

**City of Boiling Spring Lakes**  
**Minutes**  
**Board of Commissioners Regular Meeting**  
**January 4, 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 Gerri Sovak to lead the Pledge of Allegiance.

**2. Attendance:** In attendance were Mayor White, Commissioners Caster, Kinney, Troscianiec and Carroll, City Manager David Lewis, and City Clerk Linda Merry.

**3. Approval of Monthly Agenda**

**A motion** was made by Commissioner Carroll and seconded by Commissioner Kinney to approve the monthly agenda with the following changes:

Under New Business, remove 9(c) Parks and Recreation request for additional part-time staff, add 9(c) Recycling Meeting with Brunswick County, add 9(d) discussion of outdoor vending machine issue

**Vote: 5-0**

**4. Public Comments**

Dan Ryan of the Nature Conservancy spoke briefly about plans for controlled burns in the Preserve over the next several months. He provided the Board with a map detailing areas that would be involved. He has already met with Jim Nicholas to review the City's burning ordinance and procedures.

He introduced Jonathan Ambrose of the N.C. Division of Forest Resources. Mr. Ambrose explained that the state had received a \$ 100,000 federal grant to assist with fuel reduction measures in the Preserve. This is a three year grant that will help to establish a community wildfire protection plan.

**5. Approval of Minutes – December 7 Regular Meeting**

**A motion** was made by Commissioner Kinney and seconded by Commissioner Carroll to approve the minutes from the December 7 Regular Meeting

**Vote: 5-0**

**6. Consent Agenda**

- a. Budget Amendments
- b. 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 Caster and seconded by Commissioner Kinney to approve the Consent Agenda

**Vote: 5-0**



## **7. Committee Reports**

**a. Community Appearance Commission** - Ann Hollingsworth thanked State Port Pilot reporter Jonathan Spiers for his excellent coverage of City news, and for his article covering the Christmas property recognition.

**b. Planning Board** - David Giera reported that the Planning Board is working on a revision of their procedures and plans to begin discussions regarding regulations for outdoor vending machines. There is still one position open for an alternate member.

**c. Parks and Recreation Advisory Board** - Barbara Glidden had no new business to report, as they did not meet in December.

**d. Special Events** - Mary Stilwell reported that plans are progressing for the Spring Bike Run that will honor the Fire Department's 40th Anniversary. Plans for the Founders Day Celebration are also well under way. Colonel Calisto from Sunny Point has been invited as a guest speaker.

**e. Library Committee** - Audrey Carathanasis had no new business to report.

## **8. Unfinished Business**

**a. Sewer Update** – David Lewis reported that the Sewer Committee met on December 16 to review the design for the collection system. A draft engineering report has been submitted to the County. The County is looking at the possibility of using transmission lines to their treatment plant in Supply as an alternative to building a new treatment facility. Jim Nicholas will attend the next meeting on February 17 to explain the City's Tree Ordinance and Red Cockaded Woodpecker issues that might impact construction.

**b. Finance Report** – The City Manager reported that the cash balance at December 31, 2010, was \$ 3,348,663. Sales tax revenues are currently ahead of budget by 7%. Actual year to date expenditures are well within budget.

### **c. Water Expansion Project**

The City Manager reported that the Water Expansion Project was completed on December 17, 2010. The final punch list is complete and the City Manager has signed off on the project. The final invoice from the contractor was presented for Board review and approval.

The City Manager explained that before the Board approved the Preliminary Assessment Resolution for the project, setting the \$ 500 assessment per parcel, that the proposed refund of assessments to Phase 1 customers had to be taken into consideration. The legislation allowing refund of assessments only included assessments prior to 2007; therefore, assessments for the expansion project could not be refunded. In order to charge Phase 1 and Expansion customers equally, the amount to be refunded to Phase 1 customers would first have to be determined.

**A motion** was made by Commissioner Carroll and seconded by Commissioner Caster to declare the Water Expansion Project complete and to authorize final payment to Carmichael Construction. The Preliminary Assessment Resolution was tabled until February.

**Vote: 5-0**



#### **d. Spillway Project**

The City Manager recommended approval of the contract submitted by ECS Carolinas, LLP for engineering services for the proposed spillway project.

Commissioner Caster was concerned that permitting costs were not included in the contract amount. The City Manager explained that the contract is for engineering services only and that permitting costs would be included as part of project construction costs.

Commissioner Kinney was concerned there was no mention that the total cost could not exceed \$ 160,000. She also noted that the travel reimbursement rate was greater than the IRS mileage rate. The City Manager explained that the mileage rate would be corrected to agree with IRS rates.

Commissioner Troscianiec asked if the contract had been reviewed by the City Attorney. The City Manager responded that it had not, and asked if the Board wanted the City Attorney to review the contract.

Commissioner Caster requested that the contract be forwarded to the City Attorney for review.

**A motion** was made by Commissioner Carroll and seconded by Commissioner Troscianiec to approve the contract with ECS Carolinas, LLP, for engineering services for the proposed spillway project, pending final review and approval by the City Attorney

**Vote: 5-0**

#### **e. Conservation District**

The Planning Board extended an invitation to the Board of Commissioners to hold another workshop regarding the Conservation District, prior to the meeting between the Mayor and Kent Yelverton from the North Carolina Department of Agriculture. The Board of Commissioners felt that another workshop was not necessary.

### **9. New Business**

#### **a. Surplus Property**

**A motion** was made by Commissioner Kinney and seconded by Commissioner Carroll to approve the resolution declaring the following vehicles as surplus property:

2004 Chevy Impala - VIN #2G1WF55K749254552

2000 Ford Crown Vic - VIN #2FAFP7W2YX101545

**Vote: 5-0**



**b. Set Budget Workshop**

Commissioner Carroll expressed his desire to begin the annual budget process earlier than last year, giving the Board more time to investigate areas of potential cost savings. He hoped to set a budget workshop sometime in January.

The City Manager presented the 2011-2012 Budget Schedule. He explained that department heads do not submit their initial budget numbers until February 18th. It normally takes the finance director several weeks to input the department information into budget worksheets, after which the City Manager and the department heads meet one on one to review and revise their numbers. Until this process is complete, the budget is not ready for presentation to the Board.

The City Manager offered to meet with Commissioner Carroll individually to discuss his questions and concerns.

Commissioner Caster referred to the previous year's retreat as unproductive and wondered why the Board would consider meeting before the budget numbers were ready.

Mayor White agreed with Commissioner Carroll, that the Board should begin the budget process earlier. He requested line item justifications for all expenditures.

The City Manager explained again that the 2011-2012 budget numbers could not be ready for presentation by February 26th.

Commissioner Troscianiec suggested using the previous year's budget numbers for the workshop.

**A motion** was made by Commissioner Carroll and seconded by Commissioner Kinney to set the annual Budget Workshop/Retreat for Saturday, February 26th at 9:00 a.m. at City Hall.

**Vote: 5-0**

**c. Brunswick County Recycling** - The County has requested a meeting with City officials to discuss a proposed county-wide curbside recycling program. They hope to determine the level of recycling services desired by each municipality.

**A motion** was made by Commissioner Kinney and seconded by Commissioner Caster to convey to County officials that the City would be interested in basic recycling services offered by the County. The City Manager will attend the meeting.

**Vote: 5-0**

**d. Outdoor Vending Machine Issue**

**A motion** was made by Commissioner Carroll and seconded by Commissioner Kinney to stay penalties for ninety days against a business operating an outdoor vending machine not addressed in the UDO. This will give the Planning Board and City staff time to properly research the issue and make necessary recommendations.

**Vote: 5-0**



**10. Adjourn**

**A motion** was made by Commissioner Caster and seconded by Commissioner Carroll to adjourn the meeting at 7:40 p.m.

**Vote: 5-0**

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Linda Merry, CMC, City Clerk

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Richard White, Mayor