

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
September 7, 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
Lt. Tate Bond, 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

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

III. ADJUSTMENTS/APPROVAL OF AGENDA

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

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

IV. PUBLIC COMMENTS

No one signed up to speak.

V. APPROVAL OF CONSENT AGENDA

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. **Clerk to the Board - Meeting Minutes**
The Board of Commissioners approved the Draft Minutes from the August 16, 2021, Regular Meeting.
2. **County Attorney – Deed of Dedication for Ryder Cup Subdivision Fairway Dr, Lots 50-53**
The Board of Commissioners accepted the Deed of Dedication for water and sewer infrastructure for Ryder Cup Subdivision Fairway Drive, Lots 50-53:
3. **County Attorney – Release of Easement**

The Board of Commissioners released easements encumbering the Western property line of the county complex.

4. **County Attorney - Sachi Subdivision, PH 1, Lots 1-14, 38-49, and 62-65 DOD**
The Board of Commissioners accepted the Deed of Dedication for water and sewer infrastructure in Sachi Subdivision, Phase 1, Lots 1-14, 38-49, and 62-65.
5. **Emergency Services – Stryker LUCAS 3 Purchase**
The Board of Commissioners approved the purchase of 10 additional LUCAS 3 compression devices, allowing for devices on all frontline ambulances and QRV's.
6. **Finance - Fiscal Items**
The Board of Commissioners approved the following Budget Amendments, Capital Project Ordinances and Fiscal Items of a routine nature:
 - Parks and Recreation Insurance Proceeds Budget Amendment**
The Board of Commissioners appropriated fund balance for rollover of insurance proceeds received in FY21 for repair of Kayak Launch Rails at Brunswick Nature Park in FY22 budget.
 - Airport Grant 36244.58.13.1 Additional Funds Budget Amendment and CPO**
The Board of Commissioners appropriated \$278,872 of additional state grant funds and \$30,986 of local match for grant modifications to grant 36244.58.13.1 as approved by NCDOT-Division of Aviation.
7. **Governing Body – Board Appointments - Planning**
The Board of Commissioners appointed Mr. Clifton Cheek to the Planning Board for a 3-year term expiring June 30, 2024.
8. **Governing Body – Board Appointments – Substance Use and Addiction Commission:**
The Board of Commissioners appointed Mr. William Murphy to the Substance Use and Addiction Commission for a 4-year term expiring June 30, 2025.
9. **Governing Body – Jury Commission**
The Board of Commissioners re-appointed Mr. Steve Stone to serve on the Jury Commission for a two (2) year term expiring June 30, 2023.
10. **Health and Human Services – BSRI – Council of Governments Grant Agreement for Aging Services**
The Board of Commissioners approved and executed the FY 2022 Home and Community Care Block Grant for Older Adults Agreement for the Provision of Community-Based Aging Services ending June 30, 2022.
11. **Health and Human Services – Health Services – AA – 361 ELC Enhanced Reopening Schools SH Liaison FY 22**
The Board of Commissioners approved the Agreement Addendum for 361 ELC Reopening Schools SH Liaison for FY 22 and authorized the Health Director to sign the addendum form.
12. **Health and Human Services – Health Services – Annual Board of Health Policies**
The Board of Commissioners reviewed and approved the annual Board of Health policies.
13. **Resolution for Special Election on Brunswick Forest Annexation to Brunswick Regional H2GO Sanitary District**

**Resolution Directing the Board of Elections to Hold a Special Election on
Annexation of Brunswick Forest to the Brunswick Regional H2GO Sanitary
District**

WHEREAS, North Carolina General Statute 130A-69 sets out procedures whereby a sanitary district may extend its boundaries; and

WHEREAS, Brunswick Regional H2GO Sanitary District has pursued annexation of the Brunswick Forest residential development to the district by virtue of the petition process described in G.S. 130A-69; and

WHEREAS, the North Carolina Commission for Public Health adopted a resolution on August 24, 2021, following a public hearing, whereby it approved the extension of

boundaries and authorized the Sanitary District to proceed further with the holding of a special election regarding the annexation and extension of its boundary lines; and **WHEREAS**, upon such approval by the North Carolina Commission for Public Health, G.S. 130A-69 states that the Board of Commissioners “shall order and provide for the holding of a special election in accordance with G.S. 163-287 upon the question of annexation within the territory proposed to be annexed.”

NOW, THEREFORE, BE IT RESOLVED that Brunswick County orders and directs the Brunswick County Board of Elections to conduct a special election upon the question of annexation of Brunswick Forest to the Brunswick Regional H2GO Sanitary District. The special election shall be conducted in accordance with G.S. 163-287 and the costs of the election shall be paid by the sanitary district.

This the 7th day of September 2021.

Randell Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:
Daralyn Spivey
Clerk to the Board

14. **Sheriff’s Office – Video Agreement with WatchGuard Video Inc. (Motorola Solutions)**

The Board of Commissioners approved a five (5) year agreement with WatchGuard Video Inc., now part of Motorola Solutions Inc., in conjunction with the Sheriff’s Office body camera and associated video storage system, subject to review and approval by the County Attorney.

15. **Utilities – Northwest WTP Concentrate Discharge Pipeline FACO (John Nichols, PE, Director of Public Utilities)**

The Board of Commissioners approved the Final Adjusting Change Order No. 1 with TA Loving Company for the Northwest Water Treatment Plant (NWTP) Concentrate Discharge Pipeline Project. This change order will result in a contract deduction in the amount of \$354,655.51 and no time extension.

16. **Utilities – Stanbury Creek Sewer Transmission Line Reimbursement**

The Board of Commissioners approved entering into a Sewer Transmission Reimbursement agreement in the amount of \$380,000.00 with Stanbury Creek NC, LLC and RHH Land Investors LLC, the developers of the Stanbury Creek and Marsh Walk developments respectively, authorize the County Attorney to draft either a two-party or three-party agreement subject to a deviation from the bidding requirements listed in the County Sewer Use Ordinance (SUO), and authorize the Chairman and Clerk to execute the agreement.

VI. PRESENTATION

1. **Clerk to the Board - Presentation – Cape Fear Change in Motion 2020 Transportation Demand Management WMPO**

The Board of Commissioners received a presentation from Nick Cannon, WMPO regarding the newly adopted Transportation Demand Management "Cape Fear in Motion 2020" plan.

2. **Clerk to the Board - Presentation –Mt. Calvary Center for Leadership Development**

The Board of Commissioners received a presentation from Dr. Jimmy Tate of the Mt. Calvary Center for Leadership Development.

3. **Governing Board – Resolution Emergency Preparedness Month**

Resolution Declaring September 2021 As “Preparedness Month” In Brunswick County

WHEREAS, National Preparedness Month (NPM) is an observance each September to raise awareness about the importance of preparing for disasters and emergencies that could happen at any time; and

WHEREAS, Brunswick County has been affected by a number of disasters and emergencies in recent years, including Hurricanes Florence, Dorian and Isaias and the tornado that affected Ocean Ridge and nearby communities; and

WHEREAS, Counties throughout North Carolina have been affected by a variety of emergencies, including mudslides, wildfires, flooding, earthquakes, and the COVID-19 pandemic; and

WHEREAS, in 2020 the State of North Carolina experienced 48 tornado touchdowns, 247 flood incidents, and 609 severe thunderstorms with damaging wind and hail, all of which resulted in more than \$27.5 million in damages statewide; and

WHEREAS the peak period of hurricane season is historically mid-August through October, and September 10 marks the peak of hurricane season; and

WHEREAS, on Saturday, August 14, 2021, Brunswick County Commissioner and N.C. Association of County Commissioners (NCACC) President Frank Williams announced the “100 Counties Prepared” initiative; and

WHEREAS, the 100 Counties Prepared initiative will focus on training county commissioners on how to effectively lead during emergencies, compiling resources to assist commissioners during emergency situations, and helping commissioners establish relationships with key emergency management partners; and

WHEREAS, the 2021 theme of National Preparedness Month is “Prepare to Protect. Preparing for disasters is protecting everyone you love;

WHEREAS; the Brunswick County Board of Commissioners desires that every household, property owner, and business in Brunswick County be prepared for potential emergencies;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Brunswick County hereby declares September 2021 as Preparedness Month in Brunswick County and encourages all citizens to Prepare to Protect their loved ones by developing an emergency plan, building an emergency kit, and communicating their emergency plan to all members of their household and/or workplace.

Adopted this the 7th day of September, 2021.

Randell Thompson, Chairman
Brunswick County Board of Commissioners

Attest:
Daralyn Spivey
Clerk to the Board

Vice-Chairman Forte moved to adopt the Resolution with the motion seconded by Commissioner Williams. and passed unanimously (5 to 0).

4. Governing Body - Resolution Honoring Deacon John Henry Sloan

Resolution of Appreciation Deacon John Henry Sloan

WHEREAS, within Brunswick County, longevity of life is a blessing for an individual and for a community which benefits from the knowledge, creativity, and experiences this individual brings to all; and

WHEREAS, Brunswick County and Brunswick County Senior Resources Inc. recognize with admiration and respect the importance and contributions of seniors within our communities: and

WHEREAS, Me. Deacon John Henry Sloan, born September 6, 1921, and raised on Leland, NC, is a well-respected World War II Veteran and community leader; and,

WHEREAS, the United States has the greatest number of centenarians in the work, and today Mr. Sloan should be honored for is 100 years on this earth; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Brunswick County recognizes and extends congratulation to Mr. Sloan for his outstanding accomplishments, and wishes him many more prosperous years.

Adopted this the 7th day of September, 2021.

Randell Thompson, Chairman
Brunswick County Board of Commissioners

Attest:
Daralyn Spivey
Clerk to the Board

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

VII. ADMINISTRATIVE REPORT

1. Administration – American Rescue Plan Project Funding Guidelines:

The Board of Commissioners heard a request to approve the draft plan in guidance for the American Rescue Plan Act funded projects. Commissioner Sykes made the motion to approve the funding guideline. Commissioner Williams seconded the motion with the

following vote: Chairman Thompson, Vice Chairman Forte, Commissioner Sykes and Commissioner Williams in favor and Commissioner Cooke opposed. Motion passed (4 to 1).

2. County Attorney – NC MOA Relating to Allocation of Opioid Litigation Proceeds:

A Resolution by the County of Brunswick Approving the Memorandum of Agreement (MOA) Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation

WHEREAS, as of 2019, the opioid epidemic had taken the lives of more than 16,500 North Carolinians, torn families apart, and ravaged communities from the mountains to the coast; and

WHEREAS, the COVID-19 pandemic has compounded the opioid crisis, increasing levels of drug misuse, addiction, and overdose death; and

WHEREAS, the Centers for Disease Control and Prevention estimates the total "economic burden" of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers and pharmaceutical distribution companies and hold those companies accountable for their misconduct; and

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Memorandum of Agreement (MOA) to provide for the equitable distribution of any proceeds from a settlement of national opioid litigation to the State of North Carolina and to individual local governments; and

WHEREAS, Local Governments and the State of North Carolina anticipate a settlement in the national opioid litigation to be forthcoming; and

WHEREAS, by signing onto the MOA, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, once a negotiation is finalized, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments, including Brunswick County and its citizens, to sign onto the MOA and demonstrate solidarity in response to the opioid epidemic, and to maximize the share of opioid settlement funds received both in the state and this county to help abate the harm; and

WHEREAS, the MOA directs substantial resources over multiple years to local governments on the front lines of the opioid epidemic while ensuring that these resources are used in an effective way to address the crisis.

NOW, THEREFORE BE IT RESOLVED, Brunswick County hereby approves the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, and any subsequent settlement funds that may come into North Carolina as a result of the opioid crisis. Furthermore, Brunswick County authorizes the County Attorney take such measures as necessary to comply with the terms of the MOA and receive any settlement funds, including executing any documents related to the allocation of opioid settlement funds and settlement of lawsuits related to this matter. Be it further resolved copies of this resolution and the signed MOA be sent to opioiddocs@ncdoj.gov as well as forwarded to the North Carolina Association of County Commissioners at communications@ncacc.org.

Adopted this the 7th day of September, 2021.

Randell Thompson, Chair
Brunswick County Board of Commissioners

ATTEST:

Daralyn Spivey

Clerk to the Board

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

3. Utilities – Town of St. James ARP Funds:

The Board of Commissioners authorized staff to negotiate an inter-local agreement with the Town of St. James for the transfer of American Rescue Plan (ARP) funds in the amount of \$1,991,221.16 for use in water system upgrades beneficial to the Town of St. James.

Commissioner Sykes moved to approve the funding as requested. The motion was seconded by Commissioner Williams 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)(4) to discuss matters relating to the location or expansion of industries or other businesses, including any economic development incentives that may be offered by the County in negotiations.

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.

Commissioner Williams moved to enter Closed Session as stated at 4:20 p.m. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).

Chairman Thompson called the Regular Session to order at 4:40 p.m.

X. ADJOURNMENT

Commissioner Williams moved to adjourn the meeting at 4:40 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