

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
AUGUST 21, 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
Andrea White, Clerk to the Board
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

Commissioner Cooke 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. There were no adjustments.

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

IV. PUBLIC COMMENTS

Chairman Williams reviewed the public comment policy and called those who had signed up to speak regarding any item on the agenda or any matter that was not included on the agenda. The following citizens addressed the Board:

1. Dr. Kristen Collieran, local Veterinarian and resident of Ocean Isle Beach, spoke in support of adding language to ban tethering to Brunswick County's existing Animal Ordinance.
2. Steve Beecroft, PGA General Manager at Carolina National Golf Club, spoke in support of the enactment of the "Brunch Bill" for the unincorporated areas of Brunswick County.
3. Linda Baker spoke in opposition to offshore drilling.
4. Bryan Leonard spoke in opposition to the addition of language to ban tethering to the Brunswick County Animal Ordinance.

V. APPROVAL OF CONSENT AGENDA

Vice-Chairman Thompson moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

1. **Administration - Organizational Chart Revision**
Approved the following revisions to the Organizational Chart:
 - Removed Economic Development as it will become a private non-profit separate legal entity.

- Moved Risk Manager as a stand-alone under Deputy County Manager (HR will remain under County Manager)
 - Moved Planning and Zoning Services under County Manager
 - Moved Building and Fire Inspections and Central Permitting under County Manager as one department
 - Moved Zoning and Solid Waste Enforcement under Deputy County Manager
 - Removed Utilities Board
2. **Administration - Planning Board Composition**
Approved action to move the current District 2 member, Joy Easley, to the District 3 seat, and moved the current District 3 member, Chris Stanley, to the District 2 seat to ensure each District is properly represented.
3. **Administration - Resolution Amending the FY 2017-2018 Regular Meeting Schedule**
Approved a Resolution amending the FY 2017-2018 Regular Meeting Schedule to include one Regular meeting to occur the first Monday of each month at 3:00 p.m. and one Regular meeting to occur the third Monday of each month at 6:00 p.m.

**RESOLUTION OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS
AMENDING THE FY 2017-2018 REGULAR MEETING SCHEDULE**

WHEREAS, N.C.G.S. 153A-40, provides for a resolution establishing regular meeting dates of the Board of Commissioners; and

WHEREAS, on December 5, 2016, the Brunswick County Board of Commissioners' adopted a resolution establishing their regular meeting dates to include the time and location of said meetings; and

WHEREAS, at the August 14, 2017 Routine Business and Agenda Setting meeting of the Brunswick County Board of Commissioners, the Board determined that two Regular meetings per month would allow for more efficient county operations; and

WHEREAS, said Regular meetings will occur on the first Monday of each month at 3:00 p.m. and the third Monday of each month at 6:00 p.m.; and

WHEREAS, in the event that either meeting falls on a legal holiday, the meeting will occur the next business day; and

WHEREAS, additional called meetings may be necessary from time to time.

NOW, THEREFORE, BE IT RESOLVED that the Brunswick County Board of Commissioners establishes the FY 2017-2018 meeting schedule to include one Regular meeting to occur the first Monday of each month at 3:00 p.m. and one Regular meeting to occur the third Monday of each month at 6:00 p.m., as shown below, and that such meetings will be held in the David R. Sandifer County Administration Building, 30 Government Center Drive NE, Bolivia, NC, in the County Commissioners' Chambers. Special meetings will be scheduled as needed.

REGULAR MEETING SCHEDULE

September 5, 2017 at 3:00 p.m.	February 5, 2018 at 3:00 p.m.
September 18, 2017 at 6:00 p.m.	February 19, 2018 at 6:00 pm.
October 2, 2017 at 3:00 p.m.	March 5, 2018 at 3:00 p.m.
October 16, 2017 at 6:00 p.m.	March 19, 2018 at 6:00 p.m.
November 6, 2017 at 3:00 p.m.	April 2, 2018 at 3:00 p.m.
November 20, 2017 at 6:00 p.m.	April 16, 2018 at 6:00 p.m.
December 4, 2017 at 3:00 p.m.	May 7, 2018 at 3:00 p.m.
December 18, 2017 at 6:00 p.m.	May 21, 2018 at 6:00 p.m.
January 2, 2018 at 3:00 p.m.	June 4, 2018 at 3:00 p.m.
January 16, 2018 at 6:00 p.m.	June 18, 2018 at 6:00 p.m.

Adopted this the 21st day of August, 2017.

Frank Williams, Chairman
Brunswick County Board of Commissioners

ATTEST:
Andrea White
Clerk to the Board

4. **Attorney - Refund Request for Excise Tax**
Approved a refund request for excise taxes charged in error in the amount of \$646.00.

5. **Board Appointment - Doshier Memorial Hospital Board of Trustees**
Appointed Mr. Robert Howard to fill the unexpired term of Trustee Dr. Robert Zukoski on the Doshier Memorial Hospital Board of Trustees. The term will expire on November 5, 2019.
6. **Board Appointment - Economic Development Commission and Receive Proposed Bylaws**
Received proposed Bylaws and appointed the following individuals to the Board of Directors for the newly formed Economic Development Commission:
 - District 1 - Allen Bryant
 - District 2 - Dr. John Ward
 - District 3 - Dennis Ewald
 - District 4 - Clint Berry
 - District 5 - Michael Reives
7. **Board Appointment - Juvenile Crime Prevention Council (JCPC) - Public Appointee**
Appointed Olaf "Bud" Thorsen to the Juvenile Crime Prevention Council (JCPC) to fill the unexpired term of Ms. Kathrine White. This term expires June 30, 2019.
8. **Board Appointment - Juvenile Crime Prevention Council (JCPC) - Chief of Police**
Approved the recommendation of Mr. Bradford "Brad" Shirley to the Juvenile Crime Prevention Council for a term of 2-years.
9. **Board Appointment - Nursing Home & Adult Care Home Community Advisory Committee - At Large**
Reappointed Ms. Laura Miller to the Brunswick County Nursing Home & Adult Care Home Community Advisory Committee, as an At-large member, for a 3-year term expiring September 1, 2020.
10. **Board Appointment - Oak Island Planning Board ETJ**
Approved the recommendation of the Oak Island Council to reappoint Bob Carpenter to the Oak Island Planning Board as an ETJ member.
11. **Parks & Recreation - Musco Lighting for Ocean Isle Beach Park Phase 2**
Approved LED sports lighting in the design for Ocean Isle Beach Park.
12. **Clerk to the Board - Meeting Minutes**
Approved the draft minutes from the July 17, 2017 Regular meeting.
13. **Code Administration - Resolution Exempting Building I Renovation**
Approved a resolution exempting the Building I remodel/renovation project from N.C.G.S. 143-64.31.
14. **Deed of Dedication - Waterway Cove Phase 3 Section 2B**
Accepted the Deed of Dedication for water and sewer infrastructure in Waterway Cove Phase 3 Section 2B.
15. **Deed of Dedication - Savannah Lakes, Phase 3C**
Accepted the Deed of Dedication for water and sewer infrastructure in Savannah Lakes Phase 3C at Meadowlands.
16. **Deed of Dedication - Sunny Point Tiger Mart**
Accepted the Deed of Dedication for water only infrastructure from Sunny Point Properties, LLC.
17. **Deed of Dedication - Windermere Estates**
Accepted the Deed of Dedication for water and sewer infrastructure for Windermere Estates Phase 1, Lots 1-11, 16-24.
18. **Deed of Dedication - Medical Park Way Cul-De-Sac**
Accepted the Deed of Dedication for water and sewer infrastructure for Medical Park Way Cul-De-Sac.
19. **Emergency Services - OnSolve Contract**
Approved the renewal of OnSolve (Formerly First Call and Code Red) as the mass notification system used for notifying residents of situations where emergent action is required on their part.

20. **Emergency Services - Medical Director Contract**
Approved the Emergency Services Medical Director Contract with William Sherrod, MD in the amount of \$30,000 annual.
21. **Engineering - Water Special Assessment District Marsh Bay Estates Subdivision Preliminary Assessment Resolution & Schedule Public Hearing**
Approved the Marsh Bay Estates Neighborhood Water SAD preliminary assessment resolution and scheduled a public hearing on September 18, 2017.
22. **Finance - Fiscal Items**
Request that the Board of Commissioners approve Budget Amendments, Capital Project Ordinances and Fiscal Items of a routine nature presented on the consent agenda.
 - **Health Services Meaningful Use Program**
Appropriated Prior Year Funds of \$21,250 to the current year to the Meaningful Use Program for electronic health records system program.
 - **Aquifer Storage Project Budget Amendment and Capital Project Ordinance**
Transferred \$6,965 undesignated reserve funds to the Aquifer Storage Project to empty remaining water in test well.
 - **Approved Year 3 Continuation Award (budget period 9/30/2017-9/29/2018) for the Substance Abuse Mental Health Services Administration (SAMHSA) grant and appropriate Federal Revenues Restricted in the amount \$325,000. Total grant amount is \$975,000 (\$325k/yr.). Initial award was approved at the 9/21/2015 board meeting.**
This grant is intended to increase the capacity served through the adult and family substance abuse, mental health and DWI courts, and provide reimbursement for supplies, travel and training, and contracted services. Contracted services include a 30% reimbursement of the project director's contract currently paid by Brunswick County to the Administrative Office of the Courts and a 100% reimbursement of the required additional deputy FTE in the Sheriff's Office to provide the contractual services of a Surveillance Officer to assist probation officers with drug testing participants for no more than 40 hours on nights and weekends with no overtime for the 3-year term of the grant.
 - **JCPC FY18 Funding Budget Amendments**
Appropriated state revenues restricted of \$176,737 as awarded by the Juvenile Crime Prevention Council from the NC Department of Public Safety and approved at 5/15/17 board meeting. The following has been awarded to the JCPC Programs; JCPC Administration \$6,500, Coastal ART \$32,000, Strengthening Families \$24,763, Providence Home \$15,000, Teen Court \$49,624, Restitution \$48,850.
 - **Cape Fear Regional Jetport Grant 36244.58.10.1**
Brunswick County approved a cash match of \$287,967 at the Board of Commissioners meeting on November 7, 2016 for grant 36244.58.8.3 in the amount of \$3,500,000. The attached grant agreement for grant 36244.58.10.1 will transfer \$1,276,182 of grant funds, \$69,066 of local cash, \$72,732 of in kind to the new grant 36244.58.10.1 for the construction of terminal area water and sewer.
23. **Finance - NC Forest Service Agreement**
Entered into an agreement with the North Carolina Department of Agriculture and Consumer Services for the protection, development and improvement of forest land in Brunswick County.
24. **Finance - Brunswick Transit System Memorandum of Understanding**
Approved a Memorandum of Understanding with Brunswick Transit as required under the Rural Operating Assistance Program for agencies receiving pass through funds and FY 18 Application with DOT funding of \$231,338.
25. **Health and Human Services - Brunswick Senior Resources Inc. - Request to Approve the SFY 2018 HCCBG for Older Adults County Funding Plan**
Approved the 2017-2018 Home and Community Care Block Grant for Older Adults County Funding Plan.

26. **Health and Human Services - Approval of the Brunswick Senior Resources Inc. Request for Budget Neutral Revision #1 and # 2 to HCCBG Funding Fiscal Year 2016 - 2017 for Brunswick County**
Approved Revision #1 and Revision #2 budget documents for the Fiscal Year 2016-2017 Home and Community Care Block Grant for Older Adults.
27. **MIS - Phone System Work Order Change**
Approved a work order change in the amount of \$69,750.24 for additional phones and software licenses. The change is within the project budget and does not require an appropriation of county funds.
28. **Operation Services - Ground Water Monitoring**
Approved a service agreement with Amec Foster Wheeler Environment and Infrastructure, Inc. (AMEC) for semi-annual sampling of ground-water wells at the Brunswick County Landfill as required by the North Carolina Department of Environmental Quality (NCDEQ).
29. **Operation Services - Remove 58.77 Acre Parcel 1530000121 from Surplus Property for Temporary Debris Site**
Approved a 58.77-acre parcel 1530000121 located near the Brunswick County Landfill off of Galloway Road for use as a temporary debris site, subject to State approval, and removed from the surplus property listing.
30. **Operation Services - Tip Fee Exemption Request**
Approved a tip fee exemption request for First Baptist Church of Oak Island.
31. **Planning - Infrastructure Grant Applications**
Approved Brunswick County's participation in grant application submittals by Columbus County for infrastructure improvements to serve the two industrial mega sites located at the county line on US Hwy 74.
32. **Sheriff's Office - No Wake Zone in Southport Resolution**
Approved updated resolution for No Wake Zone in Southport.
33. **Sheriff's Office - Carolina Shores Interlocal Agreement**
Approved an interlocal agreement with Carolina Shores for law enforcement services.
34. **Tax Administration - August 2017 Tax Releases**
Approved the August 2017 tax releases.
35. **Tax Administration - August 2017 MV Discovery Valuation & Levy for July 2017**
Approved the August 2017 motor vehicle valuation and levy discoveries created in July 2017.
36. **Tax Administration - Order of Collections**
Adopted and charged the Tax Collector, and entered into the minutes, an order to collect the taxes charged in the tax records and receipts.
37. **Tax Administration - Relief from Collection September 2017 for 2006**
Granted the Tax Collector relief from "charge of collection" for the three specific instances: (1) on taxes after all collection remedies have 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.
38. **Tax Administration - FY 2016-2017 Settlement Report**
Received the FY 2016-2017 Collections settlement report.
39. **Utilities - Project Coordinator**
Authorized an additional FTE for Project Coordinator, Grade 74 in the Utilities Administration Department at an estimated FY 18 annual cost inclusive of salaries and benefits of \$73,000 annually.

VI. PRESENTATION

1. **Health and Human Services - Tri-County Homeless Interagency Council Annual Report (Cecelia Peers, Continuum of Care Administrator)**
Request that the Board of Commissioners receive the Tri-County Homeless Interagency Council Annual report.

Ms. Cecelia Peers, Continuum of Care Administrator, presented the Annual Report focusing on homelessness in Brunswick County. The Homeless Continuum of Care covers the Tri-County region of Brunswick, Pender and New Hanover counties. The group is both a planning group and a source of revenue for homeless services in the Tri-County area. It is also a HUD designated entity through which funding is distributed for emergency shelter, transitional housing, rapid re-housing, and permanent supportive housing. The Continuum of Care has a general membership, which is the voting body, and meets monthly. There is also an Advisory Board on which the Brunswick County Manager serves. The Advisory Board meets quarterly and is involved in advocacy and community level decision making. Ms. Peers shared the size and scope of homelessness, statistics regarding the homeless population in Brunswick County, and a list of available sheltering resources. She also reviewed coordinated efforts involving coordinated entry, the Brunswick Homeless Task Force, and the Homeless Veterans Strategy Team. Ms. Peers closed her presentation by sharing ongoing concerns and best practice interventions.

2. **Advocates for Animal Rights (AFAR) Presentation (Kim Sherwood)**

Request that the Board of Commissioners receive a presentation from Advocates for Animal Rights (AFAR) regarding tethering of animals in Brunswick County.

Ms. Madge Matteo, resident of Brunswick County and member of AFAR, presented information pertaining to laws against tethering in other areas and states. Information was also provided regarding AFAR's request for additional wording to strengthen the existing Brunswick County animal ordinance to end animal abuse by tethering.

Ms. Janet Jonas, resident of Sunset Beach, dog trainer and canine massage therapist, presented comments from three constituents in Brunswick County in an effort to ban tethering.

Ms. Kim Sherwood, resident of Leland, spoke on behalf of AFAR. Based on the information presented regarding adverse medical facts and social reasons not to tether, Ms. Sherwood requested that the Board of Commissioners strengthen the current ordinance to deal with tethering and increase funding to the Sheriff's Office to enforce the new ordinance.

3. **Brunswick County Sporting Dogs Association (Ray Casteen)**

Request that the Board of Commissioners receive a presentation from the Brunswick County Sporting Dogs Association regarding tethering in Brunswick County.

Mr. Ray Casteen, representing Brunswick County Sporting Dogs Association, shared information about the Association. Information was also presented in opposition to additional laws to ban tethering. Mr. Casteen requested that instead of creating another law and incurring the expense of enforcement, that group efforts be directed toward helping educate people and providing resources to correct issues.

Chairman Williams called a momentary recess at 6:53 p.m. to allow those wishing to leave the meeting the opportunity to do so.

Chairman Williams called the meeting back to order at 6:55 p.m.

VII. PUBLIC HEARING

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. **Public Hearing - Bald Head Island Transportation Authority (Ann Hardy, County Manager)**

Request that the Board of Commissioners conduct a Public Hearing to consider whether it and the Village Council of the Village of Bald Head Island and the Board of Alderman of the City of Southport should join in the organization of a Bald Head Island Transportation Authority, and if so, consider appointing Richard Kopp to the authority. Mr. Kopp's term will expire June 30, 2020.

County Manager Hardy explained that the Board of Commissioners approved a resolution at the June 5, 2017 Regular meeting in support of Senate Bill 391 to create a Ferry Transportation Authority. The Bill was signed by the Governor on July 18, 2017. The Board is required by statute to hold a public hearing to adopt both a concurrent resolution to form the authority and the articles of incorporation. The Notice of Public Hearing was advertised in the State Port Pilot on August 2, 2017 and in the Brunswick Beacon on August 3, 2017.

The purpose of the Authority is to operate a reliable and safe ferry and barge transportation system to transport passengers and freight between the City of Southport and the Village of Bald Head Island; to provide parking facilities for passengers on the mainland and to provide tram service on the island; to enhance the quality of life, mobility, and circumstances of the residents of the county; and to promote economic development and tourism throughout the region, while protecting and preserving the environment. The Authority shall be governed by a Board of Trustees consisting of 11 members selected and serving in accordance with Article 29 Chapter 160A of the North Carolina General Statutes.

The County Manager requested that the Board of Commissioners conduct a Public Hearing to consider whether it, the Council of the Village of Bald Head Island, and the Board of Alderman of the City of Southport should join in the organization of a Bald Head Island Transportation Authority and, if so, consider appointing Mr. Richard Kopp to the Authority for a term to expire on June 30, 2020.

CALL TO ORDER

Chairman Williams called the Public Hearing to order at 6:57 p.m.

PUBLIC COMMENTS

Chairman Williams announced that one person had signed up to address the Board regarding the proposed Bald Head Island Transportation Authority. The following individual addressed the Board:

1. Mr. Chad Paul, Bald Head Island Transportation, Inc., gave a brief update on the status of the Authority. A meeting has been scheduled with the Secretary of State's office on Wednesday to incorporate, pending the outcome of this meeting.

Chairman Williams asked if there were any members of the audience who wished to address the Board regarding the proposed Transportation Authority. No one wished to speak.

ADJOURN

Commissioner Sykes moved to close the Public Hearing at 6:58 p.m. The vote of approval was unanimous.

Chairman Williams moved to approve the concurrent resolution as presented and to appoint Mr. Richard Kopp to the Authority. The vote of approval was unanimous.

A CONCURRENT RESOLUTION WHEREBY THE VILLAGE OF BALD HEAD ISLAND, THE CITY OF SOUTHPORT, AND THE COUNTY OF BRUNSWICK SIGNIFY THEIR DETERMINATION TO ORGANIZE THE BALD HEAD TRANSPORTATION AUTHORITY

WHEREAS, on July 18, 2017, the Governor of the State of North Carolina signed the Ferry Transportation Authority Act, as ratified by the North General Assembly, 2017 Session Law 120, codified at North Carolina General Statutes, Chapter 160A, Article 29 (the "Act");

WHEREAS, the Village of Bald Head Island (the "Village") is a municipal corporation that is only accessible by watercraft vessel;

WHEREAS, the Village is dependent upon a reliable, safe, and affordable ferry system (including passenger and barge transportation services, terminal facilities and vehicle parking) that operates on the Cape Fear River between Deep Point Marina in the City of Southport and Bald Head Island Marina in the Village;

WHEREAS, the City of Southport ("Southport") is a municipal corporation where the mainland ferry terminal, the mainland barge terminal, and vehicle parking for access to Bald Head Island are located;

WHEREAS, many Southport and other Brunswick County residents are employed on and/or regularly visit Bald Head Island and depend upon the ferry services and parking facilities, and many residents living on and visitors to Bald Head Island regularly transact business in Southport and Brunswick County;

WHEREAS, the Village and Southport are both municipalities located in Brunswick County, North Carolina in which all of the ferry terminal and barge facilities and vehicle parking for access to Bald Head Island are located;

WHEREAS, the ferry system, barge system, on-island tram system, terminals, and parking facilities are presently owned and operated by a number of privately held corporations;

WHEREAS, the Act permits the purchase of those assets of those privately held corporations used in the operations of the ferry system, barge system, on-island tram system, terminals, and parking facilities, and the consolidation of those operations in, by a single ferry transportation authority as defined in G.S. 160A-681 and with the powers set forth in G.S. 160A-685 ("the Authority");

WHEREAS, pursuant to G.S. 160A-683, the Village Council of the Village of Bald Head Island, the Board of Alderman of the City of Southport, and the Board of Commissioners of the County of Brunswick are the proper entities to adopt a resolution to create the Authority pursuant to the Act;

WHEREAS, the Village, Southport, and Brunswick County are engaging to coordinate and plan for the Authority that will operate a reliable and safe ferry and barge transportation system to transport passengers and freight between Southport and the Village, to provide parking facilities for those passengers on the mainland, and to provide tram service on the island; to enhance the quality of life, mobility, and circumstances of residents of the Village, Southport, and Brunswick County; and to promote economic development and tourism throughout the Cape Fear region, while protecting and preserving the environment;

WHEREAS, the Village, Southport, and Brunswick County have duly afforded the general public, and other interested parties, both public and private, the opportunity to participate in public hearings regarding the formation of the Authority, which public hearings were noticed as required by G.S. 160A-683 and properly conducted pursuant to all applicable laws;

WHEREAS, the creation of an Authority, pursuant to the Act, appears to be in the best long-term interest of the Village, Southport, and Brunswick County, and their residents and businesses;

WHEREAS, the Board of Commissioners of Brunswick County desires by this Concurrent Resolution to signify its determination to organize an Authority under the applicable provisions of the Act; and

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

1. That the Board of County Commissioners of Brunswick County signifies its determination to organize an Authority under the Act.

2. That the articles of incorporation of such Authority are included herein by reference, and that, pursuant to G.S. 160A-683, these articles of incorporation set forth all of the following:

- (a) that the "Bald Head Island Transportation Authority" is the official name of such Authority;
- (b) that such Authority is organized under the Act; and
- (c) that the names of the organizing entities for the Authority are the Village of Bald Head Island, the City of Southport, and Brunswick County
- (d) that the registered agent for service of process shall be the Chairman of the Board of Trustees or such other agent as the Board of Trustees may designate and whose name and address is provided to the North Carolina Secretary of State.

3. That the purpose of the Authority shall be to operate a reliable and safe ferry and barge transportation system to transport passengers and freight between Southport and the Village, provide parking facilities for those passengers on the mainland, and to provide tram service on the island; to enhance the quality of life, mobility, and circumstances of residents of the Village, Southport, and Brunswick County; and to promote economic development and tourism throughout the Cape Fear region, while protecting and preserving the environment, in accordance with the provisions of, and with all such powers as provided in, the Act.

4. That pursuant to G.S. 160A-683, public hearings were duly conducted concerning the matter of organizing an Authority under the provisions of the Act prior to adoption of this Concurrent Resolution.

5. This resolution shall become effective if and when concurrent counterparts are adopted by the Village Council of the Village of Bald Head Island, NC and the Board of Alderman of the City of Southport, NC.

ADOPTED by the Board of Commissioners of Brunswick County, this the 21st day of August 2017.

Frank Williams, Chairman
Brunswick County Commissioners

Attest:
Andrea White
Clerk to the Board

2. **Planning - Rezoning Public Hearing Z-17-752 (Mike Hargett, Director of Planning & Economic Development)**

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-17-752) from RR (Rural Low Density Residential) to C-LD (Commercial Low Density).

Mr. Mike Hargett, Director of Planning & Economic Development, explained that Z-17-752 is a rezoning request for a property located at 1231 Ocean Highway from Rural Low Density Residential to Commercial Low Density. The property consists of two parcels combined for a total of approximately 2.74 acres. The request was heard by the Planning Board on July 10, 2017 and following a Public Hearing, the Planning Board unanimously voted to recommend approval. Following tonight's Public Hearing, staff recommends approval of first and second readings.

CALL TO ORDER

Chairman Williams called the Public Hearing to order at 7:01 p.m.

PUBLIC COMMENTS

Chairman Williams asked if there were any members of the audience who wished to address the Board regarding the proposed amendment to the Brunswick County Unified Development Ordinance (Z-17-752) from RR (Rural Low Density Residential) to C-LD (Commercial Low Density). The following individual addressed the Board:

1. Ms. Sherry Jackson, representing Angler's Marine, explained that the owners of the property are asking for the rezoning. The property may eventually be used as additional storage for the owners in the future.

Chairman Williams asked if there were any other members of the audience who wished to address the Board regarding the proposed Transportation Authority. No one wished to speak.

ADJOURN

Commissioner Cooke moved to close the Public Hearing at 7:03 p.m. The vote of approval was unanimous.

**GOVERNING BOARD ACTION
(per N.C.G.S. 153A-341)
Zoning Map Amendment No. Z-752**

Description: Change recommended in Zoning District from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 16700061 and 1670000302. This zoning change totals approximately 2.74 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: There was no opposition from the public and there is an existing business associated with the zoning change which is beneficial to the area.

Therefore, on the basis of all the information provided including the foregoing, Chairman Williams moved that the Brunswick County Board of Commissioners approve the first and second readings of the Rezoning with the associated conditions as presented. The vote of approval was unanimous.

VIII. ADMINISTRATIVE REPORT

1. **Administration - Ordinance to Allow Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises (Ann Hardy, County Manager)**

Request that the Board of Commissioners receive the First Reading of an Ordinance to Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises.

County Manager Hardy explained that the North Carolina General Assembly enacted Senate Bill 155, an act to make various changes to the alcoholic beverage control commission laws.

The Bill was signed by the Governor and ratified as Session Law 2017-87. The Senate Bill authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10:00 a.m. on Sundays. General Statute authorizes the Board of Commissioners to make ordinances within its authority to all parts of the county not within a municipality. Several municipalities within Brunswick County have adopted an ordinance to allow alcohol sales prior to noon and owners have made requests to the County to allow the same for their businesses located in the unincorporated area. County Manager Hardy asked that the Board of Commissioners receive this as first reading of the ordinance.

Commissioner Forte moved to approve first reading of the ordinance to allow the sale of alcoholic beverages before noon on Sundays at licensed premises.

Following discussion, Chairman Williams called the question. The motion for first reading passed 3 to 2. (Ayes - Chairman Williams, Vice-Chairman Thompson, Commissioner Forte. Nays - Commissioner Sykes, Commissioner Cooke.)

Chairman Williams announced that second reading will be held at the next meeting.

County Attorney Bob Shaver clarified that because this is the first introduction of the ordinance, it is not effective because the vote was not unanimous. Upon the second consideration of the ordinance, the majority vote will carry.

2. **Board Appointment - Fire Commission (Brian Watts - Director of Emergency Services)**
Request that the Board of Commissioners appoint individuals to the Fire Commission for a 2-year term expiring June 30, 2019 (positional appointees will serve as long as they retain their position).

Mr. Brian Watts, Director of Emergency Services, explained that the Board of Commissioners established the Brunswick County Fire Commission on June 19, 2017. The Commission will consist of 20 members, 19 of which are voting members. The Emergency Services Director is a non-voting member. Mr. Watts requested that the following individuals be appointed to the Fire Commission for a 2-year term which will expire June 30, 2019.

Board of County Commissioners (Two BOCC Members)

1. Commissioner Pat Sykes
2. Commissioner Mike Forte

Board of County Commissioners Citizen Appointees: (Six Citizen Appointees)

- District 1: Carol Dunham
- District 2: Len Henderson
- District 3: Donna Loosley
- District 4: Steven Barger
- District 5: William D. Wilson

Mr. Watts explained that there is an At-Large seat that is currently vacant.

Board of Commissioners Fire Chief Appointee (Five Fire Chief Appointees)

- District 1: Robert Yoho (Ocean Isle Beach Fire Department)
- District 2: William Bailey (Supply Fire Department)
- District 3: Charles Drew (Southport Fire Department)
- District 4: Teresa Tickle (Boiling Spring Lakes Fire Department)
- District 5: Donnie Williams (Navassa Fire Department)

Mr. Watts explained that both the Fire Chief Appointees and the Municipal Appointees are on rotations.

Board of Commissioners Fire Chief Association Appointee (President of Fire Chiefs Association)

- President Doug Todd

Board of Commissioners Municipal Appointees (Five Municipal Appointees Mayor or Mayor Pro Tem)

- District 1: Carolina Shores Appointee - Mayor Joyce Dunn
- District 2: Holden Beach Appointee - Mayor Alan Holden
- District 3: Oak Island Appointee - Mayor Pro Tempore Loman Scott
- District 4: Shallotte Appointee - Mayor Walt Eccard
- District 5: Leland Appointee - Mayor Brenda Bozeman

Vice-Chairman Thompson moved to recognize and adopt the individuals as appointees for a 2-year term as presented. The vote of approval was unanimous.

3. **Parks & Recreation - Submission for Public Access Grant to Develop Holden Beach Park Phase 2 (Aaron Perkins, Director of Parks & Recreation)**
Request that the Board of Commissioners approve the submission of a Public Access Grant for Holden Beach Park Phase 2.

Mr. Aaron Perkins, Director of Parks & Recreation, explained that the Board of Commissioners approved the submission of a pre-application for a Public Access Grant for Phase 2 on April 3, 2017. Twenty-two local governments within the 20 coastal counties submitted pre-applications totaling \$3.2 million. Approximately \$1.9 million in grant funding is available. The County received a letter from the Division of Coastal Management inviting the County to apply for \$200,000 in grant funding with a 25% match (12.5% or \$33,333 in-kind and 12.5% or \$33,333 cash match) totaling \$266,666. The majority of Phase 2 would include design and permitting. Staff recommends approval of the submission of the Public Access Grant for Holden Beach Park Phase 2.

Chairman Williams moved to approve the submission of the Public Access Grant for Holden Beach Park Phase 2. The motion passed 4 to 1. (Ayes – Chairman Williams, Commissioner Forte, Commissioner Sykes, Commissioner Williams. Nays – Vice-Chairman Thompson.)

4. **Planning - Solar Farm Summary Report (Mike Hargett, Director of Planning & Economic Development)**
Request that the Board of Commissioners receive an overview of the Solar Farms Summary Report and provide guidance regarding potential revisions to solar farm requirements.

Mr. Mike Hargett, Director of Planning & Economic Development, explained that the Commissioners provided guidance last month with respect to concerns regarding solar farms. Staff conducted additional research and Mr. Hargett provided a summary of the report.

It was the consensus of the Board to direct the Planning staff to bring back proposed ordinance recommendations, a decommissioning plan, options for funding mechanisms, and map showing the zoning areas where Solar Farms are allowed.

5. **Utilities - Northeast Wastewater Treatment Recommendation (John Nichols, Director of Public Utilities)**
Request that the Board of Commissioner's receive information related to expansion amounts and costs to individual Participants for expansion of the Northeast Wastewater Treatment Plant.

Prior to a presentation by McKim & Creed on the capacity needs of the Northeast Wastewater Treatment Plant, Mr. John Nichols, Director of Public Utilities, provided background information on the plant and the previous expansion. Based on the North Carolina Administrative Code, when a plant reaches 80% of the hydraulic capacity, an approvable engineering evaluation must be submitted. When the plant reaches 90%, all plans, permits and specs, and a schedule must be submitted. The County engaged McKim and Creed to conduct a study to determine the next logical expansion of the plant; what the growth rate should be and what a build-out timeframe would be; the percent of allocation; and an estimate of the cost.

Mr. Tony Bowen, representing McKim & Creed, presented the results of the study. Three expansion options were presented with a concentration on option 1 as the recommended expansion option at a probable cost of \$39.1 million. Option 1 expands the 2.475 MGD (million gallons per day) by 2.5 MGD for a total capacity of 4.975 MGD. A growth rate of 6.87% was applied to determine projected wastewater flows. This percentage would also provide sufficient capacity through September 2028. Based on the additional allocations required and the percentage of upgrade, the partner share costs are estimated to be as follows: Brunswick County \$0; Town of Leland \$9.8 million, Town of Navassa \$11.3 million, City of Northwest \$0; H2GO \$18 million.

County Manager Hardy shared information with regard to financing and noted that the information provided in the presentation had been shared with the participants (Town of Leland, Town of Navassa, City of Northwest and H2GO).

Mr. Nichols shared some of the concerns of the participants with the Board, as well as the next steps in the process.

It was the consensus of the Board for Chairman Williams and Commissioner Sykes to begin attending the Northeast Brunswick Wastewater Partners Meetings along with staff.

6. **Utilities - Consultant Recommendation Regarding Water Sampling and Water Treatment Options (John Nichols, Director of Public Utilities)**
Request that the Board of Commissioners receive consultant recommendations regarding water sampling and water treatment options.

Prior to the presentation by HDR on water issues, Mr. Nichols explained that due to the GenX issue in June, HDR was requested to look at the County's treatment methods to determine if GenX could be removed from the water and to look at multiple unrelated contaminants within the raw water of the Cape Fear River. In addition, HDR was asked to provide recommendations on a sampling plan and the effectiveness and costs of other methods of treatment that could be implemented at the Northwest Water Treatment Plant.

Mr. Pete D'Adamo, Professional Engineer with HDR, presented the findings related to the GenX chemical and contaminants of emerging concern. The presentation included a brief background summary, an understanding of the unregulated contaminant monitoring rule (Environmental Protection Agency Rule); a review of some the County sampling results that happened under that rule, as well as the GenX sampling results; the treatability of some of the contaminants from a conventional treatment standpoint and more advanced processes; costs; and recommendations.

No action was taken.

7. **Governing Body - Resolution Supporting General Assembly Funding for Water Quality Safety (Chairman Frank Williams)**
Request that the Board of Commissioners resolve to encourage the General Assembly to support requests for additional funding dedicated to DEQ (Department of Environmental Quality) and DHHS (Department of Health and Human Services) staffing and programs for water quality safety.

Chairman Williams requested an amendment to the title to change the word "increase" to "invest".

Chairman Williams moved to approve the resolution as amended. The vote of approval was unanimous.

8. **Governing Body - Resolution Requesting NCDEQ to Prevent Discharges of Contaminants Not Proven Safe and Review Current and Pending Discharge Permits (Chairman Frank Williams)**
Request that the Board of Commissioners Resolve to Request that NCDEQ Prevent Discharges of Contaminants Not Proven to be Safe into the Cape Fear River and to Review all Cape Fear River Current and Pending Discharge Permits.

Chairman Williams requested an amendment to the title to spell out "Department of Environmental Quality".

Chairman Williams moved to approve the resolution as amended. The vote of approval was unanimous.

IX. OTHER BUSINESS/INFORMAL DISCUSSION

There was no other business/information discussion.

X. CLOSED SESSION

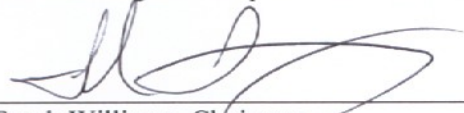
1. **Executive Session**

At 8:46 p.m. Commissioner Cooke moved to enter into closed session pursuant to G.S. 143-318.11(a)(1) to approve Closed Session Minutes, 143-318.11(a)(3) to consult with its attorney, and 143-318.11(a)(5) to instruct staff regarding the position to be taken in regard to potential acquisition of real property. The vote of approval was unanimous.

Chairman Williams called the open meeting back to order at 9:25 p.m. and asked the Attorney if there was anything to report from Closed Session. Mr. Shaver stated there was none.

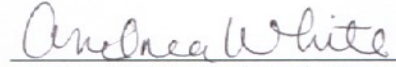
XI. ADJOURNMENT

Commissioner Cooke moved to adjourn the Regular Meeting at 9:25 p.m. The vote of approval was unanimous.



Frank Williams, Chairman
Brunswick County Board of Commissioners

Attest:



Andrea White, Clerk to the Board

