

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
November 7, 2022
3:00 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 3:00 p.m., Commissioners' Chambers, David R. Sandifer Administration Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Randy Thompson, Chairman
Commissioner Mike Forte, Vice-Chairman
Commissioner J. Martin Cooke
Commissioner Pat Sykes
Commissioner Frank Williams

STAFF: Steve Stone, County Manager
Bob Shaver, County Attorney
David Stanley, Deputy County Manager
Haynes Brigman, Deputy County Manager
Aaron Smith, Finance Director
Daralyn Spivey, Clerk to the Board
LeAnn Weigand, Executive Assistant
Meagan Kascsak, Communications Director
Currie Elkins, IT
Lt. Beck, Sheriff's Office

Board Action, containing all items in this set of minutes, is filed within the Clerk to the Board's office.

I. CALL TO ORDER

Chairman Thompson called the meeting to order at 3:00 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Williams gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Thompson asked for adjustments to the agenda and advised the Board there will be a need for a Closed Session citing 143-318.11(a)(3) Consult with Attorney. Commissioner Williams made the motion to approve the amended agenda. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).

IV. PUBLIC COMMENTS

Mr. Mario Lawrence requested the Board consider a building moratorium until such time as the Unified Development Ordinance (UDO) be updated.

Ms. Denise Donnelly thanked the Board for the support and the ARPA funding coming forward for the library.

Mr. and Mrs. Varughese George requests the Board look to amend the current noise ordinance.

Mr. Nick Cherasaro spoke to the upcoming tax revaluation and the need for the Commissioner's Meetings to be broadcasted.

V. APPROVAL OF CONSENT AGENDA

Commissioner Cooke moved to approve the Consent Agenda. The motion was seconded by Vice - Chairman Forte and passed unanimously (5 to 0). See individual items for approval status:

1. Administration - Brunswick County Schools Contracts for Town Creek Elementary School Addition- Approved

The Board approved and authorized the Chairman to sign the Design Consultant Agreement with Becker Morgan Group, Inc. in the amount of \$558,800, and a Construction Manager At Risk Agreement with W.M. Jordan Company, Incorporated in the amount of \$7,271,379, both associated with facility upgrades at Town Creek Elementary School. Further request that the Board of Commissioners approve and authorize the Chairman to execute an Agency Agreement between the Brunswick County Board of Education and Brunswick County to enable the Board of Education to request a sales tax refund from the NC Department of Revenue for the project. The Agency Agreement would also permit the Board of Education to approve associated contracts, purchase orders, and change orders in amounts up to \$300,000 with subsequent reporting to the Board of Commissioners. Such approval authority is limited only to amounts specified in the Board of Education budget for this project, as approved by the County, and no expenditures outside of those parameters will be approved or ratified.

2. Administration - Budget Calendar FY 2023-2024 - Approved

The Board approved the FY 2023-2024 Budget Calendar.

3. Clerk to the Board - Annual Rural Operating Assistance Program Funding – Approved

The Board approved and authorized the County Manager to sign the annual funding ROAP application, the MOU and the Certified Statement.

4. Clerk to the Board - Brunswick Community College Budget Review Form - Approved

The Board approved the required budget sign-off form stating the Brunswick Community College Budget has been reviewed and approved for FY 2022-23.

5. Clerk to the Board - Meeting Minutes- Approved

The Board approved the meeting minutes for November 7, 2022.

6. County Attorney - Bella Point, Ph 2 Subdivision DOD - Approved

The Board approved the Deed of Dedication for water and sewer infrastructure for Bella Point, Phase 2, Subdivision.

7. County Attorney – Country Walk Subdivision DOD- Approved

The Board accepted the Deed of Dedication for water and sewer infrastructure for the Country Walk Subdivision.

8. County Attorney - The Bluffs on the Cape Fear, Ph 4B, Sec 2 DOD - Approved

The Board approved the Deed of Dedication for water and sewer infrastructure in The Bluffs on the Cape Fear, Phase 4B, Section 2.

9. Finance - Fiscal Items- Approved

The Board approved Budget Amendments, Capital Project Ordinances and Fiscal Items of a routine nature on the consent agenda to include the following:

-FY16 Enterprise Water Mains Top 7 Budget Amendment and CPO

The transfer of \$40,000 from the water capital reserve undesignated to FY16 Enterprise Water Mains Top 7 for reimbursable expenses and CPI increase to East Coast Engineering due to resumption of abandoned project and changes and additions to NCDOT permit as allowable under the original contract.

-Approved and authorized the Chairman to sign the grant agreements for the federal airport grant 36237.45.19.1 in the amount of \$13,469 with a local match of \$1,497,

the federal airport grant 36237.45.19.2 in the amount of \$333,332 with no local match, and the State Capital and Infrastructure funds grant in the amount of \$450,000 with no local match. Funding for the grants and local match were approved on the October 17, 2022 Board of Commissioner's meeting.

- Local Assistance and Tribal Consistency Fund (LATCF) ARPA Grant

The Board approved and authorized the Finance Director to submit application and County Manager to accept the award for the Local Assistance and Tribal Consistency Fund (LATCF) ARPA dollars in the amount of \$100,000 available to eligible revenue sharing counties and Tribal governments to serve as a general revenue enhancement program. Section 605 of the Social Security Act, added by Section 9901 of the ARPA, established the LATCF, which provides for the Treasury to pay \$2 billion to eligible revenue sharing counties and eligible Tribal governments across fiscal years 2022 and 2023 for use on any governmental purpose except for a lobbying activity. The Treasury's allocation formula is based on the calculation of a county's relative economic condition compared to other eligible revenue sharing counties and its acres of federal land. Eligible recipients must submit a request for funding in the Treasury Submission Portal to receive payments and sign an award agreement. Payments will be received in two tranches; the first tranche will be available within 4-5 days of submission and the second will be obtainable in FY23. Funds will cover personnel costs deemed eligible use expenses under the Government Services category on Treasury's non-exhaustive list of activities that fulfill a government purpose. LATCF dollars will allow the County to redirect General Fund dollars previously spent on personnel costs to support other County and community project needs.

10. Health and Human Services - Public Housing - Local Preferences– Approved

The Board approved the recommended Local Preference policy change to the Housing Choice Voucher (Section 8) Administrative Plan.

11. Health and Human Services - Public Housing - Stability Voucher Program– Approved

The Board approved the request to apply for Stability Voucher Program funding if invited by the Department of Housing and Urban Development.

12. Library - ARPA Funds for Public Computers– Approved

The Board approved the allocation of \$72,800 from ARPA funds for the purchase of public-access computers.

13. Sheriff's Office - 911 Board Grant Award Acceptance – Approved

The Board accepted a grant award from the North Carolina 911 Board in the amount of \$238,721.50 with no county match requirement. The funds will be used to replace the primary center's backup radio consolettes with twenty-three (23) consolettes.

14. Sheriff's Office - 911 Center Phone System Contract Extension– Approved

The Board approved a fourth extension of the existing 911 Center Phone System agreement with ePlus Group, Inc. for six months, maintaining the current monthly rate in the state 911 budget 224376.

15. Sheriff's Office - Motorola Solutions Agreement (Radio Consolettes)– Approved

The Board awarded the contract to Motorola Solutions Inc. for the purchase of the radio consolettes awarded in the aforementioned 911 State Board Grant in the amount of \$238,721.50 with no county match requirement.

16. Sheriff's Office - Wellpath Amendment for Inmate Health Services – Approved

The Board approved the first amendment to the inmate health services agreement provided by Wellpath, LLC. This amendment adjusts the annual contract from \$1,388,183.00 annually to \$1,429,828.49 annually, which was part of the FY23 budget request.

17. Soil & Water - NRCS Agricultural Land Easement Application FY23 Funding Round- Approved

The Board approved the request to reapply for the NRCS Agricultural Land Easement grant as presented at the March 21, 2022 Commissioners Meeting with updated FY23 forms.

18. **Utilities - Camera and Door Security System - NC Sound -Approved**
The Board approved a budget amendment for the purchase of a camera/security system for the Utilities Operation Center (UOC) for \$21,666.02 and a door access control system for \$38,446.19 from North Carolina Sound of Goldsboro, LLC in accordance with NCGS 143-129. The Resolution reads as follows:

**RESOLUTION AUTHORIZING PURCHASE OF SECURITY CAMERA
AND DOOR ACCESS CONTROL SYSTEM FOR THE BRUNSWICK
COUNTY UTILITIES OPERATIONS CENTER UNDER SOLE SOURCE
EXCEPTION TO FORMAL BIDDING REQUIREMENTS**

WHEREAS, N.C.G.S 143-129(e)(6), Procedure for Letting of Public Contracts, allows for the waiver of formal bidding requirements for purchases of apparatus, supplies, materials, or equipment when performance or price competition for a product are not available, or a needed product is available from only one source of supply, or standardization or compatibility is the overriding consideration; and

WHEREAS, the existing security camera and door access control system at the Brunswick County Utilities Operations Center are obsolete and in need of replacing; and

WHEREAS, various security and door access systems at other Brunswick County buildings, including at the Brunswick County Government Complex and Brunswick County Courthouse, have recently been upgraded; and

WHEREAS, it is recommended that the security camera and door access control system for the Utilities Operations Center be installed to integrate with the existing systems used throughout multiple other Brunswick County Government buildings; and

WHEREAS, to effectively integrate the new security camera and door access control system with existing infrastructure, the security camera and door access control system should be purchased from and installed by North Carolina Sound of Goldsboro, LLC for standardization and compatibility; and

WHEREAS, the governing board must approve the purchase under this bidding exemption prior to awarding the contract.

NOW, THEREFORE BE IT RESOLVED, that the Brunswick County Board of Commissioners approves the purchases described herein utilizing the exception to formal bidding requirements contained in N.C.G.S. 143-129(e)(6) and finds that the conditions described in that statute have been met.

Adopted this the 7th day of November, 2022.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:

Daralyn Spivey, NCCCC
Clerk to the Board

19. **Utilities - Navassa Wastewater Collections System Rehab - McGill and Associates – Approved**
The Board approved and authorized the Chairman and Clerk to the Board to execute the Professional Services agreement with McGill Associates, PA in the amount of \$327,000 for engineering services, construction administration, and grant

administration associated with the grant funded Navassa Wastewater Collection System Rehabilitation Project.

20. Utilities - SE Area Improvements - CDM Smith – Approved

The Board authorized the Chairman and Clerk to the Board to execute the Professional Services Contract with CDM Smith in the amount of \$89,470 for engineering services associated with the ARPA funded Southeast Area Improvements – St. James Preliminary Engineering Report project (PER).

21. Utilities - Southern Vac Camera Trailer - Approved

The Board approved the budget-appropriated purchase of a Rausch Portable Camera Trailer from City Works Equipment and Supply, LLC, DBA Southern Vac for \$149,874.00 as an exception to the bidding requirements in accordance with NCGS 143-129(e)(3).

VI. PRESENTATION

1. Clerk to the Board - Resolution - Jennings Edge

Chairman Thompson read and moved to approve the Resolution recognizing Jennings Edge. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0). The Resolution reads as follows:

**RESOLUTION HONORING JENNINGS D. EDGE
CALABASH FIRE DEPARTMENT**

WHEREAS, on behalf of the Brunswick County Board of Commissioners, we wish to extend our sincere sympathies over the passing of Jennings D. Edge; and

WHEREAS, Mr. Edge served his community in various capacities to include transitioning the Calabash Fire Department from a small, all volunteer fire department to the robust combined career and volunteer fire department that stands today, serving on the Calabash Fire Department Board of Directors for 38 years with 23 of those years serving as the President of the Board; and

WHEREAS, Mr. Edge was instrumental in the construction of two new fire station facilities in 2004 and 2014 respectively to support fire service delivery, improve response times, and provide other essential needs for both the growing fire department and community; and

WHEREAS, Mr. Edge had a tremendous compassion for the firefighters of Calabash Fire Department and for all the community members for which it served. He was a great communicator, had a strong rapport with surrounding communities, public safety officials, local leaders, and residents alike across Brunswick County; and

WHEREAS, Mr. Edge showed exceptional support and displayed great trust in the fire chiefs and the staff that served during his tenure; and

WHEREAS, Mr. Edge was a true public servant who always strove to do positive work for the benefit of others, a man who brought peace to those around him, and exemplified great humility and dedication to his community and to the Calabash Fire Department. He earned the respect, admiration and high regard of all with whom he came into contact with, and the community has sustained a great loss in his passing.

NOW, therefore, on behalf of the Brunswick County Board of Commissioners, the Board wishes to extend its sincere sympathies to the family and friends of Jennings D. Edge, upon his passing on November 2, 2022.

Adopted this, the 7th day of November 2022.

Randy Thompson, Chair
Board of Commissioners

ATTEST:

Daralyn Spivey, CMC, NCCCC
Clerk to the Board

2. Clerk to the Board – Resolution – National Hunger and Homelessness Awareness Week

Commissioner Cooke read and made the motion to approve the below resolution. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0). The Resolution reads as follows:

**PROCLAMATION DESIGNATING NOVEMBER 12-20,
2022 AS NATIONAL HUNGER AND HOMELESSNESS
AWARENESS WEEK IN BRUNSWICK
COUNTY, NORTH CAROLINA**

WHEREAS, for the past several years the National Coalition for the Homeless and National Student Campaign Against Hunger and Homelessness have sponsored National Hunger and Homelessness Awareness week; and

WHEREAS, the purpose of the proclamation is to educate the public about the many reasons people are hungry and homeless in Brunswick County, North Carolina, for very low-income residents, and to encourage support for homeless assistance service providers as well as community service opportunities for students and school service organizations; and

WHEREAS, there are organizations committed to sheltering, providing supportive services as well as meals and food supplies to the homeless, to wit: faith-based ministries and other nonprofit organizations that assist with the needs of the hungry and homeless; and

WHEREAS, these faith-based ministries and other nonprofit organizations that assist with the needs of the hungry and homeless recognize that hunger and homelessness continue to be a serious problem for many individuals and families in Brunswick County, North Carolina; and

WHEREAS, the intent of National Hunger and Homelessness Awareness Week is consistent with the activities of faith-based ministries and other nonprofit organizations that assist with the needs of the hungry and homeless.

NOW, THEREFORE, the Brunswick County Board of Commissioners does hereby proclaim November 12-20, 2022, as National Hunger and Homelessness Awareness Week and encourages all citizens to recognize that many people lack adequate housing and need support from citizens and private/public nonprofit service entities.

This the 7th day of November, 2022.

Randall Thompson, Chairman
Brunswick County Commissioners

ATTEST:

Daralyn Spivey
Clerk to the Board

3. Finance - Presentation - Auditor's Report on the Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2022

The Board received the report from Ms. Paula Hodges, partner of Martin Starnes

and Associates, CPAs, P.A., regarding the auditors' opinion of the Annual Comprehensive Financial Report for the fiscal year ending June 30, 2022.

VII. ADMINISTRATIVE REPORT

1. Code Administration - Appropriation of Revenue for 2 Commercial Plan Reviewers and Equipment

Mr. Slate requested the appropriations of permit fee revenues to hire two additional Commercial Plan Reviewers and associated equipment (laptops, large monitors, desks) totaling \$135,000. Vice – Chairman Forte made the motion to approve the request. The motion was seconded by Commissioner Cooke and passed (4 to 1). The following reflects the vote:

Chairman Thompson: Aye
Vice Chairman Forte: Aye
Commissioner Sykes: Nay
Commissioner Cooke: Aye
Commissioner Williams: Aye

2. Utilities - NW Water Treatment Plant AWOP Award

The Board recognized Superintendent Thad Hill and Chief Operator Justin Loiacono at the Northwest Water Treatment Plant (WTP) for once again receiving the Area Wide Optimization Process (AWOP) award for outstanding turbidity removal.

VIII. BOARD APPOINTMENTS

1. Clerk to the Board - Board Appointment - Child Fatality Prevention Team

Commissioner Cooke made the motion to appoint Lt. Tony Henson of the Brunswick County Sheriff's Office as the Sheriff's appointee to the Child Fatality Prevention Team. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0).

2. Clerk to the Board - Board Appointment – Library

Commissioner Cooke made the motion to appoint Diana Fotinatos and Marilyn Shapiro as "at large" appointments to the Library Board. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0).

3. Clerk to the Board - Board Appointment – JCPC

Commissioner Cooke made the motion to appoint Kenneth Gamm to the Juvenile Crime Prevention Commission (JCPC). The motion was seconded by Commissioner Williams and passed unanimously (5 to 0).

IX. OTHER BUSINESS/INFORMAL DISCUSSION

No further discussion was brought forward.

X. CLOSED SESSION

1. The Board entered into closed session pursuant to G.S. § 143-318.11(a)(3) to consult with the attorney.

Mr. Shaver noted the above statutory requirements.

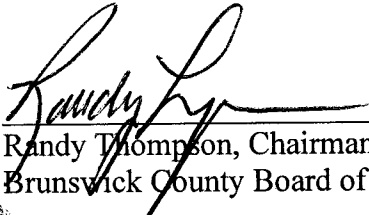
Commissioner Williams made the motion to enter Closed Session at 4:03 p.m. The motion was seconded by Vice – Chairman Forte and passed unanimously (5 to 0).

Chairman Thompson called the Regular Session to order at 4:32 p.m.

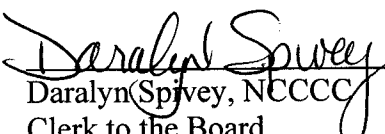
Mr. Shaver stated there was nothing to report from Closed Session.

XI. ADJOURNMENT

Commissioner Williams moved to adjourn the meeting at 4:33 p.m. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).



Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:


Daralyn Sprivey, NCCCC
Clerk to the Board

