

**City of Boiling Spring Lakes**  
**Minutes**  
**Board of Commissioners Regular Meeting**  
**December 6, 2011**  
**City Hall - 6:30 p.m.**

**1. Call to Order** – Mayor White called the meeting to order at 6:30 p.m. and asked Ray Rumsey to lead the Pledge of Allegiance.

**2. Attendance:** In attendance at the meeting were Mayor White, Commissioners Caster, Carroll, Kinney and Troscianiec, City Clerk Linda Merry, City Attorney Elva Jess, UDO Administrator Becky Cummings, and Interim City Manager Paul Sabiston. Also in attendance were Commissioner Elect Mike Forte and Commissioner Elect Barbara Glidden.

**3. Awards Presentation** – Commissioner Joan Kinney and Commissioner Hank Troscianiec were presented with appreciation plaques for their years of service to the City.

**4. Approval of Monthly Agenda**

**A motion** was made by Commissioner Carroll and seconded by Commissioner Caster to approve the monthly agenda with the addition of item #9(d) Closed Session

**Vote: 5-0**

**5. Public Comments**

Ian Hunting, owner of the Pepperoni Grill asked for help from the new board. He would like for businesses to be allowed to place temporary signs in the right of way that promote specials and events. He circulated a petition that was signed by approximately four hundred citizens who agree with him. Please allow the small businesses in town to grow and prosper. There was applause from the audience.

**6. Approval of Minutes**

**A motion** was made by Commissioner Carroll and seconded by Commissioner Kinney to approve the minutes of the November 1, 2011 Regular Meeting

**Vote: 5-0**

**7. Consent Agenda**

Department Reports

1. Tax
2. Public Works
3. Public Safety
4. Building Inspections/Code Enforcement
5. Parks and Recreation
6. Buildings & Grounds
7. Planning Department

**A motion** was made by Commissioner Kinney and seconded by Commissioner Carroll to approve the Consent Agenda

**Vote: 5-0**

## 8. Committee Reports

**a. Community Appearance Commission** – Ann Hollingsworth reported that the committee is working on the Christmas Property Recognition.

**b. Planning Board** – David Giera reported that the Planning Board is continuing its work on the new sign ordinance.

**c. Parks and Recreation Advisory Board** – Barbara Glidden reported that Melissa Thomas had been appointed as Chairman for the board. They have tabled discussion of allowing free use of the fitness center for Fire Department Auxiliary members.

**d. Special Events** – Mary Stilwell reported that the dates for next year's events have been set and will be announced shortly.

**e. Library Committee** – Audrey Carathanasis had nothing new to report.

**f. Spillway Committee** – Barbara Glidden reported that the engineer is continuing work on the final design and cost estimate for the project.

**The Mayor appointed Bob Brooks as the new chairperson for the committee.**

## 9. Unfinished Business

**a. Manager's Report** – Mr. Sabiston presented the monthly financial report and updated the Board on the Sewer Project and Water Assessment Refund Project. He reported that less than 40% of the assessment refunds will benefit current residents. He is researching opportunities to avoid the North Carolina Escheat Requirements for refund money that is due to individuals who cannot be located.

Mr. Sabiston also reported that he intended to roll over the \$ 800,000 Security Savings CD when it renewed on January 30, 2012.

**b. Sign Ordinance** – Becky Cummings reported that the Planning Board was continuing their work on a new sign ordinance.

### **c. Sign Ordinance Enforcement**

Commissioner Carroll suggested a moratorium on enforcement of the sign ordinance until the Planning Board had completed work on the new ordinance.

The City Attorney explained that a moratorium would require a public hearing at the January meeting. It would be much easier for the Board to simply decide to not turn over any sign enforcement issues to her office for legal action for sixty days.

**A motion** was made by Commissioner Carroll and seconded by Commissioner Troschianiec to **not** pursue legal action against individuals fined for violations of the current sign ordinance for sixty days from this date. This will give the Planning Board an opportunity to complete a new sign ordinance.

**Vote: 4-1 (Commissioner Caster opposed)**

Commissioner Caster remarked that board members had taken an oath to uphold the law, and he could not ignore that. He suggested a workshop to give the Planning Board direction on the new ordinance.

#### **10. Closed Session**

A **motion** was made by Commissioner Kinney to enter closed session pursuant to N. C. General Statute 143-318.11(a)(6) to discuss a personnel matter with the City Attorney.

**Vote: 5-0**

**The City Attorney announced that she would be acting as City Clerk for this Closed Session.**

#### **11. Return to Open Session**

A **motion** was made by Commissioner Carroll and seconded by Commissioner Kinney to return to open session

**Vote: 5-0**

#### **12. Board Action Resulting from Closed Session**

Mayor White announced that the Board of Commissioners had approved the minutes from the November 30, 2011 Closed Session Meeting during the Closed Session.

#### **13. New Business**

##### **a. Organizational Meeting**

- Oath of Office for New Board Members – Judge Ola Lewis performed the Oath of Office for Mayor White, Commissioner Forte and Commissioner Glidden
- Mayor White appointed the following committee liaisons:
  - Commissioner Carroll – Special Events
  - Commissioner Glidden – Parks and Recreation Advisory Board
  - Commissioner Forte – Preserve Advisory Committee
  - Commissioner Glidden – Sewer Committee

##### **b. Approval of 2012 Commissioners Meeting Schedule**

A **motion** was made by Commissioner Glidden and seconded by Commissioner Forte to approve the 2012 Board of Commissioners Meeting Schedule with the following change: The November Meeting will be held on November 13<sup>th</sup> due to possible Election Day conflicts.

**Vote: 5-0**

##### **c. Approval of 2012 Citizens Forum Schedule**

The Mayor announced that he had made a decision to table this matter until the January meeting, because the Interim Manager has some ideas about changes.

**d. Approval of 2012 Holiday Schedule**

A **motion** was made by Commissioner Forte and seconded by Commissioner Glidden to approve the 2012 Holiday Schedule

**Vote: 5-0**

**e. Designation of Agent - Hurricane Irene FEMA Reimbursement**

A **motion** was made by Commissioner Glidden and seconded by Commissioner Caster to approve Karen Thompson as designated agent and Susan Hartman as secondary agent for FEMA reimbursements for Hurricane Irene

**Vote: 5-0**

**f. Planning Board Appointments**

A **motion** was by Commissioner Carroll and seconded by Commissioner Forte to appoint Jeremy Sexton as a regular member of the Planning Board

**Vote: 4-1 (Commissioner Caster opposed)**

A **motion** was by Commissioner Forte and seconded by Commissioner Carroll to appoint Tom VonVoigt as a regular member of the Planning Board

**Vote: 4-1 (Commissioner Caster opposed)**

Commissioner Caster was concerned with both appointments. He hoped the Board would re-appoint Matt Smith and appoint Alternate #1(Allen Phillips) to the other vacant seat. This is what has been customary in the past. He wanted to know the reasoning behind the appointments.

Commissioner Carroll explained that Allen Phillips was a member of the Parks and Recreation Advisory Board too.

**g. Sewer Benefit Area** – Mr. Sabiston explained that at the January meeting, the Board will need to review and possibly revise the sewer benefit area. He asked the Board to begin reviewing the maps.

**h. Controlled Burn at Community Center**

A **motion** was made by Commissioner Glidden and seconded by Commissioner Carroll to enter into a contract with North Carolina Forestry Service to perform a controlled burn on property at the Community Center

**Vote: 5-0**

**14. Adjourn**

A **motion** was made by Commissioner Caster and seconded by Commissioner Carroll to adjourn the meeting.

**Vote: 5-0**

