

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS  
OFFICIAL MINUTES  
REGULAR MEETING  
DECEMBER 18, 2017  
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 Frank Williams, Chairman  
Commissioner Randy Thompson, Vice-Chairman  
Commissioner J. Martin Cooke  
Commissioner Pat Sykes  
Commissioner Mike Forte

STAFF: Ann Hardy, County Manager  
Steve Stone, Deputy County Manager  
Bob Shaver, County Attorney  
Jared Galloway, Deputy Clerk to the Board  
Julie Miller, Finance Director  
Amanda Hutcheson, PIO  
Capt. Mark Trull, Sheriff's Office

**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 Williams called the meeting to order at 6:00 p.m.

**II. INVOCATION/PLEDGE OF ALLEGIANCE**

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

**III. ADJUSTMENTS/APPROVAL OF AGENDA**

Chairman Williams asked if there were any adjustments to the agenda. No changes were suggested.

Commissioner Sykes moved to approve the agenda as presented. The vote of approval was unanimous.

**IV. PUBLIC COMMENTS**

Chairman Williams announced that no one had signed up to speak during Public Comments. He clarified that the individual who had signed up to speak during the Public Hearing had intended to do so. No one wished to address the Board under Public Comments.

**V. APPROVAL OF CONSENT AGENDA**

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

1. **Board Appointment - Brunswick Columbus International Park, Inc**  
Approved the appointment of Mr. Bill Early to fill the Economic Development Director position on the Brunswick Columbus International Park, Inc. Board.
2. **Board Appointment - Southeastern Economic Development Commission (SEDC)**  
Approved the appointment of Mr. Bill Early to fill the unexpired term of Mr. Mike Hargett on the Southeastern Economic Development Commission. This term will expire on June 30, 2019.
3. **Clerk to the Board - Meeting Minutes**  
Approved the draft minutes from the December 4, 2017 Annual Meeting.
4. **Finance - Fiscal Items**  
Approved Budget Amendments, Capital Project Ordinances and Fiscal Items of a routine nature presented on the consent agenda.

- **Cape Fear Regional Jetport County Advanced Funds Replacement**

The airport has been awarded \$800,000 of grant funding under grant 36244.58.9.1 requiring a local cash match of \$88,888. This grant is for repayment of county funds advanced in the agreement to advance grant funding for the Airport Expansion projects on July 16, 2007. Cape Fear Regional Jetport still owes the County reimbursement for \$1,285,941 of land and land associated invoices. The 36244.58.9.1 grant award would repay the county for \$800,000 and use funds already advanced to the airport as the local cash match of \$88,888.

- **Sheriff's Office Budget Amendment**

Appropriated \$7,820 of gift and memorial revenues for use in canine expenses (\$600) and special projects (\$7,220). Appropriated \$4,000 of calendar sales revenue for use in employee-volunteer appreciation.

- **Northeast Brunswick Regional Wastewater Plant Capital and Replacement Budget Amendment**

Transferred \$65,452 from the Northeast Brunswick Regional Wastewater Plant Capital and Replacement Reserve to the Northeast Brunswick Regional Wastewater Plant for repair of the roots blower for the flow equalization wastewater basin, rebuild of 4 atad foam cutters, Krohne billing flowmeters and gearbox repair for treatment process.

- **Financial Reports for November 2017 (unaudited)**

Included are Summary Information for General and Enterprise Funds, key indicators of Revenues and Expenditures and Cash and Investments. All reports provided at: <http://www.brunswickcountync.gov/finance/reports/>.

5. **Parks & Recreation - Grassroots Grant**

Approved the FY17-18 Grassroots Grant awarded by Brunswick Arts Council.

6. **Tax - December 2017 MV Discovery Valuation & Levy for November 2017**

Approved the December 2017 motor vehicle valuation and levy discoveries created in November 2017.

7. **Tax - December 2017 Releases**

Approved the December 2017 tax releases.

8. **Utilities - Revenue Appropriation for Expenditures of Testing of Backflow Assemblies**

Approved a budget amendment of \$36,250 for testing of backflow assemblies used to protect the public water system from potential contamination through water service connections to non-residential properties and irrigation systems.

## VI. **PUBLIC HEARING**

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

1. **Planning - Rezoning Z-17-758CZ (Kirstie Dixon, Planning Director)**

Request that after the Public Hearing, the Board of Commissioners approve First and Second Readings of the proposed amendment to the Brunswick County Unified Development Ordinance (Z-17-758CZ) from SBR-6000 (High Density Site Built Residential) to RRCZ (Rural Low Density Residential Conditional Zoning).

Ms. Kirstie Dixon, Planning Director, explained the conditional uses and restrictions of the rezoning, noting that an extensively detailed site plan had been submitted. This rezoning affects a portion of two parcels totaling approximately 12.92 acres. Ms. Dixon requested that the property be rezoned from SBR-6000 to RRCZ.

### **CALL TO ORDER**

Chairman Williams opened the Public Hearing at 6:03 p.m.

### **PUBLIC COMMENTS**

Chairman Williams acknowledged that Mr. Phil Norris, Norris & Tunstall Engineers, signed up to speak regarding Rezoning Z-17-758CZ. Mr. Norris spoke on behalf of the applicant and made himself available to answer any questions from the Board.

Seeing no questions from the Board, Chairman Williams asked if there was anyone who wished to speak who did not have a chance to sign up. No further comments were made.

**ADJOURN**

Chairman Williams closed the Public Hearing at 6:04 p.m.

**GOVERNING BOARD ACTION  
(per N.C.G.S. 153A-341)  
Zoning Map Amendment No. Z-758CZ**

**Description:** Change in Zoning District from SBR-6000 (High Density Site Built Residential) to RRCZ (Rural Low Density Conditional Zoning) for a portion of Tax Parcel 18500008 and Tax Parcel 1850001707. This zoning change totals approximately 12.92 acres.

- I. The rezoning described above is consistent with the Brunswick County CAMA Land Use Plan.
- II. The rezoning described above is reasonable and in the public interest based on the following: The area is suitable for mining and it is predominantly surrounded by wetlands

Therefore, on the basis of all the information provided including the foregoing, Commissioner Sykes moved to approve the Rezoning, First and Second Readings, with the associated conditions as presented. The vote of approval was unanimous.

**VII. ADMINISTRATIVE REPORT**

- 1. **Administration - Contract and Purchasing Policy Revisions (Ann Hardy, County Manager)**

Request that the Board of Commissioners approve the Contract and Purchasing Policy Revisions to meet the requirements for Federal Funding, Electronic Payments, and Pre-Audit Certification.

Mrs. Ann Hardy, County Manager, explained that the Office of Management and Budget with the federal government provided guidance on contracting and purchasing revisions. This guidance mainly centered on federal procurement laws and lowered the Simple Acquisition Threshold from \$500,000 to \$150,000. In consultation with the County Attorney and Finance Director, this policy was developed to comply with the rules adopted by the Local Government Commission regarding Pre-Audit Certification.

Commissioner Forte moved to approve the Contract and Purchasing Policy Revisions to meet the requirements for Federal Funding, Electronic Payments, and Pre-Audit Certification. The vote of approval was unanimous.

- 2. **Administration - Utility Customer Service Policy Revisions (Ann Hardy, County Manager)**

Request that the Board of Commissioners approve changes to the Utility Customer Service Policy for clarification of the currently approved policy and procedures.

Mrs. Hardy explained that the County Attorney and Finance offices recently went through the entire Utility Customer Service Policy and made minor changes. These changes were for the purpose of providing further clarity and result in no change to practice.

Vice-Chairman Thompson moved to approve the revisions to the Utility Customer Service Policy, as presented, to clarify the currently approved policy and procedures. The vote of approval was unanimous.

- 3. **Administration - Surplus Property Offer Parcel 217MA114 (Steve Stone, Deputy County Manager)**

Request that the Board of Commissioners consider an offer of \$3,000.00 for parcel 217MA114.

Mr. Steve Stone, Deputy County Manager, explained the nature of the surplus property request. The property was acquired by the County in 2014 for \$2,926.08. The parcel is located on Cyprus Grove Court in River Run and has a current tax value of \$10,000. If the offer is accepted, this parcel will go through the upset bid process.

Commissioner Cooke moved to accept the offer as presented. The vote of approval was unanimous.

4. **Administration - Letter of Support for Town of Oak Island Dredging Permit (Steve Stone, Deputy County Manager)**

Request that the Board of Commissioners consider authorizing staff to prepare and sign a letter of support allowing the Town of Oak Island to become a party to an existing federal permit for dredging and sand placement from the Lockwood Folly Inlet.

Mr. Stone informed the Board that approximately three years ago there was a combined federal/state permit for the shallow draft inlets from Bogue Inlet to the North Carolina-South Carolina state line. The Town of Holden Beach is a party to this permit, allowing sand to be placed on Holden Beach if dredging occurs within close proximity. The Town of Oak Island expressed interest in becoming a party to this permit and applied to the U. S. Army Corps of Engineers (USACE) to do so. The USACE has requested letters of support from other parties holding interest. Brunswick County was deemed to be one such party.

Commissioner Cooke expressed that he would like to have the Town of Holden Beach weigh in on this item before authorizing staff to prepare and sign a letter of support. He was in favor of moving forward; however, he wanted to grant the Town of Holden Beach the opportunity to express their opinion.

Commissioner Cooke moved to table this item until the January meeting in order to give the Town of Holden Beach the opportunity to weigh in on the matter.

Chairman Williams asked if there was any discussion regarding the motion.

Vice-Chairman Thompson requested that someone be tasked with contacting the Town of Holden Beach to ensure they weigh in.

Chairman Williams directed Mr. Stone to follow-up with the Town of Holden Beach and contact the Board regarding the Town's decision. With this request met, Chairman Williams called the question on the motion to table this item until the January meeting. The vote to table the item was unanimous.

5. **Administration - Lockwood Folly Inlet Dredging Project - (Steve Stone – Deputy County Manager)**

Request that the Board of Commissioners consider authorizing the transfer of \$168,000 to the NC Division of Water Resources as the required local match for a project to dredge the navigation channel at the Lockwood Folly Inlet, as well as authorize the Chairman to write a letter to the Town of Holden Beach requesting reimbursement for \$84,000 (50%) of the local share.

Mr. Stone explained that staff was in contact with the USACE to determine the feasibility of several alternative projects which would create a long-term solution to the dredging issue the County is currently facing. He stated that the USACE determined that most of the alternatives were not feasible, including a proposal that the Corps of Engineer's staff had recommended earlier in the year. The current item is for funding the dredging of a navigation channel at the Lockwood Folly Inlet ten feet (10') deep by one-hundred feet (100') wide with the CURRITUCK, a hopper dredge that would allow sand to be placed near Holden Beach. Mr. Stone further stated that the local match would go to the State and await their two-thirds match before being sent to the USACE. This process would likely take two to three weeks to occur and the Corps would need the funds in-hand by January 19, 2018 to ensure the project is started by the end of January.

Commissioner Cooke moved to approve the transfer as presented, as well as authorize the Chairman to write a letter to the Town of Holden Beach requesting reimbursement for \$84,000 (50%) of the local share.

Chairman Williams opened the floor for discussion. There was discussion amongst Commissioners regarding more permanent solutions. It was the consensus of the Board that the County needs an interim solution while exploring long-term options.

Chairman Williams called the question on the motion by Commissioner Cooke. The vote was unanimous.

6. **Parks & Recreation - Contract for Construction Plans/Engineering of Holden Beach Park (Aaron Perkins, Director of Parks & Recreation)**

Request that the Board of Commissioners approve a contract in the amount of \$95,000 with McGill & Associates for Design, Engineering and Construction Plans for Holden Beach Park.

Mr. Aaron Perkins, Director of Parks & Recreation, explained the item in detail. He stated that there were eight firms which were pre-qualified and that, out of those eight firms, only six responded to the Request for Proposals (RFP). Those proposals were presented to the Steering Committee and the Committee ranked the following three firms: (1) McGill & Associates, (2) Clark Patterson Lee, and (3) Thomas & Hutton. Staff recommends approval of the contract with McGill & Associates in the amount of \$95,000 which is within the project budget.

Commissioner Cooke moved to approve the contract in the amount of \$95,000 with McGill & Associates for Design, Engineering and Construction Plans for Holden Beach Park.

Chairman Williams asked for any discussion on the motion.

Mr. Perkins clarified that the Parks & Recreation Advisory Board recommended approval by a vote of 3 to 0, as two members of the Advisory Board were not present.

Chairman Williams called the question. The vote of approval passed by a vote of 3 to 2 (Ayes – Chairman Williams, Commissioner Cooke, Commissioner Forte / Nays – Vice-Chairman Thompson, Commissioner Sykes).

**VIII. OTHER BUSINESS/INFORMAL DISCUSSION**

1. **Ordinance for Abandoned and Derelict Boats**

Request that the Board of Commissioners discuss and provide direction to staff regarding the Ordinance for Abandoned and Derelict Boats.

Mr. Bob Shaver, County Attorney, discussed the issue of enforcement with regard to particular vessels that have been abandoned and partially sunk. He clarified that there was no action to be taken. The Brunswick County Sheriff's Office is the enforcing authority in this particular case and has followed standard procedure with regard to notices and contacting the owners.

There was discussion amongst the Commissioners regarding topics such as other counties in similar situations; gearing the ordinance toward third parties involved as was the case in this scenario; and potential changes to the ordinance in the future.

Mr. Shaver's recommendation was to attempt to devise some further enforcement tools and improvements to propose for the ordinance.

Chairman Williams expressed that it was the desire of the Board to give direction following the recommendation by the County Attorney.

2. **Resolution Regarding Pending Legislation Impacting School Funding**

Request that the Board of Commissioners discuss and provide direction to staff regarding the Resolution referencing K-3 Class Size Reduction recently adopted by the Durham County Board of Commissioners.

Mrs. Hardy gave a brief explanation of Session Law 2017-9 House Bill 13 (HB 13). This issue was brought to the attention of the County when the Durham County Clerk to the Board of Commissioners forwarded a resolution to NC County Clerks asking that it be shared with all County Commissioners at their next meeting. Upon receipt, Mrs. Hardy contacted the Superintendent of Brunswick County Schools as well as the School Finance Officer to find out how they addressed this issue locally.

Commissioner Sykes made a motion for staff to create a similar resolution for Brunswick County.

After much discussion, the Chairman reiterated the motion by Commissioner Sykes and opened the floor for discussion on the motion. After further discussion, the Chairman called the question.

Vice-Chairman Thompson asked if the Board would table the item until Commissioners had the opportunity to sit down with members of the Board of Education and gain further insight into the impact of HB 13.

Mrs. Hardy stated that staff was requesting informal direction rather than action from the Board.

After discussion amongst the Commissioners, Chairman Williams directed staff reach out to the Superintendent and schedule a meeting with the School System. He further directed staff to potentially form a liaison committee that would meet with legislators and work through the details. This would provide ample time to gather information before bringing the item before the Board in January. No action was taken.

3. **Homeowner's Insurance**

Request that the Board of Commissioners discuss and provide direction to staff regarding Homeowner's Insurance.

Commissioner Forte explained that he requested this item to be placed on the agenda. Earlier in the week he had a lengthy discussion with Mr. Walt Eccard, Mayor of Shallotte, who expressed concern on behalf of the mayors of Brunswick County regarding potential increases to homeowner's insurance. Commissioner Forte asked if the Commissioners would consider writing a letter in opposition of homeowner's insurance rate increases.

It was the consensus of the Board to direct staff to prepare a letter which all Commissioners could individually sign. It was further direction of the Board to prepare a press release and send it out as information to the citizenry.

4. **Caw Caw Swamp**

Vice-Chairman Thompson thanked staff for the maintenance work that it took to correct the Caw Caw drainage issues and asked about the potential for a study regarding engineering and construction costs to widen areas of the Caw Caw to be included in the upcoming budget sessions.

5. **Permitting**

Commissioner Sykes inquired whether or not the County could refuse building permits to individuals who owed taxes. She directed the County Attorney to look into the legality of the issue, as General Statue outlines what an individual must do to attain a building permit.

6. **Cancellation of the January 2, 2018 Regular Meeting**

Mrs. Hardy explained that the January 2, 2018 Regular Meeting has a time sensitive item on the agenda, which if addressed this evening, could result in cancelation of the Regular Meeting.

She explained that the time sensitive item pertained to the Memorandum of Understanding (MOU) with Brunswick Community College (BCC) for funding the Allied Health Facility. The original MOU stated that transition in ownership of the facility was to occur when the bids were awarded for the new facility. The County is ready to start using the current South Brunswick Island Center (SBIC) but BCC is not yet ready with bids. In order to move forward with the transfer of property, some minor revisions to the original MOU were required. Mrs. Hardy explained that the County staff could go ahead and approve it, subject to the College's approval, and ratify it at the January 16, 2018 Regular Meeting.

Commissioner Cooke moved to approve the County Manager proceeding with actions under the Memorandum of Understanding with Brunswick Community College as described, with ratification of the action in the final document at the January 16, 2018 Regular Meeting, and cancel the January 2, 2018 Regular Meeting.

Chairman Williams opened the floor regarding the motion by Commissioner Cooke. There was no discussion. The vote of approval was unanimous.

Commissioner Forte acknowledged that a staff member of the County lost a close family member and wanted to send condolences to the bereaving family. All Commissioners expressed they were in agreement.

## IX. **ADJOURNMENT**

Commissioner Cooke moved to adjourn the Regular Meeting at 7:26 p.m. Chairman Williams called the question. The vote of approval was unanimous.

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Frank Williams, Chairman  
Brunswick County Board of Commissioners

Attest:

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William J. Galloway  
Deputy Clerk to the Board