

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
August 2, 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
Daralyn Spivey, Clerk to the Board
Meagan Kascak, Communications Director
Cpt. Lamar Siler, Sheriff's Office
Neal Galloway, IT
Raquel Perez, Executive Assistant

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

IV. PUBLIC COMMENTS

No one signed up to speak.

V. APPROVAL OF CONSENT AGENDA

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

1. **Administration – Proposed Addition to the State Highway System**
Approved a request from the NC Department of Transportation for the addition of Bonaventure St., Sevilleen Dr., Ascension Dr., Gracieuse Ln., Mauricio Ct., Arot Ct., and Defyance Ct.
2. **Administration - Resolution In Opposition To Issuance Of Wind Energy Leases Within 24 Nautical Miles Of North Carolina's Shores**
Adopted the following Resolution in Opposition to Issuance of Wind Energy Leases Within 24 Nautical Miles of North Carolina Shores and reads as follows:

**BRUNSWICK COUNTY RESOLUTION IN OPPOSITION
TO ISSUANCE OF WIND ENERGY LEASES WITHIN**

24 NAUTICAL MILES OF NORTH CAROLINA'S SHORES

WHEREAS, Brunswick County has six beach towns across five barrier islands, and approximately 50 miles of beautiful shoreline along the Atlantic Ocean; and

WHEREAS, the natural coastal beauty of our viewshed is an essential driver of our economy; and

WHEREAS, the onshore visual impact of wind energy turbines is overwhelmingly determined by a single causal factor, distance of wind turbines from shore; and

WHEREAS, wind turbines located within the viewshed of Brunswick County beaches would damage tourism and the economy of the county by transforming open ocean views to views of massive industrial machinery; and

WHEREAS, such a change would represent a destructive commitment of ocean resources that could irreversibly damage the natural environment and resources that drive our economy.

WHEREAS, BOEM knows that wind turbines will have adverse visual impacts if located within 24 nautical miles from shore. BOEM, based on the 33.7 nautical mile buffer BOEM established for Bodie Island Lighthouse; and

WHEREAS, BOEM has established a 24 nautical mile no-leasing buffer for the State of Virginia to protect viewsheds, BOEM has established a 24 nautical mile no-leasing buffer for the Kitty Hawk WEA to protect viewsheds, and BOEM has established a 33.7 nautical mile no-leasing buffer to protect the Bodie Island Lighthouse; and

WHEREAS, the wind energy leases issued for by BOEM for sites within County viewsheds (and as close as 10 nautical miles) still exist and BOEM has stated the leases will have no significant impact on the human environment even though "visual impacts from the installation of a wind energy facility were not analyzed." BOEM Environmental Assessment at p. 5-22. In fact, issuance of leases determine distance from shore and therefore determine the adverse visual impacts of wind turbines. Visual impacts caused by distance from shore must either be eliminated before leases are issued or must be fully analyzed in an Environmental Impact Statement before leases are issued; and

WHEREAS, BOEM has not analyzed the visual impacts of wind turbines on Brunswick County and will likely not do so until it is too late to reasonably do anything about wind turbine distance from shore. BOEM plans to delay its analysis until the following commitments of resources, among others, have occurred:

- BOEM issues a lease for a BOEM-specified area whose distance from shore is determined by BOEM
- A wind energy company has submitted a site assessment plan for the BOEM-specified area
- BOEM has approved a site assessment plan for the BOEM-specified area
- A wind energy company has completed site assessment activities and has decided to propose a Construction and Operation Plan for the BOEM-specified area
- A wind energy company develops, completes, and submits to BOEM its Construction and Operation Plan for the BOEM-specified area
- BOEM receives a Construction and Operation Plan for the BOEM-specified area and BOEM will decide whether to approve, modify, or reject the plan.

At this late stage, as part of BOEM's decision to approve, modify, or reject a Construction and Operation Plan, BOEM plans to analyze visual impacts - impacts that are caused primarily by distance from shore. However, because distance from shore is determined when a lease is issued, the analysis of visual impacts must be either eliminated before leasing or fully analyzed before leasing in order to satisfy the requirements of the National Environmental Policy Act and to prevent substantial wasteful expenditure of private and public time, effort, and money on sites that are known to be in unacceptable locations; and

WHEREAS, if an area leased by BOEM is too close to shore, producing unacceptable visual impacts, the County is concerned that (1) BOEM cannot modify a Construction and Operation Plan by specifying a different location than one leased and (2) BOEM will fail to reject a Construction and Operation Plan because of the magnitude of private and government expenditures on a location whose distance from shore was decided prior to those expenditures, when the lease was issued. Conversely, if BOEM, based on proximity to shore and resulting visual impacts, were to reject a Construction and Operation Plan or specify a different location than the one leased, we are concerned that BOEM would fail to successfully defend such a decision; and

WHEREAS, the reasonable and lawful point in the BOEM process to assess or eliminate visual impacts caused by distance of wind turbines from shore is prior to issuing any lease; and

WHEREAS, if BOEM proceeds with leasing in the West Wilmington WEA and the East Wilmington WEA without an EIS, the reasonable, lawful course of action is to exclude from leasing any areas that are within 24 nautical miles of shore and any areas where wind turbines would be visible from Brunswick County shores; and

NOW, THEREFORE, BE IT RESOLVED that Brunswick County respectfully requests that BOEM restrict leasing and approval of site assessment plans in the Wilmington East WEA and Wilmington West WEA to exclude locations within 24 nautical miles of the Brunswick County shoreline; and

BE IT FURTHER RESOLVED that Brunswick County respectfully requests BOEM provide at least 30 days written notice to the Brunswick County before issuing any lease or approving any site assessment plan that includes any location within the Visual Impact Exclusion Area; and

BE IT FURTHER RESOLVED that Brunswick County is committed to challenge any BOEM issuance of wind energy leases within the Visual Impact Exclusion Area; and

BE IT FURTHER RESOLVED that Brunswick County stands in solidarity with North Carolina coastal communities, and with other communities that may be affected by BOEM wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina shore or within viewing distance from any North Carolina lighthouse; and

BE IT FURTHER RESOLVED that Brunswick County calls upon Governor Roy Cooper, Department of Environmental Quality Secretary Elizabeth S. Biser, and the North Carolina General Assembly to protect North Carolina's beautiful ocean viewshed and North Carolina's proven tourism-driven coastal economy by opposing wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina coast and within areas where wind turbines would be visible from any North Carolina lighthouse.

This the 2nd day of August, 2021.

Randell Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:

Daralyn Spivey
Clerk to the Board

3. **Administration - Surplus Property Offers for Upset Bid Process**
Approved offers submitted for surplus parcels that meet the value parameters previously established by the Board.
4. **Clerk to the Board - Meeting Minutes**
Approved the Draft Minutes from the July 6, 2021 Regular Meeting and the July 21, 2021 Special Called Meeting.
5. **Board Appointment - Brunswick Community College Board of Trustees**
Approved the recommended appointment of Scott Evans to fill the unexpired term on the Brunswick Community College Board of Trustees. This term will expire June 30, 2023.
6. **Clerk to the Board - Meeting Minutes**
Board of Commissioners approved the Draft Minutes from the July 6, 2021 Regular Meeting and the July 21, 2021 Special Called Meeting.

7. **County Attorney - Dollar General Midway Road Deed of Dedication**
Accepted the Deed of Dedication for water and sewer infrastructure for Dollar General, Midway Road.
8. **Emergency Services - Ambulance Purchase**
Approval of the purchase of three new ambulances.
9. **Emergency Services - Amendment to EMS Management Consultants Billing Agreement for Medicaid Claims**
Approval of the amendment to the current billing contract with EMS Management Consultants, as it relates to Medicaid claims. All Medicaid claims will switch to a fixed billing rate, instead of a percentage of collections rate.
10. **Finance - Fiscal Items**
Approved the following Budget Amendments, Capital Project Ordinances and Fiscal Items of a routine nature:
 - Parks and Recreation World Series Budget Amendment**
The Brunswick County Dixie Belles team (13-15 year old) won the 2021 Belles Dixie Softball State Championship and will move on to play in the World Series at Moncks Corner, South Carolina July 23-28, 2021. The Brunswick County Junior Dixie Boys (13 year old) won the 2021 Junior Dixie Boys State Championship and will move on to play in the World Series in Monroe, Louisiana July 23-28, 2021. Two teams will be going out of town for their respective World Series. An additional \$12,000 above what is currently available will be needed in the Dixie Youth Travel Restricted line for the Belles request of \$15,040 and the Junior Boys request of \$16,020 to cover possible costs of their trips for a total of \$31,060.
 - Sheriff's Office Donation Budget Amendment**
Appropriate \$5,220 of gifts and memorials to capital outlay equipment for donation made to help purchase a covered trailer for the motor unit.
 - Cape Fear Regional Jetport Grant 36237.45.18.3 Additional Funding Budget Amendment and CPO**
Appropriate \$23,000 of additional CRRSAA funding awarded to the Cape Fear Regional Jetport for Grant 36237.45.18.3 in response to COVID-19 and economic disruption it caused.
 - Navassa Water System Rehabilitation Project Grant Budget Amendment and CPO**
Reduce Grant revenues \$44,379 for 2% loan fee originally budgeted for payment to State. Administration costs equal to the 2% loan fee will not be reimbursed rather than paying back a fee.
11. **Finance - NC Forest Service Agreement**
Approved and authorizes the County Manager to sign an agreement with the North Carolina Department of Agriculture and Consumer Services for the protection, development and improvement of forest land in Brunswick County.
12. **Health and Human Services - Brunswick Senior Resources Inc. - Budget Revision #3 to HCCBG Funding**
Approved Revision #3 budget document for the Fiscal Year 2020-2021 Home and Community Care Block Grant (HCCBG) for Older Adults.
13. **Health and Human Services - BSRI - FY 2022 HCCBG County Funding Plan**
Approved the 2021-2022 Home and Community Care Block Grant for Older Adults County Funding Plan.
14. **Health and Human Services - Health Services - 2020 Child Fatality Prevention Team Annual Report**
Reviewed and approved the 2020 Child Fatality Prevention Team Annual Report.
15. **Health and Human Services - Health Services – 2020 State of the County Health Report**
Reviewed and approved the 2020 State of the County's Health Report.
16. **Operation Services - HVAC Repair and Maintenance Agreement**
Approved the service agreement for HVAC repair and maintenance with HVAC StarPlus, LLC.

17. Operation Services - Post Disaster Aerial Mosquito Control Agreement

Approval of award for a one-year agreement with four auto-renewals for post-disaster aerial mosquito services prepositioning agreement to Vector Disease Control International, LLC.

18. Sheriff's Office - Agreement with Motorola Solutions for FY22 Radio Purchase

Approved the agreement with Motorola Solutions for the purchase of 25 radios that was approved in the FY22 budget request.

19. Utilities - Kings Bluff - Recommended Staffing Changes

Approved moving 0.5 FTE in the Lower Cape Fear Water and Sewer Authority budget (LCFWSA) to the Northwest Water Treatment budget and create one (1) new position in the LCFWSA budget. The increase of 1.0 FTE in the water fund is offset by LCFWSA personnel and administrative cost reimbursements

VI. ADMINISTRATIVE REPORT

1. Administration - Brunswick Community College - FY 2021-22 Budget Request (Dr. Gene Smith, President - Brunswick Community College)

Request the Board of Commissioners consider a request from Brunswick Community College for flexibility to utilize the approved Capital Outlay / Special Projects budget on the College's prioritized list and any reduction in cost to the county from the re-allocation/funding sources be used to reduce the county funds budgeted for the Building E roof replacement postponed until FY 2022-2023. Dr. Smith commented the requested flexibility of funds would allow for a locker room for the baseball team with a cost of approximately \$85K. Brunswick Community College will continue to look for other funding avenues as well to offset any County requested funding.

Following discussion, Vice Chairman Forte moved to approve the request with the motion seconded by Commissioner Williams.

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

2. Administration - Resolution Encouraging Exploration & Funding of Cape Fear Memorial Bridge Replacement

Request that the Board of Commissioners approve the following Resolution:

**BRUNSWICK COUNTY RESOLUTION ENCOURAGING
EXPLORATION AND FUNDING OF CAPE FEAR
MEMORIAL BRIDGE REPLACEMENT**

WHEREAS, the Cape Fear Memorial Bridge, which joins Brunswick County with New Hanover County, was constructed in 1969 and is nearing the end of its physical life and is subject to burdensome and expensive maintenance and rehabilitation repairs; and

WHEREAS, the Cape Fear Memorial Bridge is a vital link connecting Brunswick County and New Hanover County residents to jobs, health care, businesses, and services; and

WHEREAS, the traffic volume crossing the bridge is expected to increase from its current daily count of approximately 60,000 vehicles to 81,900 vehicles per day in 2045; and

WHEREAS, it appears unlikely that the North Carolina Department of Transportation will include replacement of the bridge in its priority project cycle within the next ten years; and

WHEREAS, the NC DOT has received an unsolicited proposal for a public-private partnership to replace the Cape Fear Memorial Bridge with a toll bridge funded by a private developer; and

WHEREAS, the unsolicited proposal is currently under consideration by the Wilmington Urban Area Metropolitan Planning Organization (WMPO);

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Brunswick County:

- 1) The County encourages the WMPO to continue exploring the option of the unsolicited proposal along with other options for replacement of the Cape Fear Memorial Bridge; and
- 2) The County directs staff to investigate and pursue any federal and state funds that may be available to offset the cost of a bridge replacement project.

This the 2nd day of August, 2021.

Randell Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:

Daralyn Spivey
Clerk to the Board

Commissioner Williams advised the WMPO refused to further pursue the funding options for the study of the toll bridge for the Cape Fear Memorial Bridge. The purpose of this Resolution is to encourage the WMPO to determine if the replacement of the bridge is still a top priority and to investigate all viable option for that replacement. It also directs staff to look to any Sate or Federal funding that may be available to either offset or totally cover the costs of the project. This will also urge the state officials to pursue all options to replace the bridge as well. Commissioner Cooke commented the repairs are needed as parts are becoming increasingly hard to find and these items must be fabricated. Chairman Thompson shared his concerns with the age of the bridge and the need to begin moving forward with the replacement options.

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

3. **Engineering - Courthouse Addition & Renovation -Monteith Construction Contract Change Order (2) (Wm. L. Pinnix, P.E., Engineering Director)**

Request the Board of Commissioners review and approve Change Order #2 with Monteith Construction Corporation for the courthouse addition and renovation project in the amount of \$356,077.00.

Mr. Pinnix reported some of the increase is based on requests from courthouse staff and the Sheriff's office as well as water, electrical, and additional structural issues that need to be addressed as they arise. With nine (9) months of construction remaining, Mr. Pinnix is certain further requests will come forward. The schedule for completion is currently set for early May 2022.

Commissioner Williams moved to approve Change Order #2 for \$356,077 as requested. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

4. **Utilities - Columbus County Interlocal Agreement-Sewer (John Nichols, PE, Director of Public Utilities)**

Request the Board of Commissioners approve an Interlocal Agreement with Columbus County to allow Brunswick County to provide sewer service to customers located in Columbus County as designated in the Designated Service Area.

Mr. Nichols reported there are a number of businesses just across the Brunswick/Columbus County line, and with the consent of Columbus County, who requesting an agreement be drawn up for approval. There are thirty (30) parcels involved in the current agreement. Columbus County would have to meet the provisions of the sewer use ordinance.

Commissioner Williams moved to approve the Interlocal Agreement as requested. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

5. **Utilities - Holden Beach Wholesale Bulk Water Service Agreement (John Nichols, PE, Director of Public Utilities)**

Request the Board of Commissioners approve the renewed Wholesale Bulk Water Service Agreement between Brunswick County and the Town of Holden Beach and authorize the Chairman to execute the agreement upon review by the County Attorney.

Mr. Nichols reported the same agreement has been in place since 1980 and is currently working with other wholesale customers to renew other water service agreements.

Commissioner Cooke moved to approve the Interlocal Agreement with Holden Beach as requested. The motion was seconded by Vice Chairman Forte and passed unanimously (5 to 0).

VII. OTHER BUSINESS/INFORMAL DISCUSSION

Commissioner Williams commented the past two (2) NCACC presidents have implemented initiatives that he would like to see take effect here. The first is called Pathways which delas with disconnected youth and the second is Food System Resilience of which Mr. Stanley has seen and will review. There will be other initiatives coming forward with the incoming President of the NCACC.

VIII. 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)(4) economic development and discuss the location or expansion of existing industries.

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

Commissioner Williams moved to enter Closed Session as stated at 3:36 p.m. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

Chairman Thompson called the Regular Session to order at 4:15 p.m. There is one item for consideration upon entering in Open Session. Consideration of a request for BBID to apply for the NC Railroad Company Build Ready Sites Program Grant for the purpose of further site improvement and development of the Mid-Atlantic Industrial Rail Park along with a letter of support.

Commissioner Williams made the motion to approve with Commissioner Cooke seconding and passed unanimously (5 to 0).

IX. ADJOURNMENT

Commissioner Cooke moved to adjourn the meeting at 4:15 p.m. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).

Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:

Daralyn Spivey, NCCMC
Clerk to the Board