



**Board of Commissioners Regular Meeting Minutes
Tuesday, July 8, 2025 at 6:30 PM
City Hall**

1. Call to Order

Mayor Winecoff called the meeting to order at 6:30 p.m.

Attendance:

Mayor Jeff Winecoff
Commissioner Kim Sherwood
Commissioner Teagan Hall
Commissioner Justin Lovin
City Manager Gordon Hargrove
Assistant City Manager Nicole Morgan
Police Chief Kevin Smith
Finance Director Brandon Stevens
City Clerk Tanya Shannon
Absent: Commissioner David Mammay (excused)

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Approval of the Regular Agenda

Commissioner Hall requested an amendment to the agenda by removing agenda item 11.5, McGill Task Order X, and adding Mr. Michael Hanson, the project engineer for the Dam project, prior to Public Comments. Commissioner Hall also requested that the absence of Commissioner Mammay be excused. Commissioner Sherwood made a motion to approve the agenda as amended, which was seconded by Commissioner Lovin. **Vote 4-0; Motion Carried.**

4. Potential Conflict of Interest/Association Disclosure

No BOC member indicated any kind of conflict or association with any item on this evening's agenda.

5. Engineer Update and Discussion on Pine Lake Dam

Mr. Michael Hanson, Engineer with McGill and Associates, was invited to speak to the Board and the public about the recent setbacks at Pine Lake Dam. Mr. Hanson explained that after recent rainfall, it was discovered that the construction of the Pine Lake Dam had a crest

elevation lower than necessary; the dam's level was below what was needed to restore the pre-Hurricane Florence water surface elevation. He mentioned that they are already investigating and working on a resolution immediately following the notification that this problem was identified. He also stated that he has a meeting scheduled with Dam Safety on July 9th to present the resolution, get their input, and identify any additional information needed to proceed with implementing the resolution.

Commissioner Lovin expressed his frustration, stating that the community is angry and has every right to be. The project is not progressing as smoothly as hoped. He emphasized the importance of relying on engineers to perform their work competently and expressed concern that this issue had not been identified and addressed sooner. He also raised the question of what the solution will be.

Mayor Winecoff expressed his concerns regarding the ongoing road project, acknowledging that unforeseen circumstances can arise, such as weather issues. He noted that when the project first started, there were expectations set about potential challenges. The mayor emphasized the importance of being informed about the timeline, stating that when they ask simple questions, like when the road will be ready to open, they expect a timely response, preferably a couple of weeks' notice.

He explained that they were originally told the road would open in early spring, but it is now July. When the community receives information that does not come to fruition, it understandably leads to frustration and anger towards the Board. Mayor Winecoff expressed his dissatisfaction with being misled, as there have been multiple instances of being incorrectly informed about the road's opening date. He concluded by stating that it is time to resolve the situation and reopen the road quickly, noting that he lives on the detour route and fully understands the community's frustration.

Commissioner Hall inquired if an engineer is present on-site daily. Mr. Hanson confirmed that the engineers are on-site daily.

Mayor Winecoff noted that after TC #8, the city funded a study to ensure the dams were functioning properly. He questioned why the issue had not been identified at that time and expressed concern about the overall efficiency of the project.

Commissioner Sherwood expressed her concerns about the lengthy process of obtaining a Dam Safety permit, which takes about a year. She inquired with Mr. Hanson about what he would be presenting to Dam Safety. Would he be submitting a new design and asking for their approval?

Mr. Hanson stated that he would present the information related to the original construction plans during the discussion, along with their proposed resolution. He mentioned that they have evaluated two resolutions and are trying to determine which one is most acceptable to

Dam Safety, as they need approval to proceed with any work at Pine Lake Dam beyond what has already been permitted and approved.

Commissioner Sherwood clarified that their ultimate goal is to get Dam Safety to amend the permit that has already been issued. She asked if, once this approval is granted and construction begins, it would mean that concrete trucks and other equipment would come, potentially preventing the paving of the roads. Mr. Hanson confirmed that this was correct.

Commissioner Sherwood asked why the issues had not been identified sooner, especially since a study was conducted prior to these problems. Mr. Hanson explained that it was the precedent that uncovered the issue. He noted that he had access to surveys of all the structures following Hurricane Florence, except for Pine Lake Dam, which had been completely washed away, leaving no remnants for the survey. Instead, they relied on information provided by the City, specifically the original design plans. However, there were no available as-built drawings for the dam that could be identified. Mr. Hanson emphasized that they moved forward based on this information, which was reviewed and approved by City Staff.

Mayor Winecoff reiterated that there is not a single engineer on the city staff. He stated that a professional engineer should have checked and double-checked that everything was accurate. He emphasized that the primary purpose of hiring an engineer is to ensure that everything is correct.

Commissioner Hall inquired about the completion timeline for North Lake Dam, in addition to Pine Lake Dam. She asked if paving could begin soon. Mr. Hanson responded that the last information he received from the contractor indicated they planned to pave both Pine Lake Dam and North Lake Dam simultaneously, in order to expedite the reopening of both sections of E. Boiling Springs Road. However, he noted that since the setback occurred, the contractor had not provided any further information on how they plan to proceed. He mentioned that work on three other dams is still ongoing. Commissioner Hall asked if Mr. Hanson could discuss with the contractor the possibility of paving North Lake Dam separately, so that at least half of the detour could be opened.

Mr. Hargrove said he just received information from the contractor that they are willing to pave North Lake Dam, but it will be an additional expense because it is not included in their original bid package, and it would cost \$3,400. He asked Mr. Hanson what are the chance that when he meets Dam Safety tomorrow they would approve his resolution to this problem. He asked if there was any possibility that it could be resolved soon so that Pine Lake could be paved. Mr. Hanson said he can't predict the outcomes with Dam Safety but he will try to steer them in the direction of here is all the information that they will need to resolve and to please expedite their decision and allow them to go out and fix it as quickly as possible. He said if they are in agreement with that approach and get all the paperwork in hand they may be able to get it underway as quickly as August. He said if they need further review and delay it further by Dam Safety he would have to wait and see what direction they decide to go. Mr.

Hanson mentioned that he has been in discussions with the contractor about paving Pine Lake Dam. The contractor stated that they would not agree to pave the road until all work on the dam, which is currently in progress, has been completed. Mr. Hanson indicated that this condition is specified in their contract. He emphasized the importance of ensuring public traffic safety on the roadways, both for motorists and construction workers.

He explained that any interim solution would be temporary until the road needs to be closed again for the completion of work on Pine Lake Dam. Additionally, he mentioned that there may be discussions about paving North Lake Dam and potentially reopening that section of the detour.

Mr. Hargrove asked whether the resolutions he plans to present tomorrow to Dam Safety include a road cut. Mr. Hanson confirmed that one resolution would require a road cut, while another would necessitate additional work at the reservoir near the existing dam. This work will require access for heavy machinery, so that the road will remain closed during that time.

Mayor Winecoff stated that a ten-month extension was granted, contingent upon the opening of E. Boiling Spring Rd. He expressed that if the road is not opened, he does not see any justification for the ten-month extension, emphasizing that there is a deadline that needs to be met. He clarified that the entire basis for granting the extension was to ensure the road's opening. Mr. Hargrove mentioned that he could not provide further details because the matter might require legal consultation.

Mr. Hargrove stated that it would cost \$3,400 to immobilize the area and begin paving on North Lake. He asked Mr. Hanson if he would be willing to cover this additional expense. Mr. Hargrove acknowledged that Mr. Hanson might not be able to provide an answer immediately, but he mentioned that they have insurance that covers such mistakes. He emphasized that the \$3,400 is a small amount to pay in order to open part of the detour for the public.

Mr. Hanson stated that they have been working diligently since the problem arose and will continue to do so until a resolution is found and implemented. He mentioned that, at this time, he cannot provide any financial details.

Mr. Hargrove reiterated that all the dams had sufficient surveys except for Pine Lake Dam, which was completely lost, and there were no as-built records for it. He asked Mr. Hanson about his confidence in Sandford Dam, North Lake Dam, and Upper Lakes Dam. Mr. Hanson expressed confidence that these dams were in good condition. Mr. Hargrove mentioned that after TC #8, a significant concern for the community was whether the dams would be adequate to handle another 22-inch rain event. He inquired if it was still Mr. Hanson's professional opinion that the dams would withstand such an event. Mr. Hanson affirmed that he remained confident they would hold up.

Mr. Hansom will continue to provide updates to the City Manager and the Board.

6. Public Comments

1. Tim Fullmen, who lives at 110 Pine Lake Rd., expressed his frustration regarding the ongoing issues in his backyard, stating that after seven years, there is still no lake. He mentioned that it has taken an unreasonable amount of time to reach the current stage of the project. According to him, a survey was conducted at some point, marking a specific elevation that they should be using as a reference. He inquired whether the project is being funded by the city, and noted that the engineer mentioned he would speak to Dam Safety, although they can't assess the dam over the phone. Mr. Fullmen urged the Board to visit the site and check on the situation. He placed the blame for the delays squarely on the engineers and mentioned that he would not pay them another cent.
2. Tim Williams, a resident of BSL, expressed skepticism about the Board's claim that the conversation with the engineer just began today. He referred to the Board's outrage as disingenuous and mentioned that he often encounters conflicting information on social media. Mr. Williams questioned what actions have been taken this week and whether the Board had communicated with the engineer before the meeting. He emphasized that the Board serves the residents, not the other way around. Commissioner Hall asked if Mr. Williams had reached out to any Board members. In response, Williams asserted that this was his time to speak, not the Board's. He expressed frustration about the ongoing issues, criticizing both the previous administration's failures and the current administration for repeating the same mistakes. Mr. Williams was particularly upset about the detour, arguing that the claim it adds only seven minutes to travel time is misleading—especially in critical situations, like someone having a heart attack. He urged the Board to take action, stating that they are incompetent.
3. Sylvia Ognan, 1160 Morehead Rd., made a recommendation to the audience and the listeners at home to speak into the microphone so that everyone can hear clearly. She said she lives near the High School and Logan Homes seems to think that they are entitled to the roads, dumpsters and port-o-potties in the right of way and leave cars and construction vehicles in the ROW as well. She said that is the only road to get out safely and she travels that road twice a day. She said she has made many complaints and what is going to be done about the all unpermitted use in the city rights-of-way. She also said that Logan homes has now lined the streets with feather flags and this is not allowed by code either. She is extremely frustrated there is no action being done. Chief Smith mentioned that they have been issuing citations for improper parking and for encroaching on the right of way. Ms. Morgan stated that she would follow up to ensure that enforcement is being carried out. Ms. Ognan expressed her frustration, saying she was tired of Logan Homes behaving as if they own the city.
4. A citizen approached the podium without signing up to speak and commented that it sounded like it would cost \$3,400 to open part of the detour. He suggested that the city should pay for it and then seek reimbursement from the engineering company.

5. Stephanie Bodmer, of 896 Boros Rd., discussed the recent wildfire, highlighting its devastating impact and noting that it could have been even worse. She expressed her gratitude to all the first responders and the Forestry Service for their efforts. Ms. Bodmer emphasized that such incidents could potentially happen again in the future. She announced that on July 12th, from 9 AM to 12 PM at the Fire Department, there will be a seminar on controlled burns. She encouraged everyone to attend this event to gain valuable education on the topic. She stressed the need for more discussions about controlled burns, as well as the importance of understanding both the safety measures and dangers associated with burning.
6. Mr. Paul Brusseau, 1811 Pinehurst Rd., raised concerns about the timing of the budget preparation. He questioned why the budget could not be completed earlier, suggesting that if it were available sooner, instead of just a month before potential adoption, it would allow for more public review. Mr. Brusseau noted that some other municipalities have their budgets ready for public review in March, which provides more time for community input and makes room for necessary adjustments. He expressed appreciation for the removal of McGill Task Order X from the agenda, stating that the community lacks confidence in the engineers. He concluded by emphasizing the importance of communication, declaring that he would not even let McGill build him an office.

7. Public Hearing

Text Amendment- UDO Article V Section 5.5 Table of Permitted/Special Uses.

Ms. Morgan discussed a proposed amendment to the City's Unified Development Ordinance, specifically to Article 5, Section 5.5. The amendment seeks to permit restaurants without drive-thru service in the C-1A Commercial/Service District, similar to existing allowances in the C-1 Commercial Mixed-Use District and the C-C City Center District. While the C-1A District is designed for commercial and retail uses and permits mixed-use, it does not allow multi-family residential developments. The Planning Board recommended approval of the amendment unanimously during their meeting on June 10, 2025. A legislative hearing is required before any changes can be officially adopted, per N.C.G.S. 160D-601.

No one had signed up to speak at this public hearing.

8. Consent Agenda

Items on the consent agenda are considered routine in nature. Monthly Reports for each of the departments were distributed with the agenda packet and are incorporated herein.

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| 8.1 | Approval of BOC Minutes
June 3 BOC Regular Meeting
June 3 BOC Closed Session (sealed)
June 19 Citizens Forum |
| 8.2 | Public Works |

- 8.3 Public Safety
- 8.4 Parks and Recreation Department
- 8.5 Finance Department
- 8.6 Planning/Zoning and Code Enforcement
- 8.7 Building Inspections

9. Committee/ Board Reports/ Minutes

- 9.1 **BSL Fire/Rescue – No Report**

- 9.2 **Planning Board**

Chair Launderville announced that the Planning Board reviewed a citizen's request for a text amendment to the UDO, which proposes allowing eat-in restaurants (without drive-throughs) as a permitted use in the C1A district. After a thorough discussion and review, the Planning Board approved the amendment request. Additionally, there was a discussion about the Home Foundation requirements for new constructions. This topic may be subject to further review in future meetings.

- 9.3 **Parks & Recreation Advisory Board – No Report (June Meeting Cancelled)**

- 9.4 **Special Events Committee**

Chair Hogan reported that during their June meeting, they began planning for the Mayor's Cup, which will take place on August 9th at 9:00 AM with a shotgun start. Registration will open at 8:00 AM. She mentioned that flyers have been posted around the city and sponsor letters have been mailed out. Golfers are already registering, and checks are being received. They continue to work on securing more sponsors. The bows along Cougar Drive have been taken down, and preparations for the Mayor's Cup are ongoing.

- 9.5 **Library Commission**

Chair Kuzian reported that City Manager Hargrove provided an update on the bids received for the renovation of the new Senior Center and Library space. She mentioned that multiple bids were submitted, with a wide range of estimated costs. The bids will be evaluated, and a recommendation will be presented to the Board of Commissioners. She also noted that no additional funds are planned in the Library's FY 26 budget.

10. City Manager's Monthly Report

Mr. Hargrove provided an update on the Dams.

Upper Lake - Seeding and matting have been completed. Cleanup around the project area continues.

Pine Lake - Project is on hold pending design review.

North Lake - Over the last 30 days, the contractor has been adding slope protection to the dam site. The contractor has also filled and fine-graded the excavated portion of the North Lake dam in preparation for ABC stone, pavement, and guardrails. Site cleanup continues

Sanford Dam - Structural concrete for the first slab has been completed. The contractor has/is excavating for the leveling concrete. Over the next 30 days, the contractor will install the blanket drain and continue to install structural concrete.

Mr. Hargrove announced that the city has been named as a defendant in two lawsuits related to flooding that occurred during TC #8. The city attorney has indicated that the city's insurance with the NC League of Municipalities will most likely (he repeated, "most likely") provide legal defense at no cost to the city. If the city is found at fault, the insurance will cover damages, minus the deductible. He mentioned that this is very positive news and will keep everyone updated. Additionally, the FEMA obligations for the road washouts are progressing. He hopes to have more information to share by the August Board meeting.

11. Old Business

11.1 Approval of Ordinance for Text Amendment- UDO Article 7, Part IV Landscaping, Buffers, and Tree Protection & Appendix A Definitions.

Ms. Morgan outlined the background of the proposed amendment. She explained that the City has initiated a request to amend Article 7, Part IV of the Unified Development Ordinance (UDO) to help conserve the tree canopy and allow for some flexibility in removing trees on residential lots. Following guidance from the Planning Board, staff drafted several amendments for review and requested that the Board consider various recommendations to clarify and improve the language in the UDO regarding tree protection and preservation standards.

At their meeting on April 22, 2025, the Planning Board unanimously voted to recommend approval of the proposed amendments. In accordance with N.C.G.S. 160D-601, a legislative hearing was held on June 3, 2025, to gather public comments about the proposed amendments.

Commissioner Sherwood raised a question about the tree mitigation fund. Ms. Morgan explained that, in cases where property owners are unable to replant trees for various reasons, a mitigation fund will be established. This fund will be used to purchase trees that can be replanted in parks or other city properties. Commissioner Sherwood then asked how the value of the trees would be determined. Ms. Morgan clarified that a certified arborist would assess and determine the value of each tree.

Commissioner Hall made a motion to approve the Text Amendment- UDO Article 7, Part IV Landscaping, Buffers, and Tree Protection & Appendix A Definitions, and seconded by Commissioner Lovin. **Vote 4-0; Motion Carried.**

12. New Business

12.1 Appointments to Parks and Recreation Board

Joene Conley - Reappointment- 3 year term

A motion was made by Commissioner Lovin to reappoint Ms. Conley to the Parks and Recreation Board for a three-year term, and seconded by Commissioner Hall. **Vote 4-0; motion carried.**

Cheri Funk- Filling unexpired term until July 7, 2026

Commissioner Lovin made a motion to appoint Ms. Funk to the Parks and Recreation Board to fill an unexpired term until July 7, 2026. **Vote 4-0; Motion carried.**

12.2 Appointment to the Planning Board

Chris Sekula- Second Alternate filling unexpired term until Feb. 1, 2026

A motion was made by Commissioner Lovin to appoint Chris Sekula as second alternate to the Planning Board to fill an unexpired term until Feb. 1, 2026, and seconded by Commissioner Sherwood. **Vote 4-0; motion carried.**

12.3 Resolution to approve Contract Award for the Remodeling of the Old Police Department into a Library/ Senior Center.

Mr. Hargrove explained that the City received five bids from general contractors for the remodel of the old Police Department building. The bidders were Timeless, Kowen, Kelley Construction, Millennium Contracting, and Coastal Transmission. Base bids ranged from \$176,425.00 to \$555,493.00, and alternate bids ranged from \$47,500.00 to \$105,756.00.

Millennium Contracting submitted the most competitive total bid of \$247,476.00, including any alternates. The City's architect, S3 Architects, has reviewed this bid and confirmed it is the best option.

The City owes S3 Architects \$3,200.00, bringing the total cost to \$250,676.00. The appropriation balance from Senator Rabon's office, including interest, is \$264,697.00.

Mr. Hargrove said there is enough funds to cover that bid contract in that account. City staff recommends awarding the contract for the remodel to Millennium Contracting.

Commissioner Lovin confirmed that there are already appropriations to cover the project and that the funds came from the State, which can't be used for anything other than their stated purpose.

Commissioner Sherwood made a motion to approve the Resolution to approve Contract Award for the Remodeling of the Old Police Department into a Library/ Senior Center and seconded by Commissioner Lovin. **Vote 4-0; Motion Carried.**

12.4 Ditch Maintenance Plan

A draft of the Ditch Maintenance Guide was included in the agenda packet. Mr. Hargrove explained that, following the settlement with Dominion and Logan, a comprehensive ditch maintenance guide was developed. He noted that this is a living document that will improve over time and be updated as necessary.

A motion was made by Commissioner Hall to approve the Ditch Maintenance Guide/Plan and second by Commissioner Sherwood. **Vote 4-0; Motion Carried.**

12.5 Approval of Proposed Budget Amendment Ordinance

Mr. Stevens explained that the city acquired new lease vehicles in FY 2025, requiring compliance with GASB 87, which mandates that the net present value of future lease payments be recognized when the lease is active. This aims to ensure compliance by year-end for the FY 2025 audit. In addition, revenue from FEMA for damages related to PTC #8 is being recorded for two projects: Emergency Response Services and Lumbee Road. This revenue, totaling \$364,128, will help offset unforeseen costs and assist in balancing the FY 2025 budget. The financial impact of these actions ensures compliance with accounting standards and supports the city's efforts to manage unexpected expenses effectively.

A motion was made by Commissioner Sherwood to approve the Budget Amendment Ordinance and seconded by Commissioner Hall. **Vote 4-0; Motion Carried.**

Mayor Winecoff inquired if those FEMA funds have been sent out to bid. Mr. Hargrove said that we are not at that point yet. He said there has to be construction drawings of what will be done before it can get sent out for bid. Mr. Hargrove reiterated that we do not have the engineer drawings for the road washouts. Mr. Hargrove the reason that the roads have not been fixed yet is because we don't have the money. He said we are working to get FEMA to send the funds up front so that repair can begin. MR. Hargrove said that it has been a very frustrating process.

13. Mayor and Commissioners Reports

Commissioner Lovin had no comments.

Commissioner Hall announced that it is election season and expressed gratitude to those who applied and want to improve the City. She encouraged anyone interested to visit the Board of Elections to add their name to the ballot and pay the five-dollar fee. She wished all the candidates the best of luck. Additionally, she noted the need

for prayers for Chapel Hill and Texas due to their extensive flooding. Hall also expressed her gratitude that the City was not affected as severely as it had been by previous rainfalls.

Commissioner Sherwood addressed the issue of driveway culverts, reminding everyone that they are responsible for maintaining the culverts under their own driveways. She mentioned that the Department of Public Safety has an upcoming grant application, with the submission deadline in September. The staff and the grant writer plan to meet with them online to discuss the possibility of submitting our entire stormwater master plan for funding.

Commissioner Sherwood expressed her frustration with the issues the city is facing, comparing the daily detour to the discomfort of ripping off a scab. She emphasized that efforts are underway to find answers and solutions to these problems. Despite the challenges, she remains hopeful for the future.

Mayor Winecoff stated that he hoped everyone enjoyed their Fourth of July celebrations. He mentioned attending the opening of the golf course clubhouse and expressed his enjoyment of the concerts. He emphasized that in the city, a manager is hired to oversee daily operations, while the Board provides input on these operations. He noted that the Board does not typically meet directly with the engineers and relies on the manager to share relevant information.

Mayor Winecoff acknowledged that the City Manager is frustrated with the project and is bearing the brunt of the general discontent. He was pleased that the City Manager was able to bring the engineer to the meeting to address questions and appreciated the opportunity to express his feelings directly. He stated that they have been asking the contractors to attend and answer questions, but they have declined to do so.

The Mayor reminded everyone that the engineer was hired by the previous administration. He reiterated that his frustration is not limited to this meeting and that he has consistently expressed disappointment and anger towards the City Manager regarding this project. He clarified to Mr. Hargrove that his anger was not directed at him personally, but rather at the issues surrounding the project's progress and feelings of being misled.

14. Announcements

- 14.1** Free Concert at Spring Lake Park- featuring The Doorsmen Fri, July 11th, 6 - 8pm.
- 14.2** Community Information Session on how to Prepare and prevent Wildfires. BSL Fire & Rescue Station. Saturday, July 12th 9-12 pm.
- 14.3** Free Concert at Spring Lake featuring Lunar Tide Band Fri, July 18th 6- 8pm.
- 14.4** Next BOC Meeting August 5th- 6:30pm.

15. Adjourn

A motion was made by Commissioner Lovin to adjourn and second by Commissioner Sherwood. ***Vote 4-0; Motion Carried.***

-7:51 p.m.

Jeff Winecoff, Mayor

Tanya Shannon, City Clerk