

City of Boiling Spring Lakes Board of Commissioners Monthly Meeting August 18, 2020 (Rescheduled from August 4, 2020) City Hall – 6:30 p.m.

PLEASE TURN OFF CELL PHONES

- 1. Call to Order ~ Mayor Craig Caster
- 2. Pledge of Allegiance ~ Ms. Ann Hollingsworth
- 3. Attendance ~

Mayor Craig Caster Commissioner Tom Guzulaitis City Manager Jeff Repp Police Chief Greg Jordan Commissioner Steve Barger Commissioner Teagan Hall Commissioner Dana Witt City Clerk Jane McMinn

4. Approval of the Regular Agenda ~

Commissioner Barger requested adding under New Business, *item* $\sim k \sim$ two appointments to the Parks and Recreation Advisory Board.

A *motion* was made by Commissioner Barger to accept the agenda as amended; a *second* by Commissioner Guzulaitis approving the agenda for the Board of Commissioner Meeting of August 18, 2020.

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

No Public Comments were heard.

- 6. Approval of Minutes ~
 - a. Board of Commissioners Regular Meeting of July 7, 2020

A *motion* was made by Commissioner Guzulaitis, a *second* by Commissioner Hall to approve the Board of Commissioners Regular Meeting dated July 7, 2020.

 $Vote \sim 5 \sim 0$

7. Consent Agenda ~

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

 $Vote \sim 5 \sim 0$

9. Committee / Board Reports and Minutes ~

Community Appearance Commission ~ Ms. Ann Hollingsworth, Chair

Ms. Hollingsworth reported the Commission has recognized 15 properties, which has been placed, on our website. Meetings were held in June and July and two workshops with Commissioner Witt. The Commission is reviewing the possibility of American flags for our corridor. In addition, on behalf of the Commission I would like to thank the Mayor and Commissioners for the accolades they have given our committee and the other committees as well.

Planning Board ~ Mr. Bill Clark, Chair

No report was given for the Planning Board.

Parks & Recreation Advisory Board ~

Commissioner Guzulaitis reported.

The Parks & Recreation Advisory Board met in the month of July. Comments from the public were heard regarding kayaks in swimming lakes such as Seminole Lake, and there are concerns of erosion on some lakes. The Parks & Rec. Board will be touring the current police building to consider possible uses for the building going forward. The final draft approval of the pedestrian plan should be done by the end of September. There has been a renewed interest in the community garden.

Commissioner Guzulaitis confirmed non-motorized watercraft are permitted in Seminole Lake. Seminole Lake has some erosion and some animals in the lake as well. City Manager Repp assured the Board that our ordinances cover the lakes. If violations occur, it is up to the public to contact the Police Department.

Special Events ~ Mrs. Jackie Barker, Chair

Commissioner Hall reported, the Committee held the Mayor's Cup Golf Tournament on August 1, 2020, which was a great success. Over 100 golfers attended and the committee was able to raise \$540.00 from the 50/50 raffle. The Committee thanked Steve of the Lakes Country Club for allowing us to be a huge part of this event year after year. The committee unfortunately has canceled the 9/11 Bike Ride, along with the Hayride and Halloween Festival this year due to the Corona virus. The participation in the Christmas Event will depend on the fire departments decision on how to proceed as the time gets closer.

Library Commission ~ Mrs. Frances Thomas, Chair

Mrs. Sherrie Kuzian reported the meeting was held on August 13, 2020 via Zoom. Discussions regarding the new books that have recently been added, as well as the work being done on the inventory.

Boiling Spring Lakes Fire / Rescue ~ Chief Theresa Tickle

Chief Tickle reported there were 38 EMS calls, we also respond to Delta & Echo calls. The department is trying to keep a limited number of fire fighters out due to the Corona

virus. We are holding internal training; however we have not started certification classes at this time. Assistant Chief McConnell is working the Brunswick Community College for these classes. Our LED sign is complete and functioning properly. During the hurricane, we did not have any major damage; however, there were several trees down in our area. We are doing the smoke alarm campaign, which is scheduled for September 5, and 6, 2020. The public can call 910-845-2818 to request installation by appointment. We will only send out the necessary people, all wearing masks. The annual firefighter physicals have been completed.

10. City Manager's Report ~ Mr. Jeff Repp

City Manager Repp reported:

- As of June 30, 2020 the city had cash and investments in the amount of \$2,234,367 in the various investment institutions;
- With our meeting delayed this month, due to Hurricane Isaias we have two months' worth of sales tax data. We are currently 5.13% or \$16,781 ahead of schedule after two (2) months. These are suppressed numbers, as you know, due to Covid. Our budget will be better as we have already adjusted accordingly.
- o Property taxes at the end of the fiscal year show 97.6% revenue collected. This is in-line with what the city has done in the past.
- o The city had 56 housing permits issued at the end of the fiscal year. We had a very good year despite Covid given we budgeted for 50 permits.
- Paving of the various detour roads, is completed. We are awaiting the last invoice for this project. The city has currently paid approximately 80% of the project; which included Pine Lake, Crystal, Nassau and Pine Road.
- o After one year, the city closed on the Craig lot at North Lake Park. The Board approved the purchase of this property in 2019. The deed was recorded on August 3, 2020. It has taken this amount of time to get all the signatures that were required, as several members of the Craig family are located all across the country.
- O Last week the architects met with five (5) members of the Police Department, as well as the Police Chief and Public Works Director. They are working on the design for the renovation of the new Police Department. The new building will be approximately 5,000 sq. ft.
- We are pleased to report the Police Department is now 100% staffed. We still have the three (3) frozen positions, two (2) in Public Works and one (1) in Parks & Recreation.
- We have started sending letters to the property owners on four (4) areas of the Storm Water Management Plan seeking permanent easements. The plan should be completed and we will be holding a workshop with Sungate Engineering Design Group prior to having the plan adopted by the BOC.

Dam update ~

There is a large meeting scheduled for tomorrow on September 19, 2020 with NCDOT and FEMA to review Pine Lake and North Lake to best see how we can resolve the issue of ownership. I hope to report to the citizens how we will proceed to get both dams completed. Sanford and the Upper Dam are proceeding as scheduled. Last month we held our meeting with Dam Safety and reviewed the 60% completion of the document. Dam Safety was please and requested no additional requirements. We will now move forward to 90% of the design.

- On September 18, 2020, the City will be holding an Industry Day. We hold this meeting to allow contractors in who are specific to the dam projects. The contractors will have the first opportunity to review the projects, look at initial comments based on the design so far and ask questions. When the city opens this project for bids, they will be aware and vested in the project and bid on the project. The Industry Day is open to the Commissioners, but not to the public. We will eventually request qualifications from the contractors and narrow that down to a possible four (4) or five (5) for the actual bids.
- On the Storm Removal Project, we are at the 50% design-drawing phase. The drawing was received July. We also met with the Army Corps of Engineers at the Middle Dam and at North Lake Park to review the Corps permits that will be required. They are proceeding with the 80% completion of the project. We hope to bid this project out by the end of the year, and continue to stay on track to have the project completed by 2021.

That the City Manager's August 18, 2020 monthly report is hereby made a part of these minutes.

11. Old Business ~ No old business is reported

12. New Business ~

a. Order ~ authorizing the City Manager to sign and send a letter on behalf of the Board of Commissioners to the Brunswick County Government declining any distribution of the Federal CARES Act (CRF) funding that was mandated by the NC Session Law 2020-80 (HB 1023).

A *motion* was made by Commission Barger, a *second* by Commissioner Hall authorizing the City Manager to sign and send a letter on behalf of the Board of Commissioners to the Brunswick County Government declining any distribution of the Federal CARES Act (CRF) funding that was mandated by the NC Session Law 2020-80 (HB 1023).

$$Vote \sim 5 \sim 0$$

b. Order ~ authorizing the City Manager to sign a Memorandum of Agreement with the North Carolina League of Municipalities and their subcontractor, the MAPS Group for a pay Classification and Compensation Study and Personnel Policy review in the amount not to exceed Eight Thousand and Eighty Eight Dollars and No Cents (\$8,088,00) plus travel and printing expenses.

A *motion* was made by Commissioner Guzulaitis, a *second* by Commissioner Hall authorizing the City Manager to sign a Memorandum of Agreement with the North Carolina League of Municipalities and their subcontractor, the MAPS Group for a pay Classification and Compensation Study and Personnel Policy review in the amount not to exceed Eight Thousand and Eighty Eight Dollars and No Cents (\$8,088.00) plus travel and printing expenses.

c. Order ~ authorizing the City Manager to a First Amendment to Easement Agreement and a First Amendment to Letter Agreement with American Towers LLC for a Fifty (50) Year Lease of a 1.27 acre parcel of City land located at 117 Garage Road.

A *motion* was made by Commissioner Guzulaitis, a *second* by Commissioner Witt authorizing the City Manager to a First Amendment to Easement Agreement, and a First Amendment to Letter Agreement with American Towers LLC for a Fifty (50) Year Lease of a 1.27 acre parcel of city land located at 117 Garage Road.

$$Vote \sim 5 \sim 0$$

d. Ordinance ~ amending Article III Boards, Committees and Commissions, Chapter 10, Section 10-64 Parks and Recreation of the Code of Ordinances for the City of Boiling Spring Lakes.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt amending Article III Boards, Committees and Commissions, Chapter 10, Section 10-64 Parks and Recreation of the Code of Ordinances for the City of Boiling Spring Lakes.

$$Vote \sim 5 \sim 0$$

e. *Order* ~ authorizing approval of the revised fee schedule, Civil Penalties, Section 10-64 Pets in the Park, to \$50.00 per occurrence for the Fiscal Year 2020/2021 for the City of Boiling Spring Lakes.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Hall authorizing approval of the revised fee schedule, Civil Penalties, Section 10-64 Pets in the Park, to \$50.00 per occurrence for the Fiscal Year 2020/2021 for the City of Boiling Spring Lakes.

$$Vote \sim 5 \sim \theta$$

f. Ordinance ~ to Amend Article 5 & Article 7 of the Unified Development Ordinance (UDO) of the City of Boiling Sprig Lakes, North Carolina.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Hall to Amend Article 5 & Article 7 of the Unified Development Ordinance (UDO) of the City of Boiling Sprig Lakes, North Carolina.

$$Vote \sim 5 \sim 0$$

g. Ordinance ~ to Amend Article 5 of the Unified Development Ordinance (UDO) of the City of Boiling Spring Lakes, North Carolina.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Witt to Amend Article 5 of the Unified Development Ordinance (UDO) of the City of Boiling Spring Lakes, North Carolina.

$$Vote \sim 5 \sim 0$$

h. Ordinance ~ amending Article III Boards, Committees and Commissioners, Division
 7 - Special Events of the Code of Ordinances for the City of Boiling Spring Lakes.

A motion was made by Commissioners Barger, a *second* by Commissioner Guzulaitis amending Article III Boards, Committees and Commissioners, Division 7 – Special Events of the Code of Ordinances for the City of Boiling Spring Lakes.

$$Vote \sim 5 \sim 0$$

 i. Resolution ~ authorizing Acceptance of the Donation of Parcel # 142JG002 on Alton Lennon Road, Boiling Spring Lakes From Reeves Telecom Limited Partnership.

A *motion* was made by Commissioner Guzulaitis, a *second* by Commissioner Barger authorizing Acceptance of the Donation of Parcel # 142JG002 on Alton Lennon Road, Boiling Spring Lakes From Reeves Telecom Limited Partnership.

$$Vote \sim 5 \sim 0$$

j. Resolution ~ authorizing Negotiated Offer and Upset Bid Process.

A *motion* was made by Commissioner Guzulaitis, a *second* by Commissioner Hall ~ authorizing Negotiated Offer and Upset Bid Process.

$$Vote \sim 5 \sim 0$$

k. Order ~ appointing Barbara Bennett Snyder and Joene Williamson to the Parks & Recreation Advisory Board for a term of three (3) years beginning August 18, 2020.

A *motion* was made by Commissioner Barger, a *second* by Commissioner Guzulaitis appointing Barbara Bennett Snyder and Joene Williamson to the Parks & Recreation Advisory Board for a term of three (3) years beginning August 18, 2020.

$$Vote \sim 5 \sim 0$$

13. **Discussion** ~ No items were discussed

14. Announcements ~

- a. Commissioner Barger informed everyone today is the 100-year anniversary of the Ratification of the United States Constitution, 19th Amendment for the woman's right to vote.
- b. In addition, I would like to remind everyone of the 2020 Census and the importance of the Census to our State, our County and our City. We received an email from the League of Municipalities informing us if there is not enough participation in the 2020 Census count, the State of North Carolina will lose approximately \$75 Billion Dollars

over the next 10 years. This money goes to roads, parks, public safety and so much more. Our participation in the Census is extremely important. To date we have a 68.3% participation rate, in the 2010 Census, we were at 74.2% which clearly shows Boiling Spring Lakes is behind where we were 10 years ago. I encourage everyone to complete his or her Census count. The 2020 Census will close on September 30, 2020.

For additional information and/or help call City Hall and ask for our Clerk, Jane McMinn.

c. Commissioner Witt inquired if there will be any tree debris pickup. Mr. Repp informed the Board there are approximately 80 piles of debris piled up around the City. A public notice was placed on our website after Hurricane Isaias stating without Federal Declaration the City will not be picking up storm debris. We are waiting to see if there will be a Federal Declaration declared. If so, we will bring this to the Board and will give guidance as to whether you would like to proceed with a pickup and additionally where the expenses could be reimbursed to the City.

15. Adjourn ~

A motion was made by Commissioner Barger, a second by Commissioner Guzulaitis to adjourn the Board of Commissioners meeting dated September 18, 2020 at 7:30 PM.

Craig M. Caster, Mayor

ATTEST:

Jane McMinn, City Clerk

Date

August 18th Public Meeting

Board of Commissioners for the City of Boiling Spring Lake

Call to Order ~ Mayor Craig Caster

Roll Call of Members Present

Pledge of Allegiance

Approval of Regular Agenda

Public Comments

Approval of Minutes

Board of Commissioners Regular Meeting July 7, 2020

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 / Zoning

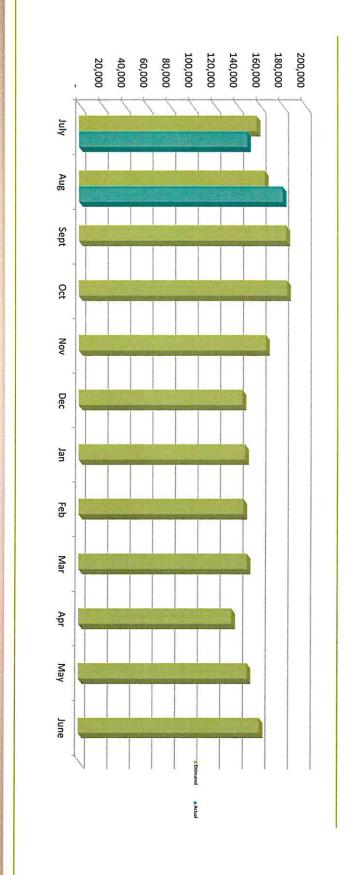
Committee/Board Reports & Minutes

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

City Manager's Report \$ 2,234,367 as of 6/30/20

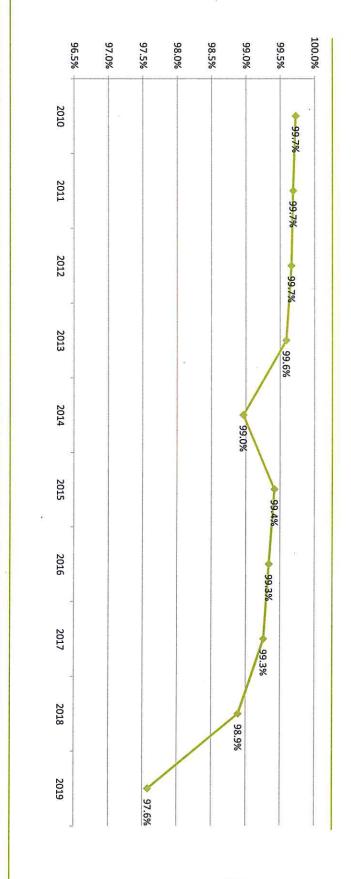
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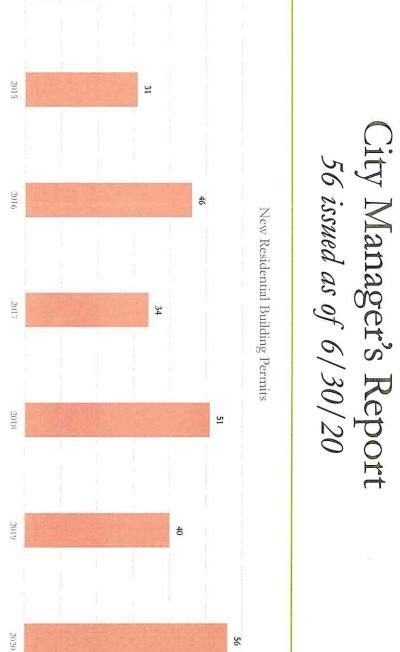
City Manager's Report 5.13% (\$ 16,781)ahead of schedule after 2 months



City Manager's Report 97.6% of property taxes collected as of 6/30/20





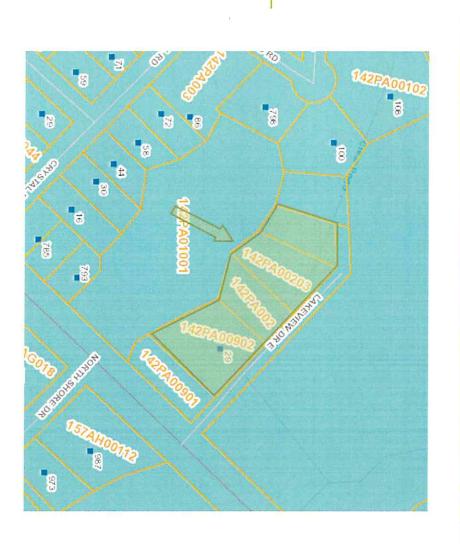


Paving Projects as of 6/30/20

| Highland Paving Company | Date | | Total | Invoice Total | Retainage | Amount paid |
|-------------------------|-----------|-------|---|------------------|----------------------|----------------|
| Invoice #1 | 3/12/2020 | 36186 | 1,265,190.52 | 136,597.96 | 3,847.57 | 132.750.39 |
| Invoice #2 | 3/31/2020 | | | 258 734 84 | 12 936 74 245 798 10 | 245 798 10 |
| | | | | | | - 101.00.00 |
| Invoice #3 | 4/30/2020 | 36243 | 886,642.03 | 51,297.22 | 2,564.87 | 48,732.36 |
| Invoice #4 | 5/31/2020 | 1287 | 837,909.67 | 358,209.77 | 17,910.49 | 340,299.28 |
| Invoice #5 | 6/30/2020 | | 497,610.39 | 357,127.79 | 17,856.39 | 339,271.40 |
| Invoice #6 | | | | | | |
| | | | ACCEPTANCE OF THE PARTY OF THE | | | |
| Totals | | | | | 55,116.06 | |
| FEMA Obligated | | | \$ 918,443.00 | | | |
| FEMA Reimbursed | | | \$ 686,582.45 | | | |
| Balance | | | \$ 231,860.55 | | | |
| Percentage | | | 25.2% | | | |

Closed on Craig Lot

- Board authorized purchase (\$ 6,000) at August 6, 2019 meeting.
- Deed was prepared in September 2019.
- Property closed in July 2020.
- Deed recorded on August 3, 2020
- Park is now 1.8 acres in size



Police Department Renovation Update

| Task | (days) | Proposed Schedule |
|--|--------|--------------------|
| RFP Issued | | February 3, 2020 |
| RFP Response Submitted | 17 | February 20, 2020 |
| A/E Proposal Submitted | 43 | April 3, 2020 |
| BSL Board Approval of Contract | 32 | May 5, 2020 |
| PO Issued / Initial Site Visit | 10 | May 15, 2020 |
| A/E Project Start | 52 | July 6, 2020 |
| Rural Development Architectural Feasibility Report | 21 | July 27, 2020 |
| Design Review Meeting | 30 | August 26, 2020 |
| Design Revisions & Development | 7 | September 2, 2020 |
| Design Review Meeting | _ | September 3, 2020 |
| 35% Design Criteria Package Completion | 12 | September 17, 2020 |
| Issue Package for Design-Build Project | 2 | September 19, 2020 |
| Design-Build Bid Opening | 30 | October 19, 2020 |
| DB Bid Evaluation | 7 | October 26, 2020 |
| Award DB Contract | 7 | November 9, 2020 |
| DB Start | _ | November 10, 2020 |
| Substantial Construction Completion | 365 | November 10, 2021 |



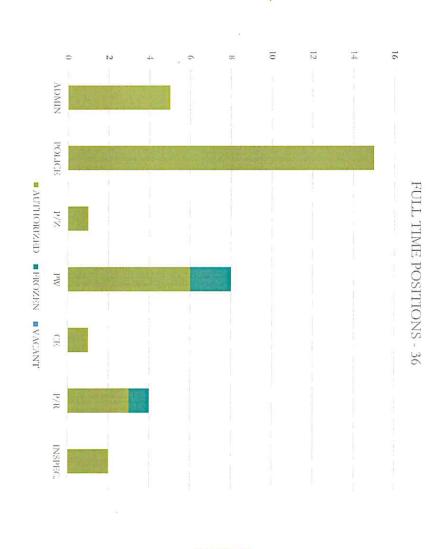
CITY PERSONNEL

Public Works - Frozen/Vacancies

- Maintenance Technician
- Equipment Operation

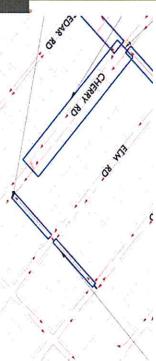
Parks & Recreation - Frozen/Vacancies

Community Center Supervisor

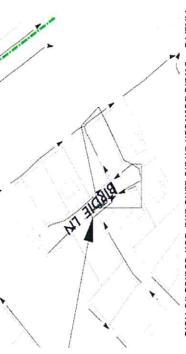


STORM WATER MANAGEMENT PLAN – EASEMENT ACQUISTION

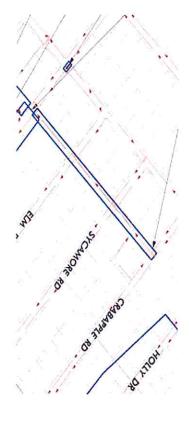




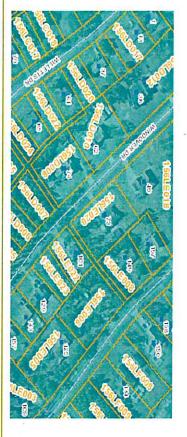
AREA 3 - Swale between Birdie Lane and Golf Course #6 Hole



AREA 2 - Swale between Crabapple & Cherry



AREA 4 – Swale between Willetts Drive and Big Lake





Dam(s) Update

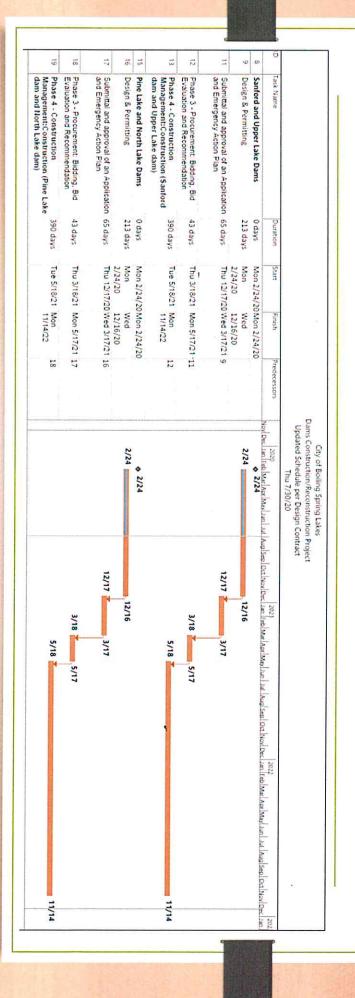
July 60% design documents

- On-going coordination with permit agencies
- Set meeting with Dam Safety for July 31
- Continued coordination call with FEMA on revised DDD comments, status of SOW review and disposition on ownership for PLD and NLD.
- Met with LDSI regarding design of Middle Dam
- Continued preparation of the CLOMR documentation.

August/Critical Path Issues

- Meet with City to discuss implications of Dam Safety meeting on July 31, 2020
- Receive comments on 60% design documents
- Initiate 90% design
- CRITICAL PATH ISSUES:
- standards references and PAR estimate of probable construction cost to McGill resubmitted corrections to the DDD for SD and ULD from the data recently brought to the attention of State and Federal legislative since to confirm receipt and secure comments from FEMA. The issue was FEMA in February 2020). McGill and the City have made several attempts approval of the DDD (McGill completed and submitted SOW with codes and originally provided to FEMA in November 2019. The SOW is still pending
- Final ruling from FEMA on the ownership for PLD and NLD and eligibility of these dams. McGill has confirmed with the City to proceed with design of all dams while this issue is pending with FEMA. An explanation note has also been added to the Overall schedule

Dam Schedule



USDA-NRCS STORM DEBRIS REMOVAL PROJECT

- 50% design documents completed in July and submitted for comment.
- On-site meeting held on July 29th with LDSI and USACE.

USDA-NRCS EWP Engineering Services City of Boiling Springs Lakes

New Business

- Commissioners to the Brunswick County Government declining any distribution of the federal CARES Act (CRF) funding that was mandated by NC Session Law 2020-80 (HB 1023). Order ~ authorizing the City Manager to sign and send a letter on behalf of the Board of
- 5 Order ~ authorizing the City Manager to sign a Memorandum of Agreement with the North Carolina League of Municipalities and their subcontractor the MAPS Group for a pay Classification and Eight Dollars and No Cents (\$ 8,088.00) plus travel and printing expenses. Compensation Study and Personnel Policy review in the amount not to exceed Eight Thousand and Eighty
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Order ~ authorizing the City Manager to sign and send a letter on behalf of the Board of CARES Act (CRF) funding that was mandated by NC Session Law 2020-80 (HB 1023). Commissioners to the Brunswick County Government declining any distribution of he federal

- County provided \$ 5.34 million in CARES Act funding from the \$ 300 million allocated to NC
- County required to share \$ 692,000 with municipalities; actually sharing \$ 1.76 million.
- BSL share between \$ 158,674 \$ 175,608; already received \$ 87,299.
- Letter will remove City liability to provide plan and supporting documantion of expenses for funds.

New Business (cont.)

- Order ~ authorizing approval for the revised fee schedule, Civil Penalties, Section 10-64 Pets in the Park, to \$50.00 per occurrence for the Fiscal Year 2020/2021 for the City of Boiling Spring Lakes.
- Ordinance \sim to Amend Article 5 & Article 7 of the Unified Development Ordinance (UDO) of the City of Boiling Spring Lakes, North Carolina.
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- Ordinance \sim amending Article III Boards, Committees and Commissions, Division 7 Special Events of the Coe of Ordinances for the City of Boiling Spring Lakes.
- Resolution ~ authorizing Acceptance of the Donation of Parcel #142JG002 on Alton Lennon Road, Boiling Spring Lake From Reeves Telecom Limited Partnership.
- Resolution ~ authorizing Negotiated Offer and Upset Bid Process.

CONTRACTOR CONTRACTOR OF THE PARTY OF THE PA Schmabel 1 PLAN LICY THE SELEN BOILING SPRING LAKES BRUNSWICK COUNTY, NORTH CARCLINA SANFORD DAM ľ

RESOLUTION - REEVES LAND DONATION

Resolution - authorizing Negotiated Offer and Upset Bid Process.

- Board set minimum price of \$ 3,420 per lot at the 7/7/20 meeting.
- Minimum deposit made on 7/10/20.
- Upon adoption of resolution the upset bid process starts with a 10-day notification for other bids to be received that exceed current bid by 10%.

