



City of Boiling Spring Lakes
Board of Commissioners Regular Meeting Minutes
February 4, 2014
City Hall – 6:30pm

PLEASE TURN OFF CELL PHONES

1. Call to Order – Mayor Craig Caster

Mayor Caster called the meeting to order at 6:30pm

2. Attendance: In attendance at the meeting were:

Mayor Craig Caster
Commissioner Barbara Glidden
Commissioner Mike Forte
Commissioner David Putnam
Commissioner Mary Stilwell
Police Chief Brad Shirley
Building Inspector Jim Nichols
City Manager Jeff Repp
City Clerk Jane McMinn

3. Pledge of Allegiance:

Police Chief Brad Shirley led the Pledge of Allegiance

4. Approval of Regular Agenda:

Commissioner Putnam requested a change on Order D for engineering services with Sungate Design Group involving the Spring Lake Water Level from \$7,500 to \$10,500.

Mayor Caster requested that all Orders be changed from City Administrator to City Manager and under New Business a. Change Mayor Pro-Tem Glidden to Commissioner Glidden.

A **motion** was made by Commissioner Forte and seconded by Commissioner Stilwell to approve the Regular Agenda.

Vote ~ 5 ~ 0

5. Public Comments:

Ed Wilkie ~ 142 Pike Rd.

Mr. Wilkie referred to Order D and stated that he felt that we could save the city the \$10,500 by just removing the elbow. Mr. Wilkie then stated that there are 3

commissioners here that are bought and paid for by Nancy Crawford and they do exactly what she tells them to do. Let's just forget the \$10,500, raise the lake up as high as you want and I will live on a little spot of ground that is left that is not under water. Is that a deal...we could save some money.

John Ganey ~ Not Present

Richard Queener ~ 896 Boris Rd.

Mr. Queener thanked the mayor for assisting in getting some road repairs done. Regarding Order C and D every homeowner who has a storm water flooding issue is aware of where the water is coming from. Mr. Queener suggested forming a citizens committee that would give them the opportunity to come up with a viable solution to these problems before we spend this money.

6. Approval of Minutes:

Commissioner Glidden requested two corrections on the January 7, 2014 minutes; on page 2 paragraph 1 second sentence read ~ Under General Statue of North Carolina 188-80.5 we are presenting the City of Boiling Spring Lakes **Police Department** a check for \$161. Also on page 8 second sentence read ~ These **forums** were discontinued and voted on in February 2012.

A **motion** was made by Commissioner Glidden and seconded by Commissioner Forte that the minutes from January 6, 2014 Informational Meeting, January 7, 2014 BOC Regular Meeting, January 13, 2014 Workshop Meeting, January 13, 2014 Executive/Closed Session and January 13, 2014 Special Meeting be accepted with the corrections.

Vote ~ 5 ~ 0

7. Consent Agenda:

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

Vote ~ 5 ~ 0

8. Committee/Board Reports and Minutes:

Community Appearance Committee ~ Ann Hollingsworth

The committee did not meet in January, but during February we will be putting our pictures together for the Spring Fling at the Lake (Fun Day). We will be selecting a blue ribbon winner and gathering ideas for a certificate of appreciation and also working on our welcome committee packages. We look forward to having Commissioner Putnam with us.

Planning Board ~ Bill Clark

The Planning Board is reviewing a long range plan which we have narrowed down to a 10 year plan. We sent out a survey and plan to have public comments at our March meeting and have something for the Board at the April meeting.

Commissioner Forte commented on the possible removal of the burning permits. If that were to happen then all debris would need to be picked up from the curbs which in turn would be a cost for the city. Commissioner Forte requested that this be discussed at their meeting.

Parks and Recreation Advisory Board ~ Verda Darrell for Melissa Thomas

Ms. Darrell reported that they are working on a survey and also updating the master plan. As the process update moves forward the board will receive a monthly update from Melissa.

Commissioner Stilwell asked for an explanation of the budget request from Parks & Rec. for funding for the survey and also a breakdown of what the funding would pay for. Commissioner Putnam suggested that they can possibly utilize the website for the survey and distribute survey sheets at the Board Meetings to help cut down the cost. Ms. Darrell will take these suggestions back to Melissa.

Special Events ~Michelle Hennessey

Special Events has set their dates for the year. The first event is the Spring Bicycle Run which is April 5th. Also Michelle reported that they would like to fund raise for the Southport/Oak Island Cougar Football to raise money for the pros and college pros to come here and work with the children at their summer camp. Community Fun Day is May 10th which is now going to be called Spring Fling at the Lake which will be held at Spring Lake. We will be having a wings cook-off for the best wings around.

Library Committee ~ Marge Pennington

During 2013 we had approximately 600 people visit the library. This number is lower than in past years. Since there is no limit of the number of books they can take out and no due date that has cut back on the number of people visiting since they can take more books. The library opened in 2009 and at the end of 2013 in 4.5 years we have had 2800 people actually use the library. Any books from the 2007 to 2008 timeframe forward will be accepted in either paperback or hardcover if you would like to donate please leave them in the library. The friends of the library will be having an organizational meeting later this month.

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

City Manager Repp reported that that the city has as of 12/31/2013 \$2,639,881 in cash and investments. Sales tax revenue is on schedule with 1% less than projected at this time after six months. We have collected 72% of property tax as of 12/31/2013 which is about 3% less than last year. We have had 17 new building permits issued for residential construction in the city the estimated budget is 25 so we are on schedule. One item that

was brought to the board's attention was that the city does not currently have a procedure in place for the naming/dedication of facilities in the city. The Police Department will be submitting a request asking to have the picnic shelter at Spring Lake Park renamed after the originator of the Fishing Rodeo, former Police Chief Vaughn. City Manager Repp suggested to the board that they may want to consider the adoption of a formal policy or if they would prefer to leave it on a case by case basis.

Also reported was the decision of the board not to accept the donation of the properties and the associated sewer assessments. The city was approached by the non-profit group in California with the potential purchase of the 23 acre tract to include the boiling spring. The proposed purchase price was \$30,000. The board met to consider the offer of purchase and requested City Manager Repp to go back and negotiate to see if the price could be lowered. The non-profit is not willing to negotiate the price, so it will remain \$30,000 to purchase.

City Manager Repp acknowledged Jim Nicholas who has obtained his fifth Level 111 standard certification from the NC Code Officials Qualification Board on January 28, 2014. It was stated that there are very few people in NC that have obtained that level and that have been certified. All present applauded Jim Nicholas for this outstanding accomplishment.

10. Old Business:

- ✓ a. **Order** ~ authorizing the City Manager to purchase 2014 F150 4x2 Pickup under NC State Bid from Capital Ford, Wilmington, NC in the estimated amount of **Seventeen Thousand Nine Hundred and One Dollar and No Cents (\$ 17,901.00)**.

A **motion** was made by Commissioner Glidden and seconded by Commissioner Forte to authorize the City Manager to purchase 2014 F150 4x2 Pickup under NC State Bid from Capital Ford, Wilmington, NC in the estimated amount of **Seventeen Thousand Nine Hundred and One Dollar and No Cents (\$ 17,901.00)**.

Vote ~ 5 ~ 0

- ✓ b. **Order** ~ authorizing the City Manager to purchase a Diamond Deluxe Animal Control box in the estimated amount of **One Thousand and Seventy Nine Dollars and Forty Six Cents (\$1,079.46)** from Jackson Creek Manufacturing of Denton, NC.

A **motion** was made by Commissioner Glidden and seconded by Commissioner Stilwell to authorize the City Manager to purchase a Diamond Deluxe Animal Control box in the estimated amount of **One Thousand and Seventy Nine Dollars and Forty Six Cents (\$ 1,079.46)** from Jackson Creek Manufacturing of Denton, NC.

Vote ~ 5 ~ 0

- ✓ c. **Order** ~ authorizing the City Manager to enter into an engineering services agreement with **Sungate Design Group of Raleigh, NC** for services involving the Holly, Crabapple, Walnut and Redwood area in the estimated amount of **Twenty One Thousand Eight Hundred Dollars and No Cents (\$ 21,800.00)**.

Commissioner Putnam asked Larry Modlin, Director of Public Works if this type of work was out of his realm of expertise. Larry stated that it is best to have a licensed engineering firm review and advise the best way to correct the flooding problem that exists in the Holly, Crabapple, Walnut and Redwood area.

A **motion** was made by Commissioner Putnam and seconded by Commissioner Glidden to authorize the City Manager to enter into an engineering services agreement with **Sungate Design Group of Raleigh, NC** for services involving the Holly, Crabapple, Walnut and Redwood area in the estimated amount of **Twenty One Thousand Eight Hundred Dollars and No Cents (\$ 21,800.00)**.

Vote ~ 5 ~ 0

- d. **Order** ~ authorizing the City Manager to enter into an engineering services agreement with **Sungate Design Group of Raleigh, NC** for services involving the Spring Lake Water Level and Discharge area to North Lake in the estimated amount of **Ten Thousand Five Hundred Dollars and No Cents (\$ 10,500.00)**.

Commissioner Putnam and Commissioner Forte commented that after trying to understand the work proposal they would suggest that someone from Sungate come in and explain exactly what will be done regarding the study so there is a clear and concise understanding. All board members agreed that this was a good idea.

City Manager Repp clarified that the scope of work is not for the study of the flow of water from North Lake into the Big Lake, only the Spring Lake Water Level and Discharge area to North Lake.

A **motion was made** to amend the order by Commissioner Putnam and seconded by Commissioner Glidden to table the order and authorize the City Manager to request **Sungate Design Group** to address the Board to explain their scope of work involving Spring Lake Water Level and Discharge area to North Lake.

Vote ~ 5 ~ 0

- ✓ e. **Order** ~ authorizing the City Manager to enter into an engineering services agreement with **Sungate Design Group of Raleigh, NC** for services involving the Trevino, Souchak, Fifty lakes Drive area in the estimated amount of **Seventeen Thousand Eight Hundred Dollars and No Cents (\$ 17,800.00)**.

Commissioner Putnam asked Larry Modlin, Public Works Director if he thought this was something we need to have an engineering study done on or is this more of a builder

problem? Larry replied that if all the property had been developed as a development instead of one lot at a time, it would have had to have proper storm drainage, however when property is developed one lot at a time by different owners it then becomes more of a “plug and plant” situation. That area is one big bowl.

A **motion** was made by Commissioner Stilwell and was seconded by Commissioner Putnam authorizing the City Manager to enter into an engineering services agreement with **Sungate Design Group of Raleigh, NC** for services involving the Trevino, Souchak, Fifty lakes Drive area in the estimated amount of **Seventeen Thousand Eight Hundred Dollars and No Cents (\$ 17,800.00)**.

Vote ~ 5 ~ 0

11. New Business:

a. Planning Board Alternate Position ~ Commissioner Glidden

Commissioner Glidden stated that right now our current ordinance refers to 1st or 2nd alternate it does not give any description on who is the first alternate who is the 2nd alternate; it does not state moving forward if a regular member is not there, it just states 2 alternates. I have come up with two individual motions.

A **motion** was made by Commissioner Glidden and seconded by Commissioner Forte to amend Section 2-61 – Planning Commission Membership of the Code of Ordinance to specify that the alternate member to the Planning Commission with the longest continuous membership be designated as the “first alternate” and that the other position be designated as “second alternate”.

Vote ~ 5 ~ 0

A **motion** was made by Commissioner Glidden and seconded by Commissioner Stilwell to amend Section 2-62 – Appointment, terms; vacancies to specify that in the event of a vacancy on the Board created by resignation or termination that the first alternate shall be appointed to the vacant position. In the event that the first alternate declines the appointment than the second alternate shall be appointed to the vacant position. In the event the second alternate declines the appointment the vacancy shall be filled by the seeking of a new member to the board.

In the case of a vacancy on the Board due to the expiration of a term of a member the member whose term is expiring or has expired shall be provided an opportunity to reappointment at the discretion of the Board of Commissioners. If the member declines the opportunity for reappointment or is no reappointed by the Board of Commissioners than the vacancy shall be filled by the first alternate who shall be appointed to the vacant position. In the event the second alternate declines the appointment the vacancy shall be filled by the seeking of a new member to the board.

Vote ~ 5 ~ 0

b. Property Purchase ~ Commissioner Putnam

Commissioner Putnam commented confirming City Manager Repp commented with regard to the property purchase from the non-profit to ensure that the citizens understood fully the situation. Rudy Dixon now represents the non-profit group out of Clovis, California. Mr. Dixon approached the city and offered for purchase the parcel of land to include the "boiling spring" for \$30,000. City Manager Repp negotiated with Mr. Dixon who did not accept any offer other than the full price of \$30,000. Commissioner Putnam stated that the non-profit paid nothing for it and should have offered it back to the city at not cost. The board elected not to go any further with any negotiations.

c. Report on Boiling Spring Lakes Fire & Rescue Quarterly Meeting ~ Commissioner Forte

Commissioner Forte stated that our district is over 24 sq. miles with approximately 5700 people in this fire district. For 2013 there were not quite 700 calls, 511 were EMS calls. Their average response time was just over 6 minutes. Average response time on a fire is just over 8 minutes. As a rule 8 persons on a fire, for a motor vehicle accident there are 7 and 7 or 8 for any wood fires. Commissioner Forte showed everyone a fire nozzle at a cost of about \$900. The Boiling Spring Lakes Fire Department has a rating of 4, the lower the number the better the rate. In the entire State of NC there are only 32 fire departments that have a 4 rating or better. Commissioner Forte stated that he hopes everyone appreciates everything the Fire Department does. The fire rating is done once a year and with the rate of 4 that is what keeps our insurance rates low, the lower the rating the lower the cost. The fire meetings are done quarterly on the third Thursday of each month, which is the same time the Citizens Forum is scheduled to meet monthly which presents a conflict. This will be brought up at the next board meeting for some discussion.

- ✓d. **Order** ~ appointing Charlie Carroll to the ABC Board filling the resignation of Richard D. Berkley effective February 5, 2014 through June 30, 2014.

Mayor Caster stated that the position was advertised in the newspaper and we only had one application submitted.

A **motion** was made by Commissioner Forte and seconded by Commissioner Glidden to appoint Charlie Carroll to the ABC Board filling the resignation of Richard D. Berkley effective February 5, 2014 through June 30, 2014.

Vote ~ 5 ~ 0

- ✓e. **Order** ~ authorizing the Contract For ABC Law Enforcement, State of North Carolina, City of Boiling Spring Lakes ABC Board.

A **motion** was made by Commissioner Putnam and seconded by Commissioner Stilwell authorizing the Contract For ABC Law Enforcement, State of North Carolina, City of Boiling Spring Lakes ABC Board.

Vote ~ 5 ~ 0

f. **Order** ~ establishing the following annual Stipends for the Chairman and Officers of the Boiling Spring ABC Board.

Mayor Castor invited Cheryl Riker to address the board. Ms. Riker explained that there is a chairman and two board members. Cheryl explained why there has not been an increase in prior years for example, there was a remodeling project, we were able to pay off that loan a year early and then we had to deal with the fire. I started to do a study comparison over the years and things just got in the way. I have been working on the increase since October 2013. The increase has been a long time in coming and I would like to bring the members close to average. City Manager Repp clarified that the Board is required to set the compensation level and it must be reported to the State if it is more than \$150 per month. Any increase applied would take effect on July 1, 2014.

The board member's were in agreement that since they just received this information from Cheryl they requested some additional time to be able to review and digest all the information.

A **motion** was made by Commissioner Putnam and seconded by Commissioner Stilwell to table the order.

Vote ~ 5 ~ 0

12. Adjourn

A **motion** to adjourn the meeting was made by Commissioner Forte and seconded by Commissioner Glidden. The meeting was adjourned at 7:40pm

Vote 5 ~ 0

ATTEST:


Jane McMinn, City Clerk


Craig Caster, Mayor

