



City of Boiling Spring Lakes  
Board of Commissioners Regular Meeting Minutes  
April 3, 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 Steve Barger
Commissioner Mark Stewart	Commissioner Guy Auger
City Manager Jeff Repp	Commissioner Dana Witt
Code Enforcement Ruth Bek	City Clerk Jane McMinn
Guest ~ Wes MacLoud ~ COG	Police Chief Brad Shirley ~ <b>Excused</b>

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

**4. Approval of Regular Agenda ~**

Commissioner Stewart requested to add to the agenda as item ~ *m* ~ Proclamation for Opioid Addiction Awareness.

A *motion* was made by Commissioner Barger and a *second* by Commissioner Witt to approve the agenda as amended.

*Vote ~ 5 ~ 0*

**5. Public Hearing ~ R-5MH Zoning Map Amendment**

A *motion* was made by Commissioner Stewart a *second* by Commissioner Barger to move into public hearing.

*Vote ~ 5 ~ 0*

Wes MacLoud from the Council of Governments explained the Board held a public hearing last month to create the text amendment for the new zoning district. You have the ability to vote on the text amendment tonight. This separate action is to change the map to create those districts which the public hearing called for tonight.

a. There were no public comments made.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Auger to move out of Public Hearing for R-5MH Zoning Map Amendment

*Vote ~ 5 ~ 0*

**6. Public Hearing ~ Revised 2018 Unified Development Ordinance**

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Barger to move into public hearing.

*Vote ~ 5 ~ 0*

Wes MacLoud commented, as you are all aware we have been working on the UDO since 2016 working specifically with the Planning Board, and we have held a workshop with the BOC. There have been many draft changes, which is stated in the Ordinance updates, which you have before you.

**a. Karl Winkler ~ 136 Pike Rd.**

Mr. Winkler stated he has been trying to build a house for over a year and has been waiting for all these changes to be approved. I would request if anything can be done with the passing of the UDO, it would be appreciated.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Stewart to move out of Public Hearing and back into the regular agenda.

*Vote ~ 5 ~ 0*

**7. Public Comments ~**

**a. Mary Henderson ~ 1895 Robin Rd.**

Ms. Henderson inquired why the trailers and homes, which need to be cited for various reasons, are not being cited. I am especially concerned about Redwood Dr. and Sycamore. There are couches and chairs that are out by the road, trailers that have been abandoned many years ago. I do not understand why the department that is in charge of writing citations has not done that. I would like to know why the city is not taking care of this and getting it cleaned up.

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

Mrs. Carathanasis has spoken to Commissioner Auger and inquired when will the city cut the Pampas Grass down at the brick entrances, when will the branches be picked up in front of the Police Station? It looks deplorable and does not look inviting. I am in agreement, the trash in the city needs to be cleaned up.

**c. John Michaux ~ 3000 George II Highway**

Mr. Michaux stated he has several residential properties in Boiling Spring Lakes. I was in public service for over 23 years and I understand the challenges. I wanted to say the city staff is doing a good job. I have seen an improvement along NC Highway 87. The Police Department and Fire Department have always done a wonderful job.

**8. Approval of Minutes ~**

**a. Approval of BOC Regular Meeting of March 6, 2018**

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt approving the minutes of the BOC Regular Meeting of March 6, 2018.

*Vote ~ 5 ~ 0*

**9. Consent Agenda ~**

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Auger approving the Consent Agenda.

*Vote ~ 5 ~ 0*

**10. Committee Reports ~**

**Community Appearance Commission ~ Chair Ann Hollingsworth**

Ms. Hollingsworth reported for the month of April the Commission will be working on Operation Clean Sweep, Spring Fling, and National Prayer Day, certificate of appreciation, property recognitions and welcome packages.

**Planning Board ~ Chair Bill Clark**

Mrs. Nicole Morgan reported for Chair Bill Clark. Mrs. Morgan reported at the meeting there were no public comments made, no old business discussed. We moved into new business and a discussion followed on the review of home occupation definitions. After the discussion, it was agreed upon that household members only would participate in the business venture. Further clarification, household members was changed to residents of the property where business is carried on. There will be a final draft established at the April meeting.

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

Mr. Cantrell reported the Board has started putting together the Task Force that was approved at the last meeting. We have one member of our Board who will serve; we also have a request from a citizen and a member of the Planning Board to participate in the Task Force. We will continue recruiting more volunteers. Dr. Herstine is still working on the master plan, which will be completed by the end of April. Parks & Rec is working on changing some of their policies, such as the use of the gym; we are also looking at the budget for the upcoming year. There are upgrades needed to Schneider Park and Muse



Park, by receiving grant money we are working to make that happen. Upgrades are needed for the boat ramp at Alton Lennon Park, which will mostly likely need to be replaced with a floating dock. We are also looking at a handicap boat launch and kayak launch as well. We reviewed the fee schedules and some increases will be made more toward non-residents. One of our long-standing members, Bob Stanley resigned at our last meeting; we would like to thank Bob for his service. That being said, we are short two (2) volunteers for the Advisory Board, if you are interested please join us.

#### **Special Events Committee ~ Interim Chair Kathleen Caric**

Ms. Launderville reported for Ms. Caric. The Committee has changed their meeting start time from 5:15 p.m. to 5:30 p.m. The Committee had their Eggstravaganza on March 24, 2018, with a great turnout. The next event is the Mitch Prince Hoops and Heroes on April 14, 2018, at South Brunswick High School.

#### **Library Committee ~ Chair Frances Thomas**

Mrs. Thomas reported the committee will be holding a book signing on April 14, 2018, from 11:00 a.m. to 2:00 p.m. at The Office Coffee & Wine Bar. Tanya Binford is the author of *Crossing the Wake One Woman's Great Loop*. Ms. Binford went on a six-month adventure crossing 5,000 miles along the East Coast. Sherrie Kuyzian researched information on the North Carolina Library for the Blind and Physically Handicap. A link has been placed on our website for easy access. We talked about adding a children's free library underneath the library by the Police Department.

#### **BSL Fire / Rescue ~ Commissioner Stewart**

Commissioner Stewart reported for the month of March the fire department had 46 EMS calls, 23 fire calls and 20 hours of hazmat training. Commissioner Barger thanked the Fire Department on a job well done on the two fires on E. Boiling Spring Road.

### **11. City Manager's Monthly Report ~ Jeff Repp**

- Mr. Repp reported, as of February 28, 2018, the City had \$2,453,283.00 in cash and investments.
- As of February 2, 2018, the City has collected 94.5% of property taxes for the current fiscal year. Taxes collected by the end of the fiscal year run about 95%, at this time we appear to be ahead of schedule.
- After eight (8) months of the fiscal year, we are running 2% ahead of schedule in sales tax revenue.
- The Holly Road Pump Station has been completed with the exception of the electrical hookup. The City is responsible for the hookup from the pole to the panel; the contractor is responsible for the hookup from the panel to the pump. The contractor will be on site with the pump manufacturer for the start up.
- Surveying is almost complete on the sewer system for the special assessment district on Fifty Lakes and Goldsboro. The engineers have reached out to Brunswick County for their initial comments on the project, and have set up the required modeling components necessary for the pressure sewer design.

**12. Old Business ~**

- a. No Old Business was reported.

**12. New Business ~**

**a. Proclamation ~ National Library Week 2018**

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Barger approving the Proclamation for National Library Week 2018.

***Vote ~ 5 ~0***

Commissioner Barger, Liaison to the Library Commission, read the Proclamation.

**b. Ordinance ~ Amending Article 5: Zoning Districts of the UDO Creating a R-5MH Zone.**

A ***motion*** was made by Commissioner Auger to approve the Consistency Statement. Comments were made by Mr. MacLeod and Mr. Repp prior to the second motion being made.

Mr. MacLeod informed the Board they must approve the Consistency Statement which is required by General Statute before a land use change can be made.

Mr. Repp recommended to the Board to approve the Consistency Statement for the R-5MH Zone.

Commissioner Auger ***withdrew*** his motion.

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Stewart to approve the Consistency Statement upon approval of the new Zoning District for the R-5MH.

***Vote ~ 5 ~ 0***

**c. Ordinance ~ Amending Article 5: Zoning Districts of the UDO Creating an R-5MH Zone.**

A ***motion*** was made by Commissioner Auger, a ***second*** by Commissioner Stewart for discussion Amending Article 5: Zoning Districts of the UDO Creating a R-5MH Zone.

Mr. Repp explained your action tonight approving the text amendment creates the new zone. You have not applied that zone to anything. That would happen at your next meeting from your public hearing this evening, and the new legislation would be on



the agenda at the next meeting. Of the five (5) areas that have been identified that currently accept mobile homes; the decision of which areas would still continue to have mobile homes. Mr. Repp stated what he understands from the Board's comments your preference right now out of the five (5), is in the Gastonia Road area; this would be the only area the new zoning district would apply. The mobile homes in that area would become non-conforming and could only be replaced when damaged. The other four (4) areas would exist just as they are today; those areas are not non-confirming.

A ***motion*** was made by Commissioner Auger, a ***second*** by Commissioner Stewart to withdraw the motion and table the Ordinance for a future workshop.

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Witt to table Amending Article 5: Zoning Districts of the UDO Creating a R-5MH zone for a future workshop.

*Vote ~ 5 ~ 0*

***d. Resolution ~ Amending the CAMA Land Use Plan Related to Manufactured Homes.***

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Barger to table the Resolution Amending the CAMA Land Use Plan Related to Manufactured Homes for a future workshop.

*Vote ~ 5 ~ 0*

***e. Resolution ~ Authorizing NC Parks and Recreation Trust Fund Grant Application.***

Mr. Repp explained, at the previous meeting, the Board adopted this resolution. You will note on this Resolution, the language to rescind the previous resolution, and adopt this resolution, which would replace the one you adopted last month. The funds the city is pledging toward the project, \$133,000.00. The difference is a third grant has been found that has been included in the project budget for Muse Park that increased it to an overall value of \$106,000.00 verses the previous amount we had listed.

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Witt Authorizing NC Parks and Recreation Trust Fund Grant Application.

*Vote ~ 5 ~ 0*

***f. Order ~ approving Zelma Rygg and Ricky Rygg to a four (4) year term to the Community Appearance Commission.***

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Auger approving Zelma Rygg and Ricky Rygg to a four (4) year term to the Community Appearance Commission.

*Vote ~ 5 ~ 0*

- g. Establish ~ date/time for a work session on the Police Department Facility and Revised Article IV, Lake Regulations, Section 10-82 – Boating and Water Skiing. Also included in the workshop will be Article 5 ~ Zoning Districts and Manufactured Homes.*

The Board of Commissioners set the Workshop date for Friday, April 26, 2018, at 6:30 p.m. at City Hall.

- h. Budget Workshop #1 ~ Friday, April 20, 2018, at 9:00 a.m.*

Mayor Caster confirmed the first Budget Workshop would be held on Friday, April 20, 2018, at 9:00 a.m. at City Hall.

- i. Order ~ authorizing the City Manager to accept the proposal from **Unique Builders of Southport, NC** to make building code related repairs to the Community Center in the estimated amount of **Thirty Eight Thousand Three Hundred and Three Dollars and No Cents (\$38,303.00)**.*

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Barger authorizing the City Manager to accept the proposal from **Unique Builders of Southport, NC** to make building code related repairs to the Community Center in the estimated amount of **Thirty Eight Thousand Three Hundred and Three Dollars and No Cents (\$ 38,303.00)**.

*Vote ~ 5 ~ 0*

- j. Order ~ authorizing Mayor Craig M. Caster to sign and send a letter on behalf of the Board of Commissioners to request Brunswick County Government to contribute 50% of the local share of the Sanford Dam Spillway Project in an estimated amount of **Two Hundred and Eighty Thousand Seven Hundred and Fifty Dollars and No Cents (\$288,750.00)**.*

A *motion* was made by Commissioner Stewart, *second* by Commissioner Auger authorizing Mayor Craig M. Caster to sign and send a letter on behalf of the Board of Commissioners to request Brunswick County Government to contribute 50% of the local share of the Sanford Dam Spillway Project in an estimated amount of **Two Hundred and Eighty Thousand Seven Hundred and Fifty Dollars and No Cents (\$288,750.00)**.

*A discussion followed.*

Commissioner Auger suggested the City needs to do something more than just send a letter of request. The City should have a representative at the County meeting and all the Commissioners should be attendance when requesting the money showing a united



support. We will have a more favorable outcome if someone will speak on behalf of the City. Commissioner Barger stated he will be presenting a slide presentation at the meeting, which will be held on April 16, 2018, at 6:00 p.m. All were in agreement to attend.

*Vote ~ 5 ~ 0*

- k. *Order ~ authorizing the City Manager to enter into a paving contract with **Southern Asphalt, Inc., of Rocky Point, NC in the estimated amount of One Hundred and Sixteen Thousand Six Hundred and Ninety Three Dollars and Sixty Cents (\$116,693.60)** to pave/resurface various roads in the City.*

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt authorizing the City Manager to enter into a paving contract with **Southern Asphalt, Inc., of Rocky Point, NC in the estimated amount of One Hundred and Sixteen Thousand Six Hundred and Ninety Three Dollars and Sixty Cents (\$116,693.60)** to pave/resurface various roads in the City.

*Vote ~ 5 ~ 0*

- l. *Discussion ~ Purchase of 10-acre parcel located by BSL Fire Department.*

Commissioner Auger stated there are 76 acres down the road from the Fire Department on Miller and Pine Lake. The developer is willing to sell 10 acres of the property; the 10-acre tract would run down to Pine Lake Rd. There are wetlands in the 76-acre tract; however, we do not know where the wetlands are located. The City could use this property for additional parking for Muse Park, or a possible Community Center. The developer is interested in a possible exchange of lots the city has acquired for non-payment of taxes for the 10 acres. Currently the developer is asking \$100,000 for 10 acres of which they would take \$50,000 for the 10 acres in trade for the lots. The Fire Department is also interested in the property.

The Board requested the City Manager look into the possibility of a wetland study to be done. By having the study we will have a clearer picture of what we would be looking at giving us a better idea of the possible purchase/exchange of the property as a benefit for future growth.

- m. *Discussion ~ Southport Lane possible improvements.*

Commissioner Barger commented Southport Lane has water flowing across the street. Mr. Repp confirmed Southport Lane is a city street, which the city maintains. The city maintains up to the edge of the water. There is a buildable lot on the other side of the water. A local builder has bought several lots. The builder requested the City allow him to build a bridge across the area where the water flows over the road to make the lot on the other side buildable with the bridge access. The issue is there are wetlands in that area. I understand when there is a hurricane the water then floods Gastonia Road.



The city would have to have an engineering study done so we would not flood the homeowners and disturb the wetlands. Mr. Repp will forward the information to the Board concerning the area in question.

***n. Proclamation of Support for Opioid Addiction Awareness ~ April 27 – 29, 2018***

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Stewart approving the ***Proclamation of Support for Opioid Addiction Awareness ~ April 27 – 29, 2018.***

***Vote ~ 5 ~0***

***13 Announcements ~***

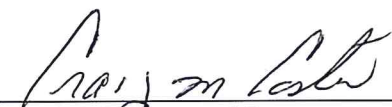
Commissioner Barger thanked all those who worked on the Spillway over the years; a special thank you goes out to Mary Stilwell who was not mentioned in the article in the Pilot. I am also excited about giving the presentation to the County Board of Commissioners.

***14. Adjourn ~***

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Witt to adjourn the Board of Commissioners Regular Meeting of April 3, 2018.

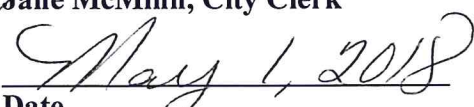
***Vote ~ 5 ~ 0***

***The Board of Commissioners meeting of April 3, 2018, was adjourned at 7:45 p.m.***

  
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Craig M. Caster, Mayor

**ATTEST:**

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

  
\_\_\_\_\_  
Date

