



**MINUTES**  
**Board of County Commissioners Meeting**  
**Tuesday, February 20, 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 Vice Chair Newton gave the invocation.

**3 PLEDGE OF ALLEGIANCE**

3.1 Commissioner Hardee led the Pledge of Allegiance.

**4 ADOPTION OF AGENDA**

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to Adopt the Agenda*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
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 Public Information Regarding County Public Advertising

Meg Blue, Finance Director, presented a presentation regarding Pender County's advertising. Blue stated Pender County has received numerous public record requests regarding its spending with the Pender-Topsail Post and Voice recently. Blue discussed what is required by statute to advertise and what Pender advertises in addition to maintain transparency, consistency, and awareness with the public. Pender County only has two options to advertising: The Pender-Topsail Post and Voice and Wilmington Star News. Blue stated that Wilmington Star News is more expensive and typically only used for time sensitive or specific matters. Additionally, Star News does not have enough space to print everything Pender County requires. Blue went over the 2023 increased spending for advertisement. Much of the cost was due to backlogged tax foreclosures from Covid. Blue answered questions from the Board.

**7 PUBLIC COMMENT FOR AGENDA ITEMS**

7.1 Michael Taylor spoke on Agenda Item 9.1 Proposed Historical Marker Gift. Taylor stated his opposition to the staff recommendation to deny the marker.

**8 CONSENT AGENDA**

8.1 Refund/Release Requests for items meeting NC G.S 105-381

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

*Motion to Adopt the Consent Agenda.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Fred McCoy	x			
Jacqueline A. Newton	x			

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

CARRIED.

- 8.2 Resolution Authorizing the Acquisition of the Scotts Hill Elevated Tank Site
- 8.3 Resolution Authorizing Acquisition of Property Adjacent to Malpass Corner Elementary
- 8.4 Resolution Authorizing Disposition of Property Adjacent to Malpass Corner Elementary for a Public Purpose
- 8.5 Approval of a Budget Amendment to Increase Health Department Revenues and Expenditures for Fiscal Year 2023-2024: \$53,883
- 8.6 Approval of a Budget Amendment to Increase Health Department Revenues and Expenditures for Fiscal Year 2023-2024: \$15,000

**9 APPROVALS AND RESOLUTIONS**

9.1 Proposed Courthouse Historical Marker Gift

Sarah Taylor, Assistant to the County Manager, presented the item. The marker would be paid for by Ms. Johanson, a Pender County citizen. Taylor discussed the proposed wording on the sign. Taylor stated staff will be bringing a new master plan for the courthouse yard later this year, so it is recommended to deny the marker now and revisit it at a later date. Taylor answered questions from the Board.

Moved by Fred McCoy, seconded by Jacqueline A. Newton

*Motion to Approve the Proposed Courthouse Historical Marker Gift.*

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

CARRIED.

9.2 Order to Advertise 2023 Tax Liens

Melissa Radke, Tax Administrator, presented the order to advertise 2023 tax liens. Radke is required to get Board approval before advertising can begin. These will be advertised between March and June 2024.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to Approve the Order to Advertise 2023 Tax Liens.*

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

CARRIED.

9.3 Approval of Budget Amendment and Purchase Order to purchase 13 Ford Explorers in the amount of \$735,800.00.

Sheriff Cutler presented the item with Meg Blue, Finance Director, there to assist with finance questions. Sheriff Cutler explained that vehicle replacements are typically approve in the budget. Vehicles are expected to be replaced every 3-5 years depending on the wear and tear. The sheriff's department has many of these vehicles going on year eleven. They are breaking down from age and mileage. Performance Automotive in Clinton, NC has thirteen (13) Ford Explorers available at \$56,600.00 per a unit. Money for these cars is available in the general fund. Blue answered financial questions from the Board.

Moved by Fred McCoy, seconded by Jacqueline A. Newton

*Motion to Approve the Budget Amendment and Purchase Order to Purchase 13 Ford Explorers in the amount of \$735,800.00.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			

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

CARRIED.

9.4 Consideration of contract and purchase order with Clarion Associates, LLC to complete new comprehensive land use plan

Daniel Adams, Planning Director, presented the item. Staff recommend awarding a contract to Clarion Associates, LLC to complete the new comprehensive land use plan. Planning received many responses to the RFQ, and staff worked the list down to four of the best candidates. Clarion Associates stood out the most. The original budget for the project was \$150,000.00. Clarion Associates, LLC is more expensive, but compromised at a cost of \$168,000.00. Adams answered questions from the Board.

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

*Motion to Approve contract and purchase order with Clarion Associates, LLC to complete new comprehensive land use plan.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
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 Vehicle Replacement Policy

Jeremy Drummond, Facility and Fleet Director, presented the vehicle replacement policy. Drummond stated the policy establishes guidelines that are time and cost efficient for the county. The policy is based on four criteria with a four-point grade scale. Drummond answered questions from the Board.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to Approve the Vehicle Replacement Policy.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
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 Board Discussion of Order of Business Change

The Board discussed moving closed session on the agenda to begin at 4:00PM with the public session beginning at 5:00PM. The Board members agreed to test the change on a six-month trial beginning April 2nd, 2024. The 4:00PM closed session change will only occur at meetings that do not have a 7:00PM public hearing.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to amend the Order of Business for a six-month trial beginning April 2, 2024, for all regular meetings that do not have a public hearing.*

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

CARRIED.

**11 APPOINTMENTS**

11.1 Volunteer Agriculture District Board

Lexi Stanfield, Clerk to the Board, presented the item. The Board discussed appointing Stephen (Tommy) Batson to the Board. Batson's

will begin September 1, 2023, and expire on August 31, 2026.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to Appoint Stephen Batson to the Volunteer Agriculture District Board.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
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**

12.1 Anthony Colon, Utilities Director, stated he received a quote of \$37 million for twenty miles of pipes. Colon stated he was not happy about the cost, but time is of the essence. He should have an agenda for this at the second meeting in April.

**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**

18.1 Medicaid Expansion Update

Wes Steward, Social Services Director, gave an update on the Medicaid Expansion and his department. Stewart reported the number of applications from 2022 compared to 2023. He discussed the call volume of his office and voiced his appreciation to Board for approving additional positions. Stewart reported there are an increase in nutritional applications, phone calls, and foot traffic. Stewart covered the

applications' criteria. Beginning March 1, 2024, DSS will be working out of the Hampstead Annex five days a week from 9AM to 4PM.

**19 PUBLIC COMMENT**

- 19.1 Olive Hollinger voiced her frustration with the permitting department and asked the Board to review the planning and permitting policies.
- 19.2 Larry Bolick vocalized his support for Ms. Hollinger and all others like her.

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

- 20.1 Trey Thurman, County Attorney, requested the Board go into closed session pursuant to item three (3) Attorney Client Privilege including Coastal Pines Solar Farm vs Pender County and item six (6) Personnel.
- 20.2 David Andrews, County Manager, stated Pender Commerce Park was eligible for an award on Thursday and reminded the public of the Moore's Creek Battlefield Anniversary on Saturday and the Water Company Public Meeting at 7PM on Monday.
- 20.3 Allen Vann, Assistant County Manager, gave a small update on Focus Broadband.
- 20.4 Commissioner Groves spoke about complaints with drainage in Rocky Point. He vocalized his support for local vendors on the courthouse masterplan. Commissioner Groves posed the question on how to help Ms. Hollinger.
- 20.5 Vice Chair Newton stated Representative Rouzer thanked Pender County for their involvement with water resiliency.
- 20.6 Commissioner McCoy spoke about the upcoming Moore's Creek Battlefield reenactment and celebration.
- 20.7 Chair George briefly spoke about the upcoming water company meeting on Monday. He also shed light on the "Stop the Fight, Support the Light" group working to get a stoplight up in an area previously denied by the commissioners. Chair George stated he'd like the Board to write a letter of support. Lastly, Chair George recommended a tree ordinance to protect older trees,

**21 CLOSED SESSION (IF APPLICABLE).**

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to go into closed session pursuant to item three (3) Attorney Client Privilege including Coastal Pines Solar Farm vs Pender County and item six (6)*

*Personnel.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
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 Fred McCoy

*Motion to exit closed session and enter into open session for the 7PM Hearing.*

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

CARRIED.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to excuse Commissioner Hardee from the 7PM Public Hearing.*

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

CARRIED.

**AMENDMENTS/ RESOLUTIONS**

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

Item was Continued until the March 11, 2024, BOCC meeting.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to Continue the Item.*

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

CARRIED.

22.2 REZONE 2023-58: Request to rezone one parcel totaling approximately 1.52 acres from the PD, Planned Development zoning district to the GB, General Business zoning district in the Topsail Township

Tucker Cherry, Planner, presented the item. The applicants are Weston Lyall, LLC. The owners are Shugart Family Properties, LLC. The surrounding properties are zoned general business, residential performance, and planned development. The average daily traffic volume as of 2020 is 38,000 with a capacity of 44,478. Staff recommend the rezoning. The planning Board unanimously approved the item. It is consistent with five policies in the future land use plan. Jeremy Shugart, owner, addressed the Board stating he wanted to bring more jobs and business to the county.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to Approve the Request to rezone one parcel totaling approximately 1.52 acres from the PD, Planned Development zoning district to the GB, General Business zoning district in the Topsail Township.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Fred McCoy	x			
Jacqueline A. Newton	x			

Jerry Groves	x			
Wendy Fletcher-Hardee				x
Brad George	x			
	4	0	0	1

CARRIED.

**23 ADJOURNMENT**

Moved by Jacqueline A. Newton, seconded by Fred McCoy

*Motion to Adjourn the Meeting at 7:10PM*

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

CARRIED.