



City of Boiling Spring Lakes
Board of Commissioners Regular Meeting Minutes
June 4, 2013
City Hall – 6:30 PM

PLEASE TURN OFF CELL PHONES

1. Call to Order

The Mayor called the meeting to order at 6:28 pm and asked Nancy Crawford to lead the Pledge of Allegiance.

2. Attendance: In attendance at the meeting were:

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

3. Presentation by Family Fun Rentals for Use of Spring Lake Rental of Recreational Equipment to the General Public – tabled until July 2013 meeting

4. Approval of Regular Agenda

A **motion** was made by Commissioner Carroll and seconded by Commissioner Glidden to approve the agenda with the omission of the presentation from Family Fun Rentals.

Vote: 5 - 0

5. Public Comments [Comment is limited to 3 minutes per speaker]

Jack Redmond – Would like to have the city annex Antenna Farm Road and connect it into Lewis Road. This project will cost money but the City should be able to pay for it. The reason we should annex these roads is for safety reasons and convenience. When there were problems at Sunny Point, for example when the ammunition boat caught fire, when the nuclear plant had a cooling water problem, when we have hurricanes that closed 87 when the damn broke. We have a lot of firefighting problems and the fire fighters would be able to get to the west part of the city which is important. School children have a long ride going to St. James and Oak Island and that is a long

ride down Long Beach Road. This will be a convenience for the people of Boiling Spring Lake. It will be a fight to get this through but I think this Commission can handle it.

Marge Pennington - In the last month she had two issues with animal control, and they were very frustrating. After writing two letters to all the Commissioners, Mayor, and City Manager, however, I would like to thank Craig and Mike for responding to me so quickly, Jeff and Chief Shirley too. Chief Shirley called me and we worked out all the bugs with all the animal control issues that I had, and for right now, I'm still reserving whether the police department should be responsible for animal control, but for now it seems to be working, and Brad is willing to work with people in Boiling Spring Lakes. If anyone has any issues with animal control call Chief Shirley.

Scott LaRocca – I moved here about one year ago and I came home one evening around 6:30 - 7:00. I drove onto Crabapple and drove right into a fog of spray and about 50 yards in front of me was the truck from mosquito spraying program. I drove right into bio-mist 3+15ULV. That was disturbing because there was no notification and even more disturbing, approximately 3 days later I had approximately 12 plants on my deck and they were all killed. I filed a complaint with the mosquito spraying program. Mr. Repp responded quite promptly and he gave me information regarding this pesticide saying it does not kill crops, even though everything that I had growing was not on the list. I was still getting bit by mosquitos. What I have done this year is try to be a little more pro-active and made a request to not be sprayed, but that does not change the fact that if the wind changes it will still carry the spray. My concern is that everything I am growing will be destroyed. I have spoken with people on my block who had no prior knowledge of this. I am concerned for myself, my cat and my neighbors who all have children. I brought this information to my neighbor's attention and showed them that every single situation when it comes into human contact, whether is ingestion, inhalation, skin contact or contact with human eyes is a 911 emergency. What it did not say in the report is what the long term effects of being sprayed with a pesticide would have. My concern is that it says do not spray near aquatic areas because it kills fish and aquatic invertebrates. My concern is what is this going to do to the aquatic life. The mosquito employee stated to me that he does not even know if the spray works. I do not think I will be able to stop this but I want to express my opinion. What I do plan to do is start a petition stating that this is something that needs to be looked into a lot further before continuing with this.

Commissioner Forte requested to see the MSDS – I owned a pest control company for over 20 years. There is almost no residual – this is a kill on contact pesticide there is almost no residual, that doesn't last a day.

Nancy Crawford – Mrs. Crawford lives on Ash Road and wanted to talk about the levels of Spring Lake. Mrs. Crawford attended the May Commission meeting and requested that something be done regarding the water levels. To date nothing has been done and the water has continued to run out of the lake. Spring Lake is known as a swimming lake. The water runs out and the lake cannot be used due to the lack of water and the weeds that are growing. Mrs. Crawford is once again requesting that the pipe be adjusted so the water levels would go back to the level prior to the pipe being installed.

Jane Falor – Mrs. Falor stated that movie people had boats on the lake and that they had cut up milfoil and other stuff and piled it all up behind her house. Commissioner Carroll came to my home and Commissioner Carroll agreed it was a terrible mess. Commissioner Carroll said he spoke to the Mayor. I spoke with the Town Manager and was told by the Town Manager that if the movie people made this mess they have to pay for it and clean it up. The City Manager said if the movie company made this mess in her backyard that they would be responsible for cleaning it up. Mrs. Falor stated again that she wanted whoever is responsible to clean up her back yard.

Audrey Carathanasis – I have nothing but praise for the movie company for the entire two weeks they were there. The City made a mistake by not keeping one of the docks. I would like to see the money that the City gets given to the Parks & Recreation Department, rather than putting it towards a dock at the big lake. I am Audrey Carathanasis and I live at 1281 Spring Lake Dr.

Approval of Minutes

- a. May 7, 2013 BOC Regular Meeting
- b. May 7, 2013 Budget Work Shop Minutes

A **motion** was made by Commissioner Carroll and seconded by Commissioner Forte to accept the minutes and work shop minutes as presented.

Vote: 5 - 0

6. Consent Agenda:

- a. Public Works
- b. Public Safety/Animal Control
- c. Building Inspections/Code Enforcement
- d. Building and Grounds
- e. Parks and Recreation
- f. Finance Department

A **motion** to approve was made by Commissioner Caster and seconded by Commissioner Mike Forte.

Vote: 5 - 0

7. Committee/Board Reports and Minutes

- a. **Community Appearance Committee**
Ann Hollingsworth was not present

- b. **Planning Board**
Bill Clark reported the Planning Board met at the appropriate time. They discussed the container issue on C-1 and C-1-A and made recommendations that have been

forwarded to the Board. Also discussed was the contract for rental homes and it was unanimous to not act on that at this time. We are working on the movie and videotaping section and should have that done on Tuesday and it will be forwarded to the Board.

c. Parks and Recreation Advisory Board

Melissa Thompson - The committee met last month and decided to divide into sub-committees. The committees are working on the Mission Statement and also working with teenagers in the local areas to come up with activities to do and also working on financing and liability. There are two openings on the Parks & Recreation Advisory Board. Those are open as of this evening. Commissioner Forte asked for a date for the next Teen Task Force Meeting – Melissa did not have a date at this time.

d. Special Events Committee

Mary Stillwell – Community Fun Day was a huge success, the theme of “Support Your Troops” brought a lot of veterans and active service personnel to be recognized. Mary thanked all those who participated. Check the Special Events Facebook Page for outstanding photos, in addition view the public box outside – those photos were taken by Michele and her daughter. This Saturday will be the 2nd Annual Battle of the Bands. The event starts at 11am at Spring Lake Park and goes until all the bands have played. To date we have 8 bands signed up. There may be more to come. Refreshments will be available for purchase. Bring lawn chairs and your family and come out and vote for your favorite band. Any questions, call Mary or one of the committee members.

e. Library Committee

Marge Pennington – Last week several members of the committee and friends of the library were working on an overhaul of the library. We were able to get a paperback book rack from the Southport Library. We will no longer be accepting books and magazines. The committee is planning to go upstairs and clean out the books on the second level of the building. Susan Warren is gifting our children’s library with 12 new classical books. She will be making that donation within the next couple of months. We are hoping to start up the children’s storybook time and other related things in September.

f. Spillway Committee

Bob Brooks - Our meeting was held on May 20, 2013, to review the final design. There is a copy outside on the model for anyone to review. One of the concerns was the power lines running over the construction area. Russ felt that if he could get those rerouted or insulated he would be able to maximize the discharge area and save us about \$50,000. On May 28th they met with Jerry Pierson of Duke / Progress Energy to discuss some alternatives. Russ and Jerry came up with a viable solution that they are currently discussing. Initially Jerry said that it would cost between \$8,000 to \$10,000 per pole for any work. Russ will tip us off if he does plan on charging us. The initial plans call for one gate but it is recommended that we have two for future maintenance for not only the new spillway, but the old spillway, that cost was going to be \$30,000 to \$50,000. We all agreed on the \$2.2 million, let’s not skimp on something that will

benefit us later down the line. Russ will be submitting the completed plans to Dam Safety for approval as soon as it is finalized. Once it is approved we have one year to begin construction, if we do not begin construction in one year we will have to submit them again. It is best that we do that so everything is covered so they don't come back to us and say we have to make all these changes. There is no charge to re-submit. FEMA also must approve the downstream survey work that was done. The cost for that is \$25,000 which comes out of construction money. Prior to construction they will be holding a workshop for the people in town to review the whole project.

Funding – in addition to the work that Mike is doing with the DOT, the City Manager prepared letters for the Mayor's signature that were sent letters out to Rep. Mike McIntyre, Senator Burr, and Senator Hagen. Guidance was requested pertaining to a follow-up response.

Grant money runs out at the end of the month. We have \$20,000 left in our budget and \$20,000 left in the grant. Russ is aware and will submit us a final bill so we can close that out.

8. City Managers Report

The City Manager reported on the finance side as of April 30, 2013, the City had on hand \$2,685,752 in cash and investments – the City has paid off the street improvement bond of \$202,000 which will justify the reduction. The General Fund as of April 30, 2013, the City is running a positive balance of \$177,075 of revenues over expenses. The Powell Fund is \$42,725, for a combined amount of \$220,000 of revenues over expenses through April 30, 2013. One of the reasons we have a balance in the General Fund is that sales tax revenues continue strong at 13% above what we projected for the year. If that ends up being the number then that is \$133,000 in additional revenue than what we budgeted in the sales tax for the current fiscal year. Property tax collections run through April 30, 2013, at 94.1% collected. We have two months left to make it to the 95% at the end of the fiscal year, so we have two months left to get to that last 1% to get to that 95% collection rate for FY 2013.

Two miscellaneous items:

The Chamber of Commerce will hold their 38th Annual Membership Meeting, on June 19, 2013. If you are attending, please let me know by Friday, June 7th so we can provide a count.

Retail Strategies has requested a meeting with the Board. They are a contractual economic development company on the retail side. They specialize in major markets and retail stores and work with communities like Boiling Spring Lakes. We would meet to discuss what Boiling Spring Lakes is looking for within our retail area, such as supermarkets, drug stores, etc. I would like to set up a work session possibly at the end of the month. We could have Retail Strategies set up a webinar of what their capabilities are. Boiling Spring Lakes demographic has changed so much between 2000 and 2010 given the growth factor. Retail Strategies looked at Boiling Spring Lakes and felt that our community was in their working model of communities to

explore. I will be sending out an email requesting a date to meet at the end of the month.

Mayor White asked if we could get a transit shot of the lake level on Spring Lake to also include the pipe and see what we can do. Mayor White requested we check with Larry to see what 6 inches would do. The City Manager said he would contact Larry Modlin, Public Works and request this.

9. New Business

- a. A motion was made to accept the budget by Commissioner Carroll and was seconded by Commissioner Glidden with discussion. Commissioner Forte stated that he was not happy with the way the reduction was done in this budget. He also stated cuts should have been made in other areas rather than public safety, for expedience I will vote for this budget.

Commissioner Caster supported the additional police officer and a car. He stated he would have liked to have seen that we would at no time have just one police officer on duty at night. Commissioner Caster was not happy with the cost of living split – he stated he wanted to see an equal amount for the cost of living raise other than 1% for supervisors and 4% for employees making under \$33,000.

Commissioner Glidden would like it to be known that with the 4% which was for employees under \$33,000, that is 40% of the employees of our City. When you take that out it is actually 55% of the police force that will be getting the 4%. We are supporting the police in another way.

Commissioner Carroll feels that we show great support for our police department. We started out getting our chief a new car, another car is coming, we have an officer we are going to approve with this, and an officer that came with a grant. The citizens need to know, if we had gone with that one and the car that we were talking about that would have been 3 in a 12 month period, I think that is moving too fast. Also, the cuts that we made, our first budget started out at \$2,917,588, we worked real hard and got it to \$2,782,443 that is a savings of \$243,635. That savings did not come easy. One of the arguments on the raises, Commissioner Caster, you did not like the 4-1 but you would do the 2-2, but as a last resort at \$1,000 each. That does the exact same thing just different numbers as the 4-1 does. A \$1000 bonus for every single one gives people at \$50,000 a 2% increase, the people at \$25,000 a 4% increase, so actually what you presented and what I presented is only a difference in the amount not in the thought of whether it is the same or not. The very first budget we had was workable and could be accepted right then and we could have taken the easy way out and just approve it. We would have spent a quarter of a million dollars. We are going to give the citizens 3¢ on the \$100 back, the citizens deserve it. The citizens have always been last in line. We have given increases in the last couple of years, we have given water refunds, we have put money in the different departments, and guess who was last, the people who pay

for it, it was your turn to get a bite of the apple and I don't understand the resistance to do that.

Mayor White stated that this budget, average city wide, should give everyone about a \$70 break on taxes, that is including your vehicle and property. For some people it will be less and some people it will be more. That is \$70 your government is not taking from you, I think it is fair, it serves the needs of the citizens and I think it should be adopted the way we approved it.

Commissioner Carroll thanked the Commissioners because originally he had a 4¢ budget, but I did say in the meeting I didn't have any problem compromising coming down and I thank everyone for doing what you did in that area.

Commissioner Caster – Stated he is glad for the clarification of what I was saying on the 2%. What I said was the 2% was \$2000 more dollars and that would have been fair. I am a fair person. I believe in treating all our employees the same, not discriminating against some and not others. What I wanted to do was do something that was fair, the last I heard was that we are an equal employment opportunity organization. That was not equal.

Commissioner Carroll stated on April 24, 2013, at our meeting that started at 10:00am, Commissioner Caster felt it was fair to give a 2% increase across the board for the cost of living, but the merit increase should be set at a later date, exactly what you are saying. If the board was not in agreement with the 2% across the board increase, he felt a flat rate of \$1000 would be fair because it applied to each employee regardless of salary. That is exactly what I said, so I did not misquote you.

Mayor White called for a vote on the **motion** to pass the budget.

Vote: 5 – 0

b. Proclamation recognizing Saturday, June 15, 2013 as North Carolina Domestic Violence Proclamation 100 Day

Mayor Richard White read the Proclamation into the record and stated that will be endorsed by the Mayor.

c. Order accepting proposal from VC3 for Website Development in the estimated amount of \$8,214.00

The City Manager explained that over the past several months city staff had been researching the issue of improving the city website and had received several proposals and that staff was recommending that the lowest and best proposal was that of VC3.

A **motion** to accept the **Order** was made by Commissioner Glidden and seconded by Commissioner Caster.

Vote: 5 – 0

d. Workshop for discussion - to discuss the fire departments request for a camera and a Contract

Mayor White requested the following information be submitted to Council members 7 days prior to the date set for the work shop:

- a) Chief Grace stated that by law we had to enter into a Contract. If Chief Grace could submit a copy of that law to us for review;
- b) All money received from fire fees in a year and any other funds they received last year;
- c) The fire departments policy on the use of vehicles;
- d) The total amount of funds that are available, such a checking, savings, CD's, what money they have on hand;
- e) A breakdown of wages paid; and
- f) Items to be purchased from funds donated by the City so there is time to perform the research.

Commissioner Forte stated that he did not agree asking for that information. The fire department is a totally separate entity form the City, we have nothing to do with that. I don't think it is any of our business.

Commissioner Carroll disagreed with Commissioner Forte. The Family Assistance Group came before the City requesting money a couple of months ago, and one of the questions I asked him was do you open your books to us on demand, he stated absolutely. That is a common practice of United Way. We have to be good stewards of the citizen's money, and if we are going to donate money to the Fire Department or any other group, one of the things I would want to see are the books. This is information the Chief would not mind the citizen's having.

Mayor White stated the City Councils approve fire fees, so it is up to us to approve their fire fees. It is in the best interest of the City Council and the Governing Board. The approval is set by the Board of Commissioners. Not every city in Brunswick County has approved fire fees, but our City does approve these fees.

Commissioner Caster stated he attends every quarterly meeting and will forward the expenses to the Board. I will get the information you requested and forward it to the Board. What I want everyone to remember that we have a Class 4 Rating by the good work that the fire department does. The difference in a 4 Rating and a 9 Rating – before we had water, that is a lot of money to the homeowners. A 1% increase is a lot of money, so let's keep this in mind before we start playing hardball.

Commissioner Glidden suggested we combine the strategy and the fire workshop.

Mayor White agreed that is a good idea.

City Manager, Jeff Repp will get back to everyone by the end of the week.

- e. **Order** rendering 2006 Ford Expedition as surplus property and donate said vehicle to said vehicle to the Boiling spring Lakes Volunteer Fire Department.

A **motion** was made to approve by Commissioner Caster and seconded by Commissioner Glidden

Vote: 5 – 0

- f. **Order** authorizing the purchase of a 2013 Chevrolet Tahoe in the amount of \$30,346.50 from Bobby Murray Chevrolet, Raleigh, NC.

A **motion** was made by Commissioner Forte and seconded by Commissioner Caster

Vote: 5 – 0

10. Board Vacancies

- a. Parks and Recreation – two vacancies
No one has applied – the City Manager will advertise this month
- b. ABC Board – one vacancy

Commissioner Carroll **moved** to reapprove Donna Baxter, this was seconded by Commissioner Glidden.

Vote: 5 – 0

Commissioner Glidden announced that on June 21 at Spring Lake there will be a summer concert from 6:00 to 8:30.

A **motion** was made to adjourn by Commissioner Caster and seconded by Commissioner Carroll. The meeting was adjourned at 7:32pm.

Vote: 5 – 0


Jane McMinn, City Clerk




Mayor Richard D. White