



**City of Boiling Spring Lakes
Board of Commissioners Regular Meeting Minutes
June 5, 2018
City Hall – 6:30 pm**

PLEASE TURN OFF CELL PHONES

1. Call to Order ~ Mayor Craig Caster

The Board of Commissioners Meeting was called to order at 6:30 pm

2. Attendance ~

Mayor Craig Caster
Commissioner Mark Stewart
City Manager Jeff Repp
Police Chief Brad Shirley

Commissioner Steve Barger
Commissioner Guy Auger
Commissioner Dana Witt
City Clerk Jane McMinn

Guest ~ Wes MacLeod ~ Cape Fear COG

3. Pledge of Allegiance ~ Commissioner Guy Auger

4. Approval of Regular Agenda ~

Commissioner Barger requested removing **item ~ a ~** and replacing it with the revised ordinance allowing non-residents for discussion; Commissioner Stewart requested adding under **item ~ i ~** the mutual agreement for pre-positioned debris management; and Commissioner Auger requested adding as **item ~ j ~** discussion on irrigation pumps on lakes and ponds.

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

Vote ~ 5 ~ 0

5. Introduction of new Police Officer ~ Chief Shirley

Chief Shirley introduced recently hired police officer, Eric Mahoney. Officer Mahoney joins our department from Camden County, New Jersey. Over the next few months, Officer Mahoney will complete additional training requirements and he is joined tonight with his wife and their daughter Charlie. We are happy to have Officer Mahoney with us.

6. Public Hearing ~

A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Auger to move into the Public Hearing.

Vote ~ 5 ~ 0

7. Public Hearings

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

Vote ~ 5 ~ 0

Public Hearing #1

a. Zoning Map Amendment ~ Parcel #17200002

Mr. MacLeod from the COG gave a brief overview and stated the zoning amendment meets the requirement of the ordinance in terms of going from an R-2 to an R-6. This will allow the purchaser to have farm animals on the larger acreage. The Planning Board gave unanimous approval at their meeting of April 10, 2018.

Ms. Susan Ansari ~ 522 Westwood Rd.

Ms. Ansari confirmed she is in favor of the rezoning of Parcel #17200002. My husband and I own the two lots next to this property. We are interested in rezoning our property as well.

Brian Hollars ~ 11101 S. County Rd. 540 E., Selma, IN 47383

Mr. Hollars explained he and his wife bought the property on West Ridge Rd. and would like to have this property rezoned from the R-2 to R-6. We own three horses and this will fit our plan. It is a good use for the property.

Public Hearing #2

a. Adoption of New Flood Maps

Mr. MacLoud ~ explained Brunswick County has now agreed to proceed with the adoption of the flood insurance study. The Office of the State Attorney General states when amending the flood map, you must go through the typical rezoning process. We are not touching the zoning map; however, we must go through the legal proceedings.

No public comments were heard.

Public Hearing #3

b. Adoption of Flood Damage Prevention Ordinance

Mr. MacLoud explained the state's model of the flood prevention ordinance contains some modifications pertaining to how elevation certificates are measured. The measurements are all completely in line with what the state has recommended. As far as the flood plain in the city, there has been just a slight change in some of the classifications from an A-Zone to a ZE-Zone, which helps the city regulate the flood plain regulations. This is a formality; you cannot actually change the map.

No public comments were heard.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Stewart to move back into the Board of Commissioners meeting of June 5, 2018.

Vote ~ 5 ~ 0

8. Public Comments ~

Ricky Rygg ~ 267 Holly Rd.

Mr. Rygg commented on the lack of ditches on Crabapple, allowing water to flow down onto Holly Rd. We have a pump on Holly now but we are getting water from Crabapple onto Holly. We had large amounts of rain in May to the end of May which we and our neighbors have had to continuously pump with the water spilling down from Crabapple. We have problems with mosquitos and mold from water standing all the time.

Gretchen Stephens ~ 781 Fifty Lakes Dr.

Ms. Stephens asked when Fifty Lakes would be paved. There is speeding and potholes which need to be addressed. I would like to know when the road would be paved.

9. Approval of Minutes ~

Commissioner Stewart stated a correction to the minutes of April 20, 2018, Budget Workshop adding Commissioner Witt who was inadvertently not added to the attendance.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to approve the Minutes of April 20, 2018 with the correction; Minutes of May 1, 2018; and Minutes of May 16, 2018.

Vote ~ 5 ~ 0

10. Consent Agenda ~

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

Vote ~ 5 ~ 0

11. Committee / Board Reports and Minutes ~

a. Community Appearance Commission ~ Chair Ann Hollingsworth ~

Ms. Hollingsworth reported it has been a busy month for the commission starting with Prayer Day, Special Events and Operation Clean Sweep. We would like to thank Special Events and the Library Commission for including us with their events. We would also like to thank Commissioner Auger, the Board, city staff members Jane McMinn, Pamela Bellina and Brian Cavanaugh for their help with the city banners.

b. Planning Board ~ Chair Bill Clark

Mr. Clark reported the Board had one citizen speak about the irrigation methods some are using on the lakes. We reviewed home occupation definitions and determined we would leave it the way it was presented to the BOC.

c. Parks & Recreation Advisory Board ~ Chair Bon Cantrell

Mr. Philip Casper reported for Chair Mr. Cantrell.

Mr. Casper reported the Board met with Dr. Herstine who presented the Master Plan report with some updates, which will be presented to the BOC at the next meeting. The grant for Muse Park has been submitted.

d. Special Events Committee ~

Ms. Launderville reported the committee attempted to hold the Spring Fling event on May 19, 2018, however Mother Nature did not cooperate. We are working on the Battle of Bands Event, which will be held at Spring Lake Park on Sunday, June 24 2018 starting at 2:00 pm. We have two bands signed up right now and hope to add another two additional bands. The Mayors Cup Golf Tournament is scheduled for August 18, 2018.

e. Library Committee ~ Chair Frances Thomas

Mrs. Thomas reported the Committee would not be meeting in July. We have been discussing having another meet the author event in either September or October. Mrs. Sollenberger will report at our next meeting the authors she has been in touch with for this event. We have recently added approximately 30 new books to the library. The little library cart is out in the lobby to help highlight the library.

f. BSL Fire / Rescue ~ Commissioner Stewart

Commissioner Stewart reported the Fire / Rescue Department for the month of May they had 31 fire calls and 40 EMS calls. The Fire Department was at the Spring Fling but as we know, it was rained out. There was a certification class held in May.

12. City Manager's Monthly Report ~ Jeff Repp

- Mr. Repp reported the city had as of April 30, 2018, \$2,438,812 in cash and investments.
- Sales tax revenue is right on schedule for the fiscal year 2018 after 10 months.
- As of the end of April, the city collected 95.8% of property taxes.
- In April, we had six (6) new residential building permits and \$1,234,124 in construction activity.
- The sewer pipe sizing analysis for the Fifty Lakes / Goldsboro SAD is nearly complete; the engineers will submit this to the county in the next few weeks, and get permits for this particular project.
- Tomorrow, June 6, 2018 the airboat from Solitude will be on Spring Lake attempting to break up the "floating bogs".
- I spoke with the president of Southeastern Paving and he has indicated the time frame will be mid-June dependent on the weather.

13. Old Business ~

- a. **Ordinance** ~ to Repeal and Reenact the Unified Development Ordinance for the City of Boiling Spring Lakes, North Carolina.

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Auger to open this up for discussion.

Article 5 Zoning District ~

A discussion followed with regard to Article 5 Zoning District in which it was agreed upon that the minimum living area per dwelling (sf.) in the R-1 zoning district would remain at 1500 sq. ft.

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Auger to *remove* the verbiage of a minimum living area per dwelling unit may be reduced to 1200 sq. ft. where the dwelling unit includes an attached garage of 400 sq. ft. or greater from Article 5, Paragraph A.

Vote ~ 5 ~ 0

Article 6 Supplemental Regulations ~ RV Campgrounds ~

A discussion followed with regard to the time frame of site days of use be eliminated and no time limit placed.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Auger to leave the time limit as is currently stated at 180 days.

Vote ~ 3 ~ 2 (opposed Commissioner Stewart and Commissioner Auger)

Article 5 ~ Section 5.3 Primary Zoning Districts

A ***motion*** was made by Commissioner Auger, a ***second*** by Commissioner Barger removing the R~5MH from the UDO in its entirety.

Vote ~ 5 ~ 0

Zoning Map Amendment ~

A ***motion*** was made by Commissioner Auger, a ***second*** by Commissioner Stewart that a referral be made to the Planning Commission that the area from Fifty Lakes to Cougar Drive which is presently R~5 be rezoned to R~3.

Vote ~ 5 ~ 0

Article 5 ~ Multi-Family

A motion was made by Commissioner Barger, a second by Commissioner Stewart to change the use in the UDO from ten (10) acres to five (5) acres minimum lot size.

Vote ~ 5 ~ 0

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Barger approving the proposed update and rewrite of the Unified Development Ordinance Consistency Statement as amended..

Vote ~ 5 ~ 0

14. New Business ~

- a. Ordinance ~** Amending Article III – Boards, Committees and Commissions, Division 7 – Special Events Committee of the Code of Ordinances for the City of Boiling Spring Lakes allowing Non-Residents to serve on committee.

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Auger Amending Article III – Boards, Committees and Commissions, Division 7 – Special Events Committee of the Code of Ordinances for the City of Boiling Spring Lakes allowing Non-Residents to Serve on Committee.

Vote ~ 3 ~ 2 (opposed ~ Mayor Caster and Commissioner Witt)

- b. Ordinance ~** Amending Chapter 4 – Lakes Regulations of the Code of Ordinances for the City of Boiling Spring Lakes prohibiting Wake/V-Drive Boats on Patricia Lake.

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Auger Amending Chapter 4 – Lakes Regulations of the Code of Ordinances for the City of Boiling Spring Lakes.

Vote ~ 2 ~ 3 (opposed ~ Commissioner Stewart, Commissioner Barger and Commissioner Witt) ~ motion failed

- c. **Ordinance** ~ Adopting the Fiscal Year 2019 Budget for the City of Boiling Spring Lakes.

A ***motion*** was made by Commissioner Stewart requesting to add to the budget an additional \$25,000 for the donation of funds to the Boiling Spring Fire / Rescue. Mayor Caster requested a second ~ no second was heard ~ motion failed.

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Auger adopting the Fiscal Year 2019 Budget for the City of Boiling Spring Lakes.

Vote ~ 4 ~ 1 (opposed Commissioner Barger)

- d. **Order** ~

Appointing ~ Phil Casper and Celeste McConnell to the Parks & Recreation Advisory Board for a term of three (3) years beginning June 30, 2018.

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Witt appointing Phil Casper and Celeste McConnell to the Parks & Recreation Advisory Board for a term of three (3) years beginning June 30, 2018.

Vote ~ 5 ~ 0

Appointing ~ Roger Samson and Steve Randone to the Board of Adjustment for a term of three (3) years beginning June 30, 2018.

A ***motion*** was made by Commissioner Barger, a ***second*** by Commissioner Barger appointing Roger Samson and Steve Randone to the Board of Adjustment for a term of three (3) years beginning June 30, 2018.

Vote ~ 5 ~ 0

- e. **Order** ~ approving the City of Boiling Spring Lakes Fee Schedule for Fiscal Year 2019.

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Auger approving the City of Boiling Spring Lakes Fee Schedule for Fiscal 2019.

Vote ~ 4 ~ 1 (opposed ~ Commissioner Barger)

- f. **Order** ~ amending the Table of Organization and creating the full-time position of Code Enforcement Officer (job description attached) within the Planning and Inspections Department with pay grade 5 within the adopted pay table.

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Barger amending the Table of Organization and creating the full-time position of Code Enforcement Officer (job description attached) within the Planning and Inspections Department with pay grade 5 within the adopted pay table.

Vote ~ 5 ~ 0

- g. **Order** ~ authorizing the City Manager, **subject to the execution of a Grant Agreement with the NC Department of Public Safety**, to enter into an engineering services contract to prepare a *conditional Letter of Map Revision permit application and Letter of Map Revision application for the Sanford Dam Spillway Project* with Grimes Engineering, PC of Clemmons, NC in the estimated amount of **Ninety Three Thousand Two Hundred and Fifty Dollars and No Cents (\$93,250.00)**

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Barger authorizing the City Manager, **subject to the execution of a Grant Agreement with the NC Department of Public Safety**, to enter into an engineering services contract to prepare a *conditional Letter of Map Revision permit application and Letter of Map Revision application for the Sanford Dam Spillway Project* with Grimes Engineering, PC of Clemmons, NC in the estimated amount of **Ninety Three Thousand Two Hundred and Fifty Dollars and No Cents (\$93,250.00)**

Vote ~ 5 ~ 0

- h. **Request for Public Hearing** ~ CAMA Land Use Plan to include New Flood Maps

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Witt to hold the public hearing at the July 10, 2018 Board of Commissioner Meeting.

Vote ~ 5 ~ 0

- i. **Order** ~ authorizing the City Manager to accept the proposal and execute a three-year contract with two one-year optional years upon mutual agreement for pre-positioned debris management and removal services with **Phillips & Jordan, Inc.** of Knoxville, TN.

A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Auger authorizing the City Manager to accept the proposal and execute a three-year contract with two one-year optional years upon mutual agreement for pre-positioned debris management and removal services with **Phillips & Jordan, Inc.** of Knoxville, TN.

Vote ~ 5 ~ 0

j. Discussion ~ Irrigation of lakes and ponds ~

Commissioner Auger suggested the city should put into place some guidelines for irrigation pumps, such as how close they would be to neighbor's properties.

A ***motion*** was made by Commissioner Auger, a ***second*** by Commissioner Stewart to send this request to the Planning Board to review possible guidelines and gather information regarding irrigating properties using lake water, the possible need for a permit, running a pump near water, safety issues. We request the Planning Board to bring back information to the BOC.

Vote ~ 5 ~ 0

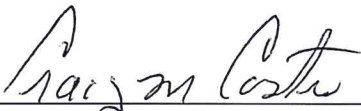
15. Announcements ~

No announcements were made.

16 Adjourn ~


A ***motion*** was made by Commissioner Stewart, a ***second*** by Commissioner Barger to adjourn the Board of Commissioners meeting of June 5, 2018. The meeting was adjourned at 7:55 pm.

Vote ~ 5 ~ 0

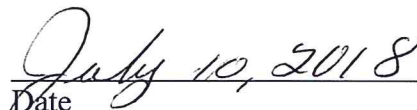


Craig M. Caster, Mayor

ATTEST:



Jane E. McMinn, City Clerk



Date

