



**Board of Commissioners Regular Meeting Minutes  
Tuesday, January 6, 2026 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 Ausborn  
Commissioner Teagan Hall  
City Manager Gordon Hargrove  
Assistant City Manager Nicole Morgan  
Police Chief Kevin Smith  
Jim Stachura, Stormwater Engineer  
Sara Goodwin, Parks and Rec. Director  
Brandon Stevens, Finance Director  
City Clerk Tanya Shannon  
Absent: Commissioner Lovin

**2. Pledge of Allegiance**

The Pledge of Allegiance was recited.

**3. Approval of the Regular Agenda**

Commissioner Hall made a motion to approve the Agenda, seconded by Commissioner Sherwood. **Vote 4-0; Motion Carried.**

Commissioner Hall made a motion to excuse Commissioner Lovin and seconded by Commissioner Sherwood. **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. Proclamation and Honorable Award presented to the officers who bravely responded to the tragic event at American Fish in Southport. Presented by Mayor Winecoff.**

## 6. Recognition of Service

Awards were presented by Police Chief Smith and Boiling Spring Lakes Fire Assistant Chief Schaefer to various officers and civilians in recognition of Meritorious Conduct and lifesaving actions.

## 7. Public Comments

1. Bill Johnson, 121 Nassau Rd. stated that Hurricane Florence occurred in 2018, and he understands that recovery from such an event requires significant time due to necessary planning and previous mistakes. However, he expressed a desire to see progress at Pine Lake Dam and conveyed his frustration with the current pace of recovery.
2. Shannon Van Derren, 320 Pine Lake Rd. requested that the Board provide clearer clarification on each vote, specifying whether commissioners are in favor, against, or abstaining. She explained that, as a community member, she wants to track how each commissioner votes and understand their priorities. This would allow election decisions to be based on data and performance rather than emotions.

She discussed the proposed UDO text amendment on Lot Drainage Plans, questioning the requirement to set finished floor elevations (FFE) above the highest adjacent road. She expressed appreciation that the stormwater department plans to implement stormwater mitigation. However, she observed that this requirement seems to apply only to stand-alone lots rather than entire developments. She inquired whether the same standards apply to larger developments and whether there are plans to build on wetlands by elevating houses, suggesting this could perpetuate development on sensitive land. She asked if this signals a move toward more development on wetlands, and how that might affect adjacent properties. While she acknowledged that raising the FFE protects new homes, she questioned what protection exists for older homes. She praised the stormwater department and expressed interest in how it will handle the proposed Lot Drainage Plans amendment.

## 8. Public Hearings

### 8.1 Proposed UDO Text Amendment: Article 7- Section 7.9 Access and Driveways.

A motion to open public comment on item 8.1 was made by Commissioner Hall and seconded by Commissioner Ausborn. **Vote 4-0; Motion Carried.**

#### **No public comments**

Ms. Morgan provided an overview of the proposed amendment to Article 7, Section 7-9 of the City's Unified Development Ordinance regarding driveway construction. Currently, applicants purchase driveway culverts and materials, while City staff evaluate the site, determine requirements, and handle installation. The amendment would require applicants to purchase and install the culvert and materials, with the City retaining responsibility for site evaluation, design approval, and compliance verification. This change aims to reduce the operational burden on City resources and streamline the process for property owners, especially as demand for residential driveway connections increases. The amendment also introduces a new review process, with the City Stormwater Engineer overseeing design reviews to ensure compliance with stormwater management requirements during permitting.

A motion was made by Commissioner Ausborn to close the public comment and seconded by Commissioner Hall. **Vote 4-0; Motion Carried.**

## **8.2 Proposed UDO Text Amendment :Article 7 Section 7.13 Parking Ratios**

A motion to open public comment on item 8.2 was made by Commissioner Sherwood and seconded by Commissioner Ausborn. **Vote 4-0; Motion Carried.**

### **No public comments**

Ms. Morgan provided an overview of the City's efforts to amend Article 7, Section 7-13 of the Unified Development Ordinance. The goal is to reduce or revise parking minimums for non-residential uses to promote economic vitality, support sustainable design, and lessen environmental impacts. Currently, the ordinance requires minimum parking ratios for all non-residential uses based on square footage or type of use. While intended to ensure adequate parking, these standards can create obstacles for new commercial development, especially where parking demand has been overestimated. Overly strict requirements may result in inefficient land use, with surface parking occupying valuable space that could be used for pedestrian pathways, landscaping, or other productive purposes. This has presented challenges in attracting new commercial investment, particularly in the C-1 zoning district, as existing requirements often yield underutilized parking lots and diminish the area's vibrancy. In contrast, many regional cities have adopted more flexible parking standards, fostering sustainable development and reducing environmental impacts. Parking lots contribute significantly to impervious surfaces, leading to increased stormwater runoff and urban heat retention. After reviewing the parking ratio table, staff recommends several amendments to better align with regional trends and position the City for economic growth while minimizing environmental impacts.

Commissioner Ausborn observed that when the language refers to service or repair facilities, such as HVAC and pest control services, the proposed amendment would require them to have the same amount of parking as a bank. He pointed out that most of these facilities have very few customers on site, and employees usually take their work trucks home. He does not believe it is necessary to require this amount of parking. Ms. Morgan noted that the proposed amendment will be brought back to the Board at the next meeting for further discussion.

A motion was made by Commissioner Ausborn to close the public comment and seconded by Commissioner Hall. **Vote 4-0; Motion Carried.**

## **8.3 Proposed UDO Text Amendment: Article 7- Section 7.40 Lot Drainage Plan**

A motion to open public comment on item 8.2 was made by Commissioner Sherwood and seconded by Commissioner Ausborn. **Vote 4-0; Motion Carried.**

### **Public Comments:**

1. Jake Blum, 575 Military Cutoff Rd. Wilmington, NC on behalf of the Development Community in Boiling Spring Lakes supports development and improved safety but opposes the proposed amendment. He argues that the amendment would impose costly, mandatory requirements on all new homes—regardless of actual flood risk—which would increase costs, slow down construction, and hurt affordability, particularly for small builders and entry-level housing. Blum questions the city's authority to enforce these

changes and warns of potential liability. He recommends focusing on targeted, site-specific flood solutions and infrastructure investment instead of blanket requirements, urging the council to refine the proposal to address real risks without broadly discouraging development or raising costs.

Ms. Morgan gave an overview of the proposed amendment. The City is proposing an amendment to regulate stormwater runoff on standalone lots and establish a minimum finished floor elevation (FFE) for new single-family and two-family homes. These changes aim to systematically manage stormwater, enhance public safety, protect against flood damage, and better safeguard property owners, especially where new construction occurs in established neighborhoods.

Currently, the City collaborates with Brunswick County via an interlocal agreement, following the County's Stormwater Ordinance. This agreement is crucial for coordinating flood reduction and stormwater management efforts. However, the ordinance applies only in the following cases:

- Non-residential new development
- Non-residential redevelopment that increases impervious surface
- Development disturbing more than 1 acre
- Development proposing 10,000 square feet or more of impervious surface
- Residential development or disturbance within 30 feet of a natural stream or water body
- Residential development where the site's elevation changes by more than four (4) inches due to filling, grading, or excavation.

Because most single-family and two-family homes on standalone lots do not meet these thresholds, County enforcement rarely applies. To address this gap, the City is proposing that lot drainage plans be required for each new standalone single-family or two-family home. This ensures that even in the absence of County enforcement, stormwater runoff will be managed onsite for every new home.

The proposed requirements also set a minimum finished floor elevation (FFE): the floor must be at least 2 feet above the highest adjacent grade or the crown of the roadway—whichever is higher. Elevating the finished floor helps reduce flood risk while maintaining flexibility in construction methods. Raised foundations (crawlspaces, stem walls, piers) are encouraged, but slab-on-grade construction is not prohibited. For slab-on-grade, the building site must be raised with fill to reach the required elevation. Raised foundations generally meet the FFE standard more easily, requiring less fill and grading.

These requirements align with recommendations from the City's studies by Sungate Design Group and the City's Preliminary Stormwater Master Plan. Lot drainage plans would be reviewed by the City Stormwater Engineer during permitting to ensure runoff is directed away from foundations and neighboring properties, drainage infrastructure minimizes environmental impacts, and construction does not increase flooding risk to streets or storm drains. The finished floor must meet the minimum elevation, and the lot drainage plan must be approved before a building permit is issued.

She explained that at the December 9, 2025 Planning Board meeting, the Board voted 3-2 to amend Sections 7-40-1 and 7-40-3. The changes included revised language for the proposed amendment on stormwater discharge affecting adjacent property and a reduction of the elevation requirement from 2 feet to 12 inches.

Commissioner Ausborn asked whether both a survey of impervious coverage and an engineered stormwater plan are required. Ms. Morgan clarified that the proposed amendment does not remove the

city's ordinance limiting impervious surfaces to 30%. Applicants may submit an engineered plan, and if the proposed coverage exceeds 30%, the plan must demonstrate how additional stormwater runoff will be managed. She added that a surveyor will certify the proposed impervious coverage on the plot plan, and final impervious coverage will be verified upon project completion.

Mayor Winecoff reported that he attended the Water Summit with several state representatives, where stormwater management was a major topic of discussion with the DEQ. He noted that the DEQ is taking a proactive approach to stormwater issues and emphasized that the city must do the same. While stormwater cannot be fully controlled, he stressed the importance of improved management. The City Manager and City Engineer are currently developing solutions, and Representative Miller has agreed to assist with a Local Act to address the management of old pre-platted lots. Mayor Winecoff stated that the Board's top priority is protecting residents. He also explained that, according to information from the Water Summit, the Army Corps of Engineers is responsible for approving buildable areas in wetlands, and the city does not have the authority to deny these approvals.

Commissioner Sherwood noted that she also attended the Water Summit, where FEMA reform was also a major topic.

Commissioner Ausborn cited the Highlands as an example, noting that most homes there are built on slab foundations and are only six to eight inches above ground. He explained that the proposed amendment would require a finished floor elevation of 24 inches. He stated that the highwater line during recent flooding reached approximately 15 inches, so if this ordinance had been in place, those homes likely would not have flooded. He believes homeowners would prefer the increased construction cost over the hardship caused by flooding.

A motion was made by Commissioner Ausborn to close public comment and seconded by Commissioner Hall. **Vote 4-0; Motion Carried.**

## 9. Consent of 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.

- 9.1 Approval of BOC Minutes  
November 24- BOC Workshop  
December 2 -Regular Meeting
- 9.2 Public Works
- 9.3 Public Safety/ Animal Control
- 9.4 Parks & Recreation Department
- 9.5 Finance Department
- 9.6 Planning, Zoning & Code Enforcement
- 9.7 Building Inspections
- 9.8 Stormwater Department

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

## 10. Committee/ Board Report and Minutes

- 10.1 **BSL Fire/Rescue**

Assistant Fire Chief Schaeffer reported 787 official calls last year, noting that the actual number may be higher due to additional calls during the wildfire. In December, there were 53 calls, including 20 EMS and 33 fire-related incidents.

**10.2 Planning Board**

Chair Launderville reported that the Planning Board had another relatively long meeting in December. We reviewed the Draft of Chapter 3 of the Land Use Plan and received Chapter 4 for review. Our Consultant Wes McLeod advised that there was no significant change in responses regarding the Land. The Land Use Survey initiated late in 2025 and which has now ended. There was much discussion regarding the UDO Text Amendment regarding the Lot Drainage Plan in section 7-40. The Planning Board requested several changes to the Amendment, and the Text Amendment was approved with these changes.

**10.3 Parks & Recreation Advisory Board- no report**

**10.4 Special Events Committee- no report**

**10.5 Library Commission- no report**

**11. Manager's Report**

Mr. Hargrove shared that we have received all FEMA reimbursements for damage to our roads, bridges, and culverts. He explained that bid packages are being prepared so repairs can begin soon. He also mentioned that the new Library and Senior Center is almost finished and should open shortly. The Citizens Academy has filled all its spots, and staff are working to set a start date and time. Once that is decided, all applicants will be notified. For the Pine Lake dam project, an initial repair estimate of about \$2.4 million has been received, but this is just a preliminary figure. By January 20, a more accurate estimate and hopefully a construction timeline should be available. Mr. Hargrove also said that efforts are ongoing to reopen E. Boiling Spring Road as soon as possible.

**12. Old Business none**

**13. New Business**

**13.1 Major Site Plan / Performance Guarantee Approval – Brooke Ridge Lane Subdivision**

Ms. Morgan provided background information on the Major Site Plan. She explained that, instead of requiring all improvements to be completed, installed, and dedicated before final plat approval, the City may enter into an agreement with developers. Under such an agreement, developers may obtain a performance bond or deposit cash or an irrevocable letter of credit with the City. For the Brooke Ridge Lane Subdivision, all required improvements have been installed except for the sidewalk. The developers are seeking approval of the final plat prior to installing the sidewalk. To address this, they have submitted an Engineer's Opinion of Probable Cost, prepared by Caroline Worthy, P.E., along with a Performance and Indemnity Bond for 125% of the estimated cost, as required. Both documents have been reviewed and approved by the City Engineer and City Attorney.

A motion was made by Commissioner Sherwood to approve the Major Subdivision Final Plat and the Performance Guarantee Bond for the Brooke Ridge Lane Subdivision and seconded by Mr. Ausborn. Aye: Mayor Winecoff, Commissioner Sherwood and Ausborn. Nay: Commissioner Hall.  
***Vote 3-1; Motion Carried.***

**13.2 Resolution: Local Act to Restore Downzoning Authority**

Ms. Morgan explained that the city is asking the General Assembly to introduce or support legislation exempting Boiling Spring Lakes from the provisions in Senate Bill 382, Part III, Subpart III-K, and to restore the original provisions. The current law prohibits local governments from amending zoning regulations or maps to downzone property without the written consent of all affected property owners. This restriction limits the City’s ability to fulfill essential planning responsibilities and prevents necessary zoning adjustments in response to changing conditions, community needs, infrastructure capacity, and long-term objectives. The Board of Commissioners believes that Boiling Spring Lakes’ unique planning needs require greater local authority and flexibility than the current statewide legislation allows. The General Assembly has previously granted local acts when special circumstances justify additional municipal authority for effective land-use planning.

A motion was made by Commissioner Ausborn to adopt the Resolution for a Local Act to Restore Downzoning Authority and seconded by Commissioner Sherwood. **Vote 4-0; Motion Carried.**

**13.3 Extension of Original Dam Construction Services Contract**

Mr. Hargrove explained that initial estimates for the dams came in higher than expected, so the team worked with the contractor and engineers to reduce project costs. One strategy was shortening the project from 36 to 30 months, with the 30-month deadline expiring today. After PTC#8, Sequoia requested and received a 10-month extension. There are no issues with Sequoia, but the support engineering services—including quality control and safety testing—expire today. McGill submitted construction amendment #3 to extend their contract for 10 months at approximately \$1.5 million. The city opposed the lump sum but was told monthly billing wasn’t possible due to variable services, though in practice, they are billed monthly based on work performed. Mr. Hargrove asked the Board for direction, emphasizing that without approval, all construction and engineering services at Sanford Dam will end. Without an agreement, Sequoia could withdraw and demobilize, though they retain the site until spring 2027 and could return later. This decision requires careful consideration.

Mayor Winecoff expressed frustration that the contractors waited until the last minute to bring this issue to the board, despite knowing an extension would be necessary. He also noted that, although we have requested the contractors approach FEMA regarding the storm and contract agreement, the engineers have not done so. He believes this is part of their responsibilities.

Commissioner Sherwood stated that the wording regarding the “lump sum” must be revised. Mr. Hargrove explained that, if the extension is approved, the language will be changed to “not to exceed” instead of “lump sum.” He clarified that the current “lump sum” wording matches the original contract, but does not anticipate any issues with the revision. If approved, he will contact the appropriate party in the morning to update the language. Commissioner Sherwood also noted that Section 4-Schedule contains repetitive wording, specifically “the current contractor’s,” which should be corrected.

Commissioner Sherwood made a motion to approve the Extension of the Original Dam Construction Phase 3 Services Contract, with revised language setting the amount not to exceed \$1,587,100. Commissioner Ausborn seconded the motion. **Vote 4-0; Motion Carried.**

**13.4 Approval to Establish a Capital Projects Committee**

Mayor Winecoff stated that, as we are now a top candidate for grants, the Capital Projects Committee should actively seek funding opportunities, particularly for infrastructure such as stormwater, water, sewer, and roads. He also requested that the committee review contracts to ensure they are equitable compared to other areas in the county and state. He noted that DEQ provides updates and grant opportunities for communities facing water project hardships. Mayor Winecoff recommended including one or two contractors on the committee for their contract expertise, as well as city residents with business experience.

A motion was made by Commissioner Hall to approve the establishment of the Capital Projects Committee and second by Commissioner Ausborn. ***Vote 4-0; Motion Carried.***

Mayor Winecoff appointed Commissioner Ausborn as the Liaison to the Committee.

**13.5 Resolution Opposing Fuquay-Varina’s request for an Interbasin Transfer Certificate (IBT)**

Mr. Hargrove explained the background for the Resolution. Fuquay-Varina anticipates needing additional water to support its growing population and plans to withdraw water from the Cape Fear River for drinking purposes. After use, the treated wastewater would be discharged into the Neuse River basin, removing water from the Cape Fear without returning it. This would reduce the Cape Fear’s flow by 6.17 million gallons per day, affecting our region’s primary drinking water source. The Cape Fear Council of Governments has asked us to support a Resolution opposing this proposal.

A motion was made by Commissioner Sherwood to adopt the Resolution Opposing Fuquay-Varina’s request for an Interbasin Transfer Certificate (IBT) and seconded by Commissioner Ausborn. ***Vote 4-0; Motion Carried.***

**13.6 Reappointment of Brenda Hogan to Special Events Committee**

A motion was made by Commissioner Hall to reappoint Brenda Hogan to the Special Events Committee for a three-year term, seconded by Commissioner Sherwood. ***Vote 4-0; Motion Carried.***

**13.7 Set a Public Hearing for the Development Agreement with Elan Homes at the February 3rd Board of Commissioners Regular Meeting.**

Commissioner Hall made a motion to schedule a Public Hearing on the Elan Homes Development Agreement for the Regular Board of Commissioners Meeting on February 3rd. Commissioner Sherwood seconded the motion. ***Vote 4-0; Motion Carried.***

**13.8 Adopt the 2026 Budget Calendar**

A motion was made by Commissioner Hall to adopt the 2026 Budget Calendar and seconded by Commissioner Ausborn. ***Vote 4-0; Motion Carried.***

**14. Mayor and Commissioners Reports**

Commissioner Ausborn said he is excited that the Library Center and Senior Center will be opening soon. He also reminded everyone that you can support the Library Committee and the Parks and Recreation Department with donations that are tax deductible. He said it would be good to have some new and better

equipment at the gym. He said it is important for everyone to stay updated on changes to the UDO and see how they might affect you. He said his main job is to protect the people who live here now and in the future, and that they are working on managing stormwater. He said storms will keep happening, but they are doing everything they can to help with the problems, and he thanked the community for their support.

Commission Hall – no report

Commissioner Sherwood explained that when she attempted to locate a map of the city-owned property on S. Shore Dr. several months ago, none was available because the property had not been surveyed at the time of purchase. She requested that the city engineer create a map detailing the property's features to share with the community and gather public input on potential uses. Commissioner Sherwood moved to make the map available to the public for suggestions. Commissioner Ausborn recommended providing a suggestion box. Mayor Winecoff proposed referring the matter to the Parks and Recreation Department to conduct the survey.

Commissioner Sherwood made a motion to have the Parks and Recreation Department provide the map of the property and create a survey so citizens can suggest how the city should use the property it purchased on S. Shore Dr. Commissioner Ausborn seconded the motion. **Vote 4-0; Motion Carried.**

Mayor Winecoff thanked everyone for attending. He also expressed his appreciation to the Police and Fire Department for their work and praised their service.

## 15. Announcements

- 15.1 Jan. 28th Land Use Plan Public Input Meeting - at the Community Center - 5:30-7:00 pm.
- 15.2 Feb. 9th Out of School Activity Day. Sign up at BSL.recdesk.com.
- 15.3 Feb. 21st First Chili Cook Off (Community Center). Sign up at BSL.recdesk.com.

## 16. Adjourn

Commissioner Hall made a motion to adjourn, seconded by Commissioner Sherwood. **Vote 4-0; Motion Carried.**

**-8:00 pm**

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Jeff Winecoff, Mayor

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Attest: Tanya Shannon, City Clerk