

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
September 20, 2021
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 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 Kascsak, Communications Director
Lt. Jeff Beck, 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 6:00 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner 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

Dale Wright commented on his utility bill and Chairman Thompson referred him to John Nichols and Haynes Brigman for assistance.

Resea Willis, Brunswick Housing Opportunities (BHO) asked the Board to be receptive of the upcoming presentation from Mr. Witmer regarding the lack workforce housing County-wide and to act swiftly on this matter.

V. APPROVAL OF CONSENT AGENDA

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

1. **Clerk to the Board - Meeting Minutes**
The Board of Commissioners approved the Draft Minutes from the September 7, 2021, Regular Meeting.
2. **Code Administration – Fee Schedule Change for Change of Contractors**
The Board of Commissioners approved a change to the Code Administration-Permitting Fee Schedule for Sub-Contractor Change from Seventy-Five Dollars (\$75.00) to Fifty Dollars (\$50.00).
3. **Finance - Fiscal Items**
The Board of Commissioners approved the following Budget Amendments, Capital Project Ordinances and Fiscal Items of a routine nature:
 - Health Services Breast Feeding Peer Counselor Budget Amendment**
The Board of Commissioners appropriated \$10,137 of additional State funding for the Breast-Feeding Peer Counselor for the 21-22 fiscal year.
 - West Brunswick Capital and Replacement Rollover Budget Amendment**
The Board of Commissioners appropriated \$30 of interest and a fund balance of \$432,920 for rollover of West Brunswick Regional Capital and Replacement funds transfer to reserve after year end June 30, 2021 reconciliation.
 - Northeast Brunswick Capital and Replacement Rollover Budget Amendment**
The Board of Commissioners appropriated \$62 of interest and a fund balance of \$503,823 for rollover of Northeast Brunswick Regional Capital and Replacement funds transfer to reserve after year end June 30, 2021 reconciliation.
 - Ocean Isle Beach Capital and Replacement Rollover Budget Amendment**
The Board of Commissioners appropriated \$32 of interest and a fund balance of \$69,380 for rollover of Ocean Isle Beach Capital and Replacement funds transfer to reserve after year end June 30, 2021 reconciliation.
 - Sheriff Sales and Services Budget Amendment**
The Board of Commissioners appropriated \$6,000 of additional sales and services revenue from Brunswick Community College for the salary increase in the BCC administration position.
 - Dredging Local Match Budget Amendment**
The Board of Commissioners appropriated \$135,022 of local shared revenues from Town of Holden Beach and Town of Oak Island and transfer \$135,023 to Lockwood Folly and Shallow Inlet Dredging line for the Lockwood Folly Inlet Navigation Channel September 2021 - July 2022 projects.
4. **IT – Sole Source Exemption for Bldg I Cameras and Complex Duress System**
The Board of Commissioners approved a sole source exemption for NC Sound to add a new camera system for Building I and to replace the duress (panic) button system for the complex.
5. **Sheriff's Office – 911 Center Phone System Contract Extension**
The Board of Commissioners approved an extension of the existing 911 Center Phone System agreement with ePlus Group, Inc. for six months, maintaining the current monthly rate in the state 911 budget 224376.
6. **Sheriff's Office – 911 Center Program Upgrade Agreement**
The Board of Commissioners approved a five-year agreement associated with the upgrade to the 911 Center's EMD system to include the Fire Priority Dispatch System, subject to review and approval by the County Attorney. Funds for the project are part of the approved FY22 state 911 budget.
7. **Superior Court Judge – SAMHSA Court Expansion Grant**
The Board of Commissioners approved the Substance Abuse and Mental Health Services Administration (SAMHSA) Expansion Grant in the amount of \$400,000 for year four (09/30/21-09/29/22) of the Brunswick County Adult Treatment Court Expansion Project. The grant has a five-year project period beginning 09/30/2018 through 09/29/2023 for a total award amount of \$2,000,000. Approval subject to final review and approval of necessary documents by County Attorney.
8. **Tax Administration – FY 2020-2021 Settlement Report**

The Board of Commissioners received the FY 2020-2021 Annual Tax Collector's settlement report.

9. Tax Administration – Order of Collection

The Board of Commissioners adopted and charged the Tax Collector and the Board Clerk to enter into the minutes an order to collect the taxes charged in the tax records and receipts. The order of Collection reads as follows:

State of North Carolina
County of Brunswick

To the Tax Collector & Deputy Collector of the County, of Brunswick You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of Brunswick County Tax Department and in the tax receipts herewith delivered to you in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Brunswick, and this order shall be a full and sufficient authority to direct, requires, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law. Witness my hand and official seal this 20th day of September, 2021.

Randy Thompson, Chairman
Board of Commissioners of Brunswick County

Attest:
Daralyn Spivey, Clerk to The Board
Of Commissioners of Brunswick County

10. Tax Administration – Relief from Collection September 2021 for 2010

The Board of Commissioners granted Tax Collector relief from "charge of collections" for three specific instances: (1) on taxes after all collection remedies have been expired (10 years from due date); (2) on personal property insolvents that are five years past due; and (3) on classified motor vehicle taxes that are one year or more past due when it appears that they are uncollectible.

11. Tax Administration – September 2021

The Board of Commissioners approved the September 2021 releases.

12. Utilities – Resolution to Accept DWSRF Principal Forgiveness Loan

The Board of Commissioners approved a resolution to accept the loan offer and associated assurances to secure \$2,218,967 in North Carolina Department of Environmental Quality Drinking Water State Revolving Fund funding for the repair and rehabilitation of the Town of Navassa drinking water system; and to authorize the County Manager to furnish such information as the appropriate State agency may request in connection with the acceptance of funding. The Resolution reads as follows:

**Resolution to Accept North Carolina Department of Environmental Quality
Drinking Water State Revolving Fund Award**

WHEREAS, the Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Fund have authorized the making of loans and/or grants, as applicable, to aid eligible, drinking-water system owners in financing the cost of construction for eligible, drinking-water infrastructure; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a Drinking Water State Revolving Loan (DWSRF) with principal forgiveness in the amount of \$2,218,967 for the repair and rehabilitation of the Town of Navassa drinking water system, hereafter referred to as the "Project"; and

WHEREAS, Brunswick County intends to construct said Project in accordance with engineering plans and specifications that have been or will have been approved by the North Carolina Public Water Supply Section.

DRAFT

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

- 1) That Brunswick County does hereby accept the DWSRF principal forgiveness loan offer in the amount of \$2,218,967; and
- 2) That Brunswick County does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard “Conditions” and “Assurances” of the Department’s funding offer, awarded in the form of a DWSRF principal forgiveness loan; and
- 3) That Randell Woodruff, County Manager, as the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information, as the appropriate State agency may request in connection with such application or the Project; to make the Assurances as contained above; and to execute such other documents as may be required in connection with the application; and
- 4) That Brunswick County has complied substantially or will comply substantially with all Federal, State and local laws, rules, regulations, and ordinances applicable to the Project, and to Federal and State grants and loans pertaining thereto.

ADOPTED this the 20th day of September, 2021.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

Certification by Recording Officer

The undersigned duly qualified and acting Clerk to the Board of Commissioners of the County of Brunswick does hereby certify: That the above resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Brunswick County Board of Commissioners duly held on the 20th day of September, 2021; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of September, 2021.

Daralyn Spivey
Clerk to the Board

VI. PRESENTATION

1. **Clerk to the Board - Presentation – Brunswick County Homeless Coalition**
The Board of Commissioners received a presentation from Paul Witmer regarding the current issue of workforce housing/homelessness county-wide.
2. **Cooperative Extension – 2020-2021 Partnership Award**
The Board of Commissioners was presented the Cooperative Extension Excellence in Partnership Award from Dr. Dalton Dockery, Interim Cooperative Extension Director.
3. **Governing Board –Presentation- WARM Resolution**
The Board of Commissioner considered a Resolution Commemorating the 25 years of service provided by WARM (Wilmington Area Rebuilding Ministry). The Resolution reads as follows:

Resolution in Support of WARM

WHEREAS, in 2021 WARM (the Wilmington Area Rebuilding Ministry) is celebrating 25 years of service to lower-income families in Southeastern North Carolina; and

WHEREAS, WARM grew out of the United Methodist Church's response to Hurricane Fran in 1996. Twenty-five years later, WARM volunteers, founders and staff members continue to make critical repairs and accessibility upgrades to help families and individuals remain in their own homes and communities; and

WHEREAS, in 25 years, WARM has rebuilt over 1600 homes in seven North Carolina counties, addressing threats to health and safety as well as investing over \$20 million worth of repairs into our region's affordable housing stock; and

WHEREAS, in 2014, the County selected WARM to administer the Urgent Repair Program funded by the NC Housing Finance Agency and has supported this program with \$20,000 in matching funds annually; and

WHEREAS the average monthly income of a WARM family in 2021 is only \$1,542. Fifty-eight percent of WARM homeowners are over 60 years old and 66% have no mortgage. These homeowners pass their home to heirs, helping to alleviate generational poverty; and

WHEREAS, the WARM model uses volunteer labor with knowledgeable supervisors, and funding from government, corporations and individuals to make necessary home repairs, allowing many of these people to live out their golden years in a safe and stable home environment; and

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

1. That the Board of Commissioners extends it warmest congratulation in celebrating 25 years of rebuilding homes and lives; and
2. That the Board of Commissioners continues to believe in WARM's mission to repair, rebuild, and make homes accessible; and
3. That WARM continues to inspire service, generosity, and hope

Adopted this the 20th day of September, 2021.

Randell Thompson, Chairman
Brunswick County Board of Commissioners

Attest:
Daralyn Spivey
Clerk to the Board

Commissioner Williams moved to adopt the Resolution with the motion seconded by Commissioner Sykes and passed unanimously (5 to 0).

4. Presentation – Lower Cape Fear Water & Sewer Authority (Tim Holloman Director -LCFWSA)

Mr. Holloman presented the Board of Commissioners with membership plaque from the Lower Cape Fear Water & Sewer Authority.

VII. ADMINISTRATIVE REPORT

1. Utilities – Shallotte MRF Application Resolution:

The Board of Commissioners heard a request for the approval of a resolution to assist the Town of Shallotte in submitting an application to the North Carolina Department of Environmental Quality Merger/Regionalization Feasibility Grant Program and, should funding be granted, cooperate with the Town to evaluate the potential merger of the Brunswick County Utility system with the Town of Shallotte water system. The Resolution reads as follows:

Resolution in Support of Providing Application Assistance to the Town of Shallotte for a Merger/Regionalization Feasibility Grant

WHEREAS, Session Law 2015-241 with changes made to NCGS 159G created the Merger/Regionalization Feasibility grants to broaden the use of grant funds to encourage water and wastewater utilities to become viable and more proactive in the management and financing of their systems, and

DRAFT

WHEREAS, the Town of Shallotte intends to perform a study to evaluate the potential for a merger consolidation of the water system into one system with Brunswick County Utilities, and

WHEREAS, the Town of Shallotte intends to request Merger/Regionalization Feasibility Grant assistance to investigate the challenges, benefits, and implications for both utilities presented by the merger consolidation of the water system.

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

1. That John Nichols, Director of Brunswick County Utilities, as the Authorized Official, and successors so titled, is hereby authorized to provide assistance from Brunswick County Utilities to the Town of Shallotte, the Applicant, to the extent necessary for the purpose of the completion of the Merger/ Regionalization Feasibility Grant program application and to provide a letter indicating Brunswick County's intent to act as the partnering utility.
2. The Authorized Official, and successors so titled, is hereby authorized to cooperate to the extent necessary to perform a Merger/Regionalization Feasibility study with the Applicant, for the purposes of ensuring the viability of all systems involved.
3. The Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the study; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application and study.
4. That authorization provided by the Board of Commissioners to the Authorized Official does not bind Brunswick County or Brunswick County Utilities to act on the recommendations of the study.

ADOPTED this the 20th day of September, 2021.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

Certification by Recording Officer

The undersigned duly qualified and acting Clerk to the Board of Commissioners of the County of Brunswick does hereby certify: That the above resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Brunswick County Board of Commissioners duly held on the 20th day of September, 2021; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of September, 2021.

Daralyn Spivey
Clerk to the Board

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

2. Utilities – Southport MRF Application Resolution

The Board of Commissioners heard a request for the approval of a resolution to assist the City of Southport in submitting an application to the North Carolina Department of Environmental Quality Merger/Regionalization Feasibility Grant Program and, should funding be granted, cooperate with the City to evaluate the potential merger

of the Brunswick County Utility system with the City of Southport water and wastewater systems. The Resolution reads as follows:

Resolution in Support of Providing Application Assistance to the City of Southport for a Merger/Regionalization Feasibility Grant

WHEREAS, Session Law 2015-241 with changes made to NCGS 159G created the Merger/Regionalization Feasibility grants to broaden the use of grant funds to encourage water and wastewater utilities to become viable and more proactive in the management and financing of their systems; and

WHEREAS, the City of Southport intends to perform a study to evaluate the potential for a merger consolidation of the water and wastewater systems into one system with Brunswick County Utilities, and

WHEREAS the City of Southport intends to request Merger/Regionalization Feasibility Grant assistance to investigate the challenges, benefits, and implications for both utilities presented by the merger consolidation of the water and wastewater systems.

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

1. That John Nichols, Director of Brunswick County Utilities, as the Authorized Official, and successors so titled, is hereby authorized to provide assistance from Brunswick County Utilities to the City of Southport, the Applicant, to the extent necessary for the purpose of the completion of the Merger/ Regionalization Feasibility Grant program application and to provide a letter indicating Brunswick County's intent to act as the partnering utility.
2. The Authorized Official, and successors so titled, is hereby authorized to cooperate to the extent necessary to perform a Merger/Regionalization Feasibility study with the Applicant, for the purposes of ensuring the viability of all systems involved.
3. The Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the study; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application and study.
4. That authorization provided by the Board of Commissioners to the Authorized Official does not bind Brunswick County or Brunswick County Utilities to act on the recommendations of the study

ADOPTED this the 20th day of September, 2021.

Randell Thompson, Chair
Brunswick County Board of Commissioners

Certification by Recording Officer

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Daralyn Spivey
Clerk to the Board

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

VIII. OTHER BUSINESS/INFORMAL DISCUSSION

No other business to discuss

IX. CLOSED SESSION

1. Closed Session - Consult with Attorney

Request that the Board of Commissioners enter into closed session pursuant to G.S. 143-318.11(a)(1) to approve closed session minutes and G.S. 143-318.11(a)(3) to consult with attorney employed or retained by the public body in order to preserve the attorney/client privilege between the attorney and the public body.

Mr. Shaver noted that the statutory requirements were included in the agenda with the purpose to consult with attorney and to preserve attorney/client privilege and to approve Closed Session Minutes.

Commissioner Cooke moved to enter Closed Session as stated at 7:07p.m. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).

Chairman Thompson called the Regular Session to order at 7:40 p.m.

X. ADJOURNMENT

Vice Chairman Forte moved to adjourn the meeting at 7:40 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