



**City of Boiling Spring Lakes  
Board of Commissioners Regular Meeting Minutes  
August 6, 2019  
City Hall – 6:30 p.m.**

**PLEASE TURN OFF CELL PHONES**

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**1. Call to Order ~ Mayor Craig Caster**

**2. Attendance ~**

Mayor Craig Caster	Commissioner Steve Barger
Commissioner Mark Stewart (excused)	Commissioner Guy Auger
City Manager Jeff Repp	Commissioner Dana Witt
Chief Greg Jordan	City Clerk Jane McMinn
Planning and Zoning Nicole Morgan	

**3. Pledge of Allegiance ~ Dale Richardson**

**4. Approval or Regular Agenda ~**

A **motion** was made by Commissioner Barger, a **second** by Commissioner Auger to add the Resolution authorizing the purchase of Parcel # 156LH005 on 3020 George II Highway from First National Bank of Pennsylvania for the future Police Department Building.

*Vote ~ 4 ~ 0*

**5. A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to move the Fire Department report up as the next item prior to the hurricane update to allow the fire department member to return to training this evening.**

*Vote ~ 4 ~ 0*

**6. Fire Department Update ~ Cece McConnell, Chaplin**

Chaplin McConnell reported in July the department had total training hours of 179.5; EMS calls received were 48; fire calls 31. We have received a check from FEMA for the mold remediation for Fire Station #3. As soon as the permits are approved, repairs will begin.

**7. Hurricane Florence Update ~ City Manager**

Mr. Repp reviewed:

**1. FEMA Project Status**

2. Update of Dams
3. Work completed in July by McGill Associates
4. Projected work for the month of August by McGill Associates
5. Engineering Design and Construction along with construction financing
6. USDA-NRCS Grant Update

*Hurricane Florence Update of August 6, 2019 is hereby incorporated by reference and made a part of these minutes.*

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

**Kenneth Conly ~ 1349 S. Shore Dr.**

Mr. Conly commented he has reviewed the updated report on Sanford Dam and stated it appears nothing will be sent out for bid until August 2021. If that is the case, I was inquiring if anything could be done sooner. Mr. Conly informed the BOC he has been told after the hurricane there was a Declaration of Emergency Act and the earthen dam could have been repaired. The dam at Sunny Point and the dam at Orton Plantation were able to restore their earthen dams.

I would like to inquire, if that is the case, why did Boiling Spring Lakes not repair our dam. Also, on another topic we are missing four (4) to six (6) cats which happened on the same day in the same area. I did report this to animal control. This just seemed strange.

**Danny Eason ~ 670 Mohawk Rd.**

Mr. Eason questioned the re-zoning of Section 11. It is classified as R-3 and it appears the city would like to reclassify the section to R-5. I was informed when I moved here this area would only have double wide housing, by allowing single wide housing, aesthetically I believe this will take away the appearance of this area. If the city does rezone to R-5 this will devalue our investment in our homes. I am opposed to this change. I also have gathered a petition of this area, with many signatures of the citizens that are opposed to this change.

9. **Approval of Minutes ~**

- a. Closed Session Meeting Minutes ~ July 9, 2019
- b. Board of Commissioners Meeting Minutes ~ July 9, 2019

A *motion* was made by Commissioner Auger, a *second* by Commissioner Barger approving:

- a. Closed Session Meeting Minutes ~ July 9, 2019; and
- b. Board of Commissioners Meeting Minutes ~ July 9, 2019

*Vote ~ 4 ~ 0*

**10. Consent Agenda ~**

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to approve the Consent Agenda of August 6, 2019.

*Vote ~ 4 ~ 0*

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

**a. Community Appearance Commission, Chair, Zelma Rygg**

Mrs. Rygg reported the Commission continues to meet and deliver Information Packets to new residents who have commented how pleased they are to be moving into a slower paced area. We discussed the deterioration of the yard signs we use and we may be able to refurbish some of them or replace them.

**b. Planning Board, Chair, Bill Clark**

Mr. Clark reported the Board had a discussion changing the six (6) streets from R-3 to R-5. After the discussion, we were not sure where that came from and there are approximately 135 lots that are involved, approximately 50% of the lots are vacant. There are approximately 49 doublewides and approximately 20 homes that are modular. We had a lengthy discussion and came to the agreement that we should look into this further before making any recommendations to the BOC to do what might be considered spot zoning in a district. We will review this at our next meeting on August 13, 2019 and report back at the BOC September meeting.

**c. Parks & Rec. Advisory Board, Chair, Tom Guzulaitis**

Mr. Bruce Pennington reported for Mr. Guzulaitis.

The committee meeting for June and July was cancelled; however, we stay in contact with each other regarding our agenda items. The primary agenda item is the property purchase at North Lake Park which is listed on your agenda this evening. The Parks & Rec. Advisory Board supports this purchase. Other items on the proposed August agenda are ~ boat launch regulations, repair and improvements to parks, which is an ongoing process, pets in the park and police presence in the parks. We will be meeting August 21, 2019 and it will be business as usual.

**d. Special Events Committee, Chair, Jack Barker**

Mrs. Launderville reported for Mrs. Barker.

We have been working on attaining golf packages for the Mayor's Cup Tournament, which will be held at the Lakes Country Club on August 24, 2019. We meet next week and will begin the 9/11 Bike Run in September and will be working on the preliminary work for the October Hayride.

**e. Library Commission ~ Chair, Frances Thomas**

Mrs. Thomas reported Mr. Morgan has agreed to repair the bottom portion of the Little Library that was damaged from the hurricane. We received a donation of hardcover books from the Southport Library. Tammy Sollenberger and Martha Samson sorted all

those books and added them to the catalog. We also received another donation of two more boxes. We prefer books later than 2010 and the books need to be in good condition. We will not be meeting in August this month and will resume meeting in September.

## 12. City Manager's Report ~ Manager Jeff Repp

City Manager Repp reported:

- The city has a cash balance as of June 30, 2019 of \$1,974,134.00;
- For the last fiscal year the county collected 97.7% of property taxes which has been sent to the city;
- Sales tax revenue for the fiscal year is .64% higher than was budgeted, which is \$23,432.00 more than anticipated;
- Muse Park Improvements began last month. We signed the work order with McGill Associates to begin the work on the Stormwater Management and Sediment Erosion Control Plans which will be required for that project, as well as the survey to be able to determine the site layout. That work is currently underway.
- At the July 9<sup>th</sup> BOC meeting the BOC approved Sungate Design Group for the Storm Drainage Project. Surveying on Phase I is 75% complete and should be finalized within the next two weeks. Sungate will then develop the report and their recommendations for the Phase I area.
- A sales contract for the Police Department Building has been received from the former New Bridge Bank Building at a cost of \$300,000.00.
- The Fifty Lakes/Goldsboro Sewer Project is 50% complete on the construction work. The estimated *substantial* completion date is the end of September. By contract the work is to be completed by the end of October, 150 construction days.

*The City Manager's Report is hereby incorporated by reference and made a part of these minutes.*

## 13. Old Business ~

### a. North Lake Property Acquisition ~ Discussion

Commissioner Witt, Liaison to the Parks & Rec. Commission stated there has been discussion during the Parks & Rec. meetings regarding the purchase of Parcel #142PA00901 and Parcel #142PA00203. These two properties at North Lake Park have good potential for expansion of the park.

I would like to recommend to the Board approval of the purchase of these two parcels.

A *motion* was made by Commissioner Witt, a *second* by Commissioner Barger approving the City Manager to move forward with the contract to purchase Parcel #142PA00901 and Parcel #142PA00203 at North Lake Park for the Parks & Rec. Commission.

*Vote ~ 4 ~ 0*

**14. New Business ~**

- a. **Resolution** ~ Issuing a Declaration of Official Intent to Reimburse Certain Expenditures Related to the Construction of a Police Department Facility.

A **motion** was made by Commissioner Barger, a **second** by Commissioner Witt to approve the Resolution Issuing a Declaration of Official Intent to Reimburse Certain Expenditures Related to the Construction of a Police Department Facility.

A discussion followed by Commissioner Auger to lower the cost from \$1.2M down to \$800,000. The Board was in agreement to lower the cost.

A **motion** to amend the Resolution was made by Commissioner Barger, a **second** by Commissioner Witt to reduce the cost of the Expenditures Related to the Construction of the Police Department Facility from \$1.2M down to \$800,000.00.

*Vote ~ 4 ~ 0*

- b. **Resolution** ~ Issuing a Declaration of Official Intent to Reimburse Certain Expenditures Related to the Design, Construction and Reconstruction of Sanford Dam, Pine Lake Dam, North Lake Dam and Upper Dam.

A **motion** was made by Commissioner Barger, a **second** by Commissioner Witt to approve the Resolution Issuing a Declaration of Official Intent to Reimburse Certain Expenditures Related to the Design, Construction and Reconstruction of Sanford Dam, Pine Lake Dam, North Lake Dam and Upper Dam.

*Vote ~ 4 ~ 0*

- c. **Ordinance** ~ Amending Chapter 2 ~ Administration Article II Boards, Committees and Commissions of the Code of Ordinances for the City of Boiling Spring Lakes adding two (2) Alternate positions.

A **motion** was made by Commissioner Barger, a **second** by Commissioner Witt Amending Chapter 2 ~ Administration Article II Boards, Committees and Commissions of the Code of Ordinances for the City of Boiling Spring Lakes adding two (2) Alternate positions.

*Vote ~ 4 ~ 0*

- d. **Ordinance** ~ Amending Article 6 of the Unified Development Ordinance (UDO) of the City of Boiling Spring Lakes

A *motion* was made by Commissioner Witt, *second* by Commissioner Barger to accept Amending Article 6 of the Unified Development Ordinance (UDO) of the City of Boiling Spring Lakes, Accessory Uses and Buildings.

A discussion followed with respect to free standing carports to remain open on all sides with a roof only, and shall not be placed forward of the front line of the main building. This is currently how the UDO is writing. The BOC agreed this should not be changed and left as written.

Also, playsets were discussed permitting them forward of the frontline of the house with a 20 foot setback from the property line.

A *motion* was made by Commissioner Witt, a *second* by Commissioner Barger to accept the ordinance as written with the change.

A discussion followed regarding the size of the playsets that would be allowed forward of the front line of the house. The Board also discussed sending this back to the Planning Board for further review.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to amend the original motion of Article 6 of the Unified Development Ordinance (UDO) to change the setback for playsets to 20 feet from the curb.

*Vote ~ 2 ~ 2 (opposed Mayor Caster and Commissioner Auger)*

*Motion Failed*

- e. *Order* ~ Authorizing the City Manager to accept the proposal from Gregory Poole Equipment Company for the purchase of a 2019 Caterpillar 420F2 Backhoe Loader in the amount of *One Hundred and Twenty Four Thousand and Five Dollars and Sixty Cents (\$ 124,005.60)*.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt Authorizing the City Manager to accept the proposal from Gregory Poole Equipment Company for the purchase of a 2019 Caterpillar 420F2 Backhoe Loader in the amount of *One Hundred and Twenty Four Thousand and Five Dollars and Sixty Cents (\$ 124,005.60)*.

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

- f. *Resolution* ~ Authorizing the Purchase of Parcel # 156LH005 on 3020 George II Hwy, Boiling Spring Lakes from the First National Bank of Pennsylvania.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Auger Authorizing the Purchase of Parcel # 156LH005 on 3020 George II Hwy, Boiling Spring Lakes from the First National Bank of Pennsylvania.

*Vote ~ 4 ~ 0*

15. *Announcements ~*

No announcements were heard.

16. *Adjourn ~*

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to adjourn the Board of Commissioners meeting of July 9, 2019.

*Vote ~ 4 ~ 0*

The meeting was adjourned at 7:20p.m.

  
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Craig M. Caster, Mayor

ATTEST:

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

  
\_\_\_\_\_  
Date

