



MINUTES
Board of County Commissioners Meeting
Monday, May 20, 2024 4:00 PM
Pender County Public Assembly Room

MEMBERS PRESENT: Fred McCoy
Jacqueline A. Newton
Jerry Groves
Brad George

MEMBERS ABSENT:

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

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 and a moment of silence for the Radke family and the Fletcher-Hardee Family.

3 PLEDGE OF ALLEGIANCE

3.1 Commissioner Groves led the Pledge of Allegiance.

4 ADOPTION OF AGENDA

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to move item 8.8 from the Consent Agenda to Approvals and Resolutions as item 9.3.

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

Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to table item 9.1.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to add item 9.4 Opioid Settlement Funds Resolution

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to move item 8.2 from the Consent Agenda to Approvals and Resolutions as item 9.5.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

Moved by Jerry Groves, seconded by Fred McCoy

Motion to approve the agenda with the aforementioned amendments.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

5 PUBLIC HEARING

6 PUBLIC INFORMATION

6.1 Pender County Comprehensive Transportation Plan Update

Adam Moran, Planner, presented the Pender County Comprehensive Transportation Plan Update (CTP). The CTP is a long rang plan with a 25–30-year timeframe that facilitates transportation planning for local government. The last CTP was adopted in 2016.

6.2 Presentation to honor the Pender County Health Department

Carousel Child Advocacy center presented the Partnership Plaque to Pender County Health Department to celebrate their commitment to the safety and wellbeing of Pender County Children. Carolyn Moser, Health and Human Services Director, received the award on behalf of the department.

7 PUBLIC COMMENT

8 CONSENT AGENDA

8.1 Approval of Purchase Order for the Axon Body Camera 3 & Axon Air Contract Year 2 in the amount of \$103,076.77.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to Approve the Consent Agenda.

	For	Against	Abstained	Absent
Fred McCoy	x			

Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

- 8.2 April 29, 2024, BOCC Budget Work Session Minutes
- 8.3 May 2, 2024, BOCC Budget Work Session Minutes
- 8.4 May 9, 2024, Budget Work Session Minutes
- 8.5 May 6, 2024, BOCC Meeting Minutes
- 8.6 Gift Donation from Civic Credit Union
- 8.7 Resolution of the Pender County Board of Commissioners Authorizing Upset Bid Process with respect to the Disposition by Sale of Parcel 3214-28-3786-0000 Located off of McIntyre Church Road in Long Creek, NC

9 APPROVALS AND RESOLUTIONS

- 9.1 Approval of Resolution Adopting Procedures Related to the Collection of Minimal Ad Valorem Taxes and Refunds and the Administration of Small Underpayments and Overpayments of Ad Valorem Taxes

Item was tabled.

- 9.2 Approval to increase Batson Road PO to HighFill Engineering for Contract Amendment #1

Anthony Colon, Utilities Director, presented the item. Utilities is asking to increase the PO with Highfill Engineering by \$44,000 for emergencies. This money is already in the budget.

Moved by Fred McCoy, seconded by Jerry Groves

Motion to Approve the Increase the PO for Baston Road to with Highfill Engineering for Contract Amendment #1.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

- 9.3 Resolution of the Pender County Board of Commissioners Authorizing Upset Bid Process with respect to the Disposition by Sale of Parcel 4302-66-0296-0000 Located off of Hwy 50 in Maple Hill, NC

Meg Blue, Finance Director, presented the item. Blue reported the tax department has revised the tax value for the property to \$17,250.00. Finance received a bid for \$17,250.00.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to Approve the Resolution of the Pender County Board of Commissioners Authorizing Upset Bid Process with respect to the Disposition by Sale of Parcel 4302-66-0296-0000 Located off of Hwy 50 in Maple Hill, NC.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

- 9.4 Opioid Settlement Funds Resolution

Carolyn Moser, Health and Human Services Director, presented the Opioid Settlement Funds Resolution. Moser began by discussing the Opioid Settlement Strategic Planning report. She summarized the report and broke down the process. The monies are to go the health department, D.A.R.E., and the Post Overdose Response Team. The resolution added allows Pender County to receive and use the funds for the listed uses mentioned under Option B, Section G, Number 8. Originally, the resolution signed was for Option A. Signing the Option B Resolution does not negate Option A.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to Approve the Opioid Settlement Funds Resolution for Option B.

CARRIED.

- 9.5 Acceptance of the Opioid Settlement Funds, Approval of Budget Amendment and Purchase Order for the purchase of two vehicles

Sheriff Cutler introduced Lieutenant Hal Blake, who spoke about the current D.A.R.E. program and how the funds will help achieve future goals within the program.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to Accept the Opioid Settlement Funds and Approve the Budget Amendment and Purchase Order for the Two Vehicles.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

10 DISCUSSION

11 APPOINTMENTS

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 Pender County Health Department Updates

Carolyn Moser, Health and Human Services Director, presented the Health Department updates to the board. The Health Department has a tick program called "Got Ticks?" currently to assist people with ticks. They received a grant for Mosquito control from the Hurrican Crisis Mentorship Program. Moser briefly discussed the Opioid Settlement Funds Meetings required. They will be held on May 29th from 6-7PM at the Hampstead Annex and May 30th from 6-7PM.

18 SOCIAL SERVICES BOARD

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

- 19.1 Trey Thruman, County Attorney, requested the Board make a motion to go into closed session for item three (3) Attorney Client Privilege including Coastal Pines Solar Farm VS Pender County, item four (4) Economic Development, item five (5) Land Acquisition, and item six (6) Personnel.
- 19.2 Allen Vann, Assistant County Manager, announced the Parks and Recreation Department was showing a theatrical production from June 6-9th and tickets were available for \$15.00.
- 19.3 Commissioner Newton reported the Republic Party is to gather tomorrow, May 21st, to nominate a replacement for Wendy Fletcher-Hardee. She offered her thoughts and prayers to Wendy and the Radke family.
- 19.4 Commissioner McCoy offered his thoughts and prayers to Wendy Fletcher-Hardee and the Radke family.
- 19.5 Commissioner Groves also offered his prayers.
- 19.6 Chairman George reported he attended the Diamonds and Denim charitable event. He stated he would miss Wendy Fletcher-Hardee, her conversations, company, and is sending her his thoughts and prayers. He also spoke briefly about the Radke family, sending them his thoughts and prayers as well.

20 CLOSED SESSION (IF APPLICABLE).

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to go into closed session for item three (3) Attorney Client Privilege including Coastal Pines Solar Farm VS Pender County, item four (4) Economic Development, item five (5) Land Acquisition, and item six (6) Personnel.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to return to open session.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.

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

21.1 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

Taylor Davis, Planner, presented item 21.1 and 21.2 together. The applicant Rhetson Company, INC. are requesting the rezoning of 2.37 acres of a 5.65 parcel from Rural Agricultural to Conditional Zoning District 5, and to reclassify the 2.37 acres from Medium Density Residential to Neighborhood Mixed use in the land use category. The parcel cannot be reclassified unless it is rezoned since Rural Agricultural does not support Neighborhood Mix Use. Davis reviewed the potential uses, proposed dimensional standards and buffers, and traffic volumes for the area. There was a public Input meeting held on December 20,2023 and 52 members attended. Concerns voiced at the meeting including lights, traffic, and drainage. Staff put together twelve conditions for the Board to review to address the concerns. Staff recommended approval. Riana Smith, the applicant's attorney, addressed the board. Smith answer board questions and address concerns from the public. Smith reported the applicant is happy to comply with the twelve conditions.

Cheryl Groves stated her opposition to the rezoning.

Sondra Ray stated her opposition to the rezoning.

Dana O'Donnell stated her opposition to the rezoning.

Janet Higgins stated her support for the rezoning.

Steve Hall stated his support for the rezoning.

Brian Morrison stated his opposition for the rezoning.

Aime Beegle stated her opposition for the rezoning.

Andrianna Picket stated her opposition for the rezoning.

Moved by Fred McCoy, seconded by Jacqueline A. Newton

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

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves		x		
Brad George	x			
	3	1	0	0

CARRIED.

- 21.2 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

Moved by Fred McCoy, seconded by Jacqueline A. Newton

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

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves		x		
Brad George	x			
	3	1	0	0

CARRIED.

21.3 REZONE 2024-64: Request to rezone approximately 2.18 acres from the Residential Performance zoning district to the General Business zoning district in the Topsail Township

Adam Moran, Planner, presented REZONE 2024-64: Request to rezone approximately 2.18 acres from the Residential Performance zoning district to the General Business zoning district in the Topsail Township. The 2.18 acres is made up of six parcels. The parcels surround these are zoned Residential Performance, General Business, and Planned Development, and Office and Institutional. Moran reviewed the setbacks and dimensional requirements. The planning staff recommend the rezoning however, the Planning Board unanimously voted to deny the rezoning. The Applicant is HRP RRJ, LLC. Daniel Adams, Trey Thurman, and Adam Moran answered the board's questions. Amy Schaffer, the applicant's attorney, review the NCDOT future plans for the properties and answered questions from the Board. Rod Young, Applicant and Developer, addressed the Board as well and reviewed the current zoning and future plans for the property. Sadie Black stated her support for the rezoning.

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to approve the Zoning Map Amendment and to make a finding that the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan; said approval is reasonable and in the public interest and furthers the goals of the Pender 2.0 Comprehensive Land Use Plan because it is consistent with the following goals and policies as noted in the staff report:

- Goal 5.1
- Policy 5.1.C
- Policy 5.1.D
- Policy 5.1.H
- Policy 5.1.K
- Goal 5.8

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George		x		
	3	1	0	0

CARRIED.

22 ADJOURNMENT

Moved by Jacqueline A. Newton, seconded by Fred McCoy

Motion to adjourn the meeting at 8:42PM.

	For	Against	Abstained	Absent
Fred McCoy	x			
Jacqueline A. Newton	x			
Jerry Groves	x			
Brad George	x			
	4	0	0	0

CARRIED.