

DRAFT

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
JULY 6, 2021
3:00 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 3:00 p.m., Commissioners' Chambers, David R. Sandifer Administration Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Randy Thompson, Chairman
Commissioner Mike Forte, Vice-Chairman
Commissioner J. Martin Cooke
Commissioner Pat Sykes
Commissioner Frank Williams

STAFF: Randell Woodruff, County Manager
Bob Shaver, County Attorney
Steve Stone, Deputy County Manager
David Stanley, Deputy County Manager
Haynes Brigman, Deputy County Manager
Julie Miller, Finance Director
Andrea White, Clerk to the Board
Daralyn Spivey, Clerk to the Board
Jared Galloway, Deputy Clerk to the Board
Meagan Kascak, Communications Director
Cpt. Lamar Siler, Sheriff's Office
Neal Galloway, IT

Board Action, containing all items in this set of minutes, is filed within the Clerk to the Board's office.

I. CALL TO ORDER

Chairman Thompson called the meeting to order at 3:00 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Chairman Thompson gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Thompson asked for adjustments to the agenda. No adjustments were requested.

Commissioner Williams moved to approve the agenda as presented. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).

IV. PUBLIC COMMENTS

No one signed up to speak.

V. APPROVAL OF CONSENT AGENDA

Commissioner Sykes moved to approve the Consent Agenda as presented. The motion was seconded by Vice-Chairman Forte and passed unanimously (5 to 0). The following items were approved:

1. **Administration - Amendment to the Fiscal Year 2022 Budget Ordinance - Elected Officials Provision**
Approved an amendment to the Fiscal Year 2022 Approved Budget Ordinance for the Fiscal Year Beginning July 1, 2021, and Ending June 30, 2022, for the Sheriff and Register of Deeds pay grade change.
2. **Administration - Brunswick County Schools WBHS Port City Grading & Paving, Inc.**
Approved and authorized the Chairman to sign the Port City Grading & Paving, Inc. contract for the demolition and reconstruction of the West Brunswick High School tennis court in the amount of \$490,256 contingent on the Board of Education approval at the July 6, 2021 Board of Education meeting.

3. **Administration - Resolution Honoring North Carolina Director of Emergency Management Mike Sprayberry**

Adopted the following Resolution honoring North Carolina Director of Emergency Management Mike Sprayberry upon his retirement from the State of North Carolina:

**RESOLUTION HONORING NORTH CAROLINA DIRECTOR OF EMERGENCY
MANAGEMENT MIKE SPRAYBERRY UPON HIS RETIREMENT FROM THE STATE
OF NORTH CAROLINA**

WHEREAS, Mike Sprayberry has served in the North Carolina Division of Emergency Management since 2005; and

WHEREAS, Mike Sprayberry has been the Director of the North Carolina Division of Emergency Management since 2013; and

WHEREAS, Mike Sprayberry has also served as the Director of the North Carolina Office of Resiliency and Recovery; and

WHEREAS, Mike Sprayberry has provided keen and responsive leadership of the State's preparation for and response to numerous meteorological, chemical, radiological, biological, and other threats to the health and safety of the people of North Carolina; and

WHEREAS, Mike Sprayberry has worked tirelessly to help the people of North Carolina and Brunswick County overcome both the long- and short-term impacts of several events, including hurricanes Matthew, Florence, Dorian, and Isaias, the ongoing COVID-19 pandemic of 2020-2021, and the Grissettown tornado in 2021; and

WHEREAS, Mike Sprayberry has also served in national leadership roles as a member of the National Advisory Council of the Federal Emergency Action Agency, as well as serving a term as the President of the National Emergency Management Association.

NOW, THEREFORE, the Brunswick County Board of Commissioners honors and recognizes Mike Sprayberry for his committed service to the people of North Carolina and Brunswick County.

This the 6th day of July, 2021.

Randy Thompson, Chairman
Brunswick County Commissioners

Attest:
Andrea White, NCCCC
Clerk to the Board

4. **Clerk to the Board - Meeting Minutes**

Approved the draft minutes from the June 21, 2021 Special Called meeting and the Regular meeting.

5. **County Attorney - Declaration of Surplus Property**

Declared parcel 1731A00101 obtained by the County through tax foreclosure as surplus property, to be placed on the County's website for possible future purchase. The property was obtained through tax foreclosure for \$1,692.26, with a tax value of \$1,500.

6. **County Attorney - St. James CM-4, Phase 2, DOD**

Accepted the Deed of Dedication for water and sewer infrastructure in St. James CM-4, Phase 2.

7. **Finance - Fiscal Items**

Approved the following Budget Amendments, Capital Project Ordinances and Fiscal Items of a routine nature:

- **NC Education Lottery Application**

Authorized the Chairman to execute the signed North Carolina Education Lottery application. Freyja Cahill, Brunswick County Schools Finance Officer, submitted the State lottery funding application for \$800,000. The lottery funds will be used for the 2015 LOBS debt payments in FY 2021-2022.

- **Airport Grant 36244.58.13.1 Grant Agreement**

Approved and authorized the Chairman to sign the grant agreement for the airport grant 36244.58.13.1 in the amount of \$3,254,231 with a local match of \$361,582. The grant and local match were approved on the June 8, 2021 Board of Commissioners' meeting.

This agreement provides NCDOT work authorization for the West Apron Expansion Phase II (construction) under grant 36244.58.13.1.

- **FY22 JCPC Funding Budget Appropriation**
Appropriated state revenues (restricted) of \$242,486 as awarded by the Juvenile Crime Prevention Council from the NC Department of Public Safety and approved at the 4/19/2021 Board meeting. The following has been awarded to the JCPC Programs: JCPC Administration \$7,500, Coastal ART \$44,990, Guiding Good Choices (GCC) & Systematic Training for Effective Parenting (STEP) \$47,289, Providence Home \$20,441, Teen Court \$59,141, and Restitution \$63,125.
 - **2021 Brunswick County CWRAR Grant**
Appropriated state revenues (restricted) of \$20,000 for the NC DEQ Community Waste Reduction and Recycling Grant approved at the 06/07/2021 Board meeting. The grant program provides funding to public recycling programs for projects to help communities build lasting capacity to divert materials from the waste stream and/or increase awareness of recycling. The grant requires a cash match of 20% covered by funds in the approved FY22 Solid Waste budget. The grant period is 7/1/21 - 6/30/22.
8. **Health and Human Services - Brunswick Senior Resources Inc. - Budget Revision #2 to HCCBG Funding**
Approved Revision #2 budget document for the Fiscal Year 2020-2021 Home and Community Care Block Grant (HCCBG) for Older Adults consisting of a request to move \$100,659 in unused funds from Congregate Nutrition to Home Delivered Meals, and a request to move a total of \$15,000 in unused funds from Transportation to Senior Center Operations \$7,000 and to In-Home Aide-Level II services, \$8,000.
 9. **Health and Human Services - Health Services - Contract for NC Alliance of Public Health Agencies FY 21-22**
Approved and executed the contract with the North Carolina Alliance of Public Health Agencies for FY 2021-2022.
 10. **Health and Human Services - Health Services - New Hope Clinic Contract Renewal for FY 21-22**
Approved the FY 2021-2022 contract with New Hope Clinic for services up to \$75,000.
 11. **Health and Human Services - Health Services - Novant Health Medical Group Coastal Region, LLC Contract for FY 21-22**
Approved the FY 2021-2022 contract between the County and Novant Health Medical Group Coastal Region, LLC.
 12. **Health and Human Services - Social Services - Annual Energy Outreach Plan**
Approved the Social Services Energy Outreach Plan for FY 2021-2022.
 13. **Health and Human Services - Social Services - Non-Emergency Medicaid Transportation Contracts for FY 21-22**
Approved the Non-Emergency Medicaid Transportation contracts with Brunswick Transit System and Med Trans.
 14. **Health and Human Services - Social Services - Non-Profit Contracts FY 21-22**
Approved the renewal of contracts between Brunswick County and the following non-profit agencies: Hope Harbor Home, Inc., Brunswick Family Assistance, Coastal Horizons Center, Inc., Providence Home, and Brunswick Housing Opportunities.
 15. **Health and Human Services - Social Services - Wortman Law Firm Contract FY 21-22**
Approved the FY 21-22 contract for Wortman Law Firm, PLLC to provide legal representation and support to Social Services in the areas of Child Protective Services, Foster Care, Adult Protective Services, Child Support Enforcement, and Guardianship. The maximum annual value of the renewal contract is \$80,000.
 16. **Register of Deeds - RecordingPro Contract Extension**
Entered into an agreement extension with RecordingPro for recording system and internet document-based access system for a monthly service payment of \$11,600, continuing until June 30, 2026, and gave authority to the County Manager to sign the contract.
 17. **Tax Administration - July 2021 Releases**
Approved the July 2021 releases.

VI. ADMINISTRATIVE REPORT

1. Utilities - ECS Southeast Mirasol Family Farm (John Nichols, Public Utilities Director)

Request that the Board of Commissioners provide input regarding engineering work to determine the impacts associated with a developer request to expand and construct a sand mine within the 211 Water Treatment Plant Wellhead Protection Area and, based on that input, approve a task order with ECS in the amount of \$10,350 for consultant services.

Mr. Nichols explained that a rezoning request had been made by a developer for expansion of a sand mine in an area that was designated in 2013 as a wellhead protection area. The property is located across from the entrance to St. James Plantation. In an effort to protect wells that supply public water, DEQ requested that a plan be in place to identify potential hazards in areas where wells are located. The County has approximately 15 wells across from the water treatment plant on Hwy. 211, with one being located on the subject property. There are approximately four wells within the zone of influence. The wells are located in the Castle Hayne Aquifer and are very shallow, therefore, there is the potential for impacts to the yield, quantity of water, and quality of water by development. The 211 Water Treatment Plant is a ground water plant, and the regulatory requirements are different than the requirements for the Northwest Water Treatment Plant. The construction of a sand mine indicates a higher hazard use within the wellhead protection plan, which is cause for concern. Additional study from an expert hydrogeologist is needed to determine if there is a potential hazard, and if there is, a plan is needed for the developer's engineers and consultants to study to determine the impacts.

Staff recommended approval of a task order with ECS in the initial amount of \$10,350 for the consultant services in order to give valid information/direction to the developer. The information from the consultant would also allow the County to make a decision regarding the rezoning request. Depending on the results of the initial phase, future phases may be required. The study would provide staff with a good understanding of the potential impacts for this area as it develops. Mr. Nichols noted that, regardless of the approval, there is the potential for the developer to move forward due to rules that would allow the expansion if the project is done for the NCDOT.

Following discussion, Commissioner Williams moved to approve the task order with ECS in the amount of \$10,350 for consultant services as presented. The motion was seconded by Commissioner Sykes.

Following further discussion regarding possible impacts, Mr. Shaver stated that the first step in the process would be to get an independent evaluation of what the risks may be, which is the purpose of the study.

Chairman Thompson called for a vote on the motion. The motion passed unanimously (5 to 0).

2. Utilities - Shallotte Transmission Water Main Change Order #1 (John Nichols, Public Utilities Director)

Request that the Board of Commissioners approve a budget amendment and Change Order #1 in the amount of \$325,046 and 56 additional days for the Shallotte Transmission Water Main contract with Ralph Hodge Construction Company.

Mr. Nichols explained the difficulty in obtaining 24" diameter PVC pipe for the redundant line around the Town of Shallotte. Due to a fire that resulted in the loss of the plant that supplied a significant amount of the plastics that are used in the pipe, along with flooding that impacted other plants, many suppliers are declaring force majeure events. The contractor has recommended the use of ductile iron pipe in lieu of PVC. The project was bid with an alternate of ductile iron or PVC and the cost of the ductile iron will be less than what was initially in the bid. Staff recommended utilizing ductile iron pipe and initiating a change order, in the amount of \$325,046 and 56 additional days, for the project.

Following discussion on the cost of the change order, Mr. Shaver explained that the price quoted for the ductile iron is less than when they had it as a bid alternate. Mr. Nichols explained that if the Board opts not to do this, the schedule will be extended until the PVC can be obtained, however, the cost will be higher than the differential presented.

Commissioner Williams moved to approve the budget amendment and Change Order as requested. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

VII. BOARD APPOINTMENTS

1. Governing Body - Annual Board Appointments

Request that the Board of Commissioners appoint Leah McGhee to the Substance Use and Addiction Commission, as the Chief Superior Court Judge Designee, for a 4-year term expiring June 30, 2025.

Commissioner Sykes moved to appoint Leah McGhee to the Substance Use and Addiction Commission as requested. The motion was seconded by Vice-Chairman Forte and passed unanimously (5 to 0).

2. Governing Body - Appointment of the Clerk to the Board of Commissioners

Request that the Board of Commissioners appoint Daralyn Spivey to serve as Clerk to the Board of Commissioners.

Commissioner Williams moved to appoint Daralyn Spivey to serve as Clerk to the Board of Commissioners. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

Clerk to the Board Andrea White administered the following Oath of Office to Daralyn Spivey:

OATH OF OFFICE

BRUNSWICK COUNTY CLERK TO THE BOARD

I, Daralyn Spivey, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as Clerk to the Board, so help me God.

Daralyn Spivey

Attestation:

Subscribed and sworn before me this the 6th day of July, 2021.

Andrea White

Clerk to the Board/Notary

Brunswick County Commissioners

VIII. OTHER BUSINESS/INFORMAL DISCUSSION

Chairman Thompson recognized Commissioner Williams for the donation and presentation of an engraved wooden plaque of Brunswick County to be displayed in a location selected by staff.

Following the presentation, the Board recognized that the July 6 meeting was the last meeting for Andrea White, Clerk to the Board, as she retires after 30 years of service to Brunswick County, and Jared Galloway, Deputy Clerk, as he moves into full time ministry. Each Commissioner shared their farewell sentiments to both Ms. White and Mr. Galloway, and expressed appreciation of their service.

IX. CLOSED SESSION

1. Closed Session - Approve Closed Session Minutes and Consult with Attorney

Request that the Board of Commissioners enter into Closed Session pursuant to N.C.G.S. 143-318.11(a)(1) to approve closed session minutes and 143-318.11(a)(3) to consult with its Attorney.

Mr. Shaver noted that the statutory requirements were included in the agenda with the purpose to approve closed session minutes and to consult with the attorney.

Commissioner Cooke moved to enter Closed Session as stated at 3:41 p.m. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).

Chairman Thompson called the Regular Session to order at 4:10 p.m. There were no items to report from Closed Session.

X. ADJOURNMENT

Vice-Chairman Forte moved to adjourn the meeting at 4:10 p.m. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:

Daralyn Spivey, NCCMC
Clerk to the Board