



**City of Boiling Spring Lakes
Board of Commissioners Regular Meeting Minutes
May 7, 2019
City Hall – 6:00 p.m.**

PLEASE TURN OFF CELL PHONES

1. Call to Order ~ Mayor Craig Caster

The Board of Commissioners Meeting was called to order at 6:00 p.m.

2. Attendance ~

Mayor Craig Caster	Commissioner Steve Barger
Commissioner Mark Stewart	Commissioner Guy Auger
City Manager Jeff Repp	Commissioner Dana Witt
Chief Greg Jordan	City Clerk Jane McMinn
Nicole Morgan, Planning & Zoning	

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Stewart to move into Closed Session for discussions on possible land purchase.

Vote ~ 5 ~ 0

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Stewart to move out of Closed Session and into the Regular Board of Commissioner Meeting of May 7, 2019 at 6:30 p.m.

Vote ~ 5 ~ 0

Mayor Craig Caster reported there was no action taken.

3. Pledge of Allegiance ~ Bill Clark

4. Approval of Regular Agenda ~

A ***motion*** was made by Commissioner Barger to add under Old Business ~ ***item b*** ~ discussion of the keeping of animals regarding tonight's public hearing. A ***second*** was made by Commissioner Witt.

Vote ~ 5 ~ 0

5. Introduction of New Police Officer ~ Chief Jordan

Chief Jordan introduced the City's new police officer, Matt Harden who started here on April 22, 2019. Officer Harden is 24 years old, married and his wife is a Brunswick County deputy. Officer Harden previously served in Sunset Beach for three years. He is a lifelong resident of Brunswick County.

6. Public Hearing ~

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to move into Public Hearing.

Vote 5 ~ 0

a. Keeping of Animals ~ Text Amendment

Kimberly Hand ~ 445 Tate Lake Dr.

Ms. Hand is speaking in the support of hens. We have submitted a petition of over 500 signatures. I have also sent a letter to the mayor, commissioners and the planning board back in March. In 2013 we tried to make a change then for the keeping of hens but that did not pass. There was another attempt in 2017. We will keep working to educate others with respect to hens. I request you consider both sides of this issue.

Mary Henderson ~ 1895 Robin Rd.

Mrs. Henderson informed the Board there are many people who are allergic to eggs therefore, cannot buy them in the grocery store. Hens do not make any noise, they are not messy, they keep insects under control and are gentle. On an additional note, Mrs. Henderson thanked Code Enforcement for having the abandon trailer removed and cleaned up.

Joan Kinney ~ 793 S. Shore Dr.

Mrs. Kinney stated she is against the UDO change to allow hens in all residential zones. The City has provided the R-6 zone to allow the keeping of hens. Once the city allows hens in all residential areas, what do we do when citizens want goats, pigs, and cows. Once the zones are open, the city will no longer be residential.

Michele Reilly ~ 1531 Tuscarora Dr.

Ms. Reilly supports having hens. Many communities in the area have hens. The written ordinance is excessive. The benefits to having hens far outweigh the negatives.

Katherine Smith ~ 385 Cedar Rd.

Mrs. Smith stated she is educated about hens. They consume a lot of insects, the eggs that are produced last longer than commercial eggs and are much healthier for us. The current ordinance covers all the concerns we have heard tonight. All I want to do is feed, protect and teach my family.

Audrey Carathanasis ~ 1281 Spring Lake Dr.

Mrs. Carathanasis informed the Board that in 2015 the State of North Carolina had a regulation that hens must be registered with the State to keep disease under control. Hens are not all that clean or healthy to keep in your back yard.

Brandon Laiti ~ 40 Shelby Rd.

Mr. Laiti stated he currently has hens, now he is in violation. I am in support of the hens and my \$1,000 investment and I am trying to educate my children.

Heath Smith, 385 Cedar Rd.

Mr. Smith chose to live in Boiling Spring Lakes where he could live without so many rules and restrictions. One of the basic rights is the right to grow my own food. What kind of community tells its citizens what they can and cannot do? I will continue to fight for our rights; however if that does not work, I will relocate out of Boiling Spring Lakes and take my tax money with me.

Marge Pennington ~ 301 S. Shore Dr.

Mrs. Pennington commented in the past month she has addressed the Board several times. Several years ago along with the Planning Board, this Board addressed the issue of hens and regulations were addressed at that time. Mrs. Pennington quoted from Section 6.33 Keeping of Animals – paragraph 3 keeping of farm animals is only permitted on Zone 6. Chickens are defined as farm animals. We have spent time and tax dollars changing the UDO. Mrs. Pennington reminded the Board they are here to represent all citizens, not just a few dozen people.

Barbara Snyder ~ 894 Cambridge Rd.

Ms. Snyder stated there are many ways hens bring positive things. Their waste is compostable, we have healthy fresh eggs, no styrofoam from egg cartons. I understand the concern about property value, all that will take is education. I hope this hearing is education for everyone and we come out with an understanding.

Cynthia Barker ~ 2348 Clinton Rd.

Ms. Barker commented we live in an area that is a very rural community, not a city. My neighbor had three hens and there is something very comforting about hens. I do not understand what the harm is of having hens in the backyard. I had three hens and when the hurricane hit I was able to give fresh eggs to my neighbors. During the time we were all land locked. I had to give my hens away because I would have gotten fined. I hope you will all look at changing this ordinance in the UDO.

Jennifer Jamerson ~ 790 Souchak Rd.

Mrs. Jamerson stated we do not live in a big city; we are not asking for farm animals we just would like to have some hens. I do believe in setting regulations; we all live by rules every day. We are prepared to give the hens what they need to be happy and healthy and produce eggs for our family.

b. R-1 Single Family Residential Minimum Living Area – Text Amendment

Roger Samson ~ 651 Trevino Rd.

Mr. Samson commented the zoning laws are meant to keep uniformity within each zone. R-1 zoning has been 1500 sq. ft., there is a reason for that, to keep the uniformity. R-2 zoning allows a smaller sq. ft. building. We have a lot of R-2 zoning; we also have a lot of R-2 zoning that is unbuilt. If people want a 1200 sq. ft. home, they can do so in the R-2 zone. If small built homes are zoned in the R-1 then what is basically happening is we are doing away with the R-1 zoning. I do not understand why we would want to do that.

Joan Kinney ~ 793 S. Shore Dr.

I am against lowering the square footage in R-1. The City should be looking for ways to better itself. This is not the correct direction. Lowering the appreciation value for owners in R-1, as well as revenue for the City is not a positive step to take. If residential districts should be changed, it should always be up not down.

c. Lake Regulations

No public comments were made.

d. Proposed Fiscal Year 2020 Budget

No public comments were made.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Auger to move out of Public Hearing and back into the Regular Board of Commissioners Meeting, May 7, 2019.

Vote ~ 5 ~ 0

6. Hurricane Florence Update ~ City Manager Repp

Mr. Repp reported an update has been posted today on the City website. The update shows the estimates of repair, submitted amounts to FEMA and amounts received from FEMA to date.

- All work on South Shore has been completed.
- E. Lakeview Dr. will be the next project we undertake which will be the last project before the dams. An RFP bid is being prepared and we should have that award for your approval by the June 4, 2019 meeting.
- North Lake - NCDOT repairs have been completed, and a final walk through is schedule for May 8, 2019. NCDOT has approached the City to remove the six (6) pipes on Pine Lake. We will work with them to remove all the trees in that area that are down from the storm.
- Fifty Lakes striping was completed on April 10, 2019.

- Lake Hastie/Reeves storm drains were replaced and a walkthrough was done on April 24, 2019. This project cost will be submitted to FEMA for reimbursement.
- Dam Updates for the RFP will be awarded pending contract completion anticipated for the June 4, 2019 BOC meeting.

The Hurricane Florence Update is hereby incorporated by reference and made a part of these minutes.

7. Public Comments ~

Ricky Rygg ~ 267 Holly Rd.

Mr. Rygg commented nothing is mentioned in the agenda regarding review of the Storm Drainage Plan. I would like the report to be posted online and also a copy for review in the lobby. When will this review take place with the public? After all the paving repairs that have been done, it would be good if Public Works would look at those roads and identify what roads need to have stripping on them. Some areas at night are difficult to traverse.

Karen Hartigan ~ 801 S. Shore Dr.

Mrs. Hartigan stated she is the president of the Garden Club. I would like to take this opportunity to thank all the members for their service to our community with plantings, maintaining several gardens and organizing the Clean Sweep program. The Garden Club recently has been awarded 13 State awards, six (6) first place awards, four (4) second place awards, two (2) third place awards and one honorable mention. The Club won a first place award from the South Atlantic Region of the National Garden Clubs. The Club will host a second Clean Sweep on October 5, 2019. We thank Pam Bellina for posting these awards on our Facebook page.

Alexis Cheetham ~ 40 Shelby Rd.

Ms. Cheetham relayed there is a pump on Shelby Rd. at one time was a working pump. The pump has been replaced and it is 12 feet from my property. Our street, our garage and yards flood every time it rains. We should not have flooding with this massive pump. Shelby Road has been widened and paved. From the construction work that was done, nothing has been cleaned up and everything is now in the ditches. Ms. Cheetham is asking for someone to look at this pump and see if we can get this pump working the way it should be.

8. Approval of Minutes ~

a. Board of Commissioners Meeting Minutes ~ April 2, 2019

A *motion* was made by Commissioner Barger, a *second* by Commissioner Stewart to approve the Board of Commissioner Meeting Minutes of April 2, 2019.

Vote ~ 5 ~ 0

9. Consent Agenda ~

A *motion* was made by Commissioner Barger, a *second* by Commissioner Stewart to approve the Consent Agenda.

Vote ~ 5 ~ 0

10. Committee / Board Reports

a. Fire/Rescue ~ Chief Theresa Tickle

Chief Tickle reported we had 37 fire calls and 45 medical calls. We had training on traffic laws and emergency vehicles by Police Chief Jordan and we thank him for taking the time to speak with us. We also held CPR class and Air link class. We attended the Small Fry Fishing Tournament and all the rescue gear has come in except for the boots and gloves.

FEMA Update – our case manager’s duties have ended so we have been assigned to a new case manager. All of our receipts and equipment hours are in review with the Regional CRC and we are working on submitting quotes for Station #3 to FEMA.

b. Planning Board ~ Bill Clark, Chair

Mr. Clark we discussed consistency statements be signed for the hens, also for the accessory uses of buildings and outside storage.

Mr. Clark explained the process of how the agenda is generated and also explained the difference between lot and track.

c. Community Appearance Commission ~ Ann Hollingsworth, Chair

Ms. Hollingsworth commended Karen Hartigan and her ongoing efforts since she has moved to Boiling Spring Lakes and working so hard to keep the City beautiful. Mrs. Hartigan and her husband are often seen picking up trash. We would also like to recognize Mr. Jerry Wolf and Mr. Tom Guzulaitis for organizing Operation Clean Sweep and their continued efforts.

e. Parks & Recreation Advisory Board ~ Tom Guzulaitis, Chair

Mr. Guzulaitis reported at their April meeting we discussed the following items: Bicycle and Pedestrian Task Force is currently with the State so we continue to wait for updates. We talked about the desire to obtain the property over at North Lake to protect our green space. We request that funds be allocated in the 2020 budget to potentially acquire this property. We have ongoing discussions about pets in the parks. We have an ongoing discussion of a potential grant for playground equipment. That was the purpose of the special meeting we held. We discussed the budget and the need for additional salary for summer staff to stay competitive. Public comments were received on cleanliness and safety in the parks. Discussion was also held on kayaks and boat launching.

Mr. Guzulaitis thanked Bon Cantrell for his years of service and dedication. A new chair person has been elected.

f. Special Events Committee ~ Jackie Barker, Chair

Mrs. Launderville reported for Chair Jackie Barker

Special Events held the Easter Eggstravaganza on April 13, 2019 and children had a good time. A special thanks goes to Public Works, Parks & Rec. and the Police Department for their help. We have been working on the Spring Fling which will be Saturday, May 11, 2019. We have had a great response from the vendors and expect this to be the biggest event yet. There will be activities for children, shopping and other opportunities. We are hoping for a good turnout.

g. Library Commission ~ Frances Thomas, Chair

Mrs. Sollenberger reported for Mrs. Thomas.

The Library Commission received a donation of children's books from Elma Pace through Wells Fargo. Mrs. Pace is a future resident of Boiling Spring Lakes. There are 45 different books both in English and Spanish. In lieu of our monthly meeting in April, the Commission had their book buying event. Forty one new books, both fiction and non-fiction were added to the library.

11. City Manager's Month Report ~ Mr. Repp

- Mr. Repp reported as of March 31, 2019 the City had \$1,084,096 in cash and investments. Fortunately, we also received our \$2M interest free loan from the State to help us replenish our fund balance for the Hurricane Florence recovery. This will be reflected in my May report.
- Sales tax revenue with four (4) months remaining is right on schedule to meet the budgeted \$1,847,139 for the current fiscal year.
- On March 31, 2019, 95.7% of property tax revenue has been collected by Brunswick County.
- On May 6, 2019, Michael Mack, formerly the Capital Projects Manager, Public Services Director for Pender County started his position as our new Public Works Director. We will work on setting up a workshop for the month of May with Sungate Design Group to review the Storm Drainage plan now that Mr. Mack is on board.
- On April 10, 2019 Nicole Morgan received her official Zoning Certification from the School of Government and was also promoted as the Planning and Zoning Administrator for the City. She is officially designated as the UDO Administrator for the City.
- On March 5, 2019 the Board of Commissioners awarded \$65,000 in paving projects to Carmichael Construction and that work has been completed
- NCDOT will be working with the City to remove the pipes at the Pine Lake break as well as the tree laying in the lake bed..

12. Old Business ~

- a. Order** ~ authorizing Mayor Craig M. Caster to sign and send a letter on behalf of the Board of Commissioners to support inclusion of the County's FY 2020 Capital Improvement Program a contribution request for \$ 185,820 for the Goldsboro/Fifty Lakes Low Pressure Sewer System.

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Barger

authorizing Mayor Craig M. Caster to sign and send a letter on behalf of the Board of Commissioners to support inclusion of the County's FY 2020 Capital Improvement Program a contribution request for \$ 185,820 for the Goldsboro/Fifty Lakes Low Pressure Sewer System.

Vote ~ 5 ~ 0

b. Discussion of the keeping of animals

A discussion followed by the Board. It was suggested by City Manager Repp to have each Board member email their concerns to Nicole. She can then draft a summary memo of all the proposed changes submitted by the Board. When you do consider the amendment to the UDO change at the June meeting, we can have a document that reflects what the Board is discussing tonight.

14. New Business ~

- a. **Order ~** authorizing the City Manager to enter into a construction contract with *Walter Carmichael Construction Company, LLC, Inc. of Southport, NC in the amount of Four Hundred Ninety-Three Thousand Four Hundred and Ten Dollars and No Cents (\$493,410.00)* to construct a low pressure sewer system for the Goldsboro/Fifty Lakes Special Taxing District.

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Witt authorizing the City Manager to enter into a construction contract with *Walter Carmichael Construction Company, LLC, Inc. of Southport, NC in the amount of Four Hundred Ninety-Three Thousand Four Hundred and Ten Dollars and No Cents (\$493,410.00)* to construct a low pressure sewer system for the Goldsboro/Fifty Lakes Special Taxing District.

Vote ~ 4 ~ 1 (opposed Commissioner Witt)

b. Discussion ~ Goldsboro Waterline ~

The City included in the design for the special assessment district adding a waterline along Goldsboro. We received a low bid of \$185,820. The County Administrator would not consider funding of this project. The Board has three (3) options:

- Do Nothing
- Fund as a Budget Capital Item
- Create a Special Assessment District
- Or a combination of the above

After a discussion it was the consensus of the Board that with the County now owing the water system in the City that any extension of that system should be a county initiated and funded project and the Board agreed to elect the option to do nothing.

c. Proclamation ~ Water Safety and Drowning Prevention

A ***motion*** was made by Commissioner Stewart, a ***second*** made by Commissioner Barger approving the Proclamation for Water Safety and Drowning Prevention.

Vote ~ 5 ~ 0

d. **Proclamation ~ National Safe Boating Week**

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Witt approving the Proclamation for National Safe Boating Week.

Vote ~ 5 ~ 0

e. **Resolution ~ Adopting the Municipal Records Retention and Disposition Schedule**

A ***motion*** was made by Commissioner Barger, ***second*** by Commissioner Witt approving the Resolution Adopting the Municipal Records Retention and Disposition Schedule.

Vote ~ 5 ~ 0

f. **Resolution ~ In Support of the Current ABC Control System for the Sale of Liquor**

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Witt approving the Resolution in Support of the Current ABC Control System for the Sale of Liquor.

Vote ~ 5 ~ 0

g. **Ordinance ~ Changing the Speed Limit on Mirror Lake Drive and Berry Hill Rd.**

Chief Jordan gave his support to any change for safety, and was also in favor of changing the speed limit on Mirror Lake Drive.

Commissioner Barger discussed changing the city wide speed limit to 25mph. after having a discussion with Chief Jordan and also previously with Chief Shirley. Chief Jordan stated he would have a report ready prior to the next Board meeting.

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Barger Changing the Speed Limit on Mirror Lake Drive and Berry Hill Road to 25mph.

Vote ~ 4 ~ 1 (opposed Commissioner Auger)

14. **Request for Public Hearing ~**

a. **Commercial Outdoor Storage**

The Board has already reviewed this text amendment two months ago and voted to approve the amendment, the Board does not see the need to redo this again.

Request for Public Hearing was denied.

b. Plot Plan Procedures Text Amendment

Ms. Morgan made a recommendation to the Planning Board to consider revising the text amendment to eliminate the plotting of the trees for removal on the plans. These plans must be completed by a licensed surveyor. Requirements for tree removal are already met for new construction in Article 7, Section 7.29. It is an added cost to the surveyor and the property owners to have the surveyors do this.

The Board was in agreement to hold the Public Hearing at the June 4, 2019 meeting.

15. Discussion ~

There was no discussion.

16. Announcements ~

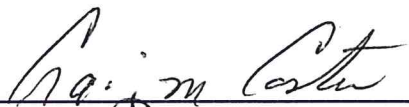
Mayor Caster thanked the neighbors for picking up trash, and hopes to see everyone at the Spring Fling.

17. Adjourn ~

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to adjourn the Board of Commissioners meeting of May 7, 2019.

Vote ~ 5 ~ 0

The Board of Commissioners meeting was adjourned at 8:18 p.m.




Craig M. Caster, Mayor

ATTEST:



Jane McMinn, City Clerk



Date

