



City of Boiling Spring Lakes
Board of Commissioners Regular Meeting Minutes
November 12, 2013
City Hall – 6:30 PM

PLEASE TURN OFF CELL PHONES

1. Call to Order

The Mayor called the meeting to order at 6:30pm and asked Tom Von Voigt to lead the Pledge of Allegiance.

2. Attendance: In attendance at the meeting were:

Mayor Richard White
Commissioner Mike Forte
Commissioner Barbara Glidden
Commissioner Craig Caster
City Manager Jeff Repp
City Clerk Jane McMinn
Building Inspector Jim Nicholas

3. Approval of Regular Agenda

Mayor White requested approval of the Regular Agenda.

Motion to accept the agenda was made by Commissioner Glidden and seconded by Commissioner Forte.

Vote ~ 5 ~ 0

4. Public Hearing

A **motion** was made by Commissioner Carroll and was seconded by Commissioner Caster to go into Public Hearing

Vote ~ 5 ~ 0

Mayor White stated at this time we are going into Public Hearing on the Unified Development Ordinance ~ Review of Article 6 New Section 6.38 Recreational Park and Campsites.

Bill Clark summarized that Section 6.38 was added to the UDO because there were citizens that requested a Recreational Park and Campsite. We then developed an

ordinance to be pro-active; we are not sure at this time if anyone is interested in doing this.

Mayor White asked if there were any public comments ~ there was no comment made. Mayor White then asked for a motion to go out of Public Hearing.

A **motion** was made by Commissioner Carroll and second was made by Commissioner Caster to go out of Public Hearing.

Vote ~ 5 ~ 0

5. Public Comment {Comment is limited to 3 minutes per speaker}

Nancy Crawford ~ 241 Ash Rd.

Statement ~ I know the Spring Lake water level has been a controversial topic for this Board. I have tried to take the high road and not let emotional feelings affect my presentation. I have carefully stuck to the facts to insure this. The facts are this ~ I have been verbally abused by people that disagree with my opinions; I have had people slander my name with false accusations, both in public and in the local newspaper. I have had misleading statements made on my behalf. I have had hurtful names called to my friends because they have disagreed with others opinions. I have been threatened with harm by those who do not agree with me. I would like this Board to recognize that this is all a form of bullying. As adults and role models for our children we teach them that when they see bullying they need to tell someone. That is what I am doing right now. I do not think we should stand by and let this continue. I am embarrassed that this issue has evolved to this level and that some people can't respect others with different opinions. I respectfully ask the Board to continue to evaluate the facts that are presented and allow the rebuttal for misinformation that is submitted by others.

6. Approval of Minutes:

A **motion** was made by Commissioner Forte to approve the October 1, 2013 minutes and seconded by Commissioner Glidden.

Vote ~ 5 ~ 0

A **motion** was made by Commissioner Carroll to approve the October 17, 2013 Special Meeting and seconded by Commissioner Caster.

Vote ~ 5 ~ 0

8. Consent Agenda

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

Vote ~ 5 ~ 0

9. Committee/Board Reports and Minutes

a. Community Appearance Committee

Ann Hollingsworth stated that the Committee received \$900 in sponsor money. Our invoice to pay for our calendars was \$1,325. When we picked up our calendars we had to sell an additional \$425 in calendars to add to the \$900 to pay our invoice which we did within the 30 day timeframe. We brought the money to City Hall for them to mail the invoice to the printer. As of today we have a profit of \$1,500 on our calendars. We would like to keep a portion of the money in an Appearance fund at City Hall and possibly add something to our Welcome Committee, maybe an article that we give to our new homeowners. We would also like to give a portion of this to the Doshier Foundation. Our Welcome Committee is doing very well and has been well received in our community.

b. Planning Board

Bill Clark stated that the Planning Board forwarded the change to the UDO for the RV Park and Campsites to the Board. We also discussed the letter addressing alternates which was also forwarded to the Board.

c. Parks and Recreation Advisory Board

Melissa Thomas reported that the repairs and updates to Schneider's Park have been completed. The Teen Council is up and running. They had a yard sale this past Saturday and the money they raised is going to go to a needy family. Melissa stated she was not sure if the family was in BSL or somewhere in the area. Melissa also welcomed Robert Stanley as a new member on the Parks & Recreation Board.

d. Special Events

Elizabeth Snyder reported that the Special Events Committee had the Fall Festival and Haunted Hay Ride and there was a great turnout with just under 350 riders. We will be holding a meeting next week to go over our dates for next year and get them out as soon as possible.

e. Library Committee

Marge Pennington stated that there were no new updates at this time.

f. Spillway Committee

Mayor White announced that Bob Brooks was not in attendance but Mayor White stated that he met with Representative Iler and wrote a letter requesting funds for the Spillway Committee in the first half of October.

10. City Manager's Report and Presentation of Monthly Financial Report – Jeff Repp

City Manager Jeff Repp reported as of September 30, 2013 the City had \$2,546,057 in our various accounts. Regarding the paving that was approved at the Special Meeting of October 17, 2013 City Public Works has completed the preparation work for both Prospect and Salisbury Street to be paved. We are looking at the paving actually beginning next week sometime, hopefully being completed by Thanksgiving, but the work is progressing at a good pace. Also in October the work at Schneider's Park was completed with the installation of the new park equipment that was approved in the FY

2014 budget, that work has been completed also. Last week the City went live with the new VC3 cloud computing system. We are now in the external server system in all of our buildings so far we are working out the bugs but it seems to be working just fine. All of the major functions that we do are working fine. I would anticipate that by the end of this month the work on the contract will be completed. Just to augment some of the comments on the Spillway, there is a Resolution on the agenda tonight to get submitted by the Board for grant funding by the State of North Carolina. As previously reported there is no funding available in that account right now, but it is anticipated possibly in the short session but definitely in the long session two years from now there will be funding restored to that item. We wanted to get our name in to be able to be eligible for that when the time comes. As far as the actual engineering of the project, it has been completed. There are a couple of things that are being done and in the very near future we will be submitting the actual drawings to Dam Safety to get the permit from Dam Safety. That permit then will be good for one year from the time it is issued to us. We have already gotten their preliminary comments; we do not anticipate any issues when we go to Dam Safety with the final design.

Commissioner Glidden asked what is the status of the Retail Business Development Committee. City Manager Repp replied that courtesy of the Mayor we had some contact with some businesses. Letters will be ready for the Mayor's signature to go out to them this week. Once the letters are sent out the Committee will be notified to meet, review the letters and get ready for the next phase which hopefully will be a site visit by the respective businesses.

11. Old Business

a. Baymeade Paving

Mayor White stated that by paving the 2/10 of a mile will serve 9 houses, 4 on Baymeade and 5 on Glenmeade. I asked City Manager Repp to pull the numbers. We had \$7,000 left and we need about \$23,000 to do all 3 projects. The Mayor asked City Manager Repp if we could come up with those funds without going into the contingency fund. City Manager Repp responded that there are a couple of options. Obviously there is the contingency fund source in the sense that is what it is for, to pay for things that were not anticipated in the budget when the time comes if needed. Just to remind the Board we had \$145,905 that was set aside in the FY 2014 budget for paving. At the previous meeting you approved the \$138,580 for both paving and the associated preparation work for Salisbury and Prospect. We had a price for \$169,076 for the preparation work and the paving to include Baymeade which the Board had previously asked 3 months ago to obtain a price. That is what the numbers are. What you are looking for is a little over \$20,000 in additional funding to finish Baymeade if that is what you wish to do. One possible source is that we are currently looking at a sales tax revenue coming in excess of what we budgeted. After 3 months we are about 7.5% ahead of schedule of what we have budgeted. If that were to hold consistent through the remainder of the year that would be an additional \$93,000 in sales tax revenue that we were not anticipating. We are currently about \$23,000 ahead where we are if we were to go flat for the remainder of the year, so we do have

some cushion there. Between that and your contingency fund those are your potential sources of paying for Baymeade if that is what you wish to do.

Commissioner Carroll asked that in the amount of sales tax revenue over and above what we expected would you say there is already \$23,000. City Manager Repp replied that if you look at what we project to receive in the first 3 months and what we have actually receive is about \$24,000 more than what we normally would have anticipated. That does not mean that in the next 3 months the numbers could go the other way and that money could disappear, but that is where we are today with the sales tax revenue. Commissioner Carroll clarified that we could use that \$23,000 tax money now rather than use the money in the contingency fund and if something came up we could go to the contingency fund.

Commissioner Caster stated that we have used the funds that we allocated for paving this year. Commissioner Caster confirmed what the City Manager stated that there is no guarantee that the money that is coming in right now is going to keep coming in. Commissioner Caster said of the \$145,000 there was about \$6,000 left over. It is my understanding that we have had the truck breakdown which in turn we then had to pay additional money out of the left over funds for the hauling. Our paving budget has been approved for this year and the next year we have more roads that need to be paved. Commissioner Caster stated he thinks we need to look at this again in the future.

Commissioner Forte asked the Mayor for the clarification of the houses on Baymeade and Glenmeade. Mayor White responded stating that there are 4 on Baymeade and 5 that use Baymeade to access Glenmeade, so there are a total of 9 houses that would benefit from the paving. Commissioner Forte stated that basically we are benefiting 4 houses for \$30,000; Mayor White replied that we are benefiting 9 because 5 of them are driving on Baymeade to get to Glenmeade. Commissioner Forte again stated it seems like a lot of money for 4 houses when we are out of money. As I understand it there is only \$1,000 to \$2,000 left in the money we had allocated for road paving which means we don't need to come up with \$23,000 we need to come up with \$30,000. Larry Modlin, Director of Public Works had to use money for hauling which was not anticipated which was approximately \$6,000. Due to the truck breaking down we had to have Norris haul in base material which we were originally going to do ourselves. Commissioner Forte stated that we should put this off right now until we find out what kind of numbers and find out what kind of money is left.

Commissioner Glidden stated that the road is horrible and suggested looking into putting some type of fill down, but stated something should be done about that road. Commissioner Glidden stated that she was unaware of any problem with the truck, but made the statement that she would like put it on next month's agenda. City Manager Repp stated that he has not seen what the cost for the hauling was so I am unable to answer the questions until I know the cost.

A **motion** was made by Commissioner Carroll to pave Baymeade and was seconded by Commissioner Caster.

Vote ~ 2 ~ 3 (opposed Commissioner Caster, Commissioner Forte, Commissioner Glidden)

12. **New Business**

- a. **Order** ~ authorizing longevity pay for full and part time city employees of the City of Boiling Spring Lakes for FY 2014 per the longevity schedule and payable by December 31, 2013.

A **motion** was made to approve the longevity pay by Commissioner Glidden and seconded by Commissioner Carroll.

Vote ~ 5 ~ 0

- b. **Order** ~ accepting the 2012 Year End Settlement for the City of Boiling Spring Lakes.

A **motion** was made to accept the 2012 Year End Settlement for the City of Boiling Spring Lakes by Commissioner Glidden and was seconded by Commissioner Caster.

Vote ~ 5 ~ 0

- c. **Order** ~ appointing Robert E. Stanley to the Parks & Recreation Advisory Board for a term of 2 years' effective December 2013.

A **motion** was made to appoint Robert E. Stanley to the Parks & Recreation Advisory Board by Commissioner Carroll and seconded by Commissioner Glidden.

Vote ~ 5 ~ 0

- d. **Order** ~ appointing Tom Von Voigt to the Planning Board for a term of 2 years' effective January 2014.

A **motion** was made to appoint Tom Von Voigt to the Planning Board by Commissioner Carroll and seconded by Commissioner Glidden.

Vote ~ 5 ~ 0

- e. **Order** ~ appointing Jeremy Sexton to the Planning Board for a term of 2 years' effective January 2014.

A **motion** to appoint Jeremy Sexton to the Planning Board was made by Commissioner Caster and seconded by Commissioner Glidden.

Vote ~ 5 ~ 0

- f. **Order** ~ appointing Margaret Marie Smith to the Appearance Committee for a term of 4 years effective January 2014.

A **motion** to appoint Margaret Marie Smith to the Appearance Committee was made by Commissioner Carroll and seconded by Commissioner Caster.

Vote ~ 5 ~ 0

- g. **Resolution** ~ the Application of Grant Funds from the North Carolina Division of Emergency Management Hazard Mitigation Grant Program.

A **motion** was made to approve the Application of the Grant Funds from the North Carolina Division of Emergency Management Hazard Mitigation Grant Program was made by Commissioner Carroll and seconded by Commissioner Glidden.

Vote ~ 5 ~ 0

Commissioner Carroll made an announcement that his Commissioners email has been hacked – please make sure your virus protection is up to date and if you receive an email stating to look at available properties please do not open it, just put it in the trash.

13. Adjourn

A **motion** was made by Commissioner Carroll and seconded by Commissioner Caster to adjourn the meeting at 6:55pm.

Vote ~ 5 ~ 0

Richard White, Mayor

ATTEST:

Jane McMinn, City Clerk