



City of Boiling Spring Lakes
Board of Commissioners Regular Meeting Minutes
February 5, 2019
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 Steve Barger
Commissioner Mark Stewart	Commissioner Guy Auger
City Manager Jeff Repp	Commissioner Dana Witt
Acting Chief, Rick Spencer	City Clerk Jane McMinn

3. **Pledge of Allegiance ~ Bill Clark**

4. **Approval of Regular Agenda ~**

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Barger adding under *New Business ~ as letter ~ e ~ amending Order # 2018-49 to provide additional engineering from McGill Associates of Shallotte in the amount of \$44,387.50.*

Vote ~ 4 ~ 1 (opposed ~ Commissioner Auger)

A *motion* was made by Commissioner Auger, a *second* by Commissioner *Stewart* requesting to amend the agenda moving from #15. *Discussion ~ Police Department Building to New Business as letter ~ f ~ conducting a Closed Session Meeting pursuant to G.S. 143-318.11. Closed Sessions ~ Section 5.*

Vote ~ 2 ~ 3 (opposed ~ Mayor Caster, Commissioner Barger, Commissioner Witt)

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to hold the Closed Session meeting on February 19, 2019 at 6:30 PM regarding the Police Department Building and pending litigation.

Vote ~ 5 ~ 0

A vote was taken to approve the agenda as amended.

Vote ~ 5 ~ 0

5. Fiscal Year Audit Report 2018 ~ Wayne Berry

Mr. Berry presented a financial overview of the audit report for the Fiscal Year ending June 30, 2018.

The Excerpts from the Annual Audit of June 30, 2018 is hereby incorporated and made a part of these minutes.

6. City Manager Repp ~ Hurricane Florence Update

Mr. Repp reviewed all completed projects which are Elm Road, Pine Road, Palmer Road, all debris removal and Emergency Protective Measures. All have been submitted to FEMA for reimbursement. Mr. Repp also reported on pending projects, South Shore, Lakeview Dr., North Lake DOT Repairs, Fifty Lakes Drive, Lake Hastie/Reeves, Middle Dam, Upper/Middle/North and Pine and Sanford Dam.

Project work from Hurricane Florence update is hereby incorporated and made a part of these minutes.

7. Public Hearing ~ Automobile / Motorcycle Repair Shop Text Amendment
[Comments are limited to 5 minutes per speaker]

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to move into Public Hearing.

Vote ~ 5 ~ 0

No comments were made during Public Hearing.

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Barger to move out of Public Hearing and back into the Board of Commissioners Meeting of February 5, 2019.

Vote ~ 5 ~ 0

8. Public Comment ~ [Comments are limited to 5 minutes per speaker]

Peggy Gebauer ~ 980 Holly Point

Ms. Gebauer stated she was displeased with Mayor Caster at his comment to Mr. Sraver at the last BOC meeting and requested the Mayor apologize. Ms. Gebauer also stated she herself owes Mr. Sraver an apology for not speaking up showing her support.

Jerry Wolf~ 1059 Acacia Dr.

Mr. Wolf invited everyone to participate in Operation Clean Sweep on March 23, 2019 from 9:00A.M. to Noon at the Community Center. We will supply the vests, bags and grabbers. Door prizes will be handed out and a raffle will be held. Please take a sheet and come and sign up at the Community Center.

Connie Roush ~ 832 No. Shore Dr.

Ms. Roush requested that a process be put in place with actual timelines and updates that are readily available for all the public to view. We all have so much of our personal lives and property waiting on all these projects. A project schedule as to where we are, what are next steps, real time status updates, mitigation and all full disclosure. Having a page on the website would be so helpful to access this information.

Arvil Stephens – 970 Holly Point Rd.

We have recently refinanced our home. The value has dropped \$97,000 since pre Florence. The appraisal states our home is on the waterfront but there is no water. We will be speaking with the county tax office to reflect the lower appraisal of our home. I would like inquire if this will be reflected in the City taxes as well.

Mr. Repp stated whatever the value the County determines applies to the City tax.

9. Approval of Minutes ~

a. Board of Commissioners Meeting Minutes ~ January 8, 2019

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Barger approving the Board of Commissioners Meeting Minutes of January 8, 2019.

Vote ~ 5 ~ 0

10. Consent Agenda ~

- a. Public Works
- b. Public Safety / Animal Control
- c. Building & Grounds
- d. Parks & Recreation Department
- e. Finance Department
- f. Building Inspections / Code Enforcement

Commissioner Auger requested to discuss Building Inspections/Code Enforcement regarding Systematic Code Enforcement Inspections and requested that Bill Lathrop come to the podium to answer questions. The Board agreed.

Mr. Lathrop, Code Enforcement Officer, explained how the sections were divided in the City and what areas would be addressed first. This was done with Ruth Bek our Chief Code Enforcement Officer and myself. Commissioner Auger commented, there seems to be some overlap between the City Ordinance and the UDO as it pertains to violations.

After a discussion, Commissioner Auger requested the UDO and the Code of Ordinances that are in place be consistent with each other. Commissioner Auger asked that the UDO and Code of Ordinances be corrected. Once that is completed, code enforcement should then continue to do their inspections and respond to complaints as they come in.

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

Vote ~ 5 ~ 0

11. Committee / Board Reports and Minutes ~

- a. Community Appearance Commission
- b. Planning Board
- c. Parks & Recreation Advisory Board
- d. Special Events Committee
- e. Library Commission
- f. BSL Fire / Rescue

a. Community Appearance Commissioner ~ Ann Hollingsworth, Chair

Ms. Hollingsworth reported the Commission did not meet in January. As a rule the Commission does not meet during this time every year, however we will be meeting again in February.

b. Planning Board, Bill Clark, Chair

Mr. Clark reported the Board discussed lake regulations as they pertain to the docks and the walkways. We have put some sketches together and will present those to the Board at the March meeting. We tabled the discussions on the orphan lakes. We elected a chairman and vice-chairman for 2019. We had a presentation of the Code Enforcement Plan of Action by Ruth Bek, Chief Code Enforcement Officer and Bill Lathrop, Code Enforcement Officer.

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

Dorothy Manz reported for Mr. Cantrell

Ms. Manz reported the Advisory Board met on January 16, 2019. We addressed issues relating to the Bicycle and Pedestrian Task Force. We are waiting for additional information which will be reviewed at our February meeting. We discussed the property acquisition at North Lake, pets in the park and Crystal Lake treatment. These topics are carried forward to the February meeting. We were provided a copy of the program for the spring Parks & Recreation for the year by Mary Green. The team at the Community Center worked very hard for well over three months post hurricane and were still able to provide the community with their resources. Our next meeting will be February 20, 2019.

d. Special Events ~ Connie Ruehl, Chair

Mrs. Launderville reported for Mrs. Ruehl

Mrs. Launderville reported the Special Events Committee has been working on the Spring Bike Run, which will be held on March 23, 2019. The event will be assisted by the VFW and will benefit the VFW Post Relief Fund. The Brunswick County Sheriff's Department will also assist. Without the efforts of both, this event would not be possible. We have our events mapped out for 2019 and we continue working on the Special Events trailer and getting it organized.

e. Library Commission ~ Frances Thomas, Chair

Mrs. Thomas welcomed the new member Alison Austin. We reviewed our donation policy and discussed our book buying for the year. We have put our Meet the Author Event on hold for a while since we have not been successful in getting a good turnout. We reviewed the Christmas event which went very well. We discussed ways to expand our library space. Our next meeting is February 14, 2019 at 10:00 AM.

f. BSL Fire/Rescue ~ Chief Theresa Tickle

Chief Tickle reported last month there were 41 medical calls and 42 fire related calls. We held our annual blood born pathogen class along with EMS. Tonight we are starting our firefighter ropes class. We will also be doing mutual aid training with Bolivia on extrication. We had a FEMA meeting today and inspected our sites. They also provided a list of what we need to improve. We are waiting for a third (3rd) bid to come in for work on Station #3. Right now we have two (2) bids, however we are required to have three (3). We have received some reimbursement checks from our insurance companies for hurricane damage.

12. City Manager's Month Report ~ Jeff Repp

City Manager Repp reported:

- As of December 31, 2018, the City had \$1,636,264.00 in cash and investments.
- Sales tax revenue is running 1.8% behind schedule after six months which is an improvement from last month when we were 3.5% behind schedule. It appears we are getting back to normal after the events of last year.
- As of January 1, 2018, 80.7% of property taxes were collected by Brunswick County and reimbursed to the City.
- In December we had four (4) new residential housing permits issued at a total of \$708,810.00 in construction value.
- The Police Chief Interview Committee met last month and we have selected five (5) applicants for personal interviews in early March.
- We have selected three (3) candidates for personal interviews for the Public Works Director position which will be held late next week.
- The City was notified last week that the Parks and Pedestrian Planning Grant which was submitted last year has been approved. We will be receiving that Grant shortly which will be submitted for your approval.

13. Old Business ~

No Old Business was reported.

14. **New Business ~**

- a. **Order** ~ approving the request by the Library Commission to place two (2) decorative bookshelves in City Hall Lobby showcasing new additions.

A **motion** was made by Commissioner Barger, a **second** by Commissioner Stewart approving the request by the Library Commission to place two (2) decorative bookshelves in City Hall Lobby showcasing new additions.

Vote ~ 5 ~ 0

- b. **Order** ~ authorizing the City Manager to accept the proposal of Norris & Tunstall, Ash, NC in an amount not to exceed Fourteen Thousand Dollars and No Cents (\$ 14,000.00) for professional engineering services involving bidding, recommendation of award and construction administration for the Fifty Lakes Drive/Goldsboro Road Special Assessment District.

A **motion** was made by Commissioner Stewart, a **second** by Commissioner Auger authorizing the City Manager to accept the proposal of Norris & Tunstall, Ash, NC in an amount not to exceed Fourteen Thousand Dollars and No Cents (\$ 14,000.00) for professional engineering services involving bidding, recommendation of award and construction administration for the Fifty Lakes Drive/Goldsboro Road Special Assessment District.

Vote ~ 5 ~ 0

- c. **Order** ~ authorizing approval to the revised Fee Schedule for Fiscal Year 2018/2019 for the City of Boiling Spring Lakes adding Parks & Recreation late registration fees for youth programs beginning April 2019; and, authorizing approval to include separate, reduced fees for Floodplain Development Permit Applications for accessory structures, non-structural development and utility change-outs.

A **motion** was made by Commissioner Barger, a **second** by Commissioner Witt authorizing approval to the revised Fee Schedule for Fiscal Year 2018/2019 for the City of Boiling Spring Lakes adding Parks & Recreation late registration fees for youth programs beginning April 2019; and, authorizing approval to include separate, reduced fees for Floodplain Development Permit Applications for accessory structures, non-structural development and utility change-outs.

Vote ~ 5 ~ 0

- d. **Ordinance** ~ amending Article 5 and 6 Section 5.5 Table of Permitted/Conditional Uses of the Unified Development Ordinance (UDO) of the City of Boiling Spring Lakes, North Carolina.

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Barger amending the UDO Article 6 Section 5.5 Permitted Uses Item A stating no more than two (2) unregistered vehicles may be allowed to park in front of the premises for no more than thirty (30) days, and the removal of Item B completely.

Vote ~ 5 ~ 0

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Barger to adopt the ordinance as amended.

Vote ~ 5 ~ 0

- e. *Order ~ amending Order # 2018-49* providing for additional engineering services by McGill Associates, P.A. of Shallotte, NC for the dam replacement projects in an amount not to exceed *Forty Four Thousand Three Hundred and Eighty Seven Dollars and Fifty Cents (\$ 44,387.50)*.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt amending *Order # 2018-49* providing for additional engineering services by McGill Associates, P.A. of Shallotte, NC for the dam replacement projects in an amount not to exceed *Forty Four Thousand Three Hundred and Eighty Seven Dollars and Fifty Cents (\$ 44,387.50)*.

Vote ~ 5 ~ 0

15. Scheduling Post-Storm Workshop to include:

1. Board of Commissioners
2. City Staff
3. Police Department
4. Fire Department

Commissioner Witt requested holding a de-brief to discuss our new pre-storm plan and post-storm plan to be better prepared.

The Workshop is scheduled for Tuesday, February 19, 2019 at 7:00 PM at City Hall.

16. Discussion ~

- a. Potential UDO Changes
- b. Police Department Building

- a. Potential UDO Changes

Commissioner Stewart stated the UDO and City Ordinances must change as the city grows. There are discrepancies between the two documents, those need to be changed so they state the same thing. I would like to refer this back to the Planning Board for their review.

Commissioner Auger requested the Planning Board go back and review the UDO and remove the small violations from the UDO. When the Planning Board presents their suggestions to the BOC it is important that we then make the UDO and Ordinances read the same in part.

Commissioner Barger requested the Planning Board review and look at the wording of a definition for the Farmer's Market.

Bill Clark, Chair of the Planning Board, suggested the Planning Board review the hot topics right now. Mr. Clark said the Planning Board would review and will have a response back to you for the March BOC meeting.

b. Police Department Building ~

Mayor Caster stated the Police Department Building was removed from #15 Discussion.

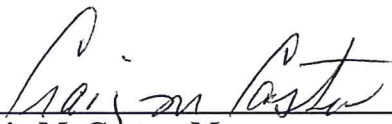
16. Announcements ~

No announcements were made.

17. Adjourn ~

A *motion* was made by Commissioner Witt, a *second* by Commissioner Barger to adjourn the Board of Commissioners Meeting of February 5, 2019 at 7:00 PM.

Vote ~ 5 ~ 0



Craig M. Caster, Mayor

ATTEST:



Jane McMinn, City Clerk



Date



CITY OF BOILING SPRING LAKES
Excerpts from Annual Audit
June 30, 2018

	Budget Current Year	Actual Current Year	Actual Prior Year
GENERAL FUND			
Cash		1,710,848	2,163,941
Fund balance, beginning of year		2,658,639	2,999,959
Revenues	3,638,366	3,739,180	3,706,567
Expenditures	(3,959,886)	(3,644,383)	(4,065,887)
Other financing sources (uses)-	(187,385)	(376,980)	18,000
Fund balance appropriated	508,905		
Net increase (decrease)	-	(282,183)	(341,320)
Fund balance, end of year		2,376,456	2,658,639
Allocation of fund balance:			
Restricted: Stabilization by State Statute		599,917	567,342
Restricted: Streets (Powell Bill)		146,273	77,281
Assigned: Subsequent year's expenditures		-	103,383
Unassigned		1,630,266	1,910,633
		2,376,456	2,658,639
Tax levy:			
Total valuation		456,230,210	446,564,438
Tax rate		0.21	0.21
Tax levy		958,190	937,958
Percent collected		97.8%	96.9%
Percent collected excluding motor vehicles		97.5%	96.5%
As a percent of total revenue:			
Ad valorem taxes		27%	26%
Other taxes & licenses		0%	0%
Unrestricted intergovernmental revenues		56%	54%
Restricted intergovernmental revenues		8%	10%
Permits and fees		3%	3%
Sales and services		4%	4%
Investment earnings		0%	0%
Miscellaneous		2%	3%
		100%	100%
As a percent of total expenditures:			
General government		28%	23%
Public safety		36%	32%
Transportation		18%	28%
Health and welfare		0%	0%
Cultural and recreational		14%	14%
Debt service		4%	3%
		100%	100%

CITY OF BOILING SPRING LAKES
Excerpts from Annual Audit
June 30, 2018

	Budget Current Year	Actual Current Year	Actual Prior Year
CAPITAL RESERVE FUND			
Fund balance, beginning		29,059	47,059
Revenues	-		
Expenditures			
Other financing sources (uses)	(29,059)	1,980	(18,000)
Fund balance appropriated	29,059		
Net increase	-	1,980	(18,000)
Fund balance, ending		31,039	29,059
SPILLWAY CAPITAL PROJECT FUND - PROJECT TO DATE			
		Current Year	Project to Date
Beginning fund balance		9,912	-
Revenues	79,928	-	79,928
Expenditures	(171,003)	-	(161,091)
Other financing sources (uses)	91,075	-	91,075
Net increase	-	-	9,912
Fund balance, ending		9,912	9,912
FIFTY LAKES DRIVE CAPITAL IMPROVEMENT PROJECT			
		Current Year	Project to Date
Beginning fund balance		-	-
Revenues	375,000	-	-
Expenditures	(375,000)	(50,780)	(50,780)
Other financing sources (uses)	-	375,000	375,000
Net increase	-	324,220	324,220
Fund balance, ending		324,220	324,220

Created: 2/5/2019 11:00 AM
Author: jrepp@cityofbsl.org

Updated: 2/5/2019 2:25 PM

Completed Projects

- Elm Road has been completed and submitted to FEMA - \$7,050.00
- Pine Road at Spring Lake has been completed and submitted to FEMA - \$1,167.00
- Palmer Road has been completed and submitted to FEMA - \$32,729.10
- All debris removal has been completed and approx. 75% of invoices have been submitted to FEMA for reimbursement (\$1,113,213.30 submitted)
- Category B - Emergency Protective Measures (\$232,312 submitted)

Pending Projects not Started Yet

- Pine Lake Detour Roads (Nassau; Queens & Pine Lake Road)
- Insurance Deductibles (Community Center & Municipal Garage)

South Shore Drive

- FEMA site visits completed at #1, #2 and #4
- Pre-fab headwalls have been manufactured and construction start soon with Carmichael Construction
- Except for paving the road will be open for traffic.

E. Lakeview Drive

- FEMA site visit completed yesterday
- Construction estimate of \$164,000 obtained from McGill Associates

North Lake NCDOT Repairs

- Work ongoing with Crystal/Drayton and Pine in anticipation of becoming detour
- Striping of center line of Crystal scheduled for Friday
- Coordination with NCDOT for daily maintenance of Drayton still planned.

Fifty Lakes Drive

- NCDOT contractor started patching on Monday and should be completed this week.

Lake Hastie/Reeves

- Pre-bid meeting with three (3) contractors held last Friday.
- Proposals due Friday, February 15 @ 2 pm.
- Construction survey underway and easements still in progress.

Middle Dam

- Documentation has been submitted by McGill Associates to NCDPS making case for them to appeal to FEMA for inclusion of project in dam repairs.

Upper/Middle/North and Pine

- Proposal on agenda tonight to include required breach analysis by NC Dam Safety for the dams.
- Current plan is to bid out this work by August with construction completion by March/April 2020

Sanford Dam

- USACE requires additional survey information which is included in the McGill proposal this evening - pool area created due to breach.
- Design/build is still the anticipated procurement process for this dam.
- Bidding, bid evaluation and recommendation of contractor is scheduled to be completed by June 2019.
- Contractor will then prepare plans for permits using the existing auxiliary spillway design combined with repairing the dam breach.
- Allowing for 90 days of environmental permitting and dam safety review it is estimated that construction would start December of 2019 with completion around October of 2020.