



**City of Boiling Spring Lakes
Board of Commissioners Regular Meeting
May 6, 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
Building Inspector, Jim Nicholas

Commissioner Mary Stilwell
Police Chief Brad Shirley
City Manager Jeff Repp
City Clerk Jane McMinn

3. Pledge of Allegiance

Bill Clark led the Pledge of Allegiance

4. Approval of Regular Agenda

Mayor Caster requested to add under Old Business a budget workshop on Thursday May 15, 2014 at 10:00am.

A **motion** was made by Commissioner Glidden and seconded by Commissioner Stilwell to add under Old Business a budget workshop on Thursday May 15, 2014 at 10:00am.

Vote ~ 5 – 0

5. Public Hearing

a. 2014-2015 Fiscal Year Budget

City Manager Repp presented the 2015 Fiscal Year Budget Overview which is hereby incorporated by reference and made a part of these minutes.

6. Public Comments on the budget ~ [Comments are restricted to 3 minutes per speaker]

Arlene Hubner ~ 1121 So. Shore Dr.

Ms. Hubner requested an understanding of why we need a town engineer. There are some projects that require engineering knowledge, but the whole job of running the public works department does not require an engineer. If we hire engineering consultants when needed we can choose the best engineers that we can afford, and it is their job when producing their reports to ensure that the board and citizens have a clear understanding of what the report is saying and what the solutions are. Again, I would like to understand why we need an engineer rather than a director of public works to contract out the engineering work. We do not have enough work to justify this hiring.

7. **Public Comments ~ [Comments are restricted to topics listed under old and new business and limited to 3 minutes per speaker]**

Sharon Zack ~ 910 Holly Point Rd.

Last night at the citizen's forum one of the citizens asked if there was a small municipality that had a civil engineer. City Manager Repp said that Oxford was a small municipality similar to Boiling Spring Lakes and they had a civil engineer on staff. So I took it upon myself to research Oxford, NC. Mrs. Zakszeski stated some of the following facts; population in 2009 was close to 9,500; Oxford is located outside the Research Triangle and Granville is the county seat. It is home to Revlon and home to a large building manufacturing company; it is the biofuel center of North Carolina; with historic homes and a busy historical society. Oxford has museums, three voting districts, 9 public schools and colleges. They have a large athletic field and a public swimming pool and their own water and sewer department. Oxford has a public works department and the budget for that in the general fund is close to \$100,000.00. The engineering department has a budget of \$194,363.00 out of the general fund. Their tax rate is \$0 .62 cents for \$100 of assessed value. Our tax rate right now is \$0.14 and is going up to \$0.17 cents but it is not anywhere near \$0.62 cents. If Boiling Spring Lakes grew to even 25% of what Oxford has then perhaps we would need a civil engineer. We do not need a civil engineer. What will this engineer need? Will he need a staff, will he need a vehicle or is he going to the city clerk do all of his typing.

Chuck Wojda ~ 161 No. Lake Dr.

Deferred to speak at this time.

Hank Troszaniec ~ 413 No. Shore Dr.

Mr. Troszaniec requested the board to do a lot more research and present it to the public before moving forward to hire an engineer. There was no solid research done and presented. He asked if the board would take a step back and present the need for a civil engineer. Regarding the second issue on the lake front set backs. Mr. Troszaniec asked how these set backs would affect line of sight and would that present any hardship to people who are looking to building on the lake, how that would affect them. How is any damage to a home on the lake going to be addressed with these new setbacks?

Pat Walters ~ 1481 Long Leaf Rd.

This is in regard to item A under New Business ~ accepting the proposed changes to the UDO Article 6 Supplemental Regulation, Section 6.2 Lake Front Regulations; Section 6.6.1 Building Restrictions. With this requested change in verbiage from 50' from the normal water level to 50' from the back property line, do you realize the impact that this will have on some property owners if you make this change. When the engineering study report is submitted by SunGate Engineering we will know what the correct water level should be. When this change was questioned and before you it was presented to the board, comments were made that some property owner's property lines are underwater. The response to that was "so what they still own their property." That response brought tears to the eyes of a person in attendance. Do you consider this the proper way for leaders and committees to protect the rights of our citizens? If this was your property being affected, would you want this to happen to you? Sadly our government has been impregnated with politics; we are no longer a place where people want to come. Instead we have become the joke of surrounding communities and I have been told by people that they are glad they do not live here, and that is a shame.

Mary Solley ~ 456 ~ Tate Lake

With the probable hiring of an engineer and all the research supposedly that has been done; have all the salaries, such as a secretary and all the large equipment been factored into your budget? City Manager Repp responded that there has been nothing additional added to the budget in this regard. Mrs. Solley stated that it will happen, this person will not go out there with a pick and shovel like Larry.

8. Approval of Minutes

A **motion** was made by Commissioner Putnam and seconded by Commissioner Glidden to accept the minutes from:

- a. March 26, 2014 BOC Workshop Spring Lake Engineering Methodology
- b. April 1, 2014 BOC Regular Meeting
- c. April 7, 2014 BOC Citizens Forum
- d. April 7, 2014 BOC Special Meeting City Priorities

Commissioner Forte commented that the minutes of April 7, 2014 BOC Special Meeting lacked substance. I understand we want to condense the minute and I have no problem with that but it seems these particular minutes need more. Commissioner Forte was fine accepting the other minutes. Both Commissioner Glidden and Mayor Caster spoke with City Manager Repp also about this particular set of minutes. City Manager Repp stated that these are the board's minutes and you can add and delete from them as you wish. What you see before you is what is required by law to be represented in the minutes. If you decide you want additional verbiage to be added and a motion is made to accept the additions it can be done. Staff is going by the direction that has been given by the board to cut down on the language to what is superfluous to what is required by law. City Manager Repp stated that the minutes still exist on the recorder and we could simply make the recording part of the minutes to be retained. Mr. Repp added that the plan is to eventually have all recordings of the minutes available on the website once the audio recording system in the chamber is upgraded to record all the comments.

A **motion** was made by Commissioner Putnam and seconded by Commissioner Stilwell to amend all the minutes that were previously read and to maintain the tape on file of the April 7, 2014 BOC Special Meeting City Priorities minutes.

Vote ~ 5 ~ 0

9. Consent Agenda

Commissioner Glidden commented on the report from the Public Works Department and stated she appreciated the April Focus on the bottom of the report and felt this was a good add on so we are all aware of what next steps are.

10. Committee/Board Reports and Minutes

a. Community Appearance Committee ~ Ann Hollingsworth

Ann reported that the committee is getting ready for the Spring Fling and they have made boards showing our property recognition awards and pictures, and our magnets that have city hall, police department and community center on them and we will be giving some of those away and some prizes as well.

b. Planning Board ~ Bill Clark

Bill reported that the Planning Board wrote at the appropriate time and the correct date. We finalized the 5 year and 10 year long range plan and we are now going into the next two to three months to develop an ordinance for the multi-use patio and cluster homes.

Commissioner Putnam commented that he and Commissioner Forte were speaking prior to the meeting and asked about the 50' set back that is being proposed from the property line rather than the normal water level. Would that entail just the residential building itself or would that include all out buildings? Mr. Clark responded that it only applies to just the residential building.

c. Parks and Recreation Advisory Board ~ Commissioner Stilwell

Commissioner Stilwell is reporting on behalf of Mellissa Thomas who is not able to be at the meeting this evening. The Parks & Rec. Advisory Board is working on their survey and when they are prepared and sent you are encouraged to complete them and send them back so they will know what you would like as part of your Parks & Rec. Department.

d. Special Events ~ Michelle Hennessey

Michelle reported that the Bicycle Ride went very well, however the turnout was not as good as we hoped for. The Spring Fling will be this weekend we have vendors, kayak races and we still need some folks to volunteer for the wing cook-off. Battle of the Bands is June 7th and we will have lots of music and raise money for the Mitch Prince Scholarship Fund.

e. Spillway Committee ~ Commissioner Glidden

Commissioner Glidden reported that at present there is no activity with the Spillway Committee.

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

City Manager Repp reported as of March 31, 2014 the city had \$2,712,420 in cash and investments. The city is running about 2.3% behind in sales tax collections from what we projected but we still have three months to go and we are still in the ball park to meet the projected amount. Staff had an April 3rd meeting with Emergency Services from the county. We met here at city hall and they went through some of the changes with EMS and they will be sending us a list of equipment they have available to use. Outside of emergency equipment we used the two message boards for the spring clean up and those message boards are available to us whenever we need them. We will have our annual hurricane preparedness early in June with the county to go over the forecast for the coming season.

Chief Shirley was asked to give a summary of the Fishing Rodeo that was held. Chief Shirley reported that it was a great turnout with 117 children. We had so many sponsors that supported our tournament and special thanks go to Mary Green and the Parks & Rec. who did a great job. The shelter was dedicated to the Vaughn Family in his memory and honor.

12. Old Business

a. Budget Workshop

A **motion** was made by Commissioner Glidden and seconded by Commissioner Stilwell to hold a budget workshop on Thursday May 15, 2014 at 10:00am in City Hall.

Vote ~ 5 ~ 0

13. New Business

a. Order ~ accepting the proposed changes to the Boiling Spring Lakes UDO Article 6 Supplemental Regulation, Section 6.2 Lake Front Regulations; Section 6.6.1 Building Restrictions

Commissioner Forte asked for clarification to the change in the wording and requested Bill Clark, Chairman of the Planning Board to come forward to respond to some inquiries. Bill stated that the wording applies to lake front lots that set backs on the rear of the property would be 50' from the property/survey line and not from the normal water line. This applies to the dwelling structure only. This change applies to all city owned lakes with the exception of the Big Lake. Commissioner Forte brought up the subject of flood zones. He inquired that by this change could property that is currently not in a flood zone potentially now be located in a flood zone which would cause the property owner to purchase flood insurance. Water levels have not yet been determined. Bill said that this was discussed with Jim Nicholas, Building Inspector, and building permits were always issued based on the property line; very rarely do you find a property line in the water. This change applies to all new building permits and all previous buildings are grandfathered.

Mayor Caster suggested waiting another month for the engineering studies to come back because we currently do not know where the water line is supposed to be and we should wait for the recommendations of the study.

A **motion** was made by Commissioner Glidden and seconded by Commissioner Putnam to wait until the engineering studies are received before accepting the proposed changes to the Boiling Spring Lakes UDO, Article 6 Supplemental Regulation, Section 6.2 Lake Front Regulations; Section 6.6.1 Building Restrictions.

Vote ~ 5 ~ 0

✓**b. Order** ~ accepting a grant from NC Recreation and Parks Association – Nourishing NC in the amount of One Thousand Five Hundred Dollars and No Cents (\$ 1,500.00) for the BSL Community Garden.

A **motion** was made by made by Commissioner Putnam and seconded by Commissioner Forte to accept a grant from the NC Recreation and Parks Association – Nourishing NC in the amount of One Thousand Five Hundred Dollars and No Cents (\$ 1,500.00) for the BSL Community Garden.

Vote ~ 5 – 0

✓**c. Order** ~ amending the Boiling Spring Lakes Manning Document (2009 Revision) and adopting the job description for the position of City Engineer in the Department of Public Works.

Commissioner Forte requested to table this order until the engineering studies are completed and we have an opportunity to review them. We may possibly find that the hiring of a civil engineer may not be needed. Commissioner Forte stated that it seems we are putting the cart before the horse. Let's find out first what we spent \$50,000 on. Mayor Caster stated that we are in the budget cycle now and we do not know what the cost will be to hire a civil engineer, we have budgeted \$75,000 plus benefits when in fact until we get the studies back we may not need to do

this at all. All the surrounding towns do not have a full-time civil engineer on staff. Mayor Caster was in agreement with Commissioner Forte to table this.

Commissioner Glidden commented that there are issues with waiting and this would delay the process, we voted on it and we should move forward. Commissioner Putnam and Stilwell were also in agreement to move forward and give the authorization to our city manager to move on. City Manager Repp stated that nothing would change as far as the workload goes, but that waiting would just push us to the early fall timeframe.

A **motion** was made by Commissioner Putnam and seconded by Commissioner Stilwell to accept the order amending the Boiling Spring Lakes Manning Document (2009 Revision) and adopting the job description for the position of City Engineer in the Department of Public Works.

Vote ~ 3 ~ 2 (Mayor Caster and Commissioner Forte were opposed)

d. Proclamation ~ National Safety Month ~ May 2014

Mayor Caster read the National Safety Month Proclamation of May 2014

A **motion** was made by Commissioner Forte and seconded by Commissioner Glidden that we accept the Proclamation of National Safety Month of May 2014.

Vote ~ 5 ~ 0

e. Proclamation ~ National Police Week and Peace Officer's Memorial Day

Mayor Caster read the National Police Week and Peace Officer's Memorial Day Proclamation

A **motion** was made by Commissioner Glidden and seconded by Commissioner Stilwell to accept the Proclamation of National Police Week and Peace Officer's Memorial Day

Vote ~ 5 ~ 0

f. Commissioner Stilwell commented that Lieutenant Rick Spencer traveled to Ashville and requested that Chief Shirley provide details. Chief Shirley explained that Lieutenant Spencer went to Ashville for the North Carolina Fallen Officers Memorial Service. Lieutenant Spencer serves on the committee with other officers across the State of North Carolina to coordinate this annual event.

g. Commissioner Glidden inquired if there was any additional thought regarding the purchasing of tablets for the board. Mayor Caster asked City Manager Repp what the cost of the tablets would be. City Manager Repp replied that the tablets have come down in cost considerably to about \$250.00. Mayor Caster suggested that we bring this up in the Budget Workshop on May 15, 2014 and all members were in agreement.

14. **Adjourn**

A **motion** was made to adjourn the meeting by Commissioner Stilwell and seconded by Commissioner Glidden

Vote ~ 5 ~ 0

The meeting was adjourned at 8:07pm

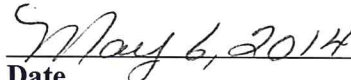


Craig Caster, Mayor

ATTEST:



Jane McMinn, City Clerk



Date

