



City of Boiling Spring Lakes
Board of Commissioners Regular Meeting Minutes
April 2, 2019
City Hall – 6:30 p.m.

PLEASE TURN OFF CELL PHONES

1. Call to Order ~ Mayor Craig Caster

The Board of Commissioners Meeting was called to order at 6:30 p.m.

2. Attendance ~

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

3. Pledge of Allegiance ~ Judge Ola Lewis

4. Approval of Regular Agenda ~

A *motion* was made by Commissioner Barger who requested to *remove item ~ a ~ from New Business* and table this Order until the May meeting due to a conflict with the County. *There was no second to the motion.*

Vote ~ 5 ~ 0

5. Oath of Office ~ given to Gregory Jordan, Chief of Police, Administered by Judge Ola Lewis.

Chief Gregory Jordan was sworn into office by Judge Ola Lewis.

6. Judge Ola Lewis requested Chaplin Eiss to lead us all in prayer.

7. City Manager Repp ~ Hurricane Florence Update

Mr. Repp informed the Board the City is now beginning to receive our FEMA reimbursements. We are looking for our first substantial check which is well over \$1M for the debris removal. We anticipate that check to be received within the next couple of weeks. This will be an ongoing process as we finish projects and submit the paperwork to the State. We are also closing on the \$2M loan with the State this week. This loan will be used to refurbish our fund balance but also for engineering costs with respect to the dams.

A complete and current updated report is hereby incorporated and made a part of these minutes.

8. McGill Associates ~ Michael Hanson, Engineer

Mr. Repp introduced Michael Hanson, Engineer of McGill Associates Dam Recovery

Mr. Hanson stated McGill Associates has been working with the City since November on the damages sustained from Hurricane Florence. Our task list from the original order is approximately 50% completed.

We have recently completed the dam breach analysis which will be submitted to the Dam Safety Commission. All five (5) dams will be reconstructed and are required to go through a review and approval process with Dam Safety as part of the design and permitting process.

A Summary Document provided by McGill Associates is hereby made a part of these minutes.

9. Public Comments ~

Sylvia Ognan ~ 1160 Morehead Rd.

Ms. Ognan commented on the Macaw birds in Boiling Spring Lakes. I have called Code Enforcement, the Mayor and City Manager. These birds are out a majority of time. Nothing has been done to this point about the constant noise. Ms. Ognan stated in Section 9-90 of the City Ordinance, Section 4 The Keeping of any Animals or birds which makes frequent or long continued sounds. Ms. Ognan stated there are three (3) birds that continually make this noise four or five hours at a time. We signed a petition last year and there has never been any action taken. This is a quality of life issue. Everyone passes this on to someone else and still nothing has been done.

David Bennett ~ 1057 Mirror Lake Dr.

Mr. Bennett stated he is here this evening representing the citizens of Mirror Lake Dr. Mr. Bennett requested the citizens living on Mirror Lake Dr. are requesting a speed limit sign. There are 11 homes and three (3) of those homes have children living there. Mirror Lake Dr. has become a cut through. I have a petition which has been signed. We would like a posted speed limit sign on Mirror Lake Dr.

Maureen Goforth ~ 1531 Tuscarora Dr.

Ms. Goforth focused on the information research she has done to promote chickens within the city limits. There is advantages to keeping chickens. According to authshim.com chickens are social animals and their need to connect helps individuals who suffer from anxiety, depression and loneliness. This is a good choice for those that are allergic to dogs and cats. Chickens promote responsibility in children and help promote independent living skills. There are many benefits to keeping hens in our City.

Kimberly Hand ~ 445 Tate Lake Dr.

Ms. Hand stated last month we turned in a petition with approximately 200 signatures in support of hens in Boiling Spring Lakes. Today I am turning in a petition with approximately 268 signatures in support of hens. I realize there is a lot of concern about the keeping of hens; such as contamination of water in the lakes. It would take thousands and thousands of hens to cause this type of problem. Also, there is concern regarding noise. Hens make the sound of a coffee pot perking which you would not even hear. Ms. Hand encouraged everyone to visit North Carolina Agricultural Extension. The representative agent is Margaret Ross. She can answer any questions or concerns you may have.

Sharon Zakszeski ~ 910 Holly Point Rd.

Ms. Zakszeski commented she has read in the State Port Pilot the article by the BSL Planning Board on two (2) of their recommendations which were turned down in the past: allowing hens in all residential zones and changing the square footage in Zone 1, Zone 6 will allow hens. I do know tax values will go down if you allow hens in all the zones.

Also, the square footage being changed from 1500 sq. ft. in Zone R-1 to 1250 with a garage will not bring the same revenue as a 1500 sq. ft. home with a garage. I would encourage these changes be denied.

Tom Guzulaitis ~ 1425 So. Shore Dr.

Mr. Guzulaitis addressed the change in the potential zoning rules in the R-1 district. This proposed change would have a negative impact on the city in the long run. By building a smaller home this would lower square footage which limits the property tax available to the city over the long term. There is room enough in other districts that allow for these size homes. At a time when the city faces a substantial need for infrastructure improvement and projects to improve the quality of life, lowering our standards in the R-1 district is neither visionary nor fiscally responsible and may serve to reduce the interest of future potential residents.

Jerry Wolf ~ 1059 Acacia Dr.

Mr. Wolf gave praise and thanks to all the volunteers who helped to pick up trash. This event was very successful to help clean up the city. We are going to try to do this again in early October. It sure looked a lot better when we were done and have received many compliments for the work. I thank everyone who helped out, and city staff too, and I look forward to doing this again in October.

Barbara Snyder ~ 894 Cambridge Rd.

Ms. Snyder stated she has lived here for a total of eight (8) years. In these eight (8) years the area where I live has become very unsightly, with trash, debris, overgrown properties and more. I have to commend Code Enforcement for the job they are doing. There is a 180 degree change in this area. I thank them for all the work they have done.

10. Approval of Minutes

- a. Approval of the Board of Commissioners Meeting Minutes of March 5, 2019

A *motion* was made by Commissioner Barger, a *second* by Commissioner Stewart to approve the Board of Commissioners Meeting Minutes of March 5, 2019.

Vote ~ 5 ~ 0

11. **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

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 Commission ~ Ann Hollingsworth, Chair

Ms. Hollingsworth reported a few years ago the Commission created a city magnet with important phone numbers which were passed out with our Welcome Packages. Our present Board requested we update the magnet to include the Code Red Sign-Up information. We are in the process of placing the order for the new magnets. We have also ordered jar openers, and our Welcome Packages are doing well.

b. Planning Board, Bill Clark, Chair

Mr. Clark reported the Board discussed chickens, R-1 zoning district and Section 6.2 for Accessory Uses and Buildings. The information pertaining to the chickens and the zoning is completed which you have tonight. Accessory Buildings have not been completed as yet. We have “verbiage” work to do and plan to have this ready for the May meeting.

c. Parks & Recreation Advisory Board ~

Sheryl Johnson reported prior to the start of the meeting, Bon Cantrell resigned his seat on the Board for personal reasons. Old Business included the Bicycle Task Force, North Lake property acquisition and pets in the park. All were put on hold because the Board did not receive the information to make any decisions. It was noted the Crystal

Lake treatment is not done yet as the lake is still inaccessible. There was discussion involving many lakes that are choked with lily pads. There is a playground grant available for \$25,000 for playground equipment and it was agreed upon to pursue the grant pending further information.

d. Special Events ~ Jackie Barker, Chair

Ms. Barker reported the committee held a Bike Run on March 23, 2019 to benefit the Veterans of Foreign Wars. The run was extremely successful with good weather and 51 motorcycles participated in the event. We owe a great deal of thanks to the Sheriff, Police and Fire Departments, staff of the Community Center and VFW in helping the Events Committee to make this event such a success. We are working hard preparing for our Easter Eggstravaganza which will be held at Spring Lake Park on April 13, 2019. We also thank the city employees and city manager for helping us get our trailer fitted with security bolts and ties to help get our trailer organized.

I would like to call the members from the Special Events Committee and the VFW representatives to present them with the check for the VFW Post Relief Fund.

Bichson Bush, Commander of Post 10400 here in Boiling Spring Lakes announced on behalf of the post members I would like to thank the Special Events Committee for this generous donation. The Post Relief Fund supports veterans and veteran's family members, it also supports the VFW National Home for Children and patriotism for historical and educational programs.

e. Library Commission ~ Frances Thomas, Chair

Mrs. Thomas reported April 7 – 13, 2019 is Library Awareness Week. A special thank you to Gary Lyes who donated his time and the materials needed to repair the Little Free Library outside of the Police Department. The Commission will install a plaque showing our appreciation for his help. A new book has been added to the library, the title is 'Mostly Sunny' by Janice Dean which is on the best seller list. April 18, 2019 the Commission will be going on their library shopping day. Due to the book buying trip there will be no meeting held in April.

f. BSL Fire/Rescue ~ Chief Theresa Tickle

Chief Tickle reported there have been 37 medical calls, and 47 fire related calls. Three of those were structure fires in Oak Island, Winnabow and Bolivia. We have been holding a 20-hour certification rescue class. We had our picture drive and the photographer took pictures of the department. We have two (2) claims into FEMA and are awaiting payment. We are also waiting for more quotes on stations #2 and #3. Our Spring Fling Flash Over will be held on Saturday April 6, 2019. We are hoping for a good turnout.

12. City Manager's Month Report ~ Jeff Repp

City Manager Repp reported:

- o As of February 28, 2019, the City had \$1,144,516.00 in cash and investments.

- Sales tax revenue after eight (8) months is .5% ahead of schedule which is good news.
- As of February 28, 2019, 94.8% of property taxes have been collected for the year. These are very good numbers given the hurricane since 95% is normally where we would be at this time.
- We had three (3) residential building permits issued at a total of \$951,035 in construction value.
- I will be requesting a date to set a workshop with Sungate Design Group to present the Stormwater Management Plan to receive the Board's input. I would also like to request the date for the closed session meeting on the possible land acquisition for the police department and the appraisal.
- Parks & Recreation fees were amended by the Board at the last meeting and their Summer Day Camp fee needs to be corrected shows \$160 and should be corrected to \$190.

13. Old Business ~

No Old Business was reported.

14. New Business ~

- a. **Order** ~ authorizing Mayor Craig M. Caster to sign and send a letter on behalf of the Board of Commissioners to support inclusion in the County's FY 2020 Capital Improvement Program a contribution request for \$ 135,000 for the Goldsboro/Fifty Lakes Low Pressure Sewer System.

The order was removed from the agenda by the Board of Commissioners during the Agenda Approval under #3 of the agenda.

15. Request for Public Hearing ~

- a. Lake Regulations Text Amendment

A *motion* was made by Commissioner Stewart, a *second* by Commissioner Barger to approve the Lake Regulations Text Amendment Public Hearing scheduled for the May 7, 2019 Board of Commissioners meeting.

Vote ~ 5 ~ 0

- b. Keeping of Animals Text Amendment ~

A *motion* was made by Commissioner Barger, a *second* by Commissioner Stewart to approve the Keeping of Animals Text Amendment Public Hearing scheduled for the May 7, 2019 Board of Commissioners meeting.

Vote ~ 4 ~ 1 (opposed ~ Mayor Caster)

c. R-1 Single Family Residential Minimum Living Area Text Amendment

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to approve the R-1 Single Family Residential Minimum Living Area Text Amendment Public Hearing scheduled for the May 7, 2019 Board of Commissioners meeting.

Vote ~ 4 ~ 1 (opposed ~ Mayor Caster)

16. Fiscal Year 2020 Budget Workshop ~ Tuesday, April 16, 2019 at 9 a.m.

The Board of Commissioners confirmed the Fiscal Year 2020 Budget Workshop to be held on Tuesday, April 16, 2019 at 9 a.m.

17. Announcements ~

1. Commissioner Witt stated the Brunswick Wellness Coalition is launching Walk with a Doc at the BSL Community Center each month beginning May 11, 2019 from 9:00 a.m. to 10:00 a.m. There will be medical providers with information and also to help promote healthy living.
2. Commissioner Stewart announced Saturday, April 6, 2019 at 10:30 a.m. the Police Department will hold a Benefit for the Small Fry Fishing Tournament Bar-B-Que. The date of the actual tournament is April 27, 2019 at Spring Lake Park.
3. Mayor Caster announced immediately following the Board of Commissioners Meeting we invite you to join us for refreshments to welcome and introduce yourself to our new Chief of Police, Greg Jordan.

18. Adjourn ~

A *motion* was made by Commissioner Witt, a *second* by Commissioner Stewart to adjourn the Board of Commissioners Meeting of April 2, 2019 at 7:35 p.m.


Vote ~ 5 ~ 0

The Board of Commissioners meeting of April 2, 2019 was adjourned at 7:35 p.m.

ATTEST:




Jane McMinn, City Clerk


Craig M. Caster, Mayor


Date

Memorandum

To: City of Boiling Spring Lake Board of Commissioners

From: Michael Hanson, PE, LEED AP

Date: 4/2/2019

Re: BSL Dam Recovery

Since November 2018 McGill has been assisting the City with recovery efforts for five dams due to the damages incurred from Hurricane Florence. In general, we have performed approximately 50% of the overall services anticipated in our Task Order. These include:

1. Attendance at multiple meetings with various stakeholders and regulatory agencies including FEMA, NCDOT, NC Dam Safety, and USACE.
2. Multiple field visits to assess the existing conditions, perform surveys and estimate quantities for recovery.
3. Research of available historic data to document pre-storm hydraulic characteristics of the dams and associated structures.
4. Production of preliminary engineering and environmental assessment documents.
5. Evaluation of FEMA guidelines for project development, procurement and reimbursement on Public Assistance projects.
6. Preparation of documentation to NCEM regarding funding of the private dam upstream of NC 87.
7. Review of deeds for surrounding properties and initial contacts regarding location of utilities.
8. Discussions with the City Manager on pros and cons of utilizing various contracting methods for construction for each dam.
9. Development of projected schedule for design, permitting and construction of recovery efforts.
10. Initial evaluations of NC Design-Build requirements
11. Breach analysis of the 4 dams upstream of the Sanford Dam, recommendations for Hazard Ratings and determination of recovery spillway design criteria.

If you have any questions or require any additional information, please feel free to contact me at 919-378-9111.

Updated: Tuesday, April 2, 2019

Total FEMA Current Projects – 14 (This includes an Administrative Costs Project)

Projects submitted to FEMA – 9

- Palmer road - \$32,729.10
- Elm road - \$7,050.00
- Pine Road/Spring Lake Washout- \$6,167.00 **(REIMBURSEMENT RECEIVED)**
- Debris Removal - \$1,067,267.20 (75% **REIMBURSEMENT PENDING**)
- South Shore washout #2 – \$71,811.00
- South Shore washout #3 – \$40,324.00
- South Shore washout #1 and #4 – \$42,989.00
- Lake Hastie/Reeves Storm Drain Repair – \$139,377.50
- E. Lakeview washout – \$50,826.00

Total reimbursement submitted to date: \$1,458,540.80

Project to be submitted next

- Dam Breaches - \$18,011,680.31
- Emergency work - \$232,312.00
- Remaining Debris Removal - \$ 383,650

Pending Projects not started yet

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

South Shore Drive –

- contract awarded to Carmichael Construction - \$ 155,124
- Gabon walls installed:

S. Shore #2



Updated: Tuesday, April 2, 2019

- **Paving completed on March 28th**
- **Final grading and seeding nearly complete.**

E. Lakeview Drive

- FEMA site visit completed.
- Construction estimate of \$ 164,000 obtained from McGill Associates
- Project will be incorporated with North Lake Dam construction.

North Lake NCDOT Repairs

- Contract awarded to Phillips Enterprise to widen Crystal with stone base and improve intersections of Drayton/Crystal and Drayton/Pine Road in the amount of \$ 71,645.
- Work was completed on February 25, 2019.
- Striping of center line of Crystal was completed on Saturday, February 9, 2019.
- Road was closed on 3/18/29 which began the 24-day period road will be closed without substantial liquated damages.
- **According to project minutes (attached) paving may start as early as April 6th.**
- All work to be completed by April 14, 2019.

Fifty Lakes Drive

- NCDOT contractor completed patching of road during the week of February 4-8, 2019.
- Striping of the road is scheduled by NCDOT during the month of March. **Will check with NCDOT at 4/8/19 progress meeting for North Lake on status.**

Lake Hastie/Reeves

- Bids were opened on February 15th; two bids were received with the low/responsive bid was from Carmichael Construction for \$ 132,552.00. Award anticipated on 3/5.
- Construction survey to be completed by 3/22/19 **and all three (3) easements have been signed.**
- Work to begin the week of 3/25/19.

Updated: Tuesday, April 2, 2019



Updated: Tuesday, April 2, 2019

- Draining of Lake Hastie to expose inlet took longer than anticipated.



SEE ATTACHED REPORT FROM MCGILL ASSOICATES ON DAM STATUS

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

- McGill Associates plans on having all preliminary information to NC Dam Safety by March 15th.
- **Full projected project timeline:**

BSL 4 Small Dams Reconstruction Process Steps	Anticipated Duration	Notes
1. Determination of exemption	Submittal: 1/22/19 (completed)	
2. Determination of the Hazard Classification of the dam and establishing the dam design criteria	Submittal: 2/20/19 Response: 4/1/19	4 small dams require breach analysis
3. Preparation of the remedial dam design (modeling, calculations and plans)	Submittal: 4/1/19 Response: 6/1/19	Assumes 1 or more dams are deemed High Hazard

Updated: Tuesday, April 2, 2019

4. Submittal and approval of an Application and Emergency Action Plan	Submittal: 6/1/19 Response: 9/1/19	
5. Environmental Permitting	Submittal: 6/1/19 Response: 9/1/19	Concurrent with Dam Safety review
6. Bidding, Bid Evaluation and Recommendation	9/1/19 to 12/1/19	3 months bid
7. Construction	12/1/19 to 5/1/20	6 months construction
8. As-built inspections and certification	5/1/20 to 6/1/20	1month closeout

Sanford Dam

- USACE requires additional survey information which is included in the McGill proposal this evening - pool area created due to breach. Information was completed and supplied.
- Design/build is still the anticipated procurement process for this dam.
- **Full Projected Timeline:**

BSL Sanford Dam Reconstruction Process Steps	Anticipated Duration	Notes
1. Assessment of auxiliary spillway design criteria	1/15/19 (completed)	Both existing and new auxiliary spillways are required to meet NC Dam Safety design flows per coordination with Russ Bendel
2. Approval of upstream dam repairs by NC Dam Safety	9/1/19	
3. Bid Document Prep	8/1/19 to 10/1/19	Assumes Design-Build procurement
4. Bidding, Bid Evaluation and Recommendation	10/1/19 to 1/1/20	3 months bid
5. Preparation of the existing auxiliary spillway design update by selected contractor	1/1/20 to 3/1/20	Assumes use of ECS auxiliary spillway design at ½ PMP
6. Submittal and approval of an Application and Emergency Action Plan by the selected contractor	Submittal: 3/1/20 Response: 6/1/20	

Updated: Tuesday, April 2, 2019

7. Environmental Permitting	3/1/20 to 6/1/20	Concurrent with Dam Safety review
8. Construction	6/1/20 to 12/1/21	Assume 6 months
9. As-built inspections and certification	12/1/20 to 12/31/20	

Construction Financing

- On February 14, 2019 the City submitted an application to the North Carolina Office of Recovery and Resiliency (NCORR), a newly created division of the NC Department of Public Safety in the aftermath of Hurricane Florence, for a \$ 2 million 0% loan to provide bridge construction financing while awaiting FEMA reimbursements for hurricane related construction projects.
- City was notified on March 3rd of loan approval and associated paperwork is on the agenda for approval this evening.
- **Final loan documents for signatures to be submitted to city by April 5th.**