



City of Boiling Spring Lakes  
Board of Commissioners Regular Meeting Minutes  
September 6, 2016  
City Hall – 6:30 pm

PLEASE TURN OFF CELL PHONES

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1. **Call to Order ~ Mayor Craig Caster**

The Board of Commissioners Meeting was called to order at 6:30 p.m.

2. **Attendance ~ in attendance at the meeting were ~**

Mayor Craig Caster	Commissioner Mark Stewart
Commissioner Mary Stilwell	Commissioner David Putnam
City Manager Jeff Repp	Commissioner David Crawford
Police Chief Brad Shirley	City Clerk Jane McMinn

3. **Pledge of Allegiance ~ Commissioner Mark Stewart**

4. **Approval of Regular Agenda ~**

Commissioner Crawford requested to add under New Business *Item ~ j* ~ Article published in the State Port Pilot.

A *motion* was made by Commissioner Stilwell and *seconded* by Commissioner Stewart to approve the agenda with the addition of *Item ~ j ~ under New Business*.

*Vote ~ 5 ~ 0*

5. **Public Hearing ~ UDO Text Amendment Revising Building Setbacks in the C-1 Zoning District for properties that do not front NC Highway 87.**

A *motion* was made by Commissioner Putnam and *seconded* by Commissioner Stewart to move into Public Hearing.

*Vote ~ 5 ~ 0*

**Public Hearing Comments ~** There were no public comments ~

A *motion* was made by Commissioner Stewart and *seconded* by Commissioner Crawford to move back into the Board of Commissioners regular meeting.

*Vote ~ 5 ~ 0*

6. **Public Comments ~ {Comments are limited to 5 minutes per speaker}**

**Richard Sparks ~ 2030 Gastonia Rd.**

Mr. Sparks questioned what the process would be to notify the city of an issue regarding unoccupied property for several months that requires yard maintenance. City Manager Repp informed Mr. Sparks to notify City Hall of the property address and the City will investigate and take the proper action.

Mr. Sparks commented he will be reviewing the ordinances to have a better understanding of voting rights and the expenditures of the tax payer money.

**Mike Forte ~ 1271 Washington Rd.**

Mr. Forte commented regarding the censorship of public comments and possible restrictions the BOC seems to be placing on what is said.

**Veronica Combopiano ~ 146 Forest Lane**

Mrs. Combopiano stated in 2009 the City amended the UDO adding under 6.6.1 Building Restrictions; structures shall not be placed forward of the front line of the main building which has caused them a problem with their carport for their RV.

**Ron Combopiano ~ 146 Forest Lane**

Mr. Combopiano inquired what happened to any plans for a grocery store, a drug store and what forward plans does the city have for growth. The Planning Board will start revisions on the UDO this month with guidance from the CFCOG and we plan to become more involved.

7. **Approval of Minutes ~**

a. August 2, 2016 ~ Board of Commissioner Regular Meeting

A *motion* was made by Commissioner Putnam and *seconded* by Commissioner Crawford to approve the minutes of August 2, 2016 Regular Board Meeting.

*Vote ~ 5 ~ 0*

8. **Consent Agenda ~**

A *motion* was made by Commissioner Stilwell and *seconded* by Commissioner Crawford to approve the Consent Agenda.

*Vote ~ 5 ~ 0*

9. **Committee / Board Reports and Minutes ~**

a. Community Appearance Commission ~ Ann Hollingsworth

Ms. Hollingsworth reported the Commission distributed nine (9) welcome packages, we have three (3) so far this month. We continue to have our pictures displayed in our library and plan to change those out every 90 days.

**b. Planning Board ~ Bill Clark**

Mr. Clark stated he was not present at the last meeting but has comments from Wes MacLeod of the COG. Mr. MacLeod has submitted a scope of serves for the review of the UDO. Updates will be provided to the Planning Board for review of the UDO which will then be submitted to the Board of Commissioners. Also there was discussion on a chicken ordinance which was drafted by Mr. MacLeod and was approved by the Planning Board.

**c. Parks & Recreation Advisory Board ~ Bob Stanley**

Mr. Stanley reported Chief Shirley and Animal Control Officer John Hutt spoke with the Advisory Board about alligators; discussions were held on the dog park, the NC Connect Bond program, the Pump Track and Skate Park, Muse Park upgrades, parks and recreation trails and open space master updates, discussed ideas the Advisory Board has to put on the city website, I added some comments about the attendance at meetings.

**d. Special Events Committee ~ Michelle Hennessy**

Commissioner Crawford reported for Michelle Hennessy who could not attend. On September 17, 2016 the Committee will hold the 9/11 Bike Run at the Community Center; September 24, 2016 will be the Battle of the Bands at Spring Lake. Additional bands are welcome to sign up to participate. On October 22, 2016 there will be a hay ride; the committee is looking for volunteers to help set up.

**e. Library Committee ~ Frances Thomas**

Mrs. Thomas reported the free library has been moved to a central location at the police department. On September 12, 2016 the Library Committee will host the next Meet the Author event with author Frank Amaroso. The Library Committee is planning to host on November 12, 2016 a Family Fun and Safety Event at 3:00 1:00 p.m. This correction was made upon approval of the minutes at the October 4, 2016 BOC meeting.

**f. Boiling Spring Lakes Fire and Rescue ~ Commissioner Stewart**

Commissioner Stewart reported the bylaws have been updated; changes were made to the personnel policy; the BSL Volunteer Fire Department and the Southport Volunteer Fire Department continue working together for additional training dates.

**10. City Manager's Financial / Monthly Report ~ Jeff Repp**

Mr. Repp reported as of July 2016 the City had \$2,286,092 in cash and investments. We are 2.7% ahead in sales tax revenue for the current fiscal year; we are at 95.5% of the property taxes that have been paid to the City for this last fiscal year. Four (4) new residential building permits have been issued. Mr. Repp stated the City received



11. **Old Business ~**

No Old Business was discussed.

12. **New Business ~**

a. **Page Garza ~ Parks & Recreation Advisory Board Update**

Mrs. Garza reported the Parks & Recreation Advisory Board conducted an online survey in May and had 6,246 residents engaged in the survey; 88% of those who participated said yes to a dog park. We will be forming a sub-committee for this venture and have a parcel of land #142ID022 at Spring Lake and will fundraise money for the dog park costs.

Commissioner Stilwell requested the Board hold a public hearing to be placed on the October agenda. Commissioner Stewart suggested holding a workshop having the Parks & Rec. put together information and present this at the workshop. The Board has scheduled a workshop for Thursday, September 29, 2016 at 6:30 p.m.

- b. **Order ~** approving the purchase of two (2) 2017 Ford Explorer SUV's from *Ashville Ford LLC, of Ashville, North Carolina* for the Boiling Spring Lakes Police Department in the total amount of *Fifty Three Thousand Three Hundred and Twenty Six Dollars and Thirty Eight Cents (\$ 53,326.38)*.

A *motion* was made by Commissioner Putnam and *seconded* by Commissioner Stilwell approving the purchase of two (2) 2017 Ford Explorer SUV's from *Ashville Ford LLC, of Ashville, North Carolina* for the Boiling Spring Lakes Police Department in the total amount of *Fifty Three Thousand Three Hundred and Twenty Six Dollars and Thirty Eight Cents (\$ 53,326.38)*.

*Vote ~ 5 – 0*

- c. **Order ~** pursuant to N.C.G.S. 160A-81.1 establishing rules and regulations providing for the maintenance of order and decorum in the conduct of public hearings and meetings of the Board of Commissioners.

The Board of Commissioners reviewed and discussed each bullet point on the Order of Decorum and made changes when appropriate.

A *motion* was made by Commissioner Crawford and *seconded* by Commissioner Stilwell to approve the Order for the maintenance of order and decorum as amended in the conduct of public hearings and meetings of the Board of Commissioners.

*Vote ~ 5 ~ 0*

- d. **Order** ~ authorizing the City Manager to accept the proposal from **Sungate Design Group, P.A.** of Raleigh, NC for development of a **Stormwater Management Master Plan and Stormwater Ordinance Assistance** in an amount not to exceed **Thirty Thousand Dollars and No Cents (\$ 30,000.00)**

A **motion** was made by Commissioner Stewart and **seconded** by Commissioner Stilwell authorizing the City Manager to accept the proposal from **Sungate Design Group, P.A.** of Raleigh, NC for development of a **Stormwater Management Master Plan and Stormwater Ordinance Assistance** in an amount not to exceed **Thirty Thousand Dollars and No Cents (\$ 30,000.00)**.

**Vote ~ 4 ~ 1 (opposed by Commissioner Crawford)**

- e. **Order** ~ authorizing the City Manager to accept the proposal from **Outer Banks Tennis Contractors** of Enfield, NC for various park improvements to Muse Park in an amount not to exceed **Seventeen Thousand Two Hundred and Thirty Five Dollars and Forty Five Cents (\$ 17,235.45)**.

A **motion** was made by Commissioner Putnam and **seconded** by Commissioner Stewart authorizing the City Manager to accept the proposal from **Outer Banks Tennis Contractors** of Enfield, NC for various park improvements to Muse Park in an amount not to exceed **Seventeen Thousand Two Hundred and Thirty Five Dollars and Forty Five Cents (\$ 17,235.45)**.

**Vote ~ 5 ~ 0**

- f. **Order** ~ authorizing the Mayor to approve the Plan Consistency Statement of the City of Boiling Spring Lakes Board of Commissioners.

A **motion** was made by Commissioner Putnam and **seconded** by Commissioner Stilwell authorizing the Mayor to approve the Plan Consistency Statement of the City of Boiling Spring Lakes Board of Commissioners.

**Vote ~ 5 ~ 0**

- g. **Ordinance** ~ to amend to Article 5. Zoning Districts of the Unified Development Ordinance (UDO) to allow fifty (50') foot setbacks in the C-1 zoning district for properties not fronting NC 87.

A **motion** was made by Commissioner Stewart and **seconded** by Commissioner Putnam to amend to Article 5. Zoning Districts of the Unified Development Ordinance (UDO) to allow fifty (50') foot setbacks in the C-1 zoning district for properties not front NC 87.

**Vote ~ 5 ~ 0**

- h. Ordinance* ~ Amending Chapter 2 – Administration, Article III – Boards, Committees and Commissions, Division 7 – Special Events Committee of the Code of Ordinances allowing for the Chairperson to be appointed by committee.

A *motion* was made by Commissioner Crawford and *seconded* by Commissioner Stilwell Amending Chapter 2 – Administration, Article III – Boards, Committees and Commissions, Division 7 – Special Events Committee of the Code of Ordinances allowing for the Chairperson to be appointed by committee.

*Vote ~ 5 ~ 0*

- i. Resolution* ~ Authorizing Negotiated Offer and Upset Bid Process for Kendall and Kirby Fincher for city owned property on New Bern Road.

A *motion* was made by Commissioner Stilwell and *seconded* by Commissioner Putnam Authorizing Negotiated Offer and Upset Bid Process for Kendall and Kirby Fincher for city owned property on New Bern Road.

*Vote ~ 5 ~ 0*

- j. State Port Pilot* ~

Commissioner Crawford commented on the subject of free speech as a right for all people, but along with that right we have the responsibility to be accurate, mindful and respectful of others. Commissioner Crawford read from a written statement which is hereby incorporated by reference and made a part of these minutes.


13. **Adjourn** ~


A *motion* was made by Commissioner Stewart and *seconded* by Commissioner Stilwell to adjourn the Board of Commissioners meeting of September 6, 2016 at 7:55 p.m.

*Vote ~ 5 ~ 0*

  
\_\_\_\_\_  
Craig Caster, Mayor

ATTEST:

  
\_\_\_\_\_  
Jane McMinn, City Clerk

  
\_\_\_\_\_  
Date





## Free Speech

I believe in the right to Free Speech... But with that right comes the responsibility to be accurate and mindful of others rights. An example of this is a person who is in a crowded theater yelling "FIRE", and then claim free speech. We have to be responsible.

Mr. Willkie's comments last meeting was at best, marginally accurate and intended for the sole purpose of attacking not only me but my family. I understand that I am an elected official and should be held to a higher standard, but my wife is a volunteer donating her time to the City of Boiling Spring Lakes and the Planning Board. She has done nothing but exercise her right as a taxpaying citizen to petition the Board of Commissioners to review a grievance she saw. She presented the board with a petition which included 21 names of fellow lake residents, two of those were the Wilkes. Since that time, she has been threatened, harassed, verbally assaulted and even accused of criminally paying off commissioners for their votes... which he later withdrew. Let me tell the citizens of BSL what she (my wife) has done for this community.

- She spent 5 years on the Parks and Lakes Recreation Board, Chairman for 3 years.
- She was instrumental in initiating the building of the New Community Center.
- She, with Mayor Joan Kinney, orchestrated the procurement of the land where the New parking area is on North Lake.

You accused my wife and I of "running this city into the ground" and costing the city \$250,000 in legal fees. The real fact is that 94% of the cost of your lawsuit has been spent since the elbow was removed and the Lake level restored to the 2013 level. I believe you need to re-evaluate your statement and be more accurate in the future.