



MINUTES
Board of County Commissioners Meeting
Monday, April 15, 2024 4:00 PM
Pender County Public Assembly Room

MEMBERS PRESENT: Brad George
 Wendy Fletcher-Hardee
 Jerry Groves

MEMBERS ABSENT: Fred McCoy
 Jacqueline A. Newton

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

1 CALL TO ORDER

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

2 INVOCATION

2.1 Commissioner Fletcher-Hardee gave the invocation.

3 PLEDGE OF ALLEGIANCE

3.1 Commissioner Groves led the Pledge of Allegiance.

4 ADOPTION OF AGENDA

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Excuse Commissioners McCoy and Newton.

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

Hardee				
Brad George	x			
	3	0	0	2

CARRIED.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Table Item 9.5

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

CARRIED.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Add Item 9.8 Cape Fear Memorial Bridge - Multimodal Project Discretionary Grant Request for Resolution

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

CARRIED.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Adopt the Agenda with the Changes Made.

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

Wendy Fletcher-Hardee	x			
Brad George	x			
	3	0	0	2

CARRIED.

5 PUBLIC HEARING

6 PUBLIC INFORMATION

6.1 Proclamation naming April 2024 as Child Abuse Prevention Month in Pender County

Amy Feath from Carousel Child Advocacy Center presented the item. Feath read off the proclamation which provided statistics around child abuse and preventative measures.

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Motion to Adopt the Proclamation.

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

CARRIED.

6.2 2024 Child Abuse Prevention Month

Wes Stewart, DSS Director, introduced Latasha Canady to the Board. Canady is a social services supervisor. Canady informed the Board of upcoming events with the social services department including the April 20th Child Abuse Prevention Month Event. The event will have a variety of activities including games, face painting, and food.

6.3 Vietnam War Commemoration

Michelle Leach, Veteran's Services Director, presented the item. March 28th marked the fiftieth anniversary of the Vietnam War. Pender County was recognized as a Commemorative Partner. Leach thanked and

recognized Veteran's Services staff.

7 PUBLIC COMMENT FOR AGENDA ITEMS

8 CONSENT AGENDA

8.1 Capital Project Budget Ordinance Amendment - Hampstead Kiwanis Park Phase 4

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Adopt the Consent Agenda

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

CARRIED.

8.2 Capital Project Budget Ordinance Amendment - Central Pender Park

8.3 Approval of a Purchase Orders for Opioid Settlement Funds in the amount of \$536,780

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

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

8.6 Gift Donation from Smithfield

8.7 Concurrent BOCC March Meetings Minutes

8.8 March 11, 2024, BOCC Special Meeting Minutes

9 APPROVALS AND RESOLUTIONS

9.1 Consideration of Adoption of NC 210 East Coast Greenway Feasibility Study

Adam Moran, Pender County Long Range Planner, presented the item. The East Coast Greenway Feasibility Study was conducted in 2023 over the course of a year. The goal of the study was to provide safe trail access to the public. Moran covered the process timeline of the study,

regional parties involved, public input meetings, surveys and their results. Moran discussed the next steps in the study.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Approve the Adoption of NC 210 East Coast Greenway Feasibility Study

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

CARRIED.

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

Jared Cass, Project Manager, presented the item. Cass explained a Commissioning Agent is a requirement for the project per NC General Statute 143-135.35 through 143-135.40. Staff published an RFQ and received multiple responses. After reviewing the qualifications and meeting with the firms, staff is recommending proceeding with RMF Engineering. Staff negotiated with RMF Engineering and received a proposal in the amount of \$226,805. The cost of Commissioning Agent was included in the last cost estimate for the LEC.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Approve the PO for the Commissioning Agent for the LEC in the Amount of \$226,805.00.

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

CARRIED.

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

Jared Cass, Project Manager, presented the item. Cass explained 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. Staff published an RFQ and received four responses. After reviewing the qualifications and meeting with firms, staff is recommending proceeding 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. There were no questions from the Board.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Approve the PO for Materials Testing for LEC in the Amount of \$197, 580.00.

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

CARRIED.

9.4 Approval of PO for Materials Testing for DHHS in the amount of \$77,382.50

Jared Cass, Project Manager, presented the item. Cass explained 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. Staff published an RFQ and received four responses. After reviewing the qualifications and meeting with firms, staff is recommending proceeding with ECS Southeast, LLC. Staff has negotiated with ECS and received a proposal in the amount of \$77,382.50. The Health and Human services building does not require a Commissioning Agent. There were no questions from the Board.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Approve the PO for Material Testing for DHHS in the Amount of \$77,382.50.

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

CARRIED.

9.6 Adoption of Legislative Goals and Authorization to Execute Lobbying Services Contract

Patrick Buffkin, Staff Attorney, presented the item. Buffkin stated the intergovernmental affairs program was to improve the County's relationship with the Federal and State governments. This item was discussed previously at one of the Budget Retreat meetings in March. Buffkin discussed key county issues and key statewide partnership issues. Buffkin explained three law firms were interviewed and Maynard Nexsen was chosen to represent Pender County. Buffkin asked the Board to approve the adoption of the legislative goals, the contract with Maynard Nexsen, and the Budget Ordinance Amendment.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Approve the Adoption of the Legislative Goals, Contract with Maynard Nexsen, and the Budget Ordinance Amendment.

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

CARRIED.

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

Lexi Stanfield, Clerk to the Board, presented the item. Stanfield explained a motion to approve the item would move Public Comment back to item 7 of the Order of Business and combine the public comment on agenda items and general comments. A motion to deny the request would leave the agenda as is. The Board discussed among themselves.

Moved by Jerry Groves, seconded by Wendy Fletcher-Hardee

Motion to Approve Moving Public Comment to Item 7 of the Order of Business.

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

CARRIED.

10 DISCUSSION

11 APPOINTMENTS

11.1 Appointment to the Tourism Development Authority

Lexi Stanfield, Clerk to the Board, presented the item. Miles Bielec applied for the Tourism Development Board as the At-Large position. He has previous experience on other board that would bring a unique perspective. The Tourism Director and Clerk recommend the approval of his application. He would fill an unexpired term that began on February 1, 2022, and expires on January 31, 2025.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Approve Miles Bielec to the Tourism Development Authority.

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

Wendy Fletcher-Hardee	x			
Brad George	x			
	3	0	0	2

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

17.1 Presentation of the 2023 State of the County Health Report

Carolyn Moser, Health and Human Services Director, presented the item. Moser stated this is an annual presentation she must give to the Board. Every four years, the County is required to produce a health report. It takes 9-10 months to conduct. Moser went over the Pender County Health snapshot which included median age, life expectancy, income, etc. She discussed causes of death in Pender County, addiction, and access to care, as well as emerging issues. Moser asked the Board to make a motion to accept the findings.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Approve the County Health Report.

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

CARRIED.

17.2 2023 Child Fatality Report

Carolyn Moser, Health and Human Services Director, presented the item. Moser explained she is required to report the annual Child Fatality Report from the previous year. There were eight cases reviewed. Four of the cases were due to naturally occurring issues, four cases were not. All eight cases were closed. Moser asked the Board to make a motion to accept the report.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Approve the 2023 Child Fatality Report.

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

CARRIED.

17.3 2023 Annual Communicable Disease Report

Carolyn Moser, Health and Human Services Director, presented the item. Moser stated this is an annual presentation she must give to the Board. This report included communicable diseases and STDs. Moser listed the main communicable diseases: Hepatitis B (eight cases), Lyme Disease (one case). Chlamydia and Gonorrhea were the most prevalent STDs in Pender County, followed by syphilis (two case) and HIV (two new cases). Moser asked the Board to make a motion to accept the report.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Approve the Communicable Disease Report.

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

Brad George	x			
	3	0	0	2

CARRIED.

18 SOCIAL SERVICES BOARD

19 PUBLIC COMMENT

19.1 Terrell Pridgen: Requested better communication with the public about water along US HWY 421.

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

20.1 Trey Thurman, County Attorney, requested the Board go into closed session pursuant to item three (3) attorney client privilege, item four (4) economic development, and item six (6) personnel.

20.2 David Andrews, County Manager, announced Jeremy Drummond, Facility and Fleet Director, would be resigning on July 1. Andrews reminded the Board of the upcoming budget workshop on April 29th at 4PM.

20.3 Chairman Brad George announced Dee Turner, Parks and Recreation Supervisor, would be retiring in two weeks. Chairman George wished her well.

21 CLOSED SESSION (IF APPLICABLE).

21.1 The Board of Commissioners went into closed session for item three (3) Attorney Client Privilege, Item four (4) Economic Development, and item six (6) Personnel at 4:55PM.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to go into closed session for item three (3) Attorney Client Privilege, Item four (4) Economic Development, and item six (6) Personnel.

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

	3	0	0	2
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CARRIED.

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

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

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			
	3	0	0	2

CARRIED.

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

22.1 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

Item was continued until the May 20, 2024, BOCC Meeting.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Continue the Item until the May 20, 2024, BOCC Meeting.

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

CARRIED.

- 22.2 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

Item was continued until the May 20, 2024, BOCC Meeting.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Continue the Item Until the May 20, 2024, BOCC Meeting.

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

CARRIED.

23 ADJOURNMENT

- 23.1 The Board adjourned the meeting at 7:02PM.

Moved by Wendy Fletcher-Hardee, seconded by Jerry Groves

Motion to Adjourn the Meeting.

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

CARRIED.