



**City of Boiling Spring Lakes  
Board of Commissioners Regular Meeting Minutes  
June 7, 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 Commissioner 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 ~ William Sraver**

**4. Approval of Regular Agenda ~**

Commissioner Stilwell requested adding under New Business *item i)* request for a Public Hearing followed by a Special Meeting on June 30, 2016 at 6:30 p.m. on the definition of a Farmer's Market. Commissioner Stewart requested adding under Committee and Board Reports *item f)* Fire Department Monthly Report. Commissioner Stewart requested adding under New Business *item j)* Fire Department Monthly Reports to the regular agenda under Committee / Board Reports.

A **motion** was made by Commissioner Stewart and **seconded** by Commissioner Stilwell to approve the agenda with the addition under New Business *item i)* and *item j)*; and *item f)* under Committee and Board Reports.

**Vote ~ 5 ~ 0**

**5. Presentation ~ Parks & Recreation Youth Volunteer Recognition ~ Miss Emily Schrom ~ Mary Green, Director ~ Parks & Recreation**

Mary Green commented on a very special young lady at the Parks & Recreation program, Emily Schrom. Emily has been with us since the program started 12 years ago as a participant and has also volunteered a tremendous amount of hours. Meredith Batchelor, Recreation Program Supervisor and Emily Schrom joined Ms. Green at the podium. Miss Emily has donated her time as a volunteer and has served over 500 hours of community service this year. Ms. Green presented a plaque of appreciation for her community service.

6. **Announcements ~**

Commissioner Stilwell congratulated Lt. Rick Spencer as the recipient of the 2016 ***Mitch Prince Law Enforcement Scholarship***. Lt. Spencer has always been there to prepare and plan the remembrance to Mitch for the family and all of us here in Boiling Spring Lakes.

7. **Public Comments ~**

**Charles Bell ~ 1346 Fifty Lakes Dr.**

Mr. Bell commented on the speeding that takes place on NC Rt. 87, NC Rt. 133, Boiling Spring Rd., Fifty Lakes Dr., Alton Lennon and Eden Rd. Mr. Bell would like to see more police patrol and radar set up on our roads. Speeding is a danger for everyone; I would like to see more policing by our officers on our roads.

**Reid Keyes ~ 1811 Raeford Rd.**

Mr. Keyes thanked Chief Brad Shirley and the Police Department for their compassion during the tragic accident on NC Rt. 87 by the high school. Mr. Keyes commented on the post of the BSLPD Facebook Page that was written regarding the tragic accident and stated from the comment that was written; “we must remember there is family, friend or a loved one behind such tragedy.” In this statement the humanity of a good police department was captured. It is not just about enforcing laws, but having compassion for the people they protect.

**Marge Pennington ~ 301 S. Shore Dr.**

Mrs. Pennington stated she was going to ask about the status of the farmer’s market but this topic is on the agenda for discussion.

**Audrey Carathanasis ~ 1281 Spring Lake Dr.**

Mrs. Carathanasis complimented what a pleasure it was working with our Building and Grounds Department on planting the bushes at the entrance walls. Mrs. Carathanasis questioned why the City is paying back taxes on Reeves Telecom property and then have to pay to have the lake cleaned up; now there is another lake that is asking for weed control of the water. Mrs. Carathanasis asked if we were opening a “big can of worms” by doing this. Approximately a month ago a citizen commented about the amount of trash on the roads. It was the understanding the BOC would look into this. So far there has been nothing addressed about this issue by the BOC.

**Tammy Sollenberger – 229 Blackhawk Rd.**

Mrs. Sollenberger also asked if the BOC had an answer as to why we are paying for the back taxes for the Reeves Telecom property.

8. **Approval of Minutes ~**

A **motion** was made by Commissioner Putnam and **seconded** by Commissioner Stewart to approve the minutes of May 3, 2016 Regular BOC Meeting.

**Vote ~ 5 ~ 0**



**9. Consent Agenda ~**

A **motion** was made by Commissioner Crawford and **seconded** by Commissioner Putnam approving the Consent Agenda.

**Vote 5 ~ 0**

**10. Committee / Board Reports and Minutes**

**Community Appearance Commissioner ~ Ann Hollingsworth**

Ms. Hollingsworth thanked the Special Events Committee for inviting them to their Spring Fling. It was the best year we have had. Ms. Hollingsworth thanked Commissioner Putnam and Mrs. Nancy Crawford for their help in setting up and taking down the table and helping us pack the boxes. We met two new residents that will be sending us some pictures for our new calendar. We have had several submissions for our property recognitions.

**Planning Board ~ Bill Clark**

Mr. Clark reported after a couple of months the Board has finalized the Farmer's Market definition with the help of Wes MacLeod of the Cape Fear COG. Under New Business there was discussion about dimensional standards on the set backs within the City which is being reviewed by the COG. The Board reviewed the Land Use Plan, Chapter 6, which is the final chapter and we should be finalizing that at our next meeting and have the plan to the Board by the July meeting.

**Parks & Recreation Advisory Board ~ Robert Stanley**

Mr. Stanley stated that were not enough members present at the last meeting to constitute having a forum. We discussed the dog park.

**Special Events Committee ~ Melissa Waller-DeBruhl**

Mrs. DeBruhl reported the Spring Fling was a good success and the proceeds from the Spring Fling will be donated to help children with the Parks & Rec. summer program. The next event will be Battle of the Bands which will be held on June 18, 2016 starting at 11:00 a.m. until the last band plays; the proceeds from this event will be donated to the Mitch Prince Scholarship Fund. Mrs. DeBruhl also announced two openings on Special Events and asked for volunteers.

**Library Committee ~ Frances Thomas**

Mrs. Thomas thanked the police department for delivery of tables and helping out at the Spring Fling; also the set up and breaking down of the tables. This year the Committee decided to give books away for free. We distributed information about the library and also were given some donations for the library. At the May meeting we discussed the upcoming author events which will be held in September and November. We decided on having four (4) of these events a year. We have had good response from the public. We also voted at our meeting to have the Appearance Commission use space on the upper

shelves to display photos of recent property recognitions. We are having a book sale on Thursday, June 23, 2016 from 11:00 a.m. until 4:00 p.m. here at City Hall lobby. Most books will be \$1.00 and under. I want to thank Tammy Sollenberger and Donna Morgan who prepared our book sale flyer.

#### **Fire Department Report ~ Commissioner Stewart**

Commissioner Stewart reported for the month of May there were a total of 57 calls; 37 were for EMS and there were 20 fire and rescue calls. The fire department and the police department are working together training to help in the water rescues. Also the fire department wanted to thank the Building & Grounds Departments for their help with the recent water rescue.

#### **11. City Manager's Report and Presentation of Monthly Financial Reports ~ Jeff Repp**

City Manager Repp reported the City had \$2,693,794 in cash and investments; sales tax revenue is running 2.84% ahead of schedule after 10 months of the year; also as of April 30, 2016 we had 94.07% of property taxes which have been collected by the county. The city had four (4) new homes constructed during the month of April. Paving was completed last month on the projects that were approved previously; the contractor will be mobilizing with equipment to remove the aquatic grasses later next week around the Mitchell Prince Bridge.

Commissioner Stilwell requested Mr. Repp update where the city is with respect to the Spillway Grant.

Mr. Repp stated on June 13, 2016 the NC Dept. of Public Safety submitted all of the projects they have chosen for FEMA for grant funding for the upcoming fiscal year. June 13, 2016 will be the official submittal date by the State of our Grant. At that point we will be in a waiting process of up to 18 months until FEMA awards the projects.

Commissioner Stilwell stated we have everything we need; we have visited the county to ask for their assistance in matching monies that we will have to come up with.

Mayor Caster inquired about the Brunswick County Resolution regarding the sales tax re-distribution. Mr. Repp stated there was a bill submitted that proposed a modification to the sales tax distribution per the tourist related counties by reducing the amount of monies that would be received. As I understand it, the bill is still in the Senate, whether there is any movement on the bill remains to be heard. This is typically a short year and they do not look for 'controversial' issues, and certainly sales tax is a controversial issue. The way it looks the bill will probably not get any movement. At this point we just need to monitor if there is any movement as we go forward.

#### **12. Old Business ~**

**a. Resolution** – Authorizing Negotiated Offer and Upset Bid Process for Kendall and Kirby Fincher for the 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 the City owned property on New Bern Road in the amount of \$ 3,000.00..

**Vote ~ 5 ~ 0**

**13. New Business ~**

*a. Ordinance* ~ Establishing the Fiscal Year 2017 Budget for the City of Boiling Spring Lakes, North Carolina.

A **motion** was made by Commissioner Putnam and **seconded** by Commissioner Stewart Establishing the Fiscal Year 2017 Budget for the City of Boiling Spring Lakes, North Carolina.

**Vote ~ 5 ~ 0**

*b. Order* ~ authorizing approval to the revised Fee Schedule for the Fiscal Year 2017 for the City of Boiling Spring Lakes effective July 1, 2016.

A **motion** was made by Commissioner Stilwell and **seconded** by Commissioner Crawford authorizing the approval of the revised Fee Schedule with the correction of the discrepancy in the Game Room Fee which has been corrected.

**Vote ~ 5 ~ 0**

*c. Order* – appointing Kay N. Talbott to the Parks & Recreation Advisory Board for a term of three (3) years beginning June 30, 2016.

A **motion** was made by Commissioner Stilwell and **seconded** by Commissioner Putnam appointing Kay N. Talbott to the Parks & Recreation Advisory Board for a term of three (3) years beginning June 30, 2016.

**Vote ~ 5 ~ 0**

*d. Order* ~ appointing Newman (Bon) Cantrell to the Parks & Recreation Advisory Board for a term of three (3) years beginning June 30, 2016.

A **motion** was made by Commissioner Stilwell and **seconded** by Commissioner Crawford appointing Newman (Bon) Cantrell to the Parks & Recreation Advisory Board for a term of three (3) years beginning July 1, 2016.

**Vote ~ 5 ~ 0**

*e. Order* ~ authorizing the City Manager to enter into a design services contract for the re-establishment of Tuscarora Road with **McGill Associates, P.A. of Cary NC and**

**Compass Point, P.A. of Shallotte, NC in the lump sum amount of Seventeen Thousand and Four Hundred Dollars and No Cents.**

Mr. Repp explained McGill Associates will go to the next phase and evaluate the alternatives to make the Tuscarora Road reconnection happen and give the City a realistic cost estimate of what the dollars will look like to do this project.

A **motion** was made by Commissioner Stewart and **seconded** by Commissioner Putnam authorizing the City Manager to enter into a design services contract for the re-establishment of Tuscarora Road with **McGill Associates, P.A. of Cary NC and Compass Point, P.A. of Shallotte, NC in the lump sum amount of Seventeen Thousand and Four Hundred Dollars and No Cents.**

**Vote ~ 5 ~ 0**

*f. Order* ~ authorizing the City Manager to pay delinquent taxes for the following parcels owned by Reeves Telecom Limited Partnership to the Brunswick County Tax Office in the total amount of **One Thousand Five Hundred Sixty Five Dollars and Ninety Four Cents (1,564.94).**

A **motion** was made by Commissioner Putnam and **seconded** by Commissioner Crawford authorizing the City Manager to pay delinquent taxes for the following parcels owned by Reeves Telecom Limited Partnership to the Brunswick County Tax Office in the total amount of **One Thousand Five Hundred Sixty Five Dollars and Ninety Four Cents (1,564.94).**

Mr. Repp explained at the last BOC meeting the Board adopted the Deed of Dedication from Reeves Telecom adopting the six (6) parcels of land. The deed cannot be recorded until the back taxes owed by Reeves Telecom have been paid at the Brunswick County Tax Office. Once the taxes are paid to the county the City will be reimbursed our share of the taxes that are owed to the City from Reeves Telecomm.

**A discussion followed by the BOC ~**

Mayor Caster urged the Board to consider their vote and think about what we are doing. By paying these taxes and taking possession of these lakes this will lead to more and more lakes the city will be responsible for. This becomes a domino affect. Commissioner Putnam stated after speaking with the civil engineer his statement was this will help with future storm water runoff. Commissioner Putnam also stated all tax payers living on a lake should be entitled to the same treatment as citizens living on a lake such as the Big Lake which receives treatment. Commissioner Crawford stated issues with storm water runoff is why these lakes are important, because the bigger lakes feed into these lakes, therefore they need to be maintained. We have the vegetation in these lakes because we have not managed the vegetation. Both Commissioner Stewart and Commissioner Stilwell agreed that all tax payers pay the same rate and are entitled to the same services. Commissioner Crawford cautioned the Board needs to be vigil and manage this carefully.



**Vote ~ 4 ~ 1 ~ (opposed ~ Mayor Caster)**

***g. Discussion ~ Commercial Permitted Use Definition ~***

Commissioner Stewart asked the citizens and BOC if they would like to have more commercial businesses in our City. Both the citizens and Board stated they would.

**Commissioner Stewart then read from a written statement which is hereby incorporated by reference and made a part of these minutes.**

BOC was unified in stating we need to be proactive and help potential businesses who are interested in coming to BSL, we need to help them in any way we can.

Mr. Repp explained this whole issue started when the building inspector inquired if the selling of storage buildings at a farmer's market was a permitted use. After looking at the zoning code we found there was no definition. If there is not a definition in the UDO for a farmer's market you cannot ask staff to enforce what is being sold or what is not being sold.

The BOC was in agreement to review this at the Public Hearing followed by a Special Meeting on June 30, 2016.

***h. Discussion ~ Lake Keziah ~ Lake Treatments ~***

Commissioner Putnam inquired how this topic surfaced. Mr. Repp stated he received two emails requesting Aquatico to treat Lake Keziah. Aquatico has looked at Lake Keziah and estimated the cost to be in the area of \$4,000 for treatment. These vegetation issues are the same with all the lakes that have not been treated. Mr. Repp stated staff is looking for direction on how to proceed when a request comes in for lake treatment.

It was decided by the BOC to schedule a workshop on this topic at the July Board Meeting.

***i. Public Hearing / Special Meeting ~***

A **motion** was made by Commissioner Stilwell and **seconded** by Commissioner Crawford to hold a Public Hearing followed by a Special Meeting on June 30, 2016 at 6:30 p.m. at City Hall to receive comments on a proposed text amendment to the UDO to establish a definition of a Farmers Market.

**Vote ~ 5 ~ 0**

***j. Fire Department Report Added to Monthly Committee Reports ~***

A **motion** was made by Commissioner Stewart and **seconded** by Commissioner Putnam adding the Fire Department Report to the Monthly Committee Reports.

Vote ~ 5 ~ 0

14. Adjourn ~


A **motion** to adjourn was made by Commissioner Stilwell and **seconded** by Commissioner Crawford to adjourn the BOC meeting of June 7, 2016.

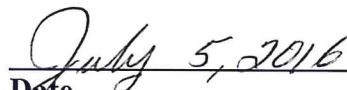
Vote ~ 5 ~ 0

The meeting was adjourned at 7:50 p.m.

ATTEST:

  
Jane McMinn, City Clerk

  
Craig Caster, Mayor

  
Date





## Commercial definitions

First off I have two questions, one for the audience and one for our city leaders. The answer only requires a YES or NO.

Do we want more commercial businesses in our city?

I think the most us do. Well in order for that to happen we need to start acting like we want new businesses and stop giving lip service. We need to start helping in finding ways to get their business going and quit throwing out road blocks in every direction they try to go. If we are not part of the solution, then we are the problem.

Last year we had a couple that renovated the old post office building into a pleasing to the eye structure instead of having an eye sore. They spent many hours and a lot of money to transform this place to give us a business that we did not have. And from all accounts that I saw and heard it was very successful for the first summer as it is a seasonal business.

Then something dreadful happened! We as city leaders put them in hand cuffs and leg shackles, scared them to death and guess what the business is not open this year. All because somebody didn't like what they were doing or saw.

In our table of permitted uses we have several uses listed with no definition and then we have definitions that are not listed as uses.

In this case, Farmers market is a permitted use with no definition. And when somebody saw something that they didn't like being sold at the Farmer's market, they had a conniption fit and direction was given to the planning board to come up with a definition and it is my guess they

are to write the definition that would not allow selling of this particular product. The definition at this point has not been created, but they have decided not to invest anymore time or money into their business until the city decides what they can or cannot do.

This disturbs me a great deal.

In the past we have not gone out and redefined a definition when a merchant allows people to sell plants, cars, RVs, display merchandise outside or even have yard sells on at their place of business when it is not in the definition of what their place of business is licensed for or permitted use.

The last time that I checked, which by the way was this past weekend. It is my understanding that the city manager, city boards, committees and commissions work at the pleasure of the Mayor and Board of Commissioners and not for any one individual.

This means that Mr. Mayor, Commissioner Crawford, Stillwell, Putnam nor myself can individually direct the city manager or any of our boards to perform a function.

I would ask that if the city manager or any board chairperson is approached by an city leader to do something, they need to ask is this at the pleasure of the city board.

If we want our commercial district to grow then we need to be more proactive, quit the knee jerk reactions, negativity and indecisiveness. We as the city leaders along with the city manager and building inspector need to help prospective businesses find ways that they can be successful and stay within the laws and ordinances. If their prospective business cannot fit in with what we currently have defined



or permitted then we need to suggest avenues that they can take to get where they want to go. Not every request will get approved however, at least we can do is assist in providing the right direction.

One last thought, we have has sewer in our commercial district for about two years and not the first new business has been built.

Again, if we are not part of the solution, then we are the problem.