

City of Boiling Spring Lakes
Minutes
Board of Commissioners Regular Meeting
January 3, 2012
City Hall – 6:30pm

1. Call to Order – Mayor White called the meeting to order at 6:30 pm and asked Melissa Thomas to lead the Pledge of Allegiance.

2. Attendance: In attendance at the meeting were Mayor White, Commissioners Caster, Carroll, Forte and Glidden, City Attorney Elva Jess, City Auditor Wayne Berry, Interim City Manager Paul Sabiston, UDO Administrator Becky Cummings, and Interim City Clerk Susan Hartman.

3. Approval of Monthly Agenda –

A motion was made by Commissioner Carroll and seconded by Commissioner Glidden to approve the monthly agenda with the addition of #10(d) Approval of Closed Session Minutes.

Vote: 5-0

4. Presentations

- a. Controlled Burn Plans for the Winter – The Nature Conservancy, Mr. Dan Ryan and Mr. Jonathan Ambrose, stated that due to dry conditions and lack of rain the controlled burns scheduled for this winter may have to be postponed.
- b. City Audit for FY 2010/2011 – Mr. Wayne Berry, CPA
Mr. Berry presented a summary of the FY 2010/2011 audit and reported no major findings.

5. Public Comment – No Public Comments

6. Approval of Minutes:

A motion was made by Commissioner Carroll and seconded by Commissioner Forte to approve the minutes of the December 6, 2011 Regular Meeting, December 12, 2011 Special Meeting and December 20, 2011 Special Meeting.

Vote 5-0

7. Consent Agenda

Department Reports

- a. Tax
- b. Public Works
- c. Public Safety
- d. Building Inspections/Code Enforcement
- e. Building and Grounds
- f. Planning
- g. Parks and Recreation

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

Vote : 5-0

8. Committee/Board Reports

- a. **Community Appearance Committee** – Ann Hollingsworth reported that the committee raised \$1172.00 from the sales of the 2012 calendar.
- b. **Planning Board** – David Giera reported that the Planning Board is continuing to work on the sign ordinance, and beginning in December will possibly be meeting 2 times per month and maybe a Saturday.
- c. **Parks and Recreation Advisory Board** - No meeting in December. Nothing to report at this time.
- d. **Special Events Committee** – Mary Stilwell reported that the dates are set for 2012 events and an event has been added called “Stop The Violence”. The committee will be working with the N.O.T.T.T foundation for this event.
- e. **Library Committee** – Audrey Carathanasis had nothing new to report.
- f. **Spillway Committee** – Bob Brooks reported that the engineer is continuing to work on the final design.

- 9. City Manager’s Report** – Mr. Sabiston presented the monthly financial report and updated the Board on the Sewer Project and Water Assessment Refund Project. Mr. Sabiston reported that he would like to have input for dates on the BOC’s annual retreat and recommended an outside facilitator such as Chris May from the Cape Fear COG. Annual retreat was scheduled for Wednesday February 8th at 8:00am at City Hall.

Mr. Sabiston also reported that he would like to schedule regular budget workshops with the BOC and relevant department heads beginning in March. The City Manager presented his full monthly report in writing to the Board.

10. Unfinished Business

- a. **Sign Ordinance Update** – Becky Cummings reported that the planning board is continuing to work on the new sign ordinance and planning to meet twice monthly and possibly a Saturday.

- b. Citizen's Forum** –The Board considered a schedule and/or change in format. Interim City Manager Paul Sabiston reported that NC law requires that local governments give citizens at least one opportunity per month to give general input to elected officials as per NCGS 160A-81.1. This can be done by providing a Public Comment portion at the regular monthly meeting allowing citizens to give input on any public business whether or not such topic is on the present meeting agenda. The Board requested the City Manager to bring back next month procedures to facilitate public comment at the regular meeting.
- c. Appointment of Commissioner Liaison to the fire Department –**
A **motion** was made by Commissioner Carroll and seconded by Commissioner Glidden to appoint Commissioner Caster to be the Liaison to the Fire Department.
Vote: 5-0
- d. Approval of Closed Session Minutes –**
A **motion** was made by Commissioner Carroll and seconded by Commissioner Caster to enter Closed Session to approve Closed Session Minutes of December 12, 2011 and December 20, 2011.
Vote: 5-0

Return to Open Session –

A **motion** was made by Commissioner Carroll and seconded by Commissioner Forte to return to Open Session.
Vote: 5-0

Board Action Resulting from Closed Session –

Mayor White announced that the Board of Commissioners had approved the minutes from the December 12, 2011 and December 20, 2011 Closed Session meetings.

11. New Business

- a. Election of Mayor Pro Tem.**
After a brief discussion by the Board
A **motion** was made by Commissioner Glidden and seconded by Commissioner Forte to nominate Commissioner Carroll as Mayor Pro-tem.
Vote 5-0

- b. **Motion to approve a Resolution authorizing joint check signing authority** for the City to Mayor, 1 Commissioner, and the Finance Director by **Resolution 2012-1**.

The Board briefly discussed the check signing authority and agreed to leave it as it presently is with the addition of the Finance Director

A motion was made by Commissioner Caster and seconded by Commissioner Glidden to authorize Mayor Richard White, Mayor Pro-tem Commissioner Carroll and Finance Director Karen Thompson to sign checks on behalf of the City of Boiling Spring Lakes.

Vote 5-0

- c. Motion to approve FY 11/12 **Budget Amendment BUD-02**.

A motion was made by Commissioner Carroll and seconded by Commissioner Caster to approve the Budget Amendment as presented. The City Manager explained the purpose of the requested budget amendments.

Vote 5-0

- d. **NC Adopt-A-Trail Program** no-match grant to fund improvements to the City's walking trail. The Parks and Recreation Director Mary Green explained the purpose of this grant and that no match would be required.

A motion was made by Commissioner Carroll and seconded by Commissioner Glidden to give authority to apply for grant.

Vote 5-0

- e. **Resolution 2012-02** relating to **amendments to the sewer project benefit** area and expanded area as may be necessary.

The City Manager explained that the Board needed to consider and approve the parcels to be included in each benefit area.

Tabled

- f. **Land Use Map amendment** to include a new Light Industrial land use area within the city limits. The City Manager and Parks and Recreation Director explained the impact of HB 650 and the need to amend the City's present ordinance to conform to state law.

Tabled

- g. **HB 650** and authorization to carry **handguns in public parks** under certain circumstances.

A motion was made by Commissioner Carroll and seconded by Commissioner Glidden to adopt **HB 650** as written.

Discussion: Commissioner Forte voiced his concerns of anyone having a gun in our parks where our children and grand children play. Commissioner Carroll commented that a pedophile or rapist is not concerned with having a concealed weapon illegally. Mayor White commented that it is written as State law. Commissioner Forte commented that he understands it is law, but he is still opposed to it.

Vote 4-1

(Opposed – Commissioner Forte)

- h.** Motion to approve a **resolution** giving direction to staff regarding certain **categories of the water assessment refunds.**

The City Manager explained the need to adopt certain policies to guide the water assessment refund process.

A motion was made by Commissioner Carroll and seconded by Commissioner Glidden to approve procedure recommendations as written by Interim City Manager Paul Sabiston and City Attorney Elva Jess. Interim city Manager expressed his desire to get a final vote before checks are written. Commissioner Caster expressed his concerns: If sewer is not affordable to business owners before we give all this money back, we need to make sure we don't get stuck holding the bag for the engineering fees for the sewer project.

Vote 5-0

- i.** **Resolution 2012-4** authorizing the Chief of Police to execute **Mutual Aid Agreements** with other law enforcement agencies to support the City of Boiling Spring Lakes as needed.

A motion was made by Commissioner Carroll and seconded by Commissioner Glidden to approve the Mutual Aid Agreement as it is written.

Vote 5-0

12. Adjourn –

A motion was made by Commissioner Caster and seconded by Commissioner to adjourn this meeting.

Vote 5-0

Interim City Clerk, Susan Hartman

Mayor Richard White