



City of Boiling Spring Lakes  
Board of Commissioners Regular Meeting Minutes  
February 6, 2018  
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  
City Manager Jeff Repp  
City Clerk Jane McMinn

Commissioner Steve Barger  
Commissioner Guy Auger  
Chief Code Enforcement Ruth Bek  
Police Chief Brad Shirley

3. **Pledge of Allegiance ~ Ricky Rygg**

4. **Approval of Regular Agenda ~**

A *motion* was made by Commissioner Barger adding item ~e~ New Business ~ The Code of Ethics for Appointed Boards; Commissioner Stewart added under item ~f~ New Business appointment of liaison to the Community Appearance Commission. A *motion* to *second* was made by Commissioner Barger to add items ~e~ and ~f~ under New Business.

*Vote ~ 4 ~ 0*

5. **Public Comments ~**

Mayor Caster advised the audience that the time limit for speaking had been changed by the Board at their retreat from 5 minutes to 3 minutes and requested the speakers this evening adhere to the new time limit.

**Mike Forte ~ 829 Sanders Rd.**

Brunswick County Commissioner Mike Forte informed the BOC he has placed on the agenda for the county commissioner's budget to have a master plan done this year for sewer in the developed areas of BSL. Commissioner Forte commented there seems to be support for this among the county commissioners.

**Mike Williams ~ 76 Pine Shore Dr.**

Mr. Williams commented regarding the boats on the Big Lake damaging the shoreline and the docks. Mr. Williams requested control in the areas of the 'no wake zones;' also control on the wave runners, jet skis along with other watercraft. Boaters from other areas are

discharging salt water from their boats into the Big Lakes; we are all aware of the damage salt water can do. The sign outlining the rules of the recreational area were torn down many years ago and never replaced. I am requesting new signage be installed.

**Richard Sparks ~ 2030 Gastonia Rd.**

Mr. Sparks reminded everyone back in October he requested to meet with members of the board. I am pleased to say I have spoken with each member; all agreed my civil rights of freedom of speech had been violated and privately apologized to me, however I was informed by a member of the board that no public apology would be given. Mr. Sparks again requested a public apology; if none is received; he will start a public petition to have one of our elected officials and one of our appointed officials be censored from speaking on behalf of the city. I have spoken to my attorneys in Raleigh again, they are deciding if this should be a state or federal case. It is up to the city where we go from here.

**Bonner Stiller ~ 1409 E. Yacht Dr., Oak Island**

As you know, my wife and I purchased 32 acres of property along NC Rt. 87 here in BSL. We have been going through the phases of developing the campground; it is a long and drawn out process. One of our concerns is the new UDO to be considered by the Board. In section 6.38 there have been some changes; we have concerns with regard to 6.38-D – (k) with respect to the restrictions of use of no more than 60 days; no RV may remain in the campground for more than 120 days; no reentry for a period of 30 days once the 120 day period has been exceeded.

We have been informed after attending informational conferences, sustaining the financial cost of the campground during the months of December, January, February and March are difficult with no income to support the campground and make scheduled payments each month. I would like to suggest to the board this is a situation where the city is doing an overreach and a point, which could be argued later.

**Larry Modlin ~ 915 Holly Point Rd.**

Mr. Modlin stated he has concerns of wake boats on the Big Lake. Wake boats make large wakes and have very loud sound systems. Many of these boats have advertisements on them, therefore they are for hire. I have lost approximately 10 feet of backyard and our dock no longer reaches the shoreline. Mr. Modlin suggested changing our ordinance, which is based on wake size in the early 1960's; this ordinance has no correlation to the design of today's sport boats. A new restriction should cover all boats including privately owned boats.

Mr. Modlin commented on last weeks Pilot with respect to BSL to hire a planner. Most towns under 20,000 citizens do not hire a planner. The city manager, building inspector or a city development committee often fills this position.

As for the empty commissioner seat, Commissioner Auger wants to build a reputation with the citizens to represent everyone. To me this can only mean he will honor the wishes of the 243 voters who went to the polls and voted for Mr. Ed Wilkie.



**Carl Winkler – 136 Pike Rd.**

Mr. Winkler commented on the proposed new UDO. Mr. Winkler inquired when we can expect the UDO to be completed, what is the timeline we are looking at.

Mayor Caster explained the board has just received the draft this evening, we will need time to review and comment. My best guess would be at least two months before it will be voted on for approval.

**Anna LaRocca ~ 293 Walnut Rd.**

Mrs. LaRocca reported to the board no matter whether it is rain or shine I continue to have water around my property. The water constantly flows down from Holly Road and water levels have been very high. No matter what the weather I constantly have to keep my pump running. I would appreciate any kind of help the board can give me.

**Emma Loftus ~ 231 Cedar Rd.**

I happen to be a friend of Anna LaRocca. My question to the board is, how many more years will this be going on? Mrs. LaRocca came to me to see if I could help her. The water has been rising for the past 3 years. I would like some answers, however no one seems to have any answers. I would appreciate a phone call.

**Dana Witt ~ 1700 Salisbury Rd.**

Mrs. Witt wanted to know who would be financially responsible for the sewer and water coming to the commercial corridor; and to find out if there is any plan to do any paving in the next couple of years. I have lived here for the last 15 years and I would like to see Salisbury Rd. paved.

**6. Approval of Minutes ~**

- a. Approval of Regular BOC Minutes dated January 9, 2018
- b. Approval of BOC Special Meeting dated January 11, 2018

A *motion* was made by Commissioner Barger and a *second* by Commissioner Stewart approving the minutes of the Regular BOC meeting dated January 9, 2018; and the approval of the BOC Special Meeting dated January 11, 2018.

*Vote ~ 4 ~ 0*

**7. Consent Agenda ~**

Commissioner Stewart requested an update on Holly Rd. and the time frame for the work to be completed.

Mr. Repp explained the control panels for the pump station will be delivered sometime next week; the pump station should be delivered thereafter, the contract has been awarded to Carmichael Construction for installation.

A *motion* was made by Commissioner Barger and a *second* by Commissioner Stewart approving the Consent Agenda.

*Vote ~ 4 ~ 0*

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

**a. Community Appearance ~ Ann Hollingsworth**

Ms. Hollingsworth reported the committee did not meet in January but will start up again this month. We have a lot to do.

**b. Planning Board ~ Bill Clark**

Mr. Clark reported the final draft of the UDO has been completed and copies have been given to the BOC and placed on the website. We discussed the rezoning of the districts. It is not in our ability to make any change, we discussed wake boats and the affect it is having on the Big Lake. It is our recommendation the wake boats be banned, these boats are made specifically to make large wakes.

Mr. Clark distributed a memo to each member of the board with recommended change of verbiage. The Planning Board memo is hereby incorporated and made a part of these minutes. Mr. Clark also reported the Planning Board elected a chair, vice-chair and a TRC representative for the first quarter of 2018.

Commissioner Stewart questioned how difficult would it to enforce the new regulations regarding wake boats if the ordinance is changed. Chief Shirley stated research on how possibly to enforce this action would need to be done before any comment or further discussion would continue.

**c. Parks & Recreation Advisory Board ~ Chair Bon Cantrell**

Mr. Casper reported for Mr. Cantrell. Mr. Casper reported there will be public meetings concerning a grant that Parks & Recreation is making application, we anticipate the draft to be completed this month and it will be submitted to the board. We are meeting with the Planning Board to discuss a pedestrian and bike path task force and will involve the police department.

**d. Special Events ~ Michelle Hennessey**

Ms. Launderville reported for Chair Ms. Hennessey. We are working on our Easter Eggstravaganza which is tentatively scheduled for March 24, 2018 at Spring Lake. We are working to ensure those dates do not conflict with any other events scheduled within the area.

**e. Library Commission ~ Frances Thomas**

Mrs. Thomas reported the Commission has taken books to the Office which people can purchase if they like. We spoke with Mr. Warner and has his permission to have future library events at his establishment. A signed copy of Frank Williams's new book



'Convergence' will be placed in the city library. Tammy Sollenberger purchased a children's book entitled 'Malala's Magic Pencil.' The Commission also donated 10 boxes of books to the prison.

**BSL Fire / Rescue ~ Commissioner Stewart**

Commissioner Stewart reported for the month of January the fire department had 55 EMS calls and 30 fire calls. A 16 hour certification class was held on safety and survival. The fire department attended the Spring Lake Shiver Polar Splash; they had the water rescue boat in the lake in case of an emergency. They also had a booth with fire prevention information to hand out.

**9. City Manager's Report ~ Jeff Repp**

Mr. Repp reported as of December 31, 2017 the city had \$2,347,574 in cash and investments. Sales tax revenue after six (6) months of the year is running .3% behind schedule. As of January 8, 2018 81% of the property taxes due to the city for this current fiscal year have been collected. There were 4 residential building permits issued in the month of December which makes a total of 23 up to that point of the 45 we have included in the budget this year. \$732,045 in construction activity for the month of December. The city is working with McGill Associates to prepare the bid documents that has been approved by the board. We hope to have the award for the paving for the March agenda.

**10. Old Business ~**

**a. Appointment ~ filling the vacancy on the Board of Commissioners**

Mayor Caster requested the board members if there was a nomination. No response was given.

**b. Appointment ~ filling one position on the ABC Board for a term of three (3) years beginning February 8, 2018.**

A *motion* was made by Commissioner Stewart and a *second* by Commissioner Auger nominating Bob Brooks for the position on the ABC Board for a term of three (3) years beginning February 8, 2018.

*Vote ~ 3 ~ 1 ~ (opposed ~ Mayor Caster)*

**12. New Business ~**

**a. Resolution ~ Directing that Extension of Sewer Mains Along City Roads Be Undertaken**

- b. A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Auger approving the Resolution Directing that Extension of Sewer Mains Along City Roads Be Undertaken

*Vote ~ 3 ~ 1 (opposed Commissioner Barger)*

Commissioner Barger explained he is not comfortable with the resolution, I think this is something that has not been extended to developers or builders up to this point. Mr. Repp clarified to the audience that 100% of this project is being assessed upon the properties in the special assessment district. The properties that are benefiting from this project will be paying for it.

- c. ***Ordinance*** ~ Capital Improvement Project Ordinance City of Boiling Spring Lakes North Carolina

A ***motion*** was made by Commissioner Stewart a ***second*** by Commissioner Barger approving the Ordinance for Capital Improvement Project Ordinance City of Boiling Spring Lakes North Carolina

*Vote ~ 3 ~ 1 (opposed ~ Commissioner Barger)*

- d. ***Request for Public Hearing*** ~ Zoning District -5 ~ R-5MH and;

***Request for Public Hearing*** ~ Amending the CAMA Land Use Plan adopted May 2, 2017.

A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Barger to approve holding a Public Hearing on Zoning District -5 ~ R-5MH and; a Public Hearing Amending the CAMA Land Use Plan adopted May 2, 2017, at the March 6, 2018 Board of Commissioners Meeting.

*Vote ~ 4 ~ 0*

- e. ***Order*** ~ Board Appointments

1. Appointing William Rivers as 2<sup>nd</sup> Alternate to the Planning Board completing the term ending January 10, 2019;
2. Appointing Johnnie Scarbrough to the Board of Adjustment as 2<sup>nd</sup> Alternate completing the term ending December 31, 2019; and
3. Appointing Connie Ruehl as 1<sup>st</sup> Alternate to the Special Events Committee for a term of three (3) years beginning February 7, 2018.

- f. ***Resolution*** ~ to approve the Amended Resolution to Adopt the Code of Ethics for Elected and Certain Appointed Officials

A **motion** was made by Commissioner Barger to approve the Amended Resolution to Adopt the Code of Ethics for Elected and Certain Appointed Officials to include the Planning Board, Board of Adjustment and ABC Board. A **second** was made by Commissioner Stewart.

*Vote ~ 4 ~ 0*

**g. Appointment ~ Liaison for Community Appearance Commission**

Mayor Caster appointed Commissioner Auger as the Liaison for the Community Appearance Commission until the vacant seat on the board has been filled.

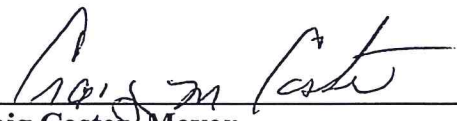
**13. Announcements ~**

No announcements were made.

**14. Adjourn ~**

A **motion** was made by Commissioner Auger, a **second** by Commissioner Barger to adjourn the Board of Commissioner meeting of **February 6, 2018 at 7:10 p.m.**

*Vote ~ 4 ~ 0*

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

**ATTEST:**

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

  
\_\_\_\_\_  
Date

