



**City of Boiling Spring Lakes
Board of Commissioners Regular Meeting Minutes
and Closed Session Meeting Minutes
September 5, 2017
City Hall – 6:30 pm**

PLEASE TURN OFF CELL PHONES

Closed Session: 6:00 p.m.

A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Putnam to move into Executive/Closed Session regarding a personnel matter Pursuant to **NCGS 143-381.11(3)**.

Vote ~ 4 – 0

Closed Session: 6:20 p.m.

A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Putnam to move out of close session pursuant to **NCGS 143-318.11(3)**, no action was taken by the Board.

Vote ~ 4 ~ 0

1. Call to Order ~ Mayor Craig Caster

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

2. Attendance ~ in attendance at the meeting were ~

Mayor Craig Caster
Commissioner David Putnam
City Manager Jeff Repp
Police Chief Brad Shirley
Guest Wes MacLeod, COG

Commissioner Mark Stewart
Commissioner David Crawford
Code Enforcement Officer Ruth Bek
City Clerk Jane McMinn

Commissioner Mary Stilwell ~ **Excused**

3. Pledge of Allegiance ~ Bill Clark

4. Approval of Regular Agenda ~

A ***motion*** was made by Commissioner Putnam and a ***second*** by Commissioner Stewart requesting to add item ~ j ~ ***discussion on sidewalks in the commercial corridor*** to the agenda.

Vote ~ 4 ~ 0

5. Public Hearing ~

A ***motion*** was made by Commissioner Putnam and a ***second*** by Commissioner Stewart to move into public hearing pursuant to **NCGS 143-318.10**.

Vote ~ 4 ~ 0

- a. Development Site Plan ~ Case DP-0001

Carolina Cape Builders

No public comments were stated.

- b. Development Site Plan ~ Case DP-0002

Boiling Spring Lakes Police Department

No public comments were stated.

- c. Development Site Plan ~ Case DP-0003

MGK Mini Storage

No public comments were stated.

- d. Development Site Plan ~ Case DP-0004

Helms Subdivision

Matt Parvin ~ 1711 Reidsville Rd.

Mr. Parvin addressed the Board regarding the proposed subdivision on Reidsville Road. I want to make sure my comments are part of the public record.

Mr. Parvin then read from the **UDO Appendix A, Section A.2 Interpretation part (F)** The words “shall” and “will” are always mandatory and not merely a directive.

From **Article 8 Section 8.12 Street Standards, Part D** – the street network from any subdivision shall achieve a connectivity ratio of not less than 1.4; the phrase connectivity ratio means the number of street lengths divided by the number of nodes for link ends, including cul-de-sac ends. A link is defined as a street and a node is either a dead-end or an intersection. The proposed subdivision consists of a single street and two nodes.

It is clear to me that by reading the UDO the Helms subdivision does not meet the criteria set forth by the UDO. A vote to approve this subdivision would be a vote ignoring the explicit direction of the UDO that this board is obligated to enforce. It is my hope the board will recognize that in their vote this evening.

Ruth Somers ~ 1900 Reidsville Rd.

Ms. Somers stated she was unaware of any proposed plan that would occur when we purchased our property, which is 10 acres and zoned residential; our deed states there will be one residence in the lot. The plan is marked preliminary and not marked final. There are several agencies that have reviewed the plans; what stands out to me is the Brunswick County Health Department is not listed. It is my understanding that the subdivision will have 24 units on the 10 acres and that each one will have its own individual septic tank. The cutting down of trees is a topic that remains important along with lighting and stormwater drainage.

A *motion* was made by Commissioner Putnam and a *second* by Commissioner Crawford to move out of Public Hearing and back into the September 5, 2017 Board of Commissioner meeting pursuant to NCGS 143-318.10.

Vote 4 ~ 0

6. Public Comment ~

Tracey Clark ~ 9101 Morningside Rd.

Ms. Clark stated she has concerns about information she has heard but cannot confirm regarding a developer who would like to build a large tract of homes and has requested the city to pave roads and also install sewers. What I would like to see instead, would be to use taxpayer money to pave roads and lay sewer lines for the citizens that have been living here before investing taxpayer money into a new subdivision.

Anna LaRocca ~ 293 Walnut Rd.

Ms. LaRocca commented the easement by her property is continually flooded, I have a pump running day and night but the pump is not adequate to get the water out. The ditch is clogged all the way down the road, therefore the water cannot drain. The easement belongs to the city, I would like to see something done, this is not my property it is the city's property; I am asking the city to fix the flooding.

Barbara Glidden ~ 402 North Shore Dr.

Mrs. Glidden stated she has some concerns she would like to bring to the board's attention. Mrs. Glidden inquired where the funds are coming from for the new police department and the proposed sewer project for the 159 subdivision off Fifty Lakes Dr. I have heard the police department funding will not come out of our taxes, all expenses in the city comes out of our taxes. I have also heard the project will be financed and grants will be available, but my understanding is a portion of grants will need to be paid back.

The subdivision project will be paid by the increase in tax revenue in the city, what happens if the real estate market takes a downward turn, where will the money come from. This board was voted into office to oversee the spending of our taxpayer dollars.

7. **Approval of Minutes ~**

a. **Approval of Regular BOC Minutes dated August 1, 2017**

A *motion* was made by Commissioner Crawford and a *second* by Commissioner Stewart to approve the BOC meeting of August 1, 2017.

Vote ~ 4 ~ 0

8. **Consent Agenda ~**

- a. A *motion* was by Commissioner Stewart and a *second* by Commissioner Crawford to approve the Consent Agenda.

Vote ~ 4 ~ 0

9. **Committee / Board Reports ~**

a. **Community Appearance Commission ~ Ms. Ann Hollingsworth, Chairperson**

Ms. Hollingsworth presented a Certificate of Appreciation to Theresa Tickle, Fire Chief, Boiling Spring Lakes Fire Rescue for the outstanding service the BSL Fire Rescue provides for our residents and businesses.

b. **Planning Board ~ Bill Clark, Chairman**

Mr. Clark reported the Planning Board has reviewed Chapter 9 of the UDO, which has been sent to the BOC for their review. The Planning Board will receive Chapter 10, which will be reviewed and discussed at our next meeting. We reviewed the site plans for Carolina Cape Builders, Boiling Spring Lakes Police Department, MGK Mini Storage and Helms Subdivision; these plans have been forwarded to the Board for your recommendations.

c. **Parks & Recreation Advisory Board ~ Bon Cantrell, Chairman**

Mr. Cantrell reported the board was unable to have a meeting last month due to the lack of a quorum. The board reevaluated our subcommittees, our facilities and communications to see what we can do to make things a little easier. Our Open Space Master plan is coming along very well; we have public forums scheduled for September 11, 2017 at 6:00 p.m. at the Community Center, September 20th at 1:00 p.m. at the Community Center and October 11th at 6:00 p.m. at City Hall, we are looking for citizen input. The board has made a change to our meeting time moving from 6:30 p.m. to 6:00 p.m.

d. **Special Events ~ Lucille Launderville**

Ms. Launderville reported the Special Events committee hosted the Mayors Cup Golf Tournament on July 19, 2017, we had 88 golfers who participated with profits of \$625.00, these funds will be used to purchase new tents and clean the Special Events trailer. We sent thank you letters to all the clubs that provided certificates for the event

and a special thank you was sent to Steve White, owner of the Lakes Country Club for his support in hosting the event. We are finalizing the details of the 9/11 Bike Run which will be held on Saturday, September 9, 2017 starting at the firehouse. Funds from this event will be donated to the BSL Police Department and BSL Fire Rescue; we will then start working on the Hunted Hayride, which will be held late in October.

e. Library Committee ~ Frances Thomas, Chairperson

Mrs. Frances stated our focus has been planning for our Family Fun and Safety Day to be held on Saturday, September 23, 2017 from 1:00 p.m. to 3:00 p.m. We will have the police, fire, sheriff and EMS departments participating. We are hopeful to have a better turnout this year, we advertise, put out flyers we do not charge, this is a free event; we are hoping to have more participation from our citizens. The committee also discussed another meet the author night but the participation has been so poor, we cannot see inviting an author until the committee can find some way to improve participation, the committee is open to suggestions from the board and community.

f. BSL Fire Rescue ~ Commissioner Stewart, Liaison

Commissioner Stewart reported during the month of August there were 41 medical calls and 25 fire rescue calls. A 16-hour fire fighter certification class was held for ladders and a class was held on traffic laws for emergency services with the help of Corporal John Thomas of the BSL Police Department. Currently the fire rescue department is watching the development of hurricane Irma.

10. City Managers Report ~ Jeff Repp

Mr. Repp reported at the end of July the city had cash and investments of \$2,061,840 at the various financial institutions. The city had two (2) new home building permits issued and \$442,403 in construction activity. We received notification from the State of North Carolina for 2016 our population was recorded at 6,519 residents.

A brief update on the Holly Pump Station; the manufacturer has been onsite, we are currently awaiting a survey of the property that is being purchased to determine corner lines, as well as elevations to determine calculations for the size of the pump needed. We are waiting for an estimate from Duke Energy for three (3) base power.

11. Old Business ~

There was no old business for review.

12. New Business ~

- a. Resolution ~** Declaring the Intention of the Boiling Spring Lakes Board of Commissioners to Consider the Closing of the portion of Laurinburg Road between Gastonia Road and Albemarle Road.

No motion made was heard – *motion failed*

- b. **Ordinance** ~ Amending Chapter 2 ~ Administration, Article III – Boards, Committees and Commissions, Division 7 – Special Events Committee providing for two (2) alternate members.

A **motion** was made by Commissioner Crawford and a **second** by Commissioner Stewart approving the ordinance Amending Chapter 2 ~ Administration, Article III – Boards, Committees and Commissions, Division 7 – Special Events Committee providing for two (2) alternate members.

Vote ~ 4 ~ 0

- c. **Order** ~ Approving Development Site Plan for Carolina Cape Builders (DP-0001) subject to compliance with staff recommendations/comments.

A **motion** was made by Commissioner Putnam and **second** by Commissioner Stewart approving Development Site Plan for **Carolina Cape Builders** (DP-0001) subject to compliance with staff recommendations/comments.

Commissioner Stewart requested confirmation from Mr. MacLeod of the COG that all requirements for the site plans are met in accordance with our UDO. Mr. MacLeod confirmed all requirements have been met.

Vote ~ 4 ~ 0

- d. **Order** ~ Approving Development Site Plan for **Boiling Spring Lakes Police Department** (DP-0002) subject to compliance with staff recommendations/comments.

A **motion** was made by Commissioner Putnam and a **second** by Commissioner Stewart approving Development Site Plan for **Boiling Spring Lakes Police Department** (DP-0002) subject to compliance with staff recommendations/comments.

Again, Mr. MacLeod confirmed, all requirements are in accordance with the UDO.

Commissioner Crawford inquired what next steps would be. Mr. Repp informed the BOC there are number of permits that are required before this project can be released for bid. Zoning and storm water management through the state is a required permit. We are in the process of obtaining all those permits to be included in the final drawings that will be subject to bid within the next 30 to 60 days. We anticipate bids to be opened by October 31, 2017; it will be November before we will be considering those bids and proceeding with the project as we are so directed.

Vote ~ 4 ~ 0

- e. **Order** ~ Approving Development Site Plan for MGK Mini Storage (DP-0003) subject to compliance with staff recommendations/comments.

A ***motion*** was made by Commissioner Crawford and a ***second*** by Commissioner Stewart approving Development Site Plan for **MGK Mini Storage** (DP-0003) subject to compliance with staff recommendations/comments.

Mr. MacLeod confirmed all requirements are in accordance with the UDO.

Vote ~ 4 ~ 0

- f. ***Order*** ~ Approving Development Site Plan for **Helms Subdivision** (DP-0004) subject to compliance with staff recommendations/comments.

A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Putnam approving Development Site Plan for **Helms Subdivision** (DP-0004) subject to compliance with staff recommendations/comments.

Commissioner Stewart requested Mr. MacLeod to address the comments made by Mr. Parvin during public comment.

Mr. MacLeod commented there is a connectivity ratio requirement to protect from having several cul-de-sac streets, leaving only one exit, this is something I think we may need to change in the UDO, the city is platted and connected. The UDO talks about links and nodes, the street that is platted on the subdivision connects to an adjacent property, currently you cannot go anywhere, in the UDO it meets the rule, and it is a future connection so therefore it meets the connectivity of the UDO.

Mr. MacLeod confirmed notifying the public about future development is not a requirement in the UDO.

Vote ~ 4 ~ 0

- g. ***Order*** ~ authorizing the City Manager to accept the proposal of **Asheville Ford Lincoln of Ashville, NC** for the purchase of one (1) 2018 F-150 SuperCrew Cab Styleside and One (1) 2017 Explorer, Sport Utility 4x4 in the amount of **Sixty Thousand Three Hundred and Twelve Dollars and Three Cents (\$ 60,312.03)**.

A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Crawford authorizing the City Manager to accept the proposal of **Asheville Ford Lincoln of Ashville, NC** for the purchase of one (1) 2018 F-150 SuperCrew Cab Styleside and One (1) 2017 Explorer, Sport Utility 4x4 in the amount of **Sixty Thousand Three Hundred and Twelve Dollars and Three Cents (\$ 60,312.03)**.

Vote ~ 4 ~ 0

- h. ***Order*** ~ authorizing the Mayor to execute a Memorandum of Understanding with **Sanco Builders Corporation**, subject to City Attorney approval.

A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Putnam authorizing the Mayor to execute a Memorandum of Understanding with ***Sanco Builders Corporation***, subject to City Attorney approval.

Mr. Repp explained, the first significant change based on the public meeting we had with the developer, is the official entity that will be signing the MOU on behalf of the developer will be Dominion Land Corporation which is half of the real estate company that is Sanco Builders. The second significant change we have, with the adoption of this Memorandum of Understanding the board is agreeing to consider the follow-up legislative process, which is establishing special assessment districts in the area. This is a separate legislative process. The approval of the MOU does not mean you approve of the special assessment district; that approval would require a public hearing, notification to property owners and receive public input as part of the approval process; this is assuming Dominion Land Corporation purchases the lots. This is what the MOU spells out. Road, water and sewer will be done by special assessment for the entire project.

Mayor Caster had questions with respect to transmission lines, Mr. Repp explained the MOU is just an approval of the project at this time; this approval has nothing to do with any transmission lines.

Vote ~ 3 ~ 1 ~ (opposed ~ Mayor Caster)

- i. ***Order*** ~ appointing Philip C. Casper to the Parks & Recreation Advisory Board for a term of three (3) years beginning September 5, 2017.

A ***motion*** was made by Commissioner Crawford and a ***second*** by Commissioner Putnam appointing Philip C. Casper to the Parks & Recreation Advisory Board for a term of three (3) years beginning September 5, 2017.

Vote ~ 4 ~ 0

- j. ***Sidewalks in the business district*** ~

Commissioner Putnam questioned the city's UDO requirements with respect to sidewalks that lead nowhere. Commissioner Putnam suggested looking into having a comprehensive plan done which would have consistency for sidewalks in our business area. The older properties without sidewalks have been grandfathered in since the creation of the UDO in 2009. I would like the board to think about this and come up with a discussion on next month's agenda.

12. **Announcements** ~

- a. Mayor Caster cautioned we have a bad hurricane out there; all of our citizens need to be diligent and keep an eye on this dangerous storm.

- b. Commissioner Crawford informed the board and citizens after careful consideration he will be resigning as Commissioner from the Boiling Spring Lakes Board of Commissioners effective September 6, 2017. Commissioner Crawford stated the reasons are personal and I prefer to keep them private. I would like to thank the citizens of Boiling Spring Lakes for giving me the opportunity to represent them in city matters.

Mayor Caster, Commissioner Stewart and Commissioner Putnam all thanked Commissioner Crawford for his service and well wishes for the future.

A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Putnam requesting a special meeting on Thursday September 7, 2017 at 6:30 p.m. for possibly selecting a replacement for Commissioner Crawford's seat on the Boiling Spring Lakes Board of Commissioners.

Mayor Caster requested holding the meeting on September 6, 2017 stating he would be out of town on Thursday, September 7, 2017.


A ***motion*** was made to ***amend*** by Commissioner Stewart and a ***second*** by Commissioner Putnam to hold the special meeting on Wednesday September 6, 2017, at 6:30 p.m. for possibly selecting a replacement for Commissioner Crawford's seat on the Boiling Spring Lakes Board of Commissioners.

Vote ~ 4 ~ 0

13. Adjourn ~

A ***motion*** was made by Commissioner Stewart and a ***second*** by Commissioner Putnam to adjourn the Board of Commissioner meeting of September 5, 2017 at 7:30 p.m.

Vote ~ 4 ~ 0




Craig Caster, Mayor

ATTEST:



Jane McMinn, City Clerk



Date