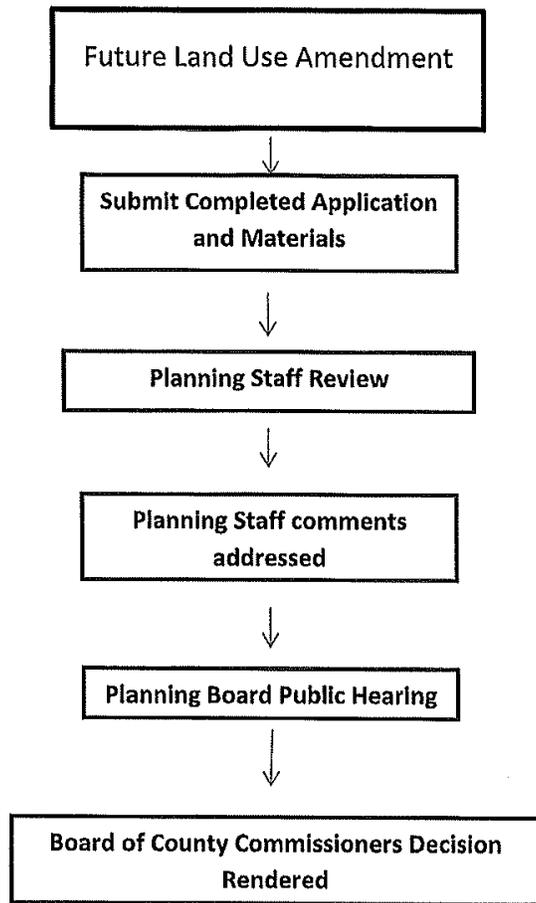
Jamie S. Encinosa

Date 1-18-24

Printed Name

Jamie S. Encinosa

Staff Initials:	_____
Date:	_____



Future Land Use Amendment Specific Requirements

Same process and criteria for evaluation as a General Use Rezoning per Section 3.3.8 of the Unified Development Ordinance.

1. Application Submittal

- Application
- Amendment must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
- All requirements shall be met within the boundaries of the area being re-classified. If all of the requirements cannot be met on the site being rezoned, the rezoning shall be expanded to include all property necessary to meet requirements.
- Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan.
- The application must contain a description and/or statement of the present and proposed zoning regulation or district boundary, and the name(s) and address(es) of the owner(s) of the property involved as required by General Statute.
- The applicant shall provide an accurate legal description or a map drawn to scale showing the property boundaries that are to be amended, in sufficient detail for the rezoning to be located on the Comprehensive Land Use Plan.

2. Planning Board and Board of Commissioners Review Criteria (per Section 3.3.8)

- A. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);
- B. Whether adequate public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change;
- C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.
- D. Whether the proposed amendment is reasonable as it relates to the public interest.

Pender County Planning and Community Development

Planning Division
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

Comprehensive Plan Future Land Use Map Amendment

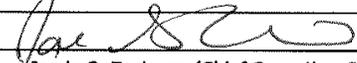
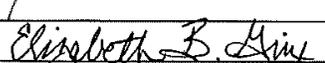
GENERAL

1. An applicant shall be required to schedule a pre-submittal meeting with the Administrator at least thirty (30) days prior to submission of an application.
2. Amendments to the Future Land Use Map shall be made in accordance with the provisions of the Pender County Comprehensive Land Use Plan.
3. The County Commissioners shall approve or deny amendments to the Future Land Use Map of Pender County, as may be required from time to time.
4. Amendments must correspond with the boundary lines of existing platted lots or tracts.
5. All zoning requirements shall be met within the boundaries of the area being reclassified. If all of the requirements cannot be met on the site, the amendment shall be expanded to include all property necessary to meet zoning requirements.
6. Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan and other adopted plans.

APPROVAL STANDARDS

1. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood).
2. Whether adequate public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change.
3. Whether the proposed change is consistent with any other adopted land use document.
4. Whether the proposed amendment is reasonable as it relates to the public interest.

Application for Future Land Use Amendment

THIS SECTION FOR OFFICE USE			
Application No.	CPMA	Date	
Application Fee	\$	Invoice Number:	
Pre-Application Conference		Hearing Date	
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Rhetson Companies, Inc.	Owner's Name:	Livvie R. Lewis C/O Elizabeth B. Grix
Applicant's Address:	2075 Juniper Lake Road	Owner's Address:	3828 Echo Farms Blvd
City, State, & Zip	West End, NC, 28412	City, State, & Zip	Wilmington, NC, 28412
Phone Number:	(910) 944-0881	Phone Number:	(910) 512-4201
Email Address:	permits@rhetson.com	Email Address:	Bettyann1@ec.rr.com
Legal relationship of applicant to landowner: Applicant under contract to purchase property			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3214-28-8318-0000	Total property acreage:	5.65 acres
Current FLU Classification	Rural Agricultural	Proposed FLU Classification:	General Business
Project Address:	NC HWY 210 E, Wilmington, NC, 28412		
Description of Project Location:	Remnant TR A PB 58/99 Livvie Lewis Division, Wilmington, NC, 28412		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	January 16, 2024
Applicant's Name Printed	Jamle S. Encinosa (Chief Operating Officer)	Date:	January 16, 2024
Owner's Signature		Date:	1-16-2024
Owner's Name Printed	Livvie R. Lewis C/O Elizabeth B. Grix	Date:	January 16, 2024
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable. 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda. 			

Future Land Use Amendment Checklist

<input checked="" type="checkbox"/>	Signed application form		
<input checked="" type="checkbox"/>	Application fee		
<input checked="" type="checkbox"/>	A list of names and addresses, as obtained from the county tax listings and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning.		
<input checked="" type="checkbox"/>	Two (2) business size envelopes legibly addressed with first class postage for each of the adjacent and abutting property owners on the above list. (total of 16 envelopes with stamps)		
<input checked="" type="checkbox"/>	Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.		
<input checked="" type="checkbox"/>	18 (11"x17") map copies to be distributed to the Planning Board		
<input checked="" type="checkbox"/>	20 (11"x17") map copies to be distributed to the Board of Commissioners		
<input checked="" type="checkbox"/>	Digital (.pdf) submission of all application materials		
<input checked="" type="checkbox"/>	A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties.		
Office Use Only			
<input type="checkbox"/>	Plan Amendment: \$250	Total Fee Calculation: \$	
Attachments Included with Application: (Please include # of copies)			
CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large
		# of 11X17	Other documents/Reports
	<input type="checkbox"/> Y <input type="checkbox"/> N		
Payment Method:	Cash : <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	Check: <input type="checkbox"/> Check # _____
Application received by:			Date:
Application completeness approved by:			Date:
Dates scheduled for public hearing:			
<input type="checkbox"/> Planning Board:			
<input type="checkbox"/> Board of Commissioners:			

REZONE 2024-63

Narrative

Amendment to the Future Land Use Plan Supporting Narrative

This narrative highlights the supportive characteristics for an amendment to the Pender County Future Land Use Plan in conjunction with our application for rezoning the parcel at the intersection of Little Kelley Road and NC Hwy 210 further identified as parcel 3214-28-8318-0000. Below are characteristics of the parcel that we propose support an amendment to the future land use plan:

1. The parcel is located at the intersection of two major thoroughfare highways (NC Highway 210 and NC Highway 133) with an average daily traffic count of 4800 according to NCDOT. Intersections with high traffic are more conducive to commercial development.
2. The parcel has several non-residential surrounding it within an approximately 1 mile including RP Quickstop (formerly C.H. Clark & Sonds pork and sausage outlet), Pender County Packing Company, Rooks Farm Service Inc-Garage, Lewis Nursery and Farms, American Blueberries LLC, Caleco Soil Services, Inc., McNally's Farms, and several churches, along with four large chicken houses. Due to the plethora of non-residential uses, mixed-use may be a more accurate representation of how the area is currently being used.
3. The property previously operated as a pay at the pump gas station.
4. Initial Phase I environmental testing as identified Recognized Environmental Concerns (REC's) related to the previous gas station use and recommendations for additional environmental assessment in the form of a Phase II. These REC's may discourage residential development on the parcel due to cost to remedy concerns.
5. During pre-application and TRC meeting, planning staff expressed support for the area being primed for commercial growth.

ATTACHMENT 1

Site Plan

ATTACHMENT 2

Table of Permitted Uses

TABLE OF PERMITTED USES											
P=Permitted Use D=Permitted w/ Use Standards S=Special Use Approval Required SD=Special Use Approval Required w/ Additional Standards PM=Permitted in conjunction w/ the MDP process											
Use Category Specific Use Type	Ref NAICS	Residential				Mixed Use	Commercial	Industrial			Special Purpose
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
RESIDENTIAL											
SFD: Detached-Conventional		P	P	P	P	P					
SFD: Detached Zero Lot Line				P		P					
SFD-Attached: Duplex		P	P	P		P					
SFD-Attached: Multiplex				P		P					
SFD-Townhouse (5+ attached)				P		P					
Multifamily (condominium/apartment)				P		P					
Upper Story Residential						P	P	P			
Accessory Dwelling Unit		D	D	P		D					
Accessory Dwelling Unit on Non Residential Principal Uses		D				D			P	P	
Manufactured Home		P	D		P						
Manufactured Home Park					PMD						
ACCESSORY USES AND STRUCTURES											
Accessory Structures		P	P	P	P	P	P	P	P	P	
Cottage Occupations		SD	SD	SD		SD	SD				
Home Occupation		D	D	D	D	D	D				
Agritourism Activities on active farms		D	D	D	D	D	D	D	D	D	D
Sector 21: MINING, QUARRYING, OIL AND GAS EXTRACTION											
Nonmetallic Mineral Mining & Quarrying	2123	S								S	
Except: 212392 Phosphate Rock Mining											
Except: 212321 Borrow Pit Sand Mining			PMDS			PMD					
Sector 22: UTILITIES											
Fossil Fuel Electric Power Generation	221112									S	
Other Electric Power Generation	221119								S	S	
Electric Bulk Power Transmission & Control	221121	S	S	S	S	S	S	S	P	P	
Natural Gas Distribution Except Transmission Lines	221210									P	
Water Supply Facilities*	221310		S			PM				P	

Sewage Treatment Facilities*	221320		S	PMD/S		PMD/S				P	
Except: Sewage Lift Stations*		SD	SD	PMD/S	PMD/S	PMD/S	D	D	D	D	
*County Owned or County Service District Provided Systems=P											
		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 23: CONSTRUCTION											
Construction of Buildings	236						D		P	P	
Heavy and Civil Engineering Construction	237						D		P	P	
Specialty Trade Contractors	238						D		P	P	
Sectors 31-33 MANUFACTURING											
Artisan Manufacturing		S	S			P	P		P		
Food Manufacturing	311									P	
Beverage and Tobacco Product Manufacturing	312									P	
Textile Mills	313									P	
Textile Product Mills	314									P	
Apparel Manufacturing	315									P	
Wood Product Manufacturing	321								P	P	
Truss Manufacturing	321214						S		P	P	
Prefabricated Wood Building Manufacturing	321992						S		P	P	
Prefabricated Metal Building and Component Manufacturing	332311						S		P	P	
Paper Manufacturing	322									S	
Converted Paper Product Manufacturing	3222									P	
Printing and Related Support Activities	323								P	P	
Petroleum and Coal Products Manufacturing	324									S	
Synthetic Dye and Pigment Manufacturing	32513									P	
Other Basic Organic Chemical Manufacturing	32519									P	
Resin, Synthetic Rubber & Artificial Synthetic Fibers and Filaments Manufacturing	3252									P	
Pharmaceutical Manufacturing	3254								P	P	
Paint, Coating and Adhesive Manufacturing	3255									P	

Motor Vehicle and Parts Dealers	441	S					P		P		
Furniture and Home Furnishings Stores	442						P		P		
Electronics and Appliance Stores	443	S				P	P		P		
Building Material, Garden Equipment & Supplies Dealers	444	S					P		P	P	
Food and Beverage Stores	445	S	S			P	P		P		
Health and Personal Care Stores	446	S	S			P	P	P	P		
Gasoline Stations	447	S				P	P		P		
Clothing and Clothing Accessories Stores	448	S				P	P		P		
Sporting Goods, Hobby, Book, and Music Stores	451					P	P		P		
Miscellaneous Store Retailers	453	S				P	P				
Non store Retailers	454	S				P	P		P		
Liquefied Petroleum Gas Dealers	454312										P
Sectors 48-49: TRANSPORTATION AND WAREHOUSING											
Air Transportation	481								P	P	
Rail Transportation	482								P	P	
Truck Transportation	484								P	P	
Transit and Ground Passenger Transportation	485								P	P	
Interurban and Rural Bus Transportation	4852						P		P	P	
Taxi and Limousine Service	4853						P		P	P	
School and Employee Bus Transportation	4854								P	P	
Charter Bus Industry	4855								P	P	
Support Activities for Transportation	4881								P	P	
Support Activities for Road Transportation	4884	S					P		P	P	
Postal Services	491110	S	S			P	P	P			
Couriers and Messengers	492						P	P	P	P	
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC

Sectors 48-49: TRANSPORTATION AND WAREHOUSING											
Warehousing and Storage	493	S							P	P	
Sector 51: INFORMATION											
Information	51					P	P	P	P	P	
Finance and Insurance	52	S	S			P	P	P	P	P	
Sector 53: REAL ESTATE AND RENTAL AND LEASING											
Real Estate and Rental and Leasing	53	S	S			P	P	P	P	P	
Commercial and Industrial Machinery and Equipment Rental and Leasing	5324								P	P	
Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES											
Professional, Scientific, & Technical Services	54	S	S			P	P	P	P	P	
Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES											
Management of Companies and Enterprises	55	S	S			P	P	P	P	P	
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDATION SERVICES											
Administrative and Support Services	561	S				P	P	P	P	P	
Solid Waste Collection Public	562111	P	P	P	P	P	P	P	P	P	
Solid Waste Collection Private	562111										S
Solid Waste Landfill	562212										S
Solid Waste Combustors and Incinerators	562213										S
Other Nonhazardous Waste Treatment and Disposal	562219	S					S		S	S	
Remediation Services	562910										S
Materials Recovery Facilities	562920										S
All Other Waste Management Facilities	56299										S
Sector 61: EDUCATIONAL SERVICES											
Educational Services	611	P	S			P	P	P			

Business Schools, Computer & Management Training	6114	S				P		P	P		
Technical and Trade Schools	6115	S				P	P	P	P	P	
Other Schools and Instruction	6116	S				P	P	P	P		
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Ambulatory Health Care Services	621					P	P	P			
Except: Outpatient Mental Health and Substance Abuse Centers	62142						P	S			
Hospitals	622	S				P	P	P			
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Except: Psychiatric and Substance Abuse Hospitals	6222							S			
Except: Outpatient Mental Health and Substance Abuse Hospitals	62142						S	S			
Nursing and Residential Care Facilities	623	S	S			P	P	P			
Except: Residential Mental Retardation, Mental Health & Substance Abuse Facilities	6232	S						S			
Social Assistance	624	S				P	P	P			
Vocational Rehabilitation Services	6243						P	P	P	P	
Sector 71: ARTS, ENTERTAINMENT, AND RECREATION											
Performing Arts Companies	7111	S				P	P				
Spectator Sports	7112	S					P		P		
Promoters of Performing Arts, Sports and Similar Events	7113	S				S	S				
Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures	7114					P	P	P			
Museums, Historical Sites and Similar Institutions	712	S				P	P	P			
Amusement and Theme Parks	713110	S				S	S				
Amusement Arcades	713120						P				

Golf Courses and Country Clubs	713910	S	PM			P					
Fitness & Recreational Sports Centers	713940	S				P	P	P	P		
Bowling Centers	71395					P	P	P	P		
All Other Amusement & Recreation Industries	71399	S				P	P		P		
Aviation Clubs, Recreational	713990	S	S			P	P		P		
Canoeing, Recreational	713990	S	S			P	P		P		
Fishing Clubs, Recreational	713990	S	S			P	P		P		
Flying Clubs, Recreational	713990	S	S			P	P		P		
Guide Services (i.e. Fishing, Hunting, Tourist)	713990	S	S			P	P		P		
Horse Riding, Recreational	713990	P	S								
Outdoor Shooting Ranges	713990	S									
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 72: ACCOMMODATIONS AND FOOD SERVICES											
Hotels and Motels	72111					P	D	D			
Bed and Breakfast Inns	721191	S	S		S	P	P				
All Other Traveler Accommodation	721199	S	S		S	P	P				
RV Parks and Recreational Camps	7212	SD					SD				
Recreational and Vacation Camps	721214	S									S
Rooming and Boarding Houses	721310	S				P	P				
Full Service Restaurants	7221	S				P	P	P	P	P	
Limited Service Eating Places	7222	S				P	P	P	P	P	
Special Food Services	7223	S				P	P	P	P	P	
Drinking Places (Alcoholic Beverages)	7224	S				P	P				
Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION											
Automotive Repair and Maintenance	8111	S					P		P	P	
Electronic and Precision Equipment Repair and Maintenance	8112	S					P	P	P	P	

Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	8113								P	P		
Personal and Household Goods Repair and Maintenance	8114	S				P	P	P	P	P		
Personal Care Services	8121	P	S			P	P	P	P			
Funeral Homes and Funeral Services	81221	S					P	P	P	P		
Cemeteries and Crematories Except: Private Cemetery	81222	S	S			S	S	S	S	S		
Coin Operated Laundries and Drycleaners	812310	P				P	P					
Dry-cleaning and Laundry Services	812320	S				P	P		P	P		
Linen & Uniform Supply	81233								P	P		
Other Personal Services	8129	S				P	P	P	P			
Pet Care Services	812910	D					D		D	D		
Religious Organizations	8131	P	S			P	P	P	P			
Grant making and Giving Services	8132					P	P	P	P			
Social Advocacy Organizations	8133					P	P	P	P			
Civic and Social Organizations	813410	S	S			P	P	P				
Business, Professional, Labor, Political and Similar Organizations	8139					P	P	P	P			
Public Administration	92	P	P	P	P	P	P	P	P	P		
			Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC	
MISCELLANEOUS USES												
Adult and Sexually Oriented Businesses									S	S		
Adult Retail									S	S		
Bona fide Farm Purposes		D	D	D	D	D	D	D	D	D	D	
Child Care Center		P	S			S	P	P				
Community Boating Facility		SD	SD	SD	SD	SD						
Community Boating Facility in conjunction with a Master Development Plan		SD	PMD	PMD	PMD	PMD						
Disaster Volunteer Housing		D	D	D	D	D	D	D	D	D		

Family Care Home		D	D	D	D	D					
Family Child Care Home		P	P			P	P	P			
Industrial Park										SD	
Marina (Commercial)		SD	PMD			PMD					
Portable Storage Containers		D	D	D	D	D	D	D	D	D	
Private Cemetery less than 6,000 sq. ft.		D	D				D	D	D		
Private Cemetery 6,000 sq. ft. and larger		S	S				S	S	S		
Public Parks		P	P	P	P	P	P	P	P	P	
Private Residential Boating Facility		D	D	D	D	D					
Salvage Operations		S								D	
Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage		S							P	P	
Storage of boats and watercraft outdoors or on dry stack structures							S				
Sweepstakes Center							SD		SD	SD	
Telecommunication Facilities		SD	SD			SD	SD	SD	SD	SD	
Telecommunication Facilities – Public Safety		SD	SD			SD	SD	SD	SD	SD	
Temporary Manufactured Homes		P	P			P					
Temporary Modular/Manufactured Offices						P	P	P	P	P	
Temporary Fruit & Vegetable Stands		P	P								
Temporary Buildings for Construction or Development		D	D	D	D	D	D	D	D	D	
Temporary Events		D					D	D	D	D	

5.3 USES WITH STANDARDS

5.3.1 General

A. These standards shall only apply to those districts and uses where the “S”, “PM” or “D” is designated on the use table in Section 5.2.3. In addition to these standards the use shall be permitted in compliance with the general development standards of the underlying

ATTACHMENT 3
Public Input Meeting Packet



Bohler Engineering NC, PLLC
4130 Park Lake Ave Suite 200
Raleigh, NC 27612
919-578-9000

*****NOTE: THIS IS A CORRECTION LETTER TO A PREVIOUSLY SENT PUBLIC INPUT MEETING NOTICE. THE MEETING REFERENCED IN THE PREVIOUS MEETING NOTICE WILL NO LONGER BE HELD AT PETE'S PLACE FAMOUS HOTDOGS. THE COMMUNITY MEETING WILL TAKE PLACE AT RILEY'S CREEK BAPTIST CHURCH. PLEASE SEE THE ADDRESS BELOW. WE SINCERELY APOLOGIZE FOR ANY INCONVENIENCE THIS CHANGE MAY CAUSE. *****

December 5, 2023

Dear Rocky Point Area Property Owner:

The purpose of this letter is to notify you of an application filed with Pender County for a conditional rezoning involving property adjacent to, or in close proximity to, property shown in your ownership by Pender County tax records. Per Pender County regulations, a Public Input Meeting will be held to provide information to area residents about the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: December 20, 2023

Meeting Time: 5:30 pm – 7:00 pm

Meeting Location: Riley's Creek Baptist Church
19845 State Hwy 210, Rocky Point, NC 28457

Type of Application: Conditional Rezoning Application

Project/proposal property address: PIN 3214-28-8318-0000
State Hwy 210 & Little Kelly Road, Rocky Point, NC 28457

Description of project/proposal: Proposed commercial retail business with associated parking, utility, landscaping, & lighting improvements

Upcoming public meetings for this application (Planning Board and/or Town Council): TBD

At a minimum, the following will be available for your inspection at the Public Input Meeting:

1. A copy of the project application.
2. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
3. A map, drawing, or other depiction of the proposed land use change or development proposal.

A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at 919-578-9000. You may also contact the Planning Department at 910-259-1734.

Sincerely,

Bohler Engineering

Cc: Pender County Planning and Community Development

www.BohlerEngineering.com

ANDREW + DANA O'DONNELL
RECKLESS SOUL RANCH @ GMAIL.COM

18130 NC HWY 210, ROCKY POINT, NC

Public Input Meeting Sign-In Sheet

<u>Name(s)</u>	<u>Address</u>
Dave McBride	382 Scott Rd Rocky Point, NC 28457
Joe Bonse la ar	125 Woodcroft Ln Rocky Point, NC 28457
Kate & John LaSala	91 Grand Oaks Blvd Rocky Point NC 28457
SONDRA + JAMES Ray	447 Apple Blossom Rocky Point NC 28457
Cal Lewis	3500 N.C. Hwy 133 R. P. 28457
Charlie Caldwell	951 Clarks Landing Rd Caldwell Family, 28457
Jody McPherson	781 Clarks Landing Rd (R.P.)
John & Ashley Huggins	199 Brewington Dr Burgaw, NC 28425
Amy Price	5890 Herrings Chapel Rd RP 28457
Theresa Vavaroutsas	125 Woodhaven Dr. Rocky Point
Chris Vavaroutsas	
Patty Shellhaas	132 Woodcroft Ln. Rocky Point,
Cyndee Shellhaas	Cyndee 62757@gmail

Public Input Meeting Sign-In Sheet

<u>Name(s)</u>	<u>Address</u>
Grace Smallwood	80 McINTYRE Church Rd
Edna Lewis	ACROSS from St. Paul Church
Jusie Collins	in MALPASS Corner
David W. Houghby	WOODCRAFT
Marcia Horton	1522 Clarks Landing Rd
Janet Eusiza	Rocky Point, NC 28457
Steve Mathis	3931 NC Hwy 133
	Rocky Point NC 28457
	109 Timber Trails
	Rocky Point 28457
Carolyn Albury	25 Elam Drive
George Albury	Rocky Point NC 28457
Darren Anderson	127 Clarks Landing Rd
Ben Cherry	RP 28457
	145 Clarks Landing Rd
	R.P. 28457
Nick + Trice Blair	17785 NC HWY 210
	Rocky Point, NC 28457
CHARA + Rodney Maxwell	734 North DR
	Rocky Point N.C. 28457

Amie Beegle 743 Clarks Landing Rd. Rocky Point
 Adrianna Pickett 154 Nixon Ave, Rocky Point 28457 28457
 Suzanne / James Walton 910 Clarks Landing Rd Rocky Point
 Chris + Brandi Parrish 778 Clarks Landing Rd. 28457 28457
 Brian + Tracy Morrison 46 Russell Ct. Rocky Point 28457
 DAN + SARA KEMER 18660 NC HWY 210, Rocky Point
 Ben Beal 123 Woodcroft Ln 28457
 Megan Beal Bimmerpope@gmail.com
 123 Woodcroft Ln Rocky Point NC
 Amber Krause 565 Clarks landing loop rd Rocky Point
 Justin Krause → same (email - Ambernwalton00@gmail.com)
 DAVID LATHAM 19430 NC 210 Rocky Point
 Betty Ann Griep Wilmington
 CHRIS STEPHENS 5022 WRIGHTVILLE AVE WILMINGTON
 Pearl [Signature] 961 SCOTT RD - Rocky Point, NC
 [Signature] janetersign@gmail.com



Bohler Engineering NC, PLLC
4130 Park Lake Ave Suite 130
Raleigh, NC 27612
919-578-9000

Project Name: Little Kelly Road & 210 Conditional Rezoning
Project Address: NC Hwy 210 E
Wilmington, NC 28412
Pender County

Developer: Rhetson Companies, Inc.
Mailing Address: 2075 Juniper Lake Road
West End, NC 28412
Phone: (910) 944-0881

Summary

A public input meeting was held on December 20, 2023 at Riley's Creek Baptist Church located at 19845 NC Hwy 210 in Rocky Point, North Carolina. Below is a summary of concerns that were voiced by those in attendance as it relates to the proposed project located at the corner of Little Kelly Road and NC Hwy 210 in Rocky Point, North Carolina.

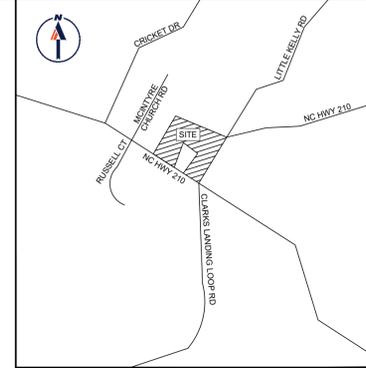
- Concerns with what community **ASSUMES** is a dollar store type retail.
- No commercial development of any kind: Concerns with disturbing their "country" living
- Intersection/traffic with store at intersection of 210 and Little Kelley
- Drainage
- Lighting
- Landscaping

ATTACHMENT 4

Survey

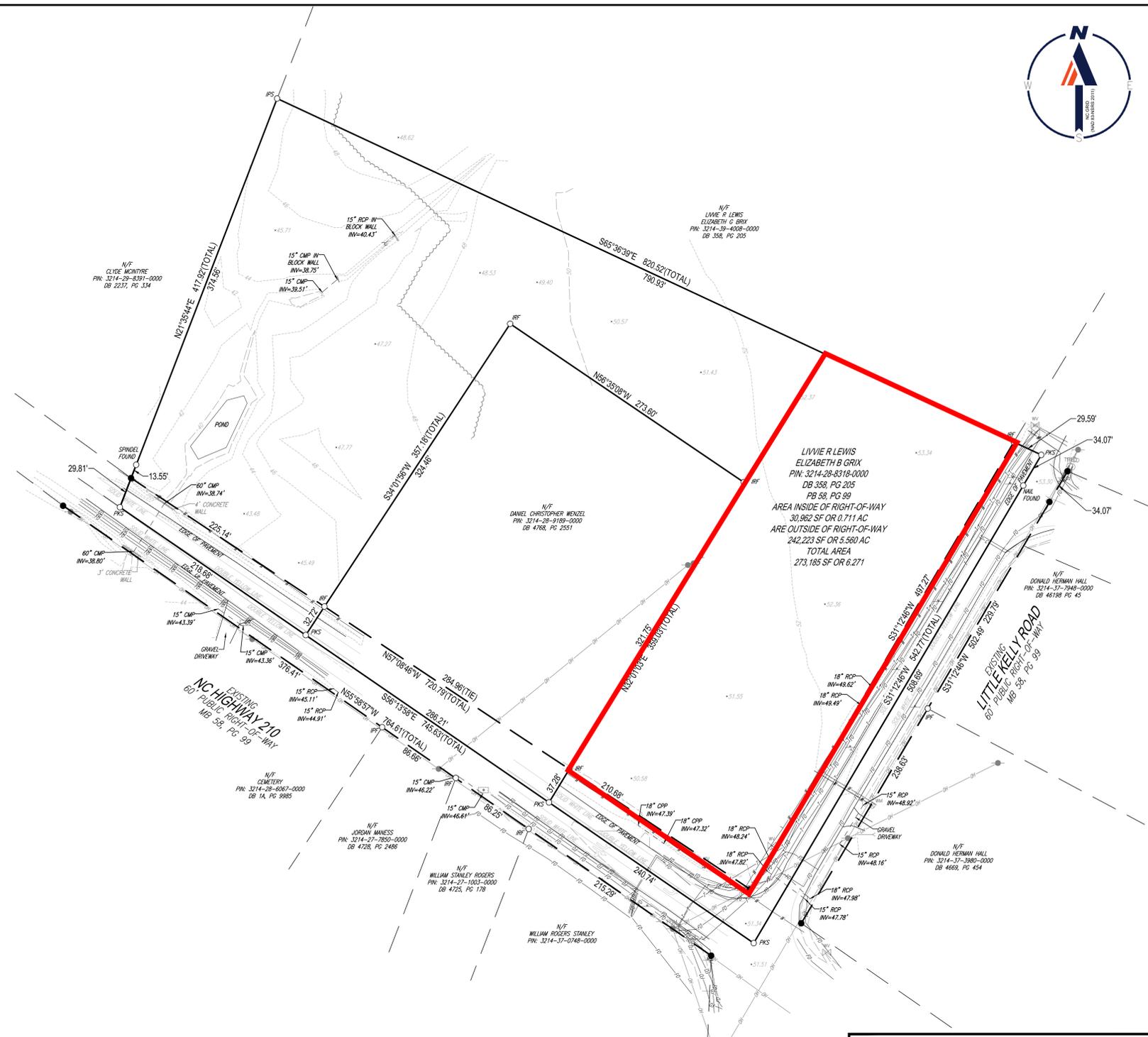
NOTES

1. THE FIRM HAS NEITHER REVIEWED, NOR RELIED UPON A TITLE COMMITMENT OR ANY TITLE REPORT IN AND WHILE PREPARING THIS SURVEY AND THE CLIENT SHOULD NOT RELY UPON THIS SURVEY AS ASSURANCE OF OWNERSHIP, AS A GUARANTEE OF MARKETABLE TITLE OR FOR DISCLOSURE OF TITLE EXCEPTIONS THAT MAY, COULD OR DO ENCOMBER THE PROPERTY. THE CLIENT MUST ENGAGE A TITLE AGENT / TITLE INSURANCE COMPANY FOR REVIEW AND CONFIRMATION OF, AND INSURANCE REGARDING MARKETABLE TITLE.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
5. RIGHTS-OF-WAY INFORMATION IS BASED ON DEEDS AND MAPS OF RECORD.
6. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS, PER THE NCVRS NETWORK.
7. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).
8. VERTICAL DATUM SHOWN HEREON IS NAVD88.
9. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X" AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720321400L PANEL 3214 EFFECTIVE DATE FEBRUARY 16, 2007.
10. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED AT THE TIME OF THE SURVEY.
11. NO EVIDENCE OF STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED AT THE TIME OF THE SURVEY.



VICINITY MAP
NOT TO SCALE

- REFERENCES:
- DB 358, PG 205
 - DB 478, PG 255
 - DB 2237, PG 334
 - BM 58, PG 99
 - PB 26, PG 40



SURVEYOR CERTIFICATION

I, THOMAS E. TEABO, PLS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, FROM DEED AND MAP REFERENCES AS NOTED ON SAID MAP. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FROM DEED AND MAP REFERENCES AS NOTED ON SAID MAP.

THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY OF THE SURVEY AS CALCULATED IS 1:10,000+ THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION OF RECORD, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH TITLE 21, CHAPTER 56, NCAC, AS AMENDED.

I HEREBY CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: "CLASS A"
- (2) POSITIONAL ACCURACY: 0.04"
- (3) TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC NETWORKS-NCVRS
- (4) DATES OF SURVEY: 11/21/2023-12/20/2023
- (5) DATUM/EPOCH: NAD 83 (2011) EPOCH 2010.00
- (6) PUBLISHED FIXED-CONTROL USE: NCVRS
- (7) GEOID MODEL: 2016 (CONUS)
- (8) COMBINED GRID FACTORS: 0.99997947
- (9) UNITS: US SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 20TH DAY OF DECEMBER A.D., 2023.

PRELIMINARY - NOT FOR RECORDATION,
SALES OR CONVEYANCES

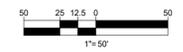
SURVEYOR NC L-3920



BOHLER ENGINEERING- ALL RIGHTS RESERVED. THE SURVEY ORIGINALLY OF RECORD, WITHIN THE LIMITS OF THE PROFESSIONAL ENGINEERING, IS PROVIDED.

LEGEND

	LINE SURVEYED		UTILITY POLE
	LINE NOT SURVEYED		WATER METER
	EXISTING CONTOUR		FIBER OPTIC MARKER
	EXISTING SPOT ELEVATION		TELEPHONE PEDISTAL
	WATER VALVE		SIGN
	OVERHEAD WIRES		MAIL BOX
	APPROX. LOC. UNDERGROUND FIBER OPTIC LINE PER UTILITY MARKOUT		AREA LIGHT
	APPROX. LOC. UNDERGROUND WATER LINE PER UTILITY MARKOUT		CLEAN OUT
	APPROX. LOC. UNDERGROUND TEL. LINE PER UTILITY MARKOUT		GUY WIRE
	APPROX. LOC. UNDERGROUND CABLE LINE PER UTILITY MARKOUT		IRON REBAR FOUND
			IRON PIPE SET
			COMPUTED POINT



TO:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(A), 8, 9, 13, 16 AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 05, 2023.

PRELIMINARY - NOT FOR RECORDATION,
SALES OR CONVEYANCES

THOMAS E. TEABO, PLS DATE

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR NO. L-3920

THIS CERTIFICATION IS MADE TO ONLY NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY THE NAMED PURCHASER. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR THE USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY APPLICANT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.

ALTA/NSPS LAND TITLE SURVEY
FOR
RHETSON COMPANIES, INC.
PIN: 3214-28-8318-0000
DB 2478, PG 48
PB 58, PG 99
TOWN OF ROCKY POINT
LONG CREEK TOWNSHIP
PENDER COUNTY, NORTH CAROLINA

FILE NO. NCB230212
DATE 12/20/2023
FIELD DATE 12/05/2023

BOHLER ENGINEERING
4330 PARKLASE AVENUE, SUITE 200
RALEIGH, NORTH CAROLINA 27615-5100
www.bohlerengineering.com

CREW CHIEF JR/JUL
DRAWN AH
REVIEWED TET
APPROVED TET
SCALE 1"=50'
DWG. NO. 1 OF 1



**Pender County
REZONE 2023-59: Request to rezone
approximately 2.37 acres of an
approximately 5.65 acre parcel from the
RA, Rural Agricultural zoning district to
the CZ-5, Conditional Zoning District 5 in
the Long Creek Township**

TO: Board of County Commissioners
FROM: Taylor Davis
DATE: April 15, 2024
SUBJECT: REZONE 2023-59: Request to rezone approximately 2.37 acres of an approximately 5.65 acre parcel from the RA, Rural Agricultural zoning district to the CZ-5, Conditional Zoning District 5 in the Long Creek Township

SUMMARY:

Rhetson Companies Inc., applicant, on behalf of Livvie R. Lewis, owner, is requesting the approval of a Conditional Zoning Map Amendment to rezone approximately 2.37 acres of a 5.65 acre tract from the RA, Rural Agricultural zoning district to the CZ-5, Conditional Zoning District 5. Specifically, the request is for a 12,480 square foot general retail store classified under NAICS code 452990, Other General Merchandise Stores. In conjunction with this request, the applicant is also requesting an amendment to the Future Land Use Map within the Pender 2.0 Comprehensive Land Use Plan from the Medium Density Residential future land use category to the Neighborhood Mixed Use future land use category.

The subject property is located across the intersection of Clarks Landing Loop Road where NC HWY 133 merges with NC HWY 210. The property fronts Little Kelly Road and NC HWY 210 and is located in the Long Creek Township. The property may be further identified by Pender County PIN 3214-28-8318-0000.

ACTION REQUESTED:

Hold a public hearing and consider the proposal.

ATTACHMENTS:

1. Staff Report
2. Application
3. Narrative
4. Attachment 1: Site Plan
5. Attachment 2: Table of Permitted Uses

6. Attachment 3: Public Input Meeting Packet
7. Attachment 4: Survey

**STAFF REPORT FOR REZONE 2023-59 (CZMA) & REZONE 2024-63 (FLUMA)
ZONING MAP & FUTURE LAND USE MAP AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	REZONE 2023-59 & REZONE 2024-63 (FLUMA)
Hearing Dates	February 6, 2024 – Planning Board March 5, 2024 – Planning Board April 15, 2024 – Board of Commissioners
Applicant	Rhetson Companies, Inc.
Property Owner	Livvie R. Lewis C/O Elizabeth B. Grix
Parcel Identification Number(s)	3214-28-8318-0000
Proposed Rezoning Area	Approximately 2.37 Acres
Township	Long Creek
Pender 2.0 Future Land Use Category	Medium Density Residential

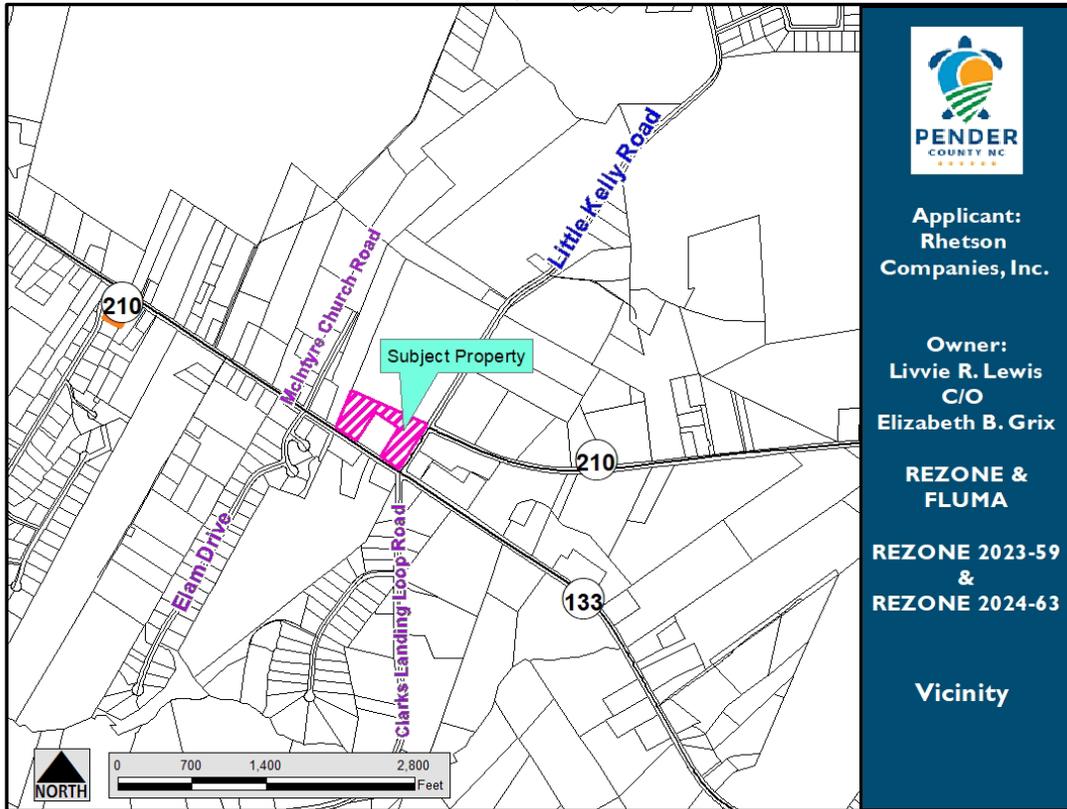
REZONING & FLUMA PROPOSAL

Rhetson Companies Inc., applicant, on behalf of Livvie R. Lewis, owner, is requesting the approval of a Conditional Zoning Map Amendment to rezone approximately 2.37 acres of a 5.65 acre tract from the RA, Rural Agricultural zoning district to the CZ-5, Conditional Zoning District 5. Specifically, the request is for a 12,480 square foot general retail store classified under NAICS code 452990, Other General Merchandise Stores. In conjunction with this request, the applicant is also requesting an amendment to the Future Land Use Map within the Pender 2.0 Comprehensive Land Use Plan from the Medium Density Residential future land use category to the Neighborhood Mixed Use future land use category.

LOCATION

The subject property is located across the intersection of Clarks Landing Loop Road where NC HWY 133 merges with NC HWY 210. The property fronts Little Kelly Road and NC HWY 210 and is located in the Long Creek Township. The property may be further identified by Pender County PIN 3214-28-8318-0000.

Below: Vicinity Map of the Area



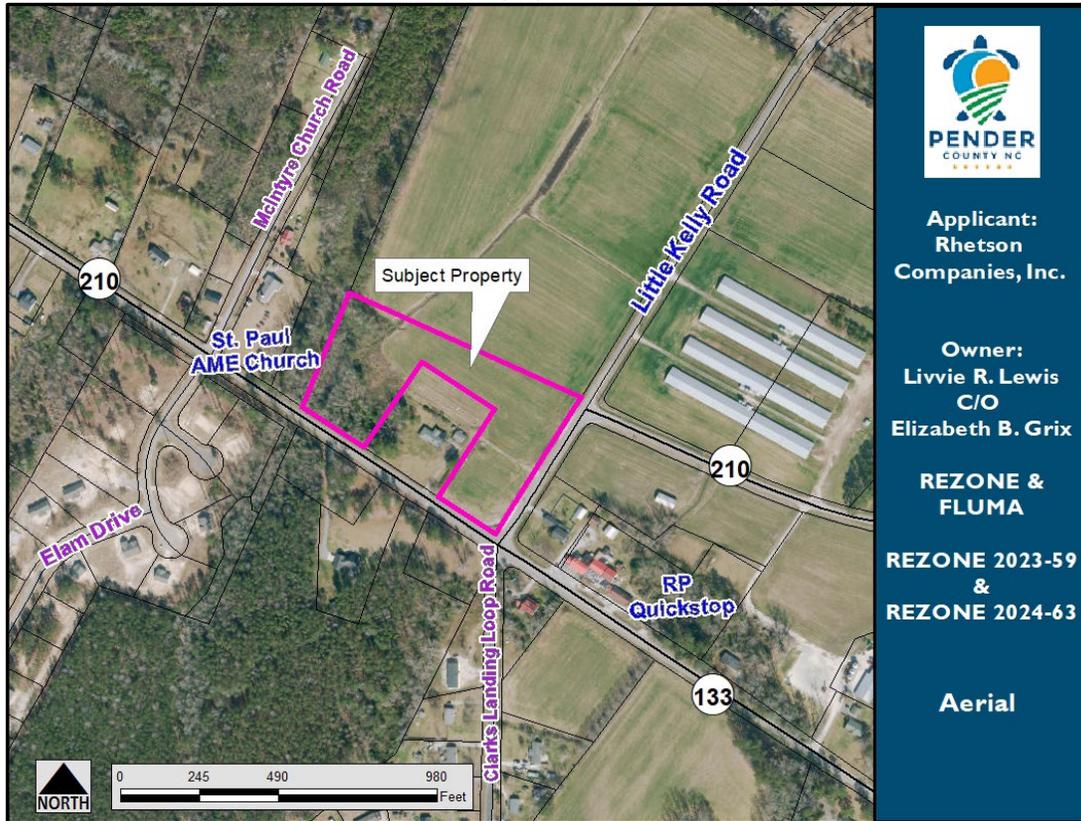
REZONING & DEVELOPMENT PROPOSAL

The applicant is proposing to rezone approximately 2.37 acres of a 5.65-acre tract from the RA, Rural Agricultural zoning district to the CZ-5, Conditional Zoning District 5. The outstanding 3.28 acres would remain in the RA zoning district.

The request is for a 12,480 square foot general retail store classified under NAICS code 452990, Other General Merchandise Stores. The entry point of the structure will face NC Highway 210 and be located at the southeastern corner of the parcel that sits at the intersection of NC Highway 210 and Little Kelly Road. The parcel is of unique shape whereby its configuration allows for an approximately 280-foot break in the center of its road frontage along NC Highway 210. It closely resembles a horseshoe in shape and partially surrounds an approximately 2.07-acre property containing one residential structure with an accessory building. Access to the development is proposed from NC Highway 210.

The applicant’s site plan, included in the Boards packet as Attachment 1, provides an overview of the proposal and conceptual layout of the site.

Below: Aerial Map of the Subject Property



Intent of Conditional Zoning, Article 3.3.9.B

A conditional zoning district (aka “CZ”) is intended for a development that has a high level of certainty of being constructed and the most commonly expected application will contain a specified use or uses, permitted by right or special use, accompanied by a plan showing proof of concept, and typically including the spatial relation of uses and site elements.

If approved, the applicant would be required to submit a major site development plan application. The major site development plan would be reviewed by staff and the Pender County Technical Review Committee (TRC). Review and approval of the major site development plan would be an administrative procedure, meaning the authority to approve plans consistent with the requirements outlined in the Unified Development Ordinance (UDO) lies with staff. Changes to the proposed conditional zoning district, including an alteration of the proposed dimensional standards, uses, requirements or conditions would require the applicant to resubmit a conditional zoning proposal in accordance with Article 3.3.9.B.6 of the UDO.

Dimensional Standards

Per Article 4.13 of the UDO, standards of a conditional zoning district are specific to the conditions of the site and are set by a conditional rezoning application. The applicant has proposed the following conditions for the site:

Minimum Front Yard (NC Highway 210)	25'
Minimum Side Yard (Little Kelly Road)	12'
Minimum Side Yard (Adjoining Residential Boundary)	10'
Minimum Rear Yard (Property line abutting vacant RA)	10'
Maximum Building Height	25'

Allowable Uses

As shown on the site plan, the applicant is proposing a general commercial retail store classified under NAICS code 452990, Other General Merchandise Stores. This NAICS sector is comprised of industries with establishments primarily engaged in retailing new goods in general merchandise stores (except department stores, warehouse clubs, superstores, and supercenters). These establishments retail a general line of new merchandise, such as apparel, automotive parts, dry goods, hardware, groceries, housewares or home furnishings, and other lines in limited amounts, with none of the lines predominating.

Figure 1: Pender County Table of Permitted Uses (Attachment 2)

TABLE OF PERMITTED USES												
P=Permitted Use D=Permitted w/ Use Standards S=Special Use Approval Required SD=Special Use Approval Required w/ Additional Standards PM=Permitted in conjunction w/ the MDP process												
Use Category	Specific Use Type	Residential	Mixed Use	Commercial	Industrial	Special Purpose	Zoning Districts					
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC	
Sectors 44-45 RETAIL TRADE												
Motor Vehicle and Parts Dealers	441	S				P		P				
Furniture and Home Furnishings Stores	442					P		P				
Electronics and Appliance Stores	443	S				P	P	P				
Building Material, Garden Equipment & Supplies Dealers	444	S				P		P	P			
Food and Beverage Stores	445	S	S			P	P	P				
Health and Personal Care Stores	446	S	S			P	P	P	P			
Gasoline Stations	447	S				P	P	P				
Clothing and Clothing Accessories Stores	448	S				P	P	P				
Sporting Goods, Hobby, Book, and Music Stores	451					P	P	P				
Miscellaneous Store Retailers	453	S				P	P	P				
Non store Retailers	454	S				P	P	P				
Liquefied Petroleum Gas Dealers	454312										P	

Landscaping and Buffers

There is no apparent existing vegetative buffer along any boundary in the proposed conditional zoning district of the subject parcel. Staff is proposing a condition of approval that fencing along the proposed C-1 buffer exceeds the 6-foot minimum requirement as called for in section 8.2.6 of the UDO. Staff’s recommendation is that the fencing along the C Buffer be at least 7 feet tall measured from the grade of the parking lot. The applicant is proposing a Type A buffer along the NC Highway 210 and Little Kelly Road boundaries, a Type C buffer along the furthest western boundary of the project which borders the adjacent residence, and a Type B buffer along the northern boundary. These proposed buffers are consistent with the vegetative buffering requirements found in Article 8 of the UDO.

Table 2: Proposed Buffers	
Northern Boundary	B-1
Eastern Boundary (Little Kelly)	A-1
Southern Boundary (NC Highway 210)	A-1
Western Boundary	C-1

See buffer standards below from the Pender County UDO (Figure 2):

Buffer A

Buffer "A" This buffer is designed primarily for road frontage areas and should run parallel to the street to provide a continuous, aesthetically pleasing streetscape. The requirements for buffer "A" shall be met by any one of the following:
A-1) 15 foot wide strip with 3 canopy trees, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet (width may be reduced to 10' for existing developed lots that are subject to new buffer requirements), or
A-2) 20 foot wide strip with 3 canopy trees, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 18 shrubs per 100 linear feet, or
A-3) 25 foot wide strip with 1 canopy tree, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet, or
A-4) 30 foot wide strip with 1 canopy tree, 2 understory trees and either a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 32 shrubs per 100 linear feet.

Buffer B

Buffer "B" This buffer is a medium density planting area to be used primarily along non street boundary lines to provide spatial separation between similar types of uses. The requirements for buffer "B" shall be met by any one of the following:
B-1) 10 foot wide strip with 3 canopy trees, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
B-2) 15 foot wide strip with 3 canopy tree, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
B-3) 20 foot wide strip with 1 canopy tree, 2 understory tree and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 15 shrubs per 100 linear feet, or
B-4) 25 foot wide strip with 0 canopy trees, 5 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet.

Buffer C

Buffer "C" This buffer is designed to provide a high density screen primarily along non street boundary lines to provide buffer and separation between different categories of uses such as commercial adjacent to residential uses or other non-residential uses adjacent to high density single family residential uses. The requirements for buffer "C" shall be met by any one of the following:
C-1) 10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-2) 15 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence or an evergreen hedge* that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or *Reference spacing requirements in plant list for specific species and spacing to achieve evergreen hedge
C-3) 20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-4) 25 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.

Proposed Signs

After discussion with staff and the Planning Board, the applicant has agreed to multiple conditions related to signs. Specifically, all signs must comply with Article 9.7 of the UDO, freestanding signs must be monument signs and not pylon signs, and signs shall be illuminated by uplighting only.

Public Input Meeting

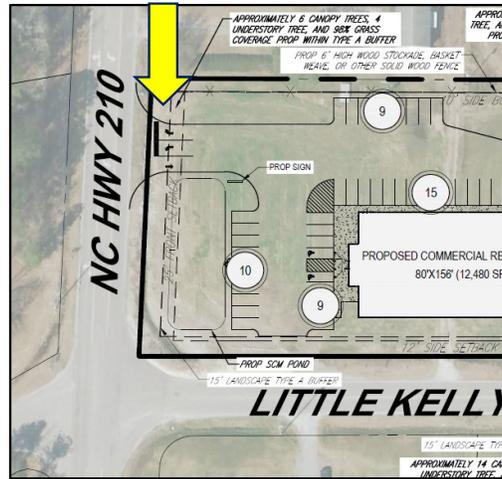
As required by Article 3.3.9 of the UDO, the applicant hosted a public input meeting located at Riley’s Creek Baptist Church on December 20th from 5:30-7:00pm. Notice of the meeting was mailed to all property owners within 500 feet of the subject parcel. As described in the applicant’s report of the meeting, 52 members of the public attended. Attendees raised concerns pertaining to the user being a “dollar store” type retailer, traffic at the intersection of Little Kelly Road and NC Highway 210, drainage, lighting, landscaping, and the diminishment of the rural setting the area currently possesses. The applicant’s report can be found as Attachment 3.

TRANSPORTATION INFRASTRUCTURE

Roadways and Access

The subject parcel (Parcel PIN: 3214-28-8318-0000) has direct access to NC Highway 210 and Little Kelly Road. As shown on the plan, the applicant is proposing access to the development solely from NC Highway 210.

Figure 3: Site Entrance



Traffic

The UDO requires a Traffic Impact Analysis (TIA) to be completed when a development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The proposed commercial retail use is not projected to generate enough traffic daily or during peak hours to require a TIA. Per NCDOT Average Daily Traffic calculations, NC Highway 210 between McIntyre Church Road and Little Kelly Road is experiencing 24% of its total available traffic capacity and the section of Little Kelly Road between NC Highway 210 and NC Highway 133 is experiencing 12% of its overall traffic capacity.

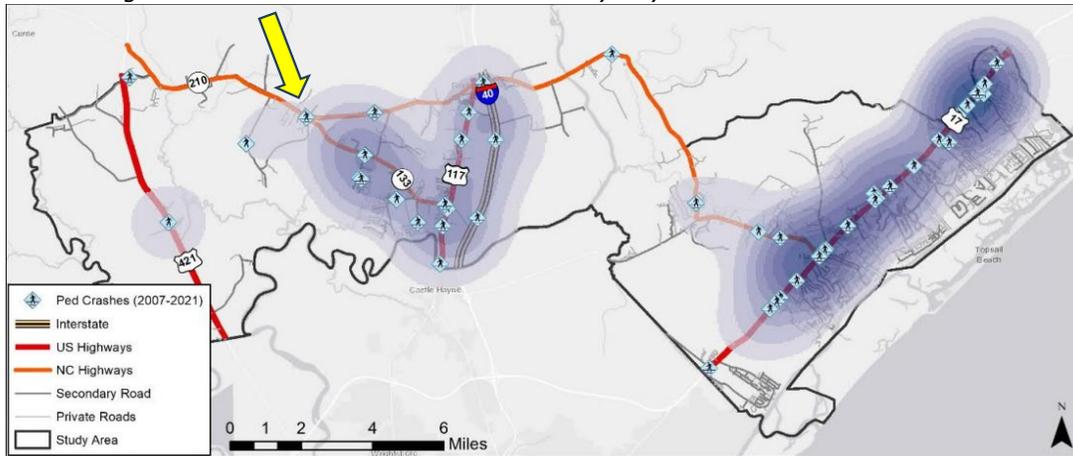
NCDOT Annual Average Daily Traffic (AADT) – 2020; WMPO Roadway Capacities – 2020

Road	Location	Volume	Planning Capacity	V/C
NC 210	Between McIntyre Church Rd and Little Kelly Rd	5,100	20,943	0.24
Little Kelly Rd	NC 210 Intersection with NC 133	2,500	20,943	0.12

Bicycle and Pedestrian Access

The applicant has proposed including a 10-foot-wide easement dedicated for public use along the exterior portion of the subject property to be rezoned that fronts NC Highway 210 and Little Kelly Road. This easement is consistent with the dimensional requirements for the future construction of a multi-use path (MUP) as outlined in the recently adopted Pender County Bicycle and Pedestrian Plan. An MUP could increase needed pedestrian safety measures in this area. As shown in the figure below, pedestrian crashes have already occurred near this intersection. Increases in pedestrian and bicycle traffic at this intersection can be reasonably expected with the addition of commercial development and increased vehicular and pedestrian trips. Staff is recommending this easement for an MUP be included as a condition of approval.

Figure 4: Pedestrian Crashes – Pender County Bicycle and Pedestrian Plan 2023



OTHER INFRASTRUCTURE

Utilities

Public water is available through Pender County Utilities (PCU) via the water main that runs along NC Highway 210 and partially down Little Kelly Road. The applicant is proposing the installation of a septic tank in the rear of the parcel behind the commercial building. This septic area is directly perpendicular to the intersection where NC Highway 210 meets Little Kelly Road. A septic system in this section of the development may prevent future driveway connection from NC Highway 210 to the parcel or the adjoining parcel should they be developed further in the future.

Stormwater

Article 7.9 of the Pender County Unified Development Ordinance requires that stormwater infrastructure be built such that the post development runoff from the project be no more than ten (10) percent more than the pre-development runoff. Low-density projects are required to meet this standard for the 1 year 24-hour event, while high density projects shall meet this requirement for the 10- and 25-year return period events and be analyzed for the 50-year event. The applicant has proposed exceeding these standards by constructing a stormwater system which would accommodate a 10-, 25-, and 50-year event and be analyzed for a 100-year event.

Table 3: ENVIRONMENTAL CONCERNS	
Special Flood Hazard Areas	The subject property does not contain any Special Flood Hazard Areas. ¹
Wetlands	The subject property does not show characteristics of wetlands. ^{2,3}
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC). ⁴

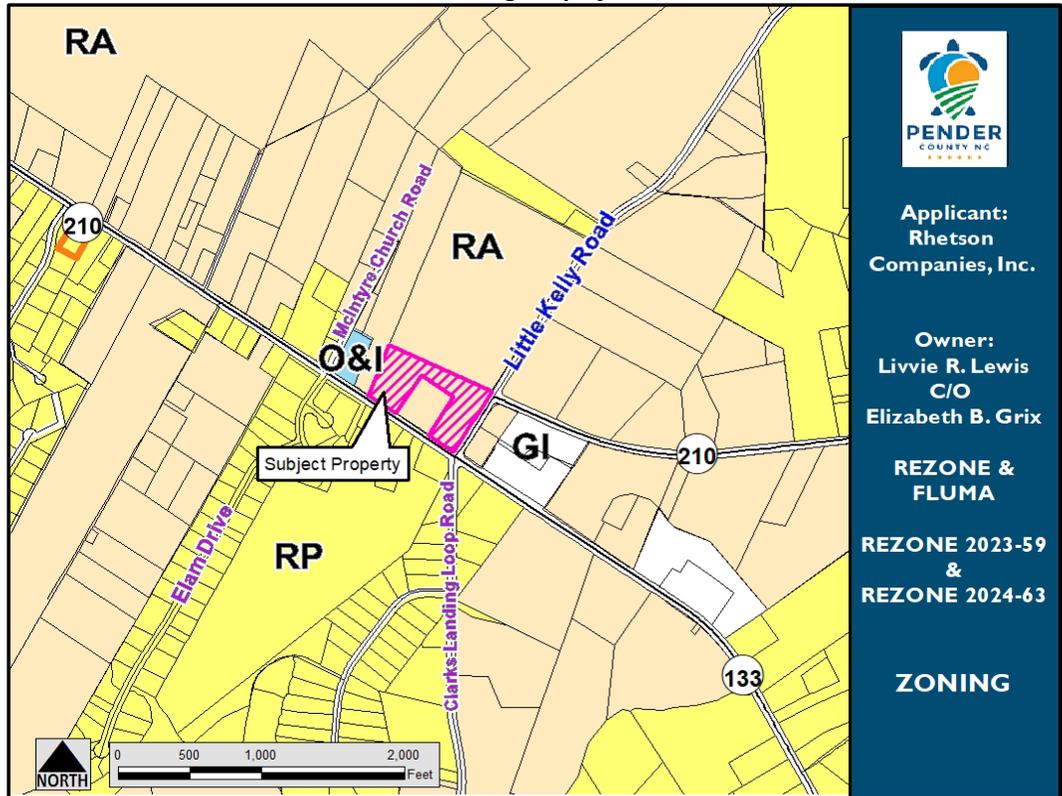
¹ According to the effective regulatory and preliminary Flood Insurance Rate Maps.

^{2,3}According to the National Wetlands Inventory (NWI) and Division of Coastal Management (DCM) layers found within the County's Geographic Information System (GIS) database

⁴According to the North Carolina Department of Environmental Quality (NCDEQ)

EVALUATION

Below: Zoning Map of the Area



CHARACTERISTICS OF THE SURROUNDING AREA

	LAND USE	ZONING
North	Vacant, Agriculture	RA, Rural Agricultural
East	Agriculture, Residential, Commercial	RA, Rural Agricultural GI, General Industrial
South	Residential, Vacant	RP, Residential Performance
West	Commercial, Vacant	RA, Rural Agriculture O&I, Office and Institutional

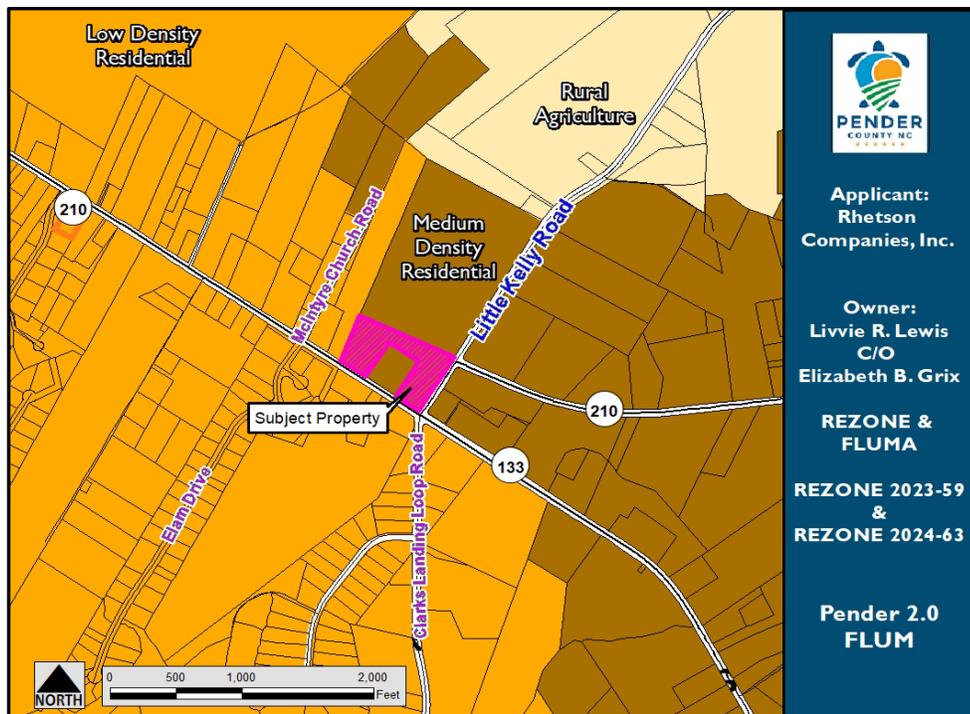
Surrounding Zoning

The subject property is currently zoned RA, Rural Agricultural. Properties in the surrounding area are currently zoned RA, Rural Agricultural; GI, General Industrial; RP, Residential Performance; and O&I, Office and Institutional as indicated by the zoning map and table above.

Pender 2.0 Comprehensive Land Use Plan Compliance

The subject property is located within the Medium Density Residential future land use category within the Pender 2.0 Comprehensive Land Use Plan (Comprehensive Plan) and as shown in the Future Land Use Map (FLUM).

Below: Future Land Use Map of the Area



Proposed Amendment to the Future Land Use Map

In conjunction with the conditional rezoning application, the applicant is also proposing to reclassify the indicated portion of the subject parcel's Future Land Use Map designation within the Comprehensive Plan from the Medium Density Residential future land use category to the Neighborhood Mixed Use future land use category.

Medium Density Residential Overview – Current Future Land Use Category

Medium Density Residential uses are vital to supporting Pender County’s growing population by strategically locating more dense residential development in areas that will not create conflicts with existing neighborhoods. These uses are in close proximity to supporting services and a mixture of development types and are generally found in the southern portion of the County. Appropriate uses include single-family residences, duplexes, townhomes, community recreation and open space uses, and neighborhood-scale institutional uses such as religious and civic organizations. Townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Clustering of new residential communities is encouraged. Planned communities may also include well-integrated neighborhood-scale commercial and office uses. Industrial and manufacturing uses, and commercial and office uses not located within a planned community, are inappropriate. Development density within this category is three to six dwelling units an acre or less.

Neighborhood Mixed Use Overview – Proposed Future Land Use Category

Neighborhood Mixed Use allows for a transition between more intense commercial, office, and residential development to lower density residential neighborhoods. The neighborhood mixed use category is primarily dedicated to non-residential uses that provide services, entertainment, and amenities to residents within a three-mile radius. Land use and development within this category is closely coordinated with existing and planned roadway transportation networks, while encouraging bicycle and pedestrian access. This future land use category should be composed of a mixture of integrated commercial, office, institutional, and single-family residential uses and is not intended to be solely reserved for mixed use developments. Single use developments that contribute toward an integrated land use pattern of appropriate commercial, office, civic, and medium density residential uses are encouraged.

Appropriate uses include neighborhood-scale retail, restaurant, and office establishments; religious and educational institutions; and higher-density single-family residences – attached and detached. Large-scale or intense commercial establishments, multi-family development, and industrial operations are not appropriate. Building footprints are generally limited to 15,000 square feet in size or smaller. These areas should be served by water and sewer infrastructure.

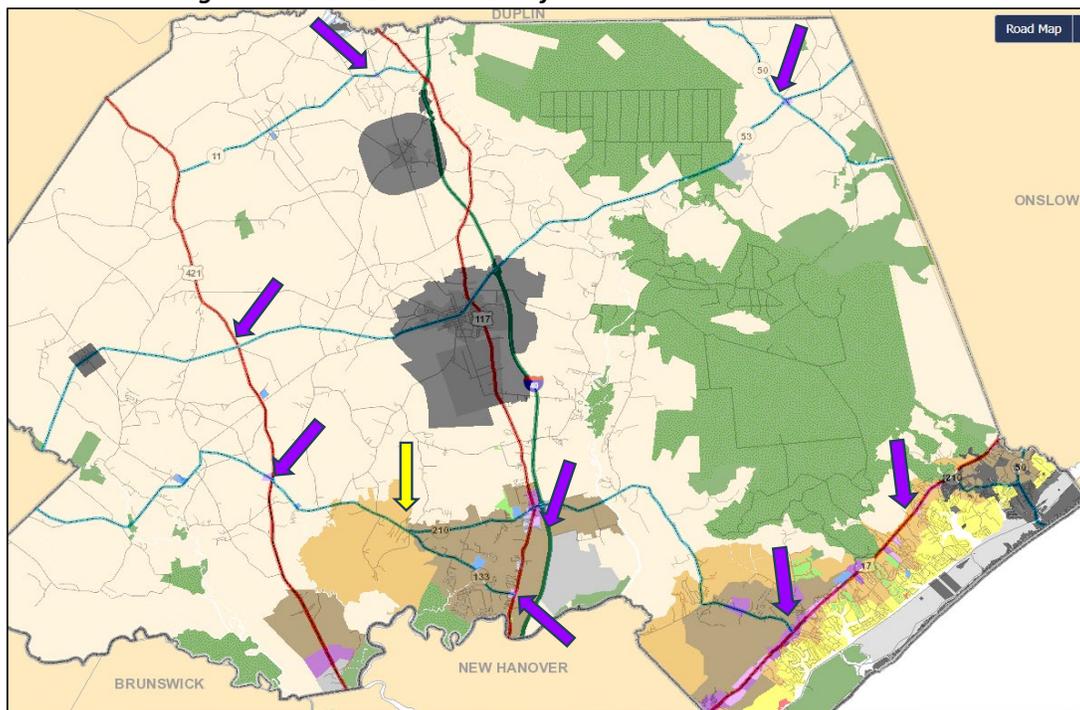
Evaluation

The proposal is not supported by the Medium Density Residential future land use category, which describes commercial uses that are not part of a master planned community as inappropriate. As noted in Figure 5 below, other similar intersections in the County, especially those where two highways meet, are designated as Neighborhood Mixed Use or Regional Mixed Use, and include commercial development. The proposed amendment to the FLUM brings this property into conformance with other similar intersections that support commercial uses that provide services to the predominantly residential uses nearby. Because this classification is typical of similar intersections, a reclassification of the property at the corner of NC Highway 210 and Little Kelly Road to Neighborhood Mixed Use would not be a deviation from the norm and would unify this intersection with other similar areas of the County. In this case, a reclassification to

Neighborhood Mixed Use could facilitate development in desired areas as sought after in the Comprehensive Plan.

Surrounding land uses include commercial, institutional and light industrial activity, which is consistent with the Neighborhood Mixed Use future land use category. As noted within the Comprehensive Plan, the Neighborhood Mixed Use future land use category supports non-residential uses that provide services to nearby residents. With the continued residential growth in Rocky Point, commercial services will be needed in this area.

Figure 5: Future Land Use Classifications at Similar Intersections



Purple Arrow: Similar Intersections Designated Neighborhood Mixed Use or zoned GB

Yellow Arrow: Subject Site

The proposal was also found to be consistent with at least five policies within the Pender 2.0 Comprehensive Land Use Plan:

Policy 5.1.C: Coordination with Infrastructure/Services: The County shall encourage development in areas where the necessary infrastructure – roads, water, sewer, broadband, and schools – is available, planned or can be most cost effectively provided and extended to serve existing and future development. Natural resource conservation should be considered.

Policy 5.1.D: Focused Growth and Development: The County supports a growth pattern that includes low density single-family residential communities, but also allows for the strategic placement of higher density residential, mixed uses, and commercial development to accommodate and support future population growth, where necessary infrastructure exists or is planned.

Policy 5.1.E: Compatible Development: The County supports new commercial and multi-family developments that blend with surrounding neighborhoods and limit traffic, noise, and light impacts on existing residential uses.

Policy 5.1.F: Conditional Zoning: The County shall continue to use the conditional zoning process as a tool for encouraging desirable development outcomes.

Policy 5.1.K: Commercial Development: The County supports a wide range of commercial development, particularly those businesses that provide needed services to residents and visitors, provided that the impacts on traffic are minimized.

Unified Development Ordinance Compliance: Section 3.3.5 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board and Board of County Commissioners before a favorable recommendation of approval for a rezoning can be made. These standards include evaluating proposals against whether adequate public facilities/services (i.e. water, wastewater, roads, schools, etc.) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change. The standards have been outlined in this report for consideration by the Planning Board and Board of County Commissioners.

3.3.9.B.3 Approval Criteria for Conditional Rezoning

When evaluating an application for the establishment of a conditional zoning district, the reviewing bodies shall consider the following:

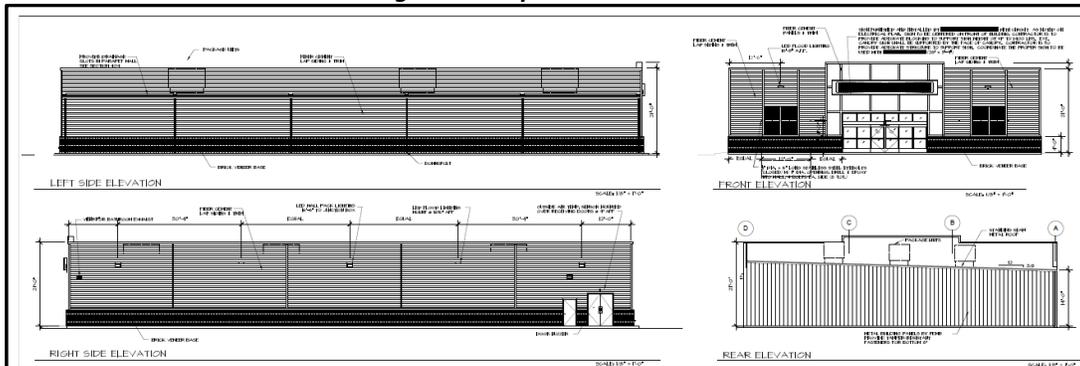
- A. The Approval Criteria for a Rezoning (Section 3.3.5).
- B. That the application meets the intent of a conditional rezoning, per this subsection.
- C. That the contents of the application are complete, sufficient, and recorded appropriately either as conditions of approval or on the associated site plan or preliminary plat, and that the appropriate procedures have been followed.
- D. The potential impacts and/or benefits on the surrounding area and adjoining properties.
- E. The report of results from the public input meeting.
- F. That sufficient guarantee is in place or can be made that any off-site impacts generated by the proposed project shall be mitigated appropriately at the time the need for the mitigating action is generated.

RECOMMENDATION

Planning staff is submitting the proposed Conditional Zoning Map and Future Land Use Map Amendment to the Board of Commissioners for disposition. The proposal is supported by five policies within the Pender 2.0 Comprehensive Land Use Plan. Based on the information outlined in this report, staff is recommending approval of the proposed Conditional Zoning Map and Future Land Use Map Amendment.

This case was first heard by the Planning Board at their February 6 meeting, where they tabled the proposal so that staff could work with the applicant to address several issues brought up while the case was being presented. The Planning Board expressed concern with the types of uses that would be allowed on site, the design standards of the proposed structure, the hours of operation, exterior lighting, and the types of signs that were proposed. In response to these concerns, the applicant agreed to additional conditions of approval that narrowed the allowable uses of the site, established architectural standards for the proposed structure that include fiber cement lap siding on the front and side facades (see elevations below), reduced the hours of operation to 8AM to 9PM, minimized light pollution on adjacent properties, and only monument signs will be used as freestanding signs. At their March 5 meeting, the Planning Board voted (3-2) to recommend approval of the proposed Conditional Zoning Map and Future Land Use Map Amendment.

Figure 6: Proposed Elevations



PROPOSED CONDITIONS OF APPROVAL

Per Section 3.3.9.B.4 of the Pender County Unified Development Ordinance, the Pender County Planning Board and the Board of County Commissioners can add reasonable and appropriate conditions based on mutually established goals with the applicant and adjacent property owners. Conditions may address parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, stormwater drainage, the provision of open space, and other matters that the participants in the public input meeting, staff, Planning Board

and County Commission find appropriate or the petitioner may propose. The following conditions have been proposed by staff:

1. The project shall comply with all requirements of the Pender County Unified Development Ordinance.
2. The project shall meet all other local, state, and federal regulations.
3. The project shall be designed such that the post development runoff from the project be no more than ten (10) percent more than the pre-development runoff for the 10-, 25-, and 50-year event and be analyzed for the 100-year event.
4. Dedicate a 10-foot-wide easement adjacent to the right-of-way along the site boundary adjacent to Little Kelly Road and NC Highway 210 for the development of a multi-use path. This easement shall be dedicated for public use.
5. Fencing along the C Buffer shall be at least 7 feet tall, measured from the grade of the parking lot.
6. Hours of operation shall be limited to 8AM to 9PM.
7. The buildings' front and side facades shall utilize fiber cement lap siding and trim materials with a four-foot stacked brick veneer wainscoting base. The entrance wall shall be broken up by approximately 64 square feet of louvered shutters on either side of the entrance doorway.
8. Monument signs shall be the only permitted free standing signs.
9. All exterior lighting shall be DarkSky compliant and shall not cast direct light beyond the property lines.
10. No sign shall be illuminated other than by uplighting and shall be lit during posted store operation hours only. No light emitted by or for a sign shall cross property lines and shall be shielded.
11. All signs shall comply with the standards set forth in Article 9 of the UDO.
12. Project elements such as mechanical equipment, storage areas, solid waste containers and handling areas shall be screened with materials similar to the structure and/or shall be located so as to not be visible from public streets.

BOARD OF COMMISSIONERS ACTION NEEDED:

TO APPROVE: Motion to approve the Future Land Use Map Amendment and to make a finding that the approval is consistent with the following policies in the Pender 2.0 Comprehensive Land Use Plan:

- 5.1.C: Coordination with Infrastructure/Services
- 5.1.D: Focused Growth and Development
- 5.1.E: Compatible Development
- 5.1.F: Conditional Zoning
- 5.1.K: Commercial Development

Motion to approve the Conditional Zoning Map Amendment and to make a finding that the approval is consistent with the following policies in the Pender 2.0 Comprehensive Land Use Plan:

- 5.1.C: Coordination with Infrastructure/Services
- 5.1.D: Focused Growth and Development
- 5.1.E: Compatible Development
- 5.1.F: Conditional Zoning
- 5.1.K: Commercial Development

The proposed rezoning is consistent with the Neighborhood Mixed Use Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan.

TO DENY: Motion to deny the Future Land Use Map Amendment and to make a finding of denial because although the proposal is consistent with five policies within the Pender 2.0 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING]...

Motion to deny the Conditional Zoning Map Amendment and to make a finding of denial because the proposal is inconsistent with the Future Land Use Map within the Pender 2.0 Comprehensive Land Use Plan. Said denial is reasonable and in the public interest and does not further the goals of the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING]...

PLANNING BOARD ACTION FOR FUTURE LAND USE MAP AMENDMENT

MOTION TO APPROVE	SECONDED
Buchanan	Pitts

APPROVED	DENIED	UNANIMOUS
Yes		No

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey
No	Yes	Absent	Yes	Absent	Yes	No

PLANNING BOARD ACTION FOR CONDITIONAL ZONING MAP AMENDMENT

MOTION TO APPROVE	SECONDED
Pitts	Buchanan

APPROVED	DENIED	UNANIMOUS
Yes		No

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey
No	Yes	Absent	Yes	Absent	Yes	No

REZONE 2023-59
Application

Pender County Planning and Community Development



805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

Conditional Zoning Map Amendment Submission (Conditional Rezoning)

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

- | | | |
|----|-------------------------------------|--|
| 1. | <input checked="" type="checkbox"/> | <p>Pre-submittal Meeting
Date of Meeting <u>10-26-2023</u></p> |
| 2. | <input checked="" type="checkbox"/> | <p>Signed Application</p> |
| 3. | <input checked="" type="checkbox"/> | <p>Payment To be paid after invoice is sent digitally.
\$500 for the first 5 acres; \$10/ acre thereafter up to 1,000 acres; \$5 per acre thereafter</p> |
| 4. | <input checked="" type="checkbox"/> | <p>Generalized Site Development Plan
All applications which specify an intended use must include a generalized site development plan drawn to a suitable scale, supporting information and text which specifies the use or uses intended for the property and any development standards to be approved concurrently with the rezoning application.</p> |
| 5. | <input checked="" type="checkbox"/> | <p>Narrative
A description and/or statement of the present and proposed land use classification and stating why the request is being made and any information that is pertinent to the case.</p> |
| 6. | <input type="checkbox"/> | <p>Public Input Meeting Report
A meeting summary shall be submitted in accordance with the Unified Development Ordinance. This item is not required at the time of application submittal but must be received by the Administrator prior to any public hearings are noticed.</p> |
| 7. | <input checked="" type="checkbox"/> | <p>Digital Submission
For all documents submitted in paper copy, a digital copy shall be sent via email or digital drive.</p> |
| 8. | <input checked="" type="checkbox"/> | <p>Adjacent Property List
A list of names and addresses, as obtained from the county tax listings and tax abstract, to the owners of all properties located within 500-feet of the perimeter of the project bounds.</p> |
| 9. | <input checked="" type="checkbox"/> | <p>Adjacent Property Envelopes
The applicant shall provide two sets of business envelopes addressed to each of the owners of all properties located within 500-feet of the perimeter of the project bounds and accompanied with the amount of postage required for first class postage. No return address shall be placed on the envelopes at the time of submission.</p> |

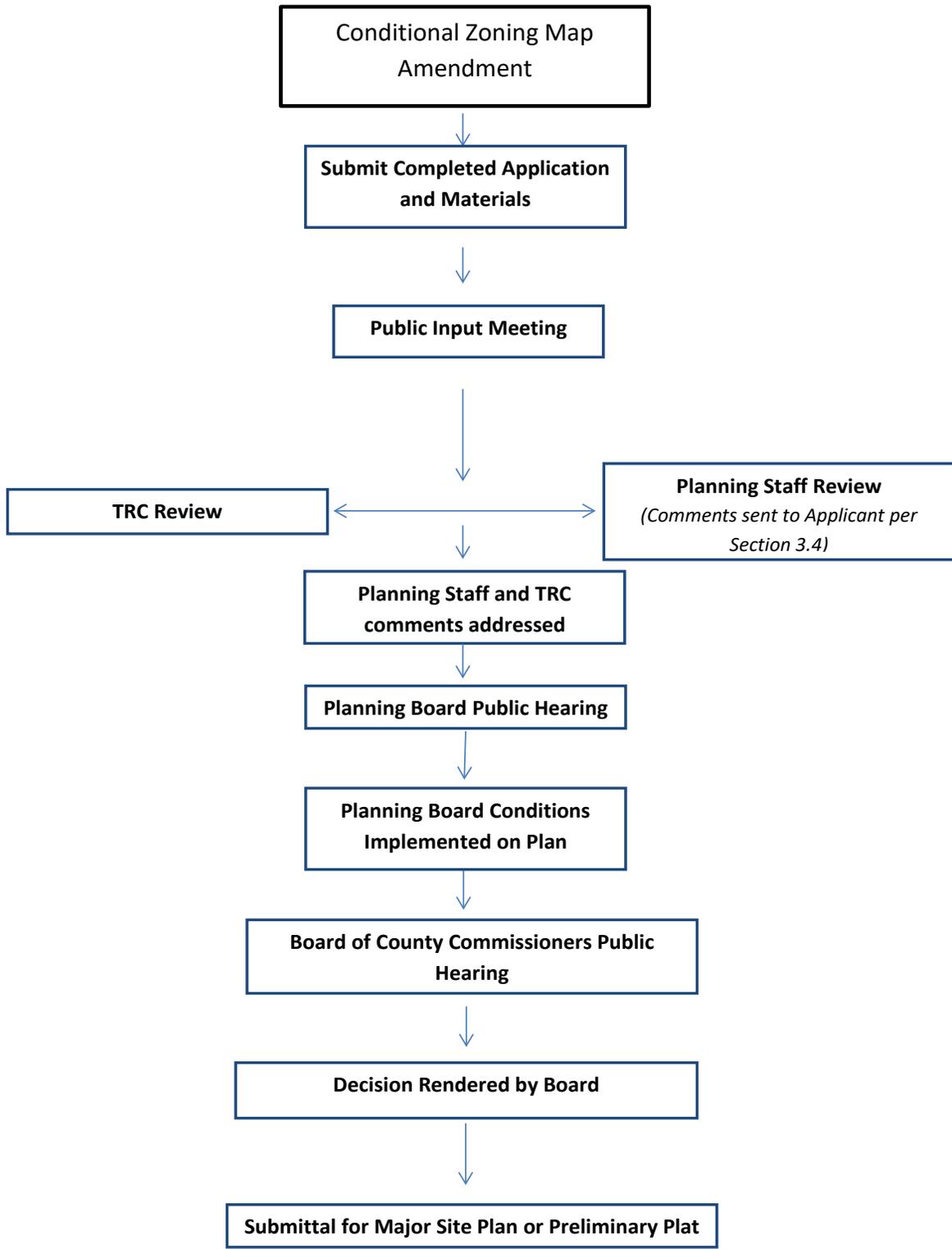
I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant *Jamie S. Encinosa*

Date 10-31-23

Printed Name Jamie S. Encinosa

Staff Initials:	
Date:	



Pender County Planning and Community Development

Planning Division

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

CONDITIONAL REZONING

Intent

- A. Conditional zoning districts hereby included are to allow for the consideration of certain uses that are permitted uses in the underlying zoning district but due to their nature may not be appropriate for a particular location.
- B. A conditional zoning district is intended for a development that has a high level of certainty of being constructed and the most commonly expected application will contain a specified use or uses on small and large scale projects.
- C. Although, it is not intended to be used for speculative purposes, a conditional zoning district applicant may include as part of the application, a list of uses which will not be developed on the property.
- D. All uses listed as part of any application must be in the same format and description as listed in the Table of Permitted Uses.
- E. The following zoning district categories are approved to be assigned conditional zoning districts: PD, RP, RM, GB, OI, IT, IG (Reference Article 4 for Zoning District Descriptions).

Application

Except as provided herein, all applications to establish a conditional zoning district must follow the regulations prescribed in this section in addition to the standard rezoning process as described in Section 3.3, Rezoning of this Ordinance.

Public Input Meeting

Prior to scheduling a public hearing on the rezoning application, **the applicant must conduct one public input meeting and file a report of the results with the Administrator.**

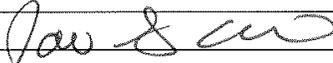
1. The report for the public hearing will include a summary of the public input meeting.
2. The applicant shall mail a notice for the public input meeting to adjoining property owners not less than ten (10) days prior to the scheduled meeting.
3. The notice shall include the time, date and location of the meeting as well as a description of the proposal.
4. The applicant's report of the meeting shall include:
 - a. A copy of the letter announcing the meeting.
 - b. A list of adjoining property owners contacted.
 - c. An attendance roster.
 - d. A summary of the issues discussed.
 - e. The results of the meeting including changes to the project's proposal, if any.

Review

When evaluating an application for the creation of a conditional zoning district, the Planning Board and Board of Commissioners shall consider the following:

1. The application's consistency to the general policies and objectives of the adopted Land Use Plan.
2. The potential impacts and/or benefits on the surrounding area, adjoining properties.
3. The report of results from the public input meeting.

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE			
Application No.	ZMA-CD REZONE 2023-59	Date	11.7.23
Application Fee	\$ 500	Invoice Number:	00036803
Pre-Application Conference		Hearing Date	TRC 12.7.23
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Rhetson Companies, Inc.	Owner's Name:	Livvie R. Lewis C/O Elizabeth B. Grix
Applicant's Address:	2075 Juniper Lake Road	Owner's Address:	3828 Echo Farms Blvd
City, State, & Zip	West End, NC, 28412	City, State, & Zip	Wilmington, NC, 28412
Phone Number:	910-944-0881	Phone Number:	910-512-4201
Email Address:	permits@rhetson.com	Email Address:	Bettyann1@ec.rr.com
Legal relationship of applicant to landowner:	Applicant under contract to purchase property		
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3214-28-8318-0000	Total property acreage:	5.65 acres
Current Zoning District:	Rural Agricultural	Proposed Zoning District:	General Business
Project Address or Location:	NC HWY 210 E, Wilmington, NC, 28412		
Proposed Uses to be Considered (Include NAICS Code):			
Single Tenant Commercial Retail Store NAICS Code: 44-45 (Retail Trade)			
Proposed Uses to be Eliminated from Consideration (Include NAICS Code):			
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	Oct 31, 2023
Applicant's Name Printed	Jamie S. Encliosa (Chief Operating Officer; Rhetson Companies, Inc.)	Date:	
Owner's Signature		Date:	Oct 29, 2023
Owner's Name Printed	Livvie R. Lewis C/O Elizabeth B. Grix	Date:	
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda 			

Conditional (Zoning Map) Amendment Checklist

<input type="checkbox"/>	Signed application form
<input type="checkbox"/>	Application fee
<input type="checkbox"/>	A list of names and addresses, as obtained from the county tax listings & tax abstract, all adjacent property owners, including property owners directly across any road or road easement, & owners of the property under consideration for rezoning.
<input type="checkbox"/>	Two (2) business size envelopes legibly addressed with first class postage for each of the adjacent and abutting property owners on the above list.
<input type="checkbox"/>	Accurate legal description or a map drawn to scale showing the property boundaries that are to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.
<input type="checkbox"/>	12 (11"x17") map copies to be distributed to the Planning Board
<input type="checkbox"/>	20 (11"x17") map copies to be distributed to the Board of Commissioners
<input type="checkbox"/>	Digital (.pdf) submission of all application materials
<input type="checkbox"/>	Public Input Meeting Report (Section 3.4.3 or see Public Input Meeting on the first page of this application)
<input type="checkbox"/>	A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties.
<input type="checkbox"/>	All applications which specify an intended use must include a generalized site development plan drawn to a suitable scale, supporting information and text which specifies the use or uses intended for the property and any development standards to be approved concurrently with the rezoning application
<input type="checkbox"/>	A generalized site development plan shall include the following items: <ul style="list-style-type: none"> <input type="checkbox"/> A vicinity map drawn to a suitable scale which illustrates adjacent or nearby roadways, railroads, waterways & public facilities. <input type="checkbox"/> A (metes and bounds) boundary of the parcel or portion of the parcel to be rezoned and developed. <input type="checkbox"/> All existing easements, reservations and rights of way. <input type="checkbox"/> Delineation of all Areas of Environmental Concern including but not limited to federal jurisdictional wetlands. <input type="checkbox"/> For residential uses, the number of units, heights and a generalized location. For non-residential uses, the height, approximate footprint and location of all structures. <input type="checkbox"/> If a known use is proposed: Traffic impact report, parking and circulation plans illustrating dimensions, intersections and typical cross sections. <input type="checkbox"/> All proposed setbacks, buffers, screening and landscaping. <input type="checkbox"/> Phasing. <input type="checkbox"/> Signage. <input type="checkbox"/> Outdoor lighting. <input type="checkbox"/> Current zoning district designation and current land use status. <input type="checkbox"/> Other information deemed necessary by the Administrator, Planning Board, or Board of Commissioners, including but not limited to a Traffic Impact Analysis or other report from a subject matter expert.

Office Use Only

ZMA-CD Fees: (<i>\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter</i>)				Total Fee Calculation: \$			
Attachments Included with Application: (Please include # of copies)							
CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large	# of 11X17	Other documents/Reports	<input type="checkbox"/> Y <input type="checkbox"/> N	
Payment Method:	Cash : <input type="checkbox"/> \$ _____			Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa		Check: <input type="checkbox"/> Check # _____	
Application received by:	Adam Moran					Date:	
Application completeness approved by:	Taylor Davis					Date: 11.7.23	
Dates scheduled for public hearing: 12.7.23 TRC		<input type="checkbox"/> Planning Board:			<input type="checkbox"/> Board of Commissioners:		

Conditional Rezoning Standards Checklist

When submitting a conditional rezoning application, the site plan and supporting materials must provide proposed standards for a variety of standards which are guided by the zoning district. This may be by requesting custom standards or by requesting the existing standards of an existing general use zoning district. Please provide proposed standards for:

<input type="checkbox"/>	Maximum density
<input type="checkbox"/>	Setbacks (Front, side, rear, corner)
<input type="checkbox"/>	Minimum lot width/Minimum chord length at the right-of-way for cul de sacs
<input type="checkbox"/>	Structure separation
<input type="checkbox"/>	Minimum lot size
<input type="checkbox"/>	Maximum building height
<input type="checkbox"/>	Permitted uses (Including NAICS code)
<input type="checkbox"/>	Buffer standards (Depth, number and type of vegetation per 100 linear feet)
<input type="checkbox"/>	Sign standards to the extent that the UDO's requirements are zoning district-specific

Where desired, the applicant must explicitly request varying standards for different uses within the conditional zoning district.

Conditional rezoning applications may not be used to vary from the general standards of the ordinance, including but not limited to:

- Traffic Impact Analysis thresholds
- Stormwater regulations
- Open space/recreational unit requirements
- Street design standards
- Off-street parking standards
- HOA requirements
- Water and wastewater requirements

The Pender County Planning Board and Board of County Commissioners may approve or deny the request entirely, or approve with modifications. Additionally, In approving a petition for the reclassification of property to a conditional zoning district, the Planning Board may recommend, and the Board of Commissioners request that the applicant add reasonable and appropriate conditions to the approval of the petition.

REZONE 2023-59
Narrative



Bohler Engineering NC, PLLC
4130 Park Lake Ave Suite 130
Raleigh, NC 27612
919-578-9000

Narrative

Project Name: Little Kelly Road & 210 Conditional Rezoning
Project Address: NC Hwy 210 E
Wilmington, NC 28412
Pender County

Developer: Rhetson Companies, Inc.
Mailing Address: 2075 Juniper Lake Road
West End, NC 28412
Phone: (910) 944-0881

This application package is requesting for the conditional rezoning of parcel 3214-28-8318-0000 located at the intersection of Hwy 210 and Little Kelly Road in Pender County. The site is currently vacant and zoned RA, rural agricultural. This this conditional rezoning process we are requesting the rezoning to GB, general business. The proposed use of the property after the conditional rezoning is for a general retail business store which can be seen in the generalized site development plan consisting of the proposed building, parking, utilities, stormwater treatment, lighting, and landscaping improvements.

ATTACHMENT 1

Site Plan

ATTACHMENT 2

Table of Permitted Uses

TABLE OF PERMITTED USES											
P=Permitted Use D=Permitted w/ Use Standards S=Special Use Approval Required SD=Special Use Approval Required w/ Additional Standards PM=Permitted in conjunction w/ the MDP process											
Use Category Specific Use Type	Ref NAICS	Residential				Mixed Use	Commercial	Industrial			Special Purpose
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
RESIDENTIAL											
SFD: Detached-Conventional		P	P	P	P	P					
SFD: Detached Zero Lot Line				P		P					
SFD-Attached: Duplex		P	P	P		P					
SFD-Attached: Multiplex				P		P					
SFD-Townhouse (5+ attached)				P		P					
Multifamily (condominium/apartment)				P		P					
Upper Story Residential						P	P	P			
Accessory Dwelling Unit		D	D	P		D					
Accessory Dwelling Unit on Non Residential Principal Uses		D				D			P	P	
Manufactured Home		P	D		P						
Manufactured Home Park					PMD						
ACCESSORY USES AND STRUCTURES											
Accessory Structures		P	P	P	P	P	P	P	P	P	
Cottage Occupations		SD	SD	SD		SD	SD				
Home Occupation		D	D	D	D	D	D				
Agritourism Activities on active farms		D	D	D	D	D	D	D	D	D	D
Sector 21: MINING, QUARRYING, OIL AND GAS EXTRACTION											
Nonmetallic Mineral Mining & Quarrying	2123	S								S	
Except: 212392 Phosphate Rock Mining											
Except: 212321 Borrow Pit Sand Mining			PMDS			PMD					
Sector 22: UTILITIES											
Fossil Fuel Electric Power Generation	221112									S	
Other Electric Power Generation	221119								S	S	
Electric Bulk Power Transmission & Control	221121	S	S	S	S	S	S	S	P	P	
Natural Gas Distribution Except Transmission Lines	221210									P	
Water Supply Facilities*	221310		S			PM				P	

Sewage Treatment Facilities*	221320		S	PMD/S		PMD/S				P	
Except: Sewage Lift Stations*		SD	SD	PMD/S	PMD/S	PMD/S	D	D	D	D	
*County Owned or County Service District Provided Systems=P											
		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 23: CONSTRUCTION											
Construction of Buildings	236						D		P	P	
Heavy and Civil Engineering Construction	237						D		P	P	
Specialty Trade Contractors	238						D		P	P	
Sectors 31-33 MANUFACTURING											
Artisan Manufacturing		S	S			P	P		P		
Food Manufacturing	311									P	
Beverage and Tobacco Product Manufacturing	312									P	
Textile Mills	313									P	
Textile Product Mills	314									P	
Apparel Manufacturing	315									P	
Wood Product Manufacturing	321								P	P	
Truss Manufacturing	321214						S		P	P	
Prefabricated Wood Building Manufacturing	321992						S		P	P	
Prefabricated Metal Building and Component Manufacturing	332311						S		P	P	
Paper Manufacturing	322									S	
Converted Paper Product Manufacturing	3222									P	
Printing and Related Support Activities	323								P	P	
Petroleum and Coal Products Manufacturing	324									S	
Synthetic Dye and Pigment Manufacturing	32513									P	
Other Basic Organic Chemical Manufacturing	32519									P	
Resin, Synthetic Rubber & Artificial Synthetic Fibers and Filaments Manufacturing	3252									P	
Pharmaceutical Manufacturing	3254								P	P	
Paint, Coating and Adhesive Manufacturing	3255									P	

Motor Vehicle and Parts Dealers	441	S					P		P		
Furniture and Home Furnishings Stores	442						P		P		
Electronics and Appliance Stores	443	S				P	P		P		
Building Material, Garden Equipment & Supplies Dealers	444	S					P		P	P	
Food and Beverage Stores	445	S	S			P	P		P		
Health and Personal Care Stores	446	S	S			P	P	P	P		
Gasoline Stations	447	S				P	P		P		
Clothing and Clothing Accessories Stores	448	S				P	P		P		
Sporting Goods, Hobby, Book, and Music Stores	451					P	P		P		
Miscellaneous Store Retailers	453	S				P	P				
Non store Retailers	454	S				P	P		P		
Liquefied Petroleum Gas Dealers	454312										P
Sectors 48-49: TRANSPORTATION AND WAREHOUSING											
Air Transportation	481								P	P	
Rail Transportation	482								P	P	
Truck Transportation	484								P	P	
Transit and Ground Passenger Transportation	485								P	P	
Interurban and Rural Bus Transportation	4852						P		P	P	
Taxi and Limousine Service	4853						P		P	P	
School and Employee Bus Transportation	4854								P	P	
Charter Bus Industry	4855								P	P	
Support Activities for Transportation	4881								P	P	
Support Activities for Road Transportation	4884	S					P		P	P	
Postal Services	491110	S	S			P	P	P			
Couriers and Messengers	492						P	P	P	P	
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC

Sectors 48-49: TRANSPORTATION AND WAREHOUSING											
Warehousing and Storage	493	S							P	P	
Sector 51: INFORMATION											
Information	51					P	P	P	P	P	
Finance and Insurance	52	S	S			P	P	P	P	P	
Sector 53: REAL ESTATE AND RENTAL AND LEASING											
Real Estate and Rental and Leasing	53	S	S			P	P	P	P	P	
Commercial and Industrial Machinery and Equipment Rental and Leasing	5324								P	P	
Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES											
Professional, Scientific, & Technical Services	54	S	S			P	P	P	P	P	
Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES											
Management of Companies and Enterprises	55	S	S			P	P	P	P	P	
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDATION SERVICES											
Administrative and Support Services	561	S				P	P	P	P	P	
Solid Waste Collection Public	562111	P	P	P	P	P	P	P	P	P	
Solid Waste Collection Private	562111										S
Solid Waste Landfill	562212										S
Solid Waste Combustors and Incinerators	562213										S
Other Nonhazardous Waste Treatment and Disposal	562219	S					S		S	S	
Remediation Services	562910										S
Materials Recovery Facilities	562920										S
All Other Waste Management Facilities	56299										S
Sector 61: EDUCATIONAL SERVICES											
Educational Services	611	P	S			P	P	P			

Business Schools, Computer & Management Training	6114	S				P		P	P		
Technical and Trade Schools	6115	S				P	P	P	P	P	
Other Schools and Instruction	6116	S				P	P	P	P		
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Ambulatory Health Care Services	621					P	P	P			
Except: Outpatient Mental Health and Substance Abuse Centers	62142						P	S			
Hospitals	622	S				P	P	P			
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Except: Psychiatric and Substance Abuse Hospitals	6222							S			
Except: Outpatient Mental Health and Substance Abuse Hospitals	62142						S	S			
Nursing and Residential Care Facilities	623	S	S			P	P	P			
Except: Residential Mental Retardation, Mental Health & Substance Abuse Facilities	6232	S						S			
Social Assistance	624	S				P	P	P			
Vocational Rehabilitation Services	6243						P	P	P	P	
Sector 71: ARTS, ENTERTAINMENT, AND RECREATION											
Performing Arts Companies	7111	S				P	P				
Spectator Sports	7112	S					P		P		
Promoters of Performing Arts, Sports and Similar Events	7113	S				S	S				
Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures	7114					P	P	P			
Museums, Historical Sites and Similar Institutions	712	S				P	P	P			
Amusement and Theme Parks	713110	S				S	S				
Amusement Arcades	713120						P				

Golf Courses and Country Clubs	713910	S	PM			P					
Fitness & Recreational Sports Centers	713940	S				P	P	P	P		
Bowling Centers	71395					P	P	P	P		
All Other Amusement & Recreation Industries	71399	S				P	P		P		
Aviation Clubs, Recreational	713990	S	S			P	P		P		
Canoeing, Recreational	713990	S	S			P	P		P		
Fishing Clubs, Recreational	713990	S	S			P	P		P		
Flying Clubs, Recreational	713990	S	S			P	P		P		
Guide Services (i.e. Fishing, Hunting, Tourist)	713990	S	S			P	P		P		
Horse Riding, Recreational	713990	P	S								
Outdoor Shooting Ranges	713990	S									
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 72: ACCOMMODATIONS AND FOOD SERVICES											
Hotels and Motels	72111					P	D	D			
Bed and Breakfast Inns	721191	S	S		S	P	P				
All Other Traveler Accommodation	721199	S	S		S	P	P				
RV Parks and Recreational Camps	7212	SD					SD				
Recreational and Vacation Camps	721214	S									S
Rooming and Boarding Houses	721310	S				P	P				
Full Service Restaurants	7221	S				P	P	P	P	P	
Limited Service Eating Places	7222	S				P	P	P	P	P	
Special Food Services	7223	S				P	P	P	P	P	
Drinking Places (Alcoholic Beverages)	7224	S				P	P				
Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION											
Automotive Repair and Maintenance	8111	S					P		P	P	
Electronic and Precision Equipment Repair and Maintenance	8112	S					P	P	P	P	

Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	8113								P	P	
Personal and Household Goods Repair and Maintenance	8114	S				P	P	P	P	P	
Personal Care Services	8121	P	S			P	P	P	P		
Funeral Homes and Funeral Services	81221	S					P	P	P	P	
Cemeteries and Crematories Except: Private Cemetery	81222	S	S			S	S	S	S	S	
Coin Operated Laundries and Drycleaners	812310	P				P	P				
Dry-cleaning and Laundry Services	812320	S				P	P		P	P	
Linen & Uniform Supply	81233								P	P	
Other Personal Services	8129	S				P	P	P	P		
Pet Care Services	812910	D					D		D	D	
Religious Organizations	8131	P	S			P	P	P	P		
Grant making and Giving Services	8132					P	P	P	P		
Social Advocacy Organizations	8133					P	P	P	P		
Civic and Social Organizations	813410	S	S			P	P	P			
Business, Professional, Labor, Political and Similar Organizations	8139					P	P	P	P		
Public Administration	92	P	P	P	P	P	P	P	P	P	
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
MISCELLANEOUS USES											
Adult and Sexually Oriented Businesses									S	S	
Adult Retail									S	S	
Bona fide Farm Purposes		D	D	D	D	D	D	D	D	D	D
Child Care Center		P	S			S	P	P			
Community Boating Facility		SD	SD	SD	SD	SD					
Community Boating Facility in conjunction with a Master Development Plan		SD	PMD	PMD	PMD	PMD					
Disaster Volunteer Housing		D	D	D	D	D	D	D	D	D	

Family Care Home		D	D	D	D	D					
Family Child Care Home		P	P			P	P	P			
Industrial Park										SD	
Marina (Commercial)		SD	PMD			PMD					
Portable Storage Containers		D	D	D	D	D	D	D	D	D	
Private Cemetery less than 6,000 sq. ft.		D	D				D	D	D		
Private Cemetery 6,000 sq. ft. and larger		S	S				S	S	S		
Public Parks		P	P	P	P	P	P	P	P	P	
Private Residential Boating Facility		D	D	D	D	D					
Salvage Operations		S								D	
Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage		S							P	P	
Storage of boats and watercraft outdoors or on dry stack structures							S				
Sweepstakes Center							SD		SD	SD	
Telecommunication Facilities		SD	SD			SD	SD	SD	SD	SD	
Telecommunication Facilities – Public Safety		SD	SD			SD	SD	SD	SD	SD	
Temporary Manufactured Homes		P	P			P					
Temporary Modular/Manufactured Offices						P	P	P	P	P	
Temporary Fruit & Vegetable Stands		P	P								
Temporary Buildings for Construction or Development		D	D	D	D	D	D	D	D	D	
Temporary Events		D					D	D	D	D	

5.3 USES WITH STANDARDS

5.3.1 General

A. These standards shall only apply to those districts and uses where the “S”, “PM” or “D” is designated on the use table in Section 5.2.3. In addition to these standards the use shall be permitted in compliance with the general development standards of the underlying

ATTACHMENT 3
Public Input Meeting Packet



Bohler Engineering NC, PLLC
4130 Park Lake Ave Suite 200
Raleigh, NC 27612
919-578-9000

*****NOTE: THIS IS A CORRECTION LETTER TO A PREVIOUSLY SENT PUBLIC INPUT MEETING NOTICE. THE MEETING REFERENCED IN THE PREVIOUS MEETING NOTICE WILL NO LONGER BE HELD AT PETE'S PLACE FAMOUS HOTDOGS. THE COMMUNITY MEETING WILL TAKE PLACE AT RILEY'S CREEK BAPTIST CHURCH. PLEASE SEE THE ADDRESS BELOW. WE SINCERELY APOLOGIZE FOR ANY INCONVENIENCE THIS CHANGE MAY CAUSE. *****

December 5, 2023

Dear Rocky Point Area Property Owner:

The purpose of this letter is to notify you of an application filed with Pender County for a conditional rezoning involving property adjacent to, or in close proximity to, property shown in your ownership by Pender County tax records. Per Pender County regulations, a Public Input Meeting will be held to provide information to area residents about the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: December 20, 2023

Meeting Time: 5:30 pm – 7:00 pm

Meeting Location: Riley's Creek Baptist Church
19845 State Hwy 210, Rocky Point, NC 28457

Type of Application: Conditional Rezoning Application

Project/proposal property address: PIN 3214-28-8318-0000
State Hwy 210 & Little Kelly Road, Rocky Point, NC 28457

Description of project/proposal: Proposed commercial retail business with associated parking, utility, landscaping, & lighting improvements

Upcoming public meetings for this application (Planning Board and/or Town Council): TBD

At a minimum, the following will be available for your inspection at the Public Input Meeting:

1. A copy of the project application.
2. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
3. A map, drawing, or other depiction of the proposed land use change or development proposal.

A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at 919-578-9000. You may also contact the Planning Department at 910-259-1734.

Sincerely,

Bohler Engineering

Cc: Pender County Planning and Community Development

www.BohlerEngineering.com

ANDREW + DANA O'DONNELL
RECKLESS SOUL RANCH @ GMAIL.COM

18130 NC HWY 210, ROCKY POINT, NC

Public Input Meeting Sign-In Sheet

<u>Name(s)</u>	<u>Address</u>
Dave McBride	382 Scott Rd Rocky Point, NC 28457
Joe Bonse la ar	125 Woodcroft Ln Rocky Point, NC 28457
Kate & John LaSala	91 Grand Oaks Blvd Rocky Point NC 28457
SONDRA + JAMES Ray	447 Apple Blossom Rocky Point NC 28457
Cal Lewis	3500 N.C. Hwy 133 R. P. 28457
Charlie Caldwell	951 Clarks Landing Rd Caldwell Family, 28457
Jody McPherson	781 Clarks Landing Rd (R.P.)
John & Ashley Huggins	199 Brewington Dr Burgaw, NC 28425
Amy Price	5890 Herrings Chapel Rd RP 28457
Theresa Vavaroutsas	125 Woodhaven Dr. Rocky Point
Chris Vavaroutsas	
Patty Shellhaas	132 Woodcroft Ln. Rocky Point,
Cyndee Shellhaas	Cyndee 62757@gmail

Public Input Meeting Sign-In Sheet

<u>Name(s)</u>	<u>Address</u>
Grace Smallwood Edna Lewis Susie Collins	80 McINTYRE Church Rd ACROSS from St. Paul Church in MalPASS Corner WOODCRAFT
David W. Houghly	
Marcia Horton	1522 Clarks Landing Rd Rocky Point, NC 28457
Janet Eusiza	3931 NC Hwy 133 Rocky Point NC 28457
Steve Mathis	109 Timber Trails Rocky Point 28457
Carolyn Albury + George Albury	25 Elam Drive Rocky Point NC 28457
Darren Anderson	127 Clarks Landing Rd RP 28457
Ben Cherry	145 Clarks Landing Rd R.P. 28457
Nick + Trice Blair	17785 NC HWY 210 Rocky Point, NC 28457
CHARA + Rodney Maxwell	734 North DR Rocky Point N.C. 28457

Amie Beegle 743 Clarks Landing Rd. Rocky Point
 Adrianna Pickett 154 Nixon Ave, Rocky Point 28457 28457
 Suzanne / James Walton 910 Clarks Landing Rd Rocky Point
 Chris + Brandi Parrish 778 Clarks Landing Rd. 28457 28457
 Brian + Tracy Morrison 46 Russell Ct. Rocky Point 28457
 DAN + SARA KEMER 18660 NC HWY 210, Rocky Point
 Ben Beal 123 Woodcroft Ln 28457
 Megan Beal Bimmerpope@gmail.com
 123 Woodcroft Ln Rocky Point NC
 Amber Krause 565 Clarks landing loop rd Rocky Point
 Justin Krause → same (email - Ambernwalton00@gmail.com)
 DAVID LATHAM 19430 NC 210 Rocky Point
 Betty Ann Griep Wilmington
 CHRIS STEPHENS 5022 WRIGHTVILLE AVE Wilmington
 Pearl [Signature] 961 SCOTT RD - Rocky Point, NC
 [Signature] janetersign@gmail.com



Bohler Engineering NC, PLLC
4130 Park Lake Ave Suite 130
Raleigh, NC 27612
919-578-9000

Project Name: Little Kelly Road & 210 Conditional Rezoning
Project Address: NC Hwy 210 E
Wilmington, NC 28412
Pender County

Developer: Rhetson Companies, Inc.
Mailing Address: 2075 Juniper Lake Road
West End, NC 28412
Phone: (910) 944-0881

Summary

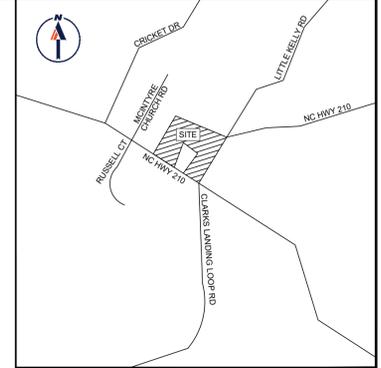
A public input meeting was held on December 20, 2023 at Riley's Creek Baptist Church located at 19845 NC Hwy 210 in Rocky Point, North Carolina. Below is a summary of concerns that were voiced by those in attendance as it relates to the proposed project located at the corner of Little Kelly Road and NC Hwy 210 in Rocky Point, North Carolina.

- Concerns with what community **ASSUMES** is a dollar store type retail.
- No commercial development of any kind: Concerns with disturbing their "country" living
- Intersection/traffic with store at intersection of 210 and Little Kelley
- Drainage
- Lighting
- Landscaping

ATTACHMENT 4

Survey

- NOTES:**
1. THE FIRM HAS NEITHER REVIEWED, NOR RELIED UPON A TITLE COMMITMENT OR ANY TITLE REPORT IN AND WHILE PREPARING THIS SURVEY AND THE CLIENT SHOULD NOT RELY UPON THIS SURVEY AS ASSURANCE OF OWNERSHIP, AS A GUARANTEE OF MARKETABLE TITLE OR FOR DISCLOSURE OF TITLE EXCEPTIONS THAT MAY, COULD OR DO ENCOMBER THE PROPERTY. THE CLIENT MUST ENGAGE A TITLE AGENT / TITLE INSURANCE COMPANY FOR REVIEW AND CONFIRMATION OF, AND INSURANCE REGARDING MARKETABLE TITLE.
 2. AREAS COMPUTED BY COORDINATE METHOD.
 3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
 4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 5. RIGHTS-OF-WAY INFORMATION IS BASED ON DEEDS AND MAPS OF RECORD.
 6. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS, PER THE NCVRS NETWORK.
 7. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).
 8. VERTICAL DATUM SHOWN HEREON IS NAVD88.
 9. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X" AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720321400L PANEL 3214 EFFECTIVE DATE FEBRUARY 16, 2007.
 10. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED AT THE TIME OF THE SURVEY.
 11. NO EVIDENCE OF STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED AT THE TIME OF THE SURVEY.



VICINITY MAP
NOT TO SCALE

- REFERENCES:**
- DB 358, PG 205
 - DB 478, PG 2551
 - DB 2237, PG 334
 - BM 58, PG 99
 - PB 26, PG 40



SURVEYOR CERTIFICATION

I, THOMAS E. TEABO, PLS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, FROM DEED AND MAP REFERENCES AS NOTED ON SAID MAP. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FROM DEED AND MAP REFERENCES AS NOTED ON SAID MAP.

THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY OF THE SURVEY AS CALCULATED IS 1:10,000+ THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION OF RECORD, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH TITLE 21, CHAPTER 56, NCAC, AS AMENDED.

I HEREBY CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: "CLASS A"
- (2) POSITIONAL ACCURACY: 0.04"
- (3) TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC NETWORKS-NCVRS
- (4) DATES OF SURVEY: 11/21/2023-12/20/2023
- (5) DATUM/EPOCH: NAD 83 (2011) EPOCH 2010.00
- (6) PUBLISHED FIXED-CONTROL USE: NCVRS
- (7) GEOID MODEL: 2016 (CONUS)
- (8) COMBINED GRID FACTORS: 0.99997947
- (9) UNITS: US SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 20TH DAY OF DECEMBER A.D., 2023.

PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES

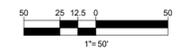
SURVEYOR NC L-3920



BOHLER ENGINEERING- ALL RIGHTS RESERVED. THE SURVEYING AND ENGINEERING INFORMATION CONTAINED HEREIN IS THE PROPERTY OF BOHLER ENGINEERING AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BOHLER ENGINEERING.

LEGEND

	LINE SURVEYED		UTILITY POLE
	LINE NOT SURVEYED		WATER METER
	EXISTING CONTOUR		FIBER OPTIC MARKER
	EXISTING SPOT ELEVATION		TELEPHONE PEDISTAL
	WATER VALVE		SIGN
	OVERHEAD WIRES		MAIL BOX
	APPROX. LOC. UNDERGROUND FIBER OPTIC LINE PER UTILITY MARKOUT		AREA LIGHT
	APPROX. LOC. UNDERGROUND WATER LINE PER UTILITY MARKOUT		CLEAN OUT
	APPROX. LOC. UNDERGROUND TEL. LINE PER UTILITY MARKOUT		GUY WIRE
	APPROX. LOC. UNDERGROUND CABLE LINE PER UTILITY MARKOUT		IRON REBAR FOUND
			IRON PIPE SET
			COMPUTED POINT



TO:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(A), 8, 9, 13, 16 AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 05, 2023.

PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES

THOMAS E. TEABO, PLS
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR NO. L-3920

THIS CERTIFICATION IS MADE TO ONLY NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY THE NAMED PURCHASER. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR THE USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY APPLICANT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.

DATE

ALTA/NPS LAND TITLE SURVEY FOR
RHETSON COMPANIES, INC.
PIN: 3214-28-8318-0000
DB 2478, PG 48
PB 58, PG 99
TOWN OF ROCKY POINT
LONG CREEK TOWNSHIP
PENDER COUNTY, NORTH CAROLINA

FILE NO. NCB230212
DATE 12/20/2023
FIELD DATE 12/05/2023

BOHLER ENGINEERING
4330 PARKLASE AVENUE, SUITE 200
RALEIGH, NORTH CAROLINA 27612-9158 (919) 800-1100
www.bohlerengineering.com

CREW CHIEF	DRAWN	REVIEWED	APPROVED	SCALE	DWG. NO.
JR/JL	AH	TET	TET	1"=50'	1 OF 1