

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS  
OFFICIAL MINUTES  
REGULAR MEETING  
SEPTEMBER 15, 2014  
6:00 P.M.**

**The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:00 p.m., Commissioners' Chambers, David R. Sandifer Administration Building, County Government Center, Bolivia, North Carolina.**

PRESENT:                   Commissioner Phil Norris, Chairman  
                                  Commissioner J. Martin Cooke  
                                  Commissioner Pat Sykes  
                                  Commissioner Scott Phillips, Vice-Chairman  
                                  Commissioner Frank Williams

STAFF:                     Ann Hardy, County Manager  
                                  Steve Stone, Deputy County Manager  
                                  Huey Marshall, County Attorney  
                                  Bryan Batton, Assistant County Attorney  
                                  Debby Gore, Clerk to the Board  
                                  Margie Stephenson, Deputy Clerk  
                                  Julie Miller, Finance Director

1<sup>st</sup> Sgt. Todd Coring

**I. CALL TO ORDER**

Chairman Norris called the Regular Meeting to order at 6:00 p.m.  
(Attached to these Minutes is an item called Board Action containing all items on this agenda and those items are incorporated herein.)

**II. INVOCATION/PLEDGE OF ALLEGIANCE**

Commissioner Williams gave the Invocation and led the Pledge of Allegiance.

**III. ADJUSTMENTS/APPROVAL OF AGENDA**

Chairman Norris asked if there were any adjustments to the agenda. There were no adjustments to the agenda.

Vice-Chairman Phillips moved to approve the agenda. The vote of approval was unanimous.

**IV. PUBLIC COMMENTS**

Chairman Norris asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. There were no comments from the public.

## **V. APPROVAL OF CONSENT AGENDA**

Commissioner Williams moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

### 1. Finance - Fiscal Items

Request that the Board of Commissioners approve Budget Amendments, Capital Project Ordinances and Fiscal Items.

#### Health Services State Revenue Adjustment Budget Amendment

Appropriate \$3,829 of additional state revenues for training expenditures associated with the implementation of Crossroads, a new web based system to serve WIC Clients. Reduce state revenue appropriation in the amount of \$1,421 for the Breastfeeding Program due to a reduction in funding at the state level.

#### Brunswick County Schools Sales Tax Budget Amendment and Capital Project Ordinance

FY 14 sales tax transfer to school projects was less than anticipated. After analysis of the actual results for FY 14, the FY 15 budgeted sales tax transfer may result in amounts less than estimated. The transfer to the schools for prior year's ad valorem collections was greater than anticipated for FY 14. The budget amendment and the associated capital project ordinance is to reduce amounts budgeted for projects funded with sales tax and increase the amount budgeted for projects funded with excess ad valorem in the amount of \$516,297.

#### Sheriff's Office Central Communications Duke Energy Funding Budget Amendment

Appropriate \$25,000 of Duke Energy 911 Warning Point revenue for Sheriff's Office Central Communications training and capital outlay equipment to be used in the new 911 Center upon completion.

#### NE Brunswick WWTP Expansion Project Close Budget Amendment and Capital Project Ordinance

Close the NE Brunswick WWTP Expansion Project and transfer \$576,262 of land sale revenue to the wastewater fund to offset the debt service payment proportionate to the participants' share of debt service.

#### General Fund Appropriation for FY14 Commitments continued in FY15:

Health Services-\$24,272 Food & Lodging and \$338 Maternal Health unexpended state funds, \$9,855 Community Transformation Grant unexpended funds.

#### Computer Services-\$89,193 Infranet Technologies PO for EMS Network Upgrade

Sheriff's Office- Federal Drug Seizure \$54,482, Project Lifesaver \$2,919, State Drug Seizure \$6,456, Misc Weapon Storage Costs \$1,532, Special Projects \$2,010, Animal Services Special Projects \$11,276

### 2. County Attorney - Devaun Park Phase 5 Deed of Dedication

Consider accepting the Deed of Dedication for water and sewer infrastructure for Devaun Park, Phase 5.

### 3. Sheriff's Office - Reclassification of Salaries - (Chief Deputy Charlie Miller)

Request that the Board of Commissioners approve salary reclassifications for Brian Chism from Sergeant grade 67 to First Sergeant grade 68, \$1,110, Brian Carlisle from Deputy Corporal grade

65 to Sergeant grade 67, \$3,479, Jeremiah King from Deputy Corporal grade 65 to First Sergeant grade 68, \$5,627, Tabitha Nowell from Deputy grade 64 to Sergeant grade 67, \$1,905, Ryan Newman from Detective grade 66 to Deputy grade 64, \$3,316. The financial impact is within the budgeted salaries and benefit line items for all Sheriff's Office divisions.

4. County Attorney - Devaun Park, Phase 5B Deed of Dedication

Consider accepting the Deed of Dedication for water and sewer infrastructure for Devaun Park, Phase 5B, The Reserves.

5. County Attorney - Holiday Inn Express Deed of Dedication

Consider accepting the Deed of Dedication for water and sewer infrastructure for the Holiday Inn Express in Southport.

6. County Attorney - Coastal Outfitters of Sunset Beach Deed of Dedication

Consider accepting the Deed of Dedication for sewer infrastructure for Coastal Outfitters of Sunset Beach.

7. County Attorney - Bluffs on the Cape Fear

Consider accepting the Deed of Dedication for water and sewer infrastructure for Bluffs of the Cape Fear Phase 2, Section 3, Lots 622-635 and Lot 215.

8. Utilities - Request for Approval of Memorandum of Understanding Short-Term Use of West Brunswick Regional Wastewater Treatment Plant Effluent by Homes by Jones LLC

Request that the Board of Commissioners approve submission of Memorandum of Understanding to Homes by Jones LLC for the purchase of reclaimed water from the West Brunswick Water Reclamation Facility for the purpose of filling the lake on their property off NC 211.

9. County Attorney - Acceptance of Untimely Exemption Application

Consider accepting untimely request for property tax exemption at 697 West Ocean Hwy, Supply, NC for tax year 2014 from Brunswick Housing Opportunities as well as approving other exemptions previously provided.

10. Administration - Electric Utility Review Agreement

Request that the Board of Commissioners approve a Contingent Fee Agreement with Davenportlawrence for an Electric Utility Review.

11. Administration - Resolution Supporting the Current Managed Care Organization Behavioral Health Model

Request that the Board of Commissioners approve a resolution supporting the public behavioral health Managed Care Organization (MCO) model currently in place.

12. Administration - Cooperative Extension Bonus Leave Request Request that the Board of Commissioners concur with management's denial of a request from the Cooperative Extension Service at NCSU to grant 40 additional hours of leave to local Extension employees.

13. Administration - Proposed Amendments to Small Business Advisory Commission Structure Request that the Board of Commissioners approve amendments to the Small Business Advisory Commission as presented.

14. Administration - Brunswick Senior Resources, Inc. - Approval/Execution of Home and Community Care Block Grant for Older Adults County Funding Plan

Request that the Board of Commissioners approve and execute the FY 14/15 HCCBG County Funding Plan as approved and recommended by the Home and Community Care Block Grant Committee at its meeting held on 5/27/2014.

15. Administration - Brunswick Transit System - ROAP Public Hearing Request  
Request that the Board of Commissioners schedule a Public Hearing on October 20, 2014 to receive public comments regarding the Rural Operating Assistance Program.

16. Tax Administration - Releases for September 2014  
Request that the Board of Commissioners approve the September 2014 Tax Releases.

17. Tax Administration - 2015 Revaluation Golf Club Appraisal Data  
Request that the Board of Commissioners approve the proposal of Hotel & Club Appraisal and Consulting and appropriate funding of \$7,500 to assist with the 2015 revaluation of golf courses.

18. Tax Administration - September 2014 Monthly Vehicle Valuation & Levy  
Request that the Board of Commissioners approve the May 2014 Motor Vehicle Valuation and Levy.

19. Tax Administration - Business Personal Property Software Purchase & Appropriation  
Request that the Board of Commissioners approve the purchase of business personal property tax software from Bi-tek and appropriate \$38,000.

20. Health and Human Services - Health Services - Mosquito Control Program  
Health and Human Services requests the Board of Commissioners approve a budget amendment of \$15,000 from the vehicle escrow fund to Environmental Health Special Programs for the purpose of continuing county wide mosquito control efforts this year in the unincorporated areas and municipalities despite the elimination in funding from the State.

21. Health and Human Services - Employee Clinic - 2014 Employee Health Risk Assessment Plan  
Request the Board of Commissioners approve the Wellsorce Contract and Plan for the 2014 Employee Health Risk Assessment.

22. Health and Human Services - Health Services - School Nurse Contract  
Health Services requests that the Board of Commissioners approve a contract for school nurse funding for fiscal year 2014-2015.

23. Emergency Services - Supply Fire Lease Purchase  
Request that the Board of Commissioners authorize the Chairman to sign a letter expressing no objection to lease purchase for Supply Volunteer Fire Department Lease Purchase with United Financial of North Carolina, Inc.

24. August 18, 2014 Regular Meeting Minutes  
Request approval of the August 18, 2014 Regular Meeting Minutes.

25. National Society Colonial Dames XVII Century Proclamation  
Request approval of the National Society Colonial Dames XVII Century Proclamation.

## **VI. PRESENTATION**

**1. Parks & Recreation - Recognition of 2014 West Brunswick Dixie Debs Softball Team - (Jim Pryor, Director of Parks & Recreation)**

Recognize 2014 West Brunswick Dixie Debs Softball Team as the 2014 World Series Runner-up Team.

Jim Pryor, Parks and Recreation Director, explained that Dixie Debs Softball (18 and under) is a softball program offered by Brunswick County Parks & Recreation with teams representing the West, North and South areas of the county. At the end of the regular season, the top 13 players in each area of the county are selected as a team to represent Brunswick County in postseason play which constitutes a District, State and National Tournament should teams advance. The team winning the State Championship represents the State of North Carolina in the Dixie World Series, which consists of teams representing the 11 states that play under the jurisdiction of Dixie Boys Baseball - Texas, Louisiana, Arkansas, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina and Virginia.

This July, the West Brunswick Dixie Debs Softball team won the State Championship in Carthage, NC and traveled to Atoka, TN in August to compete in the World Series. After a very impressive showing in the National Tournament, our girls made it all the way to the championship game and ended up losing to the team from Louisiana in the Championship game.

Vice-Chairman Phillips moved to approve the Resolution to formally recognize the accomplishments of the 2014 West Brunswick County Dixie Debs softball team. The vote of approval was unanimous.

Brian Moore, Athletics Superintendent for Brunswick County Parks & Recreation recognized each player with a copy of the resolution and the team received a standing ovation from the audience that included their proud parents and coaches.

Those honored were McKenzie Benton, Skylar Wickel, Myah Morse, Caroline Gore, Lara Phillips, Ashley Smith, Hannah Stocks, Alexandra Wickel, Samantha Smith, Kimberly Cook, Tierra Davis and Coaches, Jeff Carter, Ryan Gore and Howard Stocks.

**RESOLUTION IN HONOR OF  
BRUNSWICK COUNTY WEST DIXIE DEBS SOFTBALL TEAM**

Whereas, it is in the nature of life to learn many lessons early on, and wherever those places exist that mix the spirit of learning with a fun and competitive environment, the products are usually excellence, pride and a peaceful sense of self assurance, and

Whereas, the Brunswick County West Dixie Debs Softball Team has found that balance, becoming State Champions in 2014 at the State Tournament in Moore County, NC, and representing North Carolina at the Dixie Softball, Inc. Debs World Series in Atoka, Tennessee where they were the 2014 Dixie Softball Inc. Debs World Series Runner-Up. The Brunswick County West Dixie Debs were the seventh Dixie Softball, Inc. team from Brunswick County to win a State Championship and move onto the World Series, and

Whereas, all the learning that these young women do is as American as apple pie, and will be learned and sorted out along with the other great lessons that life teaches, and

Whereas, the lessons that are learned now will be kept for many years, and as these young women have demonstrated, a team requires a full measure of devotion, cooperation, ability, and above all, trust.

Now therefore, the Brunswick County Commissioners are hereby resolved to recognize and honor the efforts of this extraordinary team, and do hereby cite the Brunswick County West Dixie Debs Softball Team for their excellence in sport and achievement in spirit.

This the 15th day of September, 2014.

s/Phil Norris, Chairman  
Brunswick County Commissioners

Attest:

s/Deborah S. (Debby) Gore, NCCCC  
Clerk to the Board

2. Health and Human Services - Proclamation declaring National Adult Day Services Week -  
(Cathy Lytch, Director of Social Services)

Request that the Board of Commissioners adopt a Proclamation declaring September 14-20 as National Adult Day Services week.

Cathy Lytch, Social Services Division Director, explained that in 1983, President Ronald Reagan declared the first National Day Care Center Week, and the third week of each September since then has been set aside to recognize and raise awareness of adult day programs and services. In addition to supporting the adults in their care, such programs also provide support and respite to family members and caregivers, and support the community as a whole.

Representatives from Oceanic Adult Day Health Care Center and Elderhaus thanked the Board for their support.

Commissioner Williams moved to approve the Proclamation for National Adult Day Services Week. The vote of approval was unanimous.

**Proclamation Recognizing September 14-20 as National Adult Day Services Week**

WHEREAS, Adult Day Services Providers help support men and women of all ages needing assistance, as well as their families and caregivers, while allowing them to remain in their home communities; and

WHEREAS, in 1983, President Ronald Reagan recognized the importance of Adult Day Care Centers and Adult Day Services Providers by issuing a proclamation; and

WHEREAS, President Reagan recognized the hard work of the dedicated professional staffs who provide medical care, therapies, health education and maintenance support, and other opportunities to adults receiving care through these services; and

WHEREAS, the week beginning September 25, 1983 was designated as National Adult Day Care Center Week by President Reagan and the Congress of the United States; and

WHEREAS, the third week of September is set aside each year since to raise awareness of the availability and accessibility of adult day programs and services nationwide; and

WHEREAS, Brunswick County's Commissioners do likewise recognize the important role Adult Day Services Providers play in supporting adults, their families and caregivers, and the community as a whole; and

NOW, THEREFORE, BE IT PROCLAIMED THAT the Brunswick County Board of Commissioners does recognize September 14-20 as National Adult Day Services Week in honor of the hard work these providers offer year-round in support of adults, families and communities.

This the 15th day of September, 2014.

s/J. Phillip Norris, Chairman  
Brunswick County Commissioners

Attest:

s/Deborah S. (Debby) Gore, NCCCC  
Clerk to the Board

3. Administration - September Is Recovery Month Proclamation  
(Amanda Hutcheson, County Public Information Officer)

Request that the Board of Commissioners adopt a proclamation proclaiming September as Recovery Month.

Amanda Hutcheson, Public Information Officer, informed that CoastalCare estimates that there are more than 600,000 people in recovery from mental and substance abuse disorders in North Carolina, and that for every \$1 spent on treatment, taxpayers save \$7, as a result of increased productivity and reduced healthcare, criminal justice and social service costs.

In honor of the people who are in recovery from such disorders and to decrease the stigma associated with seeking treatment, Recovery Month is celebrated nationally every year in September. In addition to proclaiming September as Recovery Month, CoastalCare would like to invite all interested parties to attend a National Recovery Month celebration on Sunday, Sept. 21 at noon at the Elks Lodge in Wilmington.

Foster Norman, CoastalCare Director thanked the Board for their support.

Commissioner Sykes moved to approve the National Recovery Month Proclamation. The vote of approval was unanimous.

#### **September Is National Recovery Month**

WHEREAS, behavioral health is an essential part of health and overall wellness; and  
WHEREAS, prevention of mental and substance use disorders works, and effective treatment can help people recover; and

WHEREAS, more than 600,000 people are in recovery in North Carolina and 23,000,000 people are in recovery across the nation; and

WHEREAS, community-based services that respond to the needs of the individual and family are cost-effective and beneficial; and

WHEREAS, taxpayers save \$7 for every \$1 spent on treatment and \$5.60 for every \$1 spent on prevention, as a result of increased productivity, and reduced healthcare, criminal justice, and social service costs; and

WHEREAS, untreated mental and substance use disorders lead to more deaths than traffic accidents, HIV/AIDS, and breast cancer combined; and

WHEREAS, people in recovery achieve healthy lifestyles, both physically and emotionally; and

WHEREAS, recognition is due to those who have achieved long-term recovery, as is sharing with others how recovery can positively benefit one's life; and

WHEREAS, Recovery Month is observed every September nationwide by advocacy organizations to raise awareness and understanding of issues related to substance use and mental health disorders, and to eliminate the stigma associated with seeking substance use and mental health services; and

WHEREAS, all are invited to celebrate National Recovery Month with the Cape Fear Recovery Month Committee on Sunday, September 21 from noon to 4 p.m. at Elks Lodge in Wilmington with local speakers, food, live music and information booths to spread the positive message that prevention works, treatment is effective and people can and do recover.

NOW, THEREFORE, BE IT PROCLAIMED THAT the Brunswick County Board of Commissioners does hereby recognize September 2014 as Recovery Month in Brunswick County and call upon the citizens, government agencies, public and private institutions, businesses, and schools in Brunswick County to recommit to increasing awareness and understanding of mental and substance use disorders, and the need for accessible services for all people.

This the 15th day of September, 2014.

s/J. Phillip Norris, Chairman  
Brunswick County Commissioners

Attest:

s/Deborah S. (Debby) Gore, NCCCC  
Clerk to the Board

#### **VII. PUBLIC HEARING**

**1. Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted Public Hearings in the Commissioners' Chambers, David R. Sandifer Administration Building, County Government Center, Bolivia, North Carolina.**

**1. Planning & Community Development-Rezoning Public Hearing (Z-14-719) Pigott Rd.  
(Kirstie Dixon, Planner I)**

Request that, following the Public Hearing, the Board of Commissioners approve First and Second Readings of the proposed map amendment to the Unified Development Ordinance (Z-14-719) from IG (Industrial General) and R-7500 (Medium Density Residential) to R-6000 (High Density Residential) Zoning.

**I. CALL TO ORDER**

Chairman Norris called the hearing to order at 6:17 p.m. and announced that the purpose of the hearing was to receive input regarding Proposed Map Amendment Z-14-719.

Kirstie Dixon, Planner I, explained the following:

Robin (Marty) Todd requested rezoning his property located adjacent to Pigott Road from IG (Industrial General) and R-7500 (Medium Density Residential) to R-6000 (High Density Residential). The rezoning would allow for residential use of Tax Parcel 2290006401, which encompasses Radford Road. The requested rezoning consists of one parcel approximately 16.26 acres in size.

A proposed amendment to the Official Brunswick County CAMA Land Use Plan Map for the subject property from Industrial and LDR (Low Density Residential) to MDR (Medium Density Residential) classification accompanies the rezoning request. This proposed land use plan amendment also totals 16.26 acres.

At its meeting on August 14, 2014 the Planning Board voted unanimously to recommend approval of the rezoning and CAMA Land Use Plan Map Amendment as requested as the rezoning is not consistent with the CAMA Land Use Plan and it is reasonable and in the public interest as there is like zoning nearby as well as residential and commercial possibilities, and therefore recommends approving the Rezoning as presented and amending the CAMA Land Use Plan.

Members Present: Steve Candler, Eric Dunham, Attorney Joy Easley, Cynthia Henry, Troy Price, and Randy Ward (Chris Stanley was recused).

Members Absent: None

**II. PUBLIC COMMENTS**

Chairman Norris asked if there were any members of the audience who wished to address the Board regarding the proposed amendment. The following citizens addressed the Board:

1. Robin Todd requested the rezoning and asked the Board for support.

**III. ADJOURN**

Commissioner Sykes moved to close the hearing at 6:19 p.m. The vote of approval was unanimous.

Commissioner Williams moved to the rezoning request, Z-14-719 as presented and waive Second Reading and approve an amendment to the CAMA Land Use Plan as the rezoning is not

consistent with the Brunswick County CAMA Land Use Plan but is reasonable and in the public interest based on there is like zoning nearby. The vote of approval was unanimous.

**2. Planning & Community Development - Rezoning Public Hearing (Z-14-720) - Hwy. 211 near Long Beach Rd. - (Kirstie Dixon, Planner I)**

Request that, following the Public Hearing, the Board of Commissioners approve First and Second Readings of the proposed map amendment to the Unified Development Ordinance (Z-14-720) from R-6000 (High Density Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) Zoning.

**I. CALL TO ORDER**

Chairman Norris called the hearing to order at 6:19 p.m. and announced that the purpose of the hearing was to receive input regarding Proposed Rezoning Z-14-720.

Kirstie Dixon, Planner I, explained that the proposed rezoning from R-6000 (High Density Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) is located adjacent to Hwy. 211 near Long Beach Road. The request would allow for commercial use of Tax Parcels 221AE001 through 221AE048 and 221AE050 through 221AE063 (requested by the applicant/owner Barker & Canady Custom Homes, Inc.) which encompasses Patrick Newton Drive, along with Tax Parcels 21AE049 and 2210007001 (added by staff). The proposed rezoning totals approximately 19.60 acres.

A proposed amendment to the Official Brunswick County CAMA Land Use Plan Map for the subject property from LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial classification accompanies the rezoning request. This proposed land use plan amendment also totals 19.60 acres.

At its meeting on August 11, 2014, the Planning Board voted unanimously to recommend approval of the rezoning and CAMA Land Use Plan Map Amendment as requested as the rezoning is not consistent with the CAMA Land Use Plan but is reasonable and in the public interest in that there is like zoning nearby as well as residential and commercial possibilities.

Members Present: Steve Candler, Eric Dunham, Attorney Joy Easley, Cynthia Henry, Troy Price, Chris Stanley, and Randy Ward

Members Absent: None

**II. PUBLIC COMMENTS**

Chairman Norris asked if there were any members of the audience who wished to address the Board regarding the proposed amendment. The following citizens addressed the Board:

1. Cindee Wolf, spoke on behalf of the owners indicating that this subdivision was recorded several years ago but was never established.

**III. ADJOURN**

Chairman Phillips moved to close the hearing at 6:23 p.m. The vote of approval was unanimous.

Commissioner Sykes moved to approve Rezoning Z-14-720 as presented and waive Second Reading and approve an amendment to the CAMA Land Use Plan as the rezoning is not consistent with the Brunswick County CAMA Land Use Plan but is reasonable and in the public interest based on like zoning nearby. The vote of approval was unanimous.

**3. Planning & Community Development - Public Hearing: 2012 CDBG Capacity Grant Close-out (Louise McGarva, Community Development Administrator)**

Request that following the Public Hearing on the 2012 Community Development Block Grant (CDBG) Talent Enhancement Capacity Building Grant Close-out, the Board of Commissioners approve execution and submittal of the related grant Close-out documents.

**I. CALL TO ORDER**

Chairman Norris called the hearing to order at 6:24 p.m. and announced that the purpose of the hearing was to receive input regarding the CDBG Capacity Grant Close-out.

Louise McGarva, Community Development Administrator, explained the following:  
The Brunswick County Planning and Community Development Department applied for and received a 2012 Community Development Block Grant (CDBG) in the amount of \$50,000. The grant funds provided training to enable Brunswick Housing Opportunities, Inc. (BHO) personnel to apply for future CDBG funds to assist in their efforts to increase housing and employment opportunities in Brunswick County. BHO has successfully completed the training provided by the CDBG Talent Enhancement Capacity Building Grant.

A public hearing is required to receive citizen input related to the close-out of this CDBG project. Additionally, the following closeout documents must be approved and executed by the Chief Elected Official:

1. Closeout Performance Report
2. Certificate of Completion
3. Closeout Public Hearing Certification

**II. PUBLIC COMMENTS**

Chairman Norris asked if there were any members of the audience who wished to address the Board regarding the proposed amendment. The following citizens addressed the Board:

1. Resea Willis, BHO Director, thanked the Board and commended Ms. McGarva and staff for their support and assistance with these programs.

**III. ADJOURN**

Commissioner Williams moved to close the hearing at 6:28 p.m. The vote of approval was unanimous.

Commissioner Cooke moved to approve execution and submittal of the related grant Close-out documents. The vote of approval was unanimous.

**4. Planning & Community Development - 2011 CDBG Water Hook-up Grant Close-out Public Hearing - (Louise McGarva, Community Development Administrator)**

**I. CALL TO ORDER**

Chairman Norris called the hearing to order at 6:29 p.m. and announced that the purpose of the hearing was to receive input regarding the CDBG Water Hook-up Grant Close-out.

Louise McGarva, Community Development Administrator, explained that the Brunswick County Planning and Community Development Department applied for and received a Community Development Block Grant (CDBG) in the amount of \$75,000. The grant funds assisted 29 low-to-moderate income residents with hook-up to the county water system.

The budget for the CDBG Water Hook-up Grant is as follows:

Rehabilitation	\$65,000
Administration	\$10,000
TOTAL	\$75,000

A public hearing is required to receive citizen comments related to the close-out of this CDBG project. Additionally, the following Close-out documents must be executed by the Chief Elected Official:

1. Closeout Performance Report
2. Certification of Completion
3. Closeout Public Hearing Certification

## **II. PUBLIC COMMENTS**

Chairman Norris asked if there were any members of the audience who wished to address the Board regarding the proposed amendment. The following citizens addressed the Board:

1. Resea Willis thanked the Board for their support reminding that this grant provided water service to a lot of elderly citizens in southwest Brunswick County.

## **III. ADJOURN**

Vice-Chairman Phillips moved to close the hearing at 6:31 p.m. The vote of approval was unanimous.

Vice-Chairman Phillips moved to authorize execution and submittal of the Close-out documents related to the 2011 Community Development Block Grant (CDBG) Water Hook-up Grant Program. The vote of approval was unanimous.

### **5. County Attorney - Jayhawk Street Closing - (Huey Marshall, County Attorney)**

Mr. Marshall informed that he received a petition to close Jayhawk Street and the hearing was properly advertised. After the notice was published, Mr. Marshall received a request to withdraw the petition.

It was consensus to remove this item from the agenda.

## **VIII. ADMINISTRATIVE REPORT**

### **1. Administration - NCACC Legislative Goals (Ann Hardy, County Manager)**

Request that the Board of Commissioners propose, consider and approve the submittal of legislative goals to NCACC for their consideration.

Ann Hardy, County Manager, informed that every two years, the North Carolina Association of County Commissioners engages in a process to determine legislative goals that are in the best interest of the counties. The process is designed to allow for input from as many county commissioners and other county officials as possible. The deadline for submission is September 19, 2014. After review by the NCACC Steering Committees and the Legislative Goals

Committee, the Board of Directors will finalize the package to be presented at the Legislative Goals Conference scheduled for January 2015 in Moore County.

Commissioner Williams moved to approve the Resolution Establishing the 2015-2016 Legislative Goals and add the word “investigating” in the fourth line of the last paragraph. The vote of approval was unanimous.

**Resolution Establishing Brunswick County’s 2015-16 Legislative Goals**

WHEREAS, each year, the North Carolina Association of County Commissioners works with North Carolina counties to identify goals and concerns the counties have, and present said goals and concerns to the North Carolina Legislature to be addressed; and

WHEREAS, recent insurance rate adjustments, both sought and approved, have placed a burden on coastal property owners not in proportion with the risk such property owners face from hurricanes and other coastal threats, and such increases have affected the financial stability and livelihood of many along the coast; and

WHEREAS, North Carolina can be competitive with other states in bringing industry and jobs to its citizens, efficiently and prudently, by adopting new approaches to economic development incentives such as closing funds and similar; and

WHEREAS, a tax on the consumption of goods would more fairly spread the tax burden among all those in Brunswick County, including not only its property owners but also those who work, visit and shop within its boundaries; and

WHEREAS, transportation planning issues should adequately address all of North Carolina’s counties and communities, including rural, urban and suburban ones, regardless of population, and should take care to include unique factors affecting transportation infrastructure in those communities, including seasonal population swells and evacuation route needs.

NOW, THEREFORE, BE IT RESOLVED THAT the Brunswick County Board of Commissioners does identify its goals for the upcoming legislative session to include continuing dialogue ensuring equality in insurance rates state-wide, a closing fund or other updated approaches to economic development in North Carolina, investigating the transition from an ad valorem tax method to a consumption tax, and the study and revision of transportation planning issues to make sure all communities and their unique needs are included, especially rural areas.

This the 15th day of September, 2014.

s/J. Phillip Norris, Chairman  
Brunswick County Commissioners

Attest:

s/Deborah Gore, NCCCC  
Clerk to the Board

Chairman Norris requested to be recused from the next two items.

Commissioner Williams moved to recuse Chairman Norris from Items VIII-2 and VIII-3. The vote of approval was unanimous.

Chairman Norris passed the gavel to Vice-Chairman Phillips.

**2. Administration - Sunset Harbor Charter School Waterline Upsize Reimbursement  
(Ann Hardy, County Manager)**

Request that the Board of Commissioners approve to reimburse the new Charter School to be located on Sunset Harbor Road \$39,974.00 for the cost difference between an 8 inch water main and the county required and benefitted 12 inch water main.

Ann Hardy, County Manager, informed that a new Charter School is proposed to be constructed on Sunset Harbor Road and is scheduled for the September 9 TRC meeting for preliminary site plan approval. Brunswick County's Water Master Plan requires a 12 inch water main on Sunset Harbor Road. An 8 inch or less main would be sufficient for the school's need. A request for reimbursement of the cost to upgrade from an 8 inch water main to a 12 inch water main has been received. The request includes one mile of water main on Sunset Harbor Road from the intersection of Zion Hill Road north towards Highway 211. The County Engineering office has calculated the cost difference between an 8 inch water main versus a 12 inch water main to be \$39,974. This cost difference also includes valves and fire hydrants.

A budget amendment appropriates expendable net assets of \$39,974 for reimbursement to charter school for the upsize to a 12 inch water main.

An estimate of water and sewer capital recovery fees in the amount of \$85,850 has also been included as information.

Commissioner Sykes moved to approve to reimburse the new Charter School to be located on Sunset Harbor Road \$39,974.00 for the cost difference between an 8 inch water main and the county required and benefitted 12 inch water main. The vote of approval was 4 ayes. Chairman Norris recused.

### 3. Administration - Reimbursement Resolution in Advance of Limited Obligation Bonds for Schools - (Ann Hardy, County Manager)

Request that the Board of Commissioners Approve a Reimbursement Resolution in Advance for 2015 Limited Obligation Bonds for School Construction.

Ann Hardy, County Manager, informed that Brunswick County anticipates obtaining financing for classroom additions at North Brunswick High School and a gym/auditorium at Waccamaw Elementary School with the proceeds of county issued Limited Obligation Bonds. The projects also include the design and possible construction of a K-1-2 classroom facility. The debt is to be repaid over a term of 20 years using school lottery proceeds as first choice and school local option sales tax proceeds currently legislated for school capital as the second choice. Construction bids and permits are required prior to the issuance of debt. It is anticipated that Brunswick County will incur and pay expenditures for design, engineering, site preparation and other costs prior to obtaining construction bids through advancing funds with the intention of reimbursing itself with debt proceeds. A reimbursement resolution is recommended to state the intention of the county, insure compliance with regulations and provide direction to the Finance Officer.

Budget amendments and the associated capital project ordinances are to transfer ad valorem contingency funds to the Waccamaw School (\$326,321) and the North Brunswick High School Additions (\$883,070) projects for anticipated expenditures with the intention of repayment upon issuance and receipt of debt proceeds.

Commissioner Sykes moved to approve a Reimbursement Resolution in Advance for 2015 Limited Obligation Bonds for School Construction. The vote of approval was 4 ayes. Chairman Norris recused.

Vice-Chairman Phillips passed the gavel back to Chairman Norris.

4. Administration - Reimbursement Resolution in Advance of Water and Sewer Revenue Bond - (Ann Hardy, County Manager)

Request that the Board of Commissioners approve a Reimbursement Resolution in Advance of a Water and Sewer Revenue Bond planned for 2015 to fund expenditures incurred prior to the debt issuance for the Northwest Water Plant Expansion-Phase 2, Danford Road and Duke Energy Canal Water Main projects and the Ocean Isle Beach Wastewater Treatment Plant Pump Station and Plant Improvements.

Ann Hardy, County Manager, explained that Brunswick County anticipates obtaining financing for the Northwest Water Plant Expansion-Phase 2, Danford Road and Duke Energy Canal Water Main projects and the Ocean Isle Beach WWTP Pump Station and Plant Improvement Projects through the issuance of Revenue Bonds with a planned date of April 2015. It is anticipated that Brunswick County will incur and pay expenditures related to the design and construction of the projects through advancing county enterprise funds with the intention of repayment to Brunswick County upon the issuance of and receipt of debt proceeds. A reimbursement resolution is recommended to state the intention of the county, ensure compliance with regulations, provide direction to the Finance Officer and establish an effective date. The reimbursement resolution was prepared by Ms. Rebecca Joyner, Bond counsel for Brunswick County. Staff recommends approval of the reimbursement resolution allowing Brunswick County to make reimbursement to the county upon the receipt of debt proceeds for these water and sewer projects.

Vice-Chairman Phillips moved to approve a Reimbursement Resolution in Advance of a Water and Sewer Revenue Bond planned for 2015 to fund expenditures incurred prior to the debt issuance for the Northwest Water Plant Expansion-Phase 2, Danford Road and Duke Energy Canal Water Main projects and the Ocean Isle Beach WWTP Pump Station and Plant Improvements. The vote of approval was unanimous.

5. Planning & Community Development - Unified Development Ordinance Review & Revision Process - (Mike Hargett, Director of Planning & Community Development)

Request that the Board of Commissioners approve the proposed process to review and revise the Unified Development Ordinance.

Mike Hargett, Planning Director, explained that the proposals will be in the form of descriptive outlines sufficient to convey the substance of the proposed changes. The provided Development Approval outline is an example of a proposal. It is envisioned that the Planning Board review will include work sessions and consideration of the proposals at a regular meeting, following a public hearing. The Planning Board recommendations will be submitted for consideration to the Board of Commissioners. Upon approval of the proposals by the Board of Commissioners, ordinance amendments to reflect the revisions as approved will be drafted for final adoption, following the required public hearing.

Commissioner Williams asked that the Brunswick County ABCPOA and the Small Business Advisory Committee be included in these discussions.

Vice-Chairman Phillips moved to approve the proposed process to review and revise the Unified Development Ordinance. The vote of approval was unanimous.

6. Parks & Recreation - Recommendation of Bid Award for Waccamaw Park - (Jim Pryor, Director of Parks & Recreation)

Request that the Board of Commissioners consider options for award of bid to L.M. McLamb Construction for Waccamaw Park improvements and approval of associated budget amendment and capital project ordinance.

Jim Pryor, Parks and Recreation Director, explained that a bid opening was held on July 1, 2014 to receive formal bids for the Waccamaw Park development project and (2) bids were received. Since the first open of a formal bid requires 3 submissions, the bids were not opened and were returned to the bidders. The project was readvertised and a second opening was held on July 29, 2014 and again, (2) bids were received but the bids were opened. The lowest responsive and responsible bidder was L.M. McLamb Construction Company. However, the initial bid was \$900,000 over project budget so project elements were reviewed and negotiated with the contractor.

The negotiation and review of elements was centered on the project elements required in the NC Parks & Recreation Trust Fund Grant. These items are renovation of 3 existing baseball fields, development of 1 new baseball field, development of a new main restroom/concession building, addition of 2 batting cages, addition of 5 individual picnic stations, development of a 9 hole disc golf course, 2 bocce courts, 2 shuffleboard courts, development of a playground, and development of a restroom facility with picnic shelter.

Project Deletions: After negotiation, the following facilities in the plan were discussed for deletion from the contract: paved walking trails, 2 tennis courts, 1 basketball court (2 were planned), the park maintenance building, and specified renovation to the multipurpose field. In regard to the multipurpose field, the original plan was to demolish the field, regrade, irrigate, light, fence and sod the new field. After negotiations, it was determined to keep the existing field and turf, but provide the irrigation and fencing and let our routine maintenance provide turf regeneration. The sports lighting is separate form the general contract, so addition/deletion of the lighting will be an option for the Board.

After negotiations, there was an impasse as far as getting the project to the point of meeting the overall project budget. In order to proceed with the award of bid, the County Commissioners will need to consider a budget amendment for the project in addition to the \$3,100,000 originally budgeted for the project. The other option is a minor redesign and rebid later in the winter. Staff has reviewed the possibilities and is submitting 3 options for consideration.

Option 1: Base project taking into account all of the Project Deletions mentioned above. Total project budget would be \$3,192,717. This would require a budget amendment of \$92,717. Contract award for L.M. McLamb Construction would be \$2,468,010.

Option 2: Base project taking into account all of the Project Deletions except the Maintenance Operations Building. Total project budget would be \$3,276,293. This would require a budget amendment of \$176,293. Contract award for L.M. McLamb Construction would be \$2,551,586.

Option 3: Base project taking into account all of the Project Deletions except the Sports Lighting of the Multipurpose Field. Total project budget would be \$3,355,110. This would require a budget amendment of \$255,110. Contract award for L.M. McLamb Construction would be \$2,480,403.

An award recommendation from Site Solutions is provided outlining the 3 options. The original certified bid tab is provided. Staff is recommending rejection of Alternates 1-4. Entire project budget grids were provided.

Approval of the award will initiate contract review by the County Attorney and approval by the County Manager. With approval of the award, staff anticipates closing Waccamaw Park on Wednesday, September 17th to start demolition. It is estimated that the general contractor will assume control of the site the first week in November. Barring any major setbacks, this is anticipated to be a 8-10 month project.

Budget amendment and the associated capital project ordinance is to transfer funds designated in the reserve \$2,455,000, undesignated in the reserve \$90,274 and appropriate additional investment earnings of \$2,443 for transfer to the Waccamaw Park Improvements project for the award of the construction contract Option 1. Total project budget of \$3,192,717.

Vice-Chairman Phillips asked staff to consider the maintenance building and other deleted items as priority in the 2015-2016 budget process.

Commissioner Sykes moved to approve award the construction contract to L.M. McLamb Construction in the amount of \$2,468,010 for Waccamaw Park improvements and approval of the associated budget amendment and capital project ordinance for Option 1: Base project taking into account all of the Project Deletions for a total project budget of \$3,192,717 and provide additional funding of \$92,717. The vote of approval was unanimous.

7. Utilities - Request for Approval of Utility Service Areas Regulated by Coastal Barrier Resources Act (COBRA) Policy - (Jerry Pierce, Director of Public Utilities)

Request that the Board of Commissioners approve a policy that establishes the terms and conditions that will apply to water and/or sewer service inside areas regulated by the Coastal Barrier Resources Act (COBRA).

Jerry Pierce, Public Utilities Director, explained that the U.S. Fish and Wildlife Service has designated one area at the end of the island in Sunset Beach as meeting the requirements for inclusion under the Coastal Barrier Resources Act. While the Coastal Barrier Resources Act does not preclude development of the property designated for inclusion, the Act prohibits the use of any federal funds in the development or restoration of any improvements within that area. This requirement means that the county would solely be responsible for any repair or replacement of the water and/or sewer mains within the area in the event of a major storm that damages the mains. Normally, the county would receive Federal Emergency Management Agency (FEMA) assistance to repair or replace the mains.

The proposed policy does not prohibit the development of the property designated by the Coastal Barrier Resources Act and allows the county to provide water and/or sewer service to the property if developed. The policy does require that the developer own and operate any water and/or sewer mains constructed within the COBRA designated area. The county would install taps and or meters outside of the COBRA designated area to serve the property.

Vice-Chairman Phillips moved to approve the Utility Service in Areas Regulated by the Coastal Barrier Resources Act (COBRA) Policy. The vote of approval was unanimous.

8. Utilities - Request for Approval of Danford Road Water Main and Duke Energy Canal Water Main Project Notice of Award and Construction Contract Execution Ralph Hodge Construction (Jerry Pierce, Public Utilities Director)

Jerry Pierce, Public Utilities Director, explained that funds have been included in the FY 2015 Capital Improvement Budget for improvements to the water transmission system. The Danford Road Water System Improvement Project will provide a 24" water main from the existing water main on Highway 87 to the existing water main on Highway 17 near Midway Road. This link will provide additional system redundancy and additional capacity to the southern section of the water system where additional transmission capacity is most needed. The project also includes a Horizontal Directional Drill under the Duke Energy Canal on Highway 87. This project will remove the current constriction at the bridge where the existing water main reduces from 24" diameter to 12" diameter throughout the bridge.

Earlier this year, the prequalification for contractors to perform the construction of the project was advertised and on May 22, 2014, a total of eighteen prequalification applications were received. Fifteen out of the eighteen contractors were deemed qualified and eight of the contractors submitted bids on August 21, 2014 and are detailed in the provided bid tabulation. Staff recommends rejection of all alternates and the award be made based on the lump sum base bid. The engineer, Tripp Engineering, has reviewed the bid proposals and recommends the project be awarded to the lowest responsive bidder, Ralph Hodge Construction.

Consequently, it is recommended that the Board approve the Notice of Award, and authorize the Chairman and the Clerk to the Board to execute the construction contract with Ralph Hodge Construction in the amount of \$3,786,500. The Engineer's estimate was \$4.8 million.

A budget amendment and the associated capital project ordinance is to appropriate debt proceeds in the amount of \$4,055,215 through the advance funding resolution for the Danford Road and Duke Energy Canal Water Main projects and to award the construction contract \$3,786,500 and reimburse expenditures to date of \$268,715 to the reserve undesignated funds.

Vice-Chairman Phillips moved to approve Notice of Award and authorize the Chairman and Clerk to the Board to execute the construction contract with Ralph Hodge Construction for the construction of the Danford Road Water Main and Duke Energy Canal Water Main Project contingent on the County Attorney's review and approval of the construction contract, performance bond, payment bond, NC E-Verify Affidavit of Compliance, and insurance certificates and reject all alternates.. The vote of approval was unanimous.

9. Utilities - Request for Approval of Booster Pump Stations 8 & 9 Notice of Award and Construction Contract Execution Carmichael Construction. (Jerry Pierce, Public Utilities Director)

Jerry Pierce, Public Utilities Director, explained that funds have been included in the FY 2015 Capital Improvement Budget for improvements to the water transmission system. The Booster Pump Stations 8 and 9 Improvements Project will provide capacity upgrades to Booster Pump Station #9 near Brunswick Community College and operational improvements to Booster Pump Station #8 at Bell Swamp.

Bids were solicited from multiple contractors this year and on August 20, 2014, three bids were received for the work and are detailed in the bid tabulation. The engineer, AECOM, has reviewed the bid proposals and recommends the project be awarded to the lowest responsive bidder, Carmichael Construction Company, Inc. As permitted by formal bidding procedures [NCGS 143-129 (b)], negotiations with the lowest responsive bidder resulted in a final contract price of \$494,837.72, within the available funds for the project.

Consequently, it is recommended that the Board approve the Notice of Award and authorize the Chairman and the Clerk to the Board to execute the construction contract with Carmichael Construction Company, Inc., in the amount of \$494,837.72.

A budget amendment and the associated capital project ordinance is to transfer funding to project from the water capital reserve of \$274,900 undesignated and \$220,000 designated for award of the Booster Pump Station 8 and 9 construction contract of \$494,900. The recommended contract award amount is \$494,837.72.

Commissioner Williams moved to approve Notice of Award and authorize the Chairman and Clerk to the Board to execute the construction contract with Carmichael Construction Company, Inc., for the construction of the Booster Pump Stations 8 and 9 Improvements Project contingent on the County Attorney's review and approval of the construction contract, performance bond, payment bond, NC E-Verify Affidavit of Compliance, and insurance certificates. The vote of approval was unanimous.

### **IX. BOARD APPOINTMENTS**

#### 1. JCPC Board

Request recommended appointments to the JCPC Board for Lora Moree as a Business Member and Maxine Elliott as a County Commissioner Appointee.

Commissioner Sykes moved to approve the recommended appointments of Lora Moree, Business Member and Maxine Elliott, County Commissioner appointee. The vote of approval was unanimous.

#### 2. Brunswick County Tourism Development Authority

Request the Board of Commissioners approval for the following reappointments on the Brunswick County Tourism Development Authority Board.

District 1 - Debbie Smith

District 2 - Bonnie Cox

N. Brunswick Chamber of Commerce - Glenda Browning

Southport Oak Island Chamber of Commerce - Buddy Rudd

Commissioner Williams moved to approve the appointments as recommended. The vote of approval was unanimous. Debbie Smith, Bonnie Cox, Glenda Browning and Buddy Rudd were re-appointed to serve another three-year term that will expire on October 1, 2017.

### **X. COUNTY ATTORNEY'S REPORT**

There were no items for discussion.

### **XI. CLOSED SESSION**

Vice-Chairman Phillips moved to enter Closed Session at 7:29 p.m. pursuant to NCGS 143-318.11 (a) (3) and (a) (5) to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action and to establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property located in Brunswick County. The vote of approval was unanimous.

Chairman Norris called a ten-minute recess.

**XII. OTHER BUSINESS/INFORMAL DISCUSSION**

Chairman Norris called the Open Session back to order at 8:30 p.m. The Attorney informed that some matters discussed will be made available upon response from the opposing party.

Commissioner Sykes moved to authorize acquisition of Holden and Fulford properties for water main expansions by any means. The vote of approval was unanimous.

**XIII. ADJOURNMENT**

Vice-Chairman Phillips moved to adjourn the Regular Meeting at 8:31 p.m. The vote of approval was unanimous.

---

Phil Norris, Chairman

---

Deborah (Debby) Gore, NCCCC  
Clerk to the Board