

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
September 5, 2023
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 J. Martin Cooke
Commissioner Mike Forte, Vice-Chairman
Commissioner Frank Williams
Commissioner Pat Sykes

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, Deputy Clerk/ Executive Assistant
Meagan Kascsak, Communications Director
Currie Elkins, IT
Lt. Raynor, 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. Hearing none, Commissioner Cooke made the motion to approve the agenda. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0).

IV. PUBLIC COMMENTS

Chairman Thompson opened the public comment period at 3:00 p.m. with the following comments:

Mr. Jim Fish thanked the Board for their continued support of Brunswick Senior Resources Inc.

Mr. Nick Cherasaro reminded the Board of his request to have the meeting broadcasted for transparency purposes.

V. APPROVAL OF CONSENT AGENDA

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

1. Administration – BSRI Temporary Funding Agreement - Approved

- The Board approved a temporary funding agreement with BSRI for \$1.5M
2. **Clerk to the Board – Meeting Minutes August 21, 2023 Regular Meeting – Approved**
The Board approved the Minutes from the August 21, 2023 Regular Meeting.
3. **County Attorney - Grande Palms, Phase 2 Lot 32-39 and 76-82 DOD - Approved**
The Board approved the Deed of Dedication for water and sewer infrastructure for Grande Palms, Phase 2 Lots 32-39 and 76-82.
4. **County Attorney – Bluffs of the Cape Fear, Phase 4B, Sec 3, Lots 434-446 and 549-560 DOD – Approved**
The Board approved the Deed of Dedication for water and sewer infrastructure for the Bluffs of the Cape Fear, Phase 4B, Sec 3, Lots 434-446 and 549-560.
5. **Finance – Fiscal Items – Approved**
-Breast Feeding Peer Counselor Program Budget Amendment
Appropriated \$18,413 of additional state funding for Breast Feeding Peer Counselor with the updated FY 23-24 agreement addendum. The total allocation for the FY 23-24 program is \$49,413.
-Closing Costs for 925 Old Ocean Highway Budget Amendment
Appropriated \$17,387 of fund balance for closing costs associated with 925 Old Ocean Highway, Bolivia, NC 28422.
6. **Finance – H-GAC Buy Cooperative Purchasing Interlocal Agreement – Approved**
The Board approved becoming a participating member of H-GAC Buy and delegate signing authority of the agreement to the County Manager.
7. **Finance – Utility Billing – Meter Reader Temporary Positions to 1 Full Time Position – Approved**
The Board approved converting funds for two (2) temporary meter reading positions to one (1) full-time position.
8. **Library – Purchase of Library Circulation Desk Using ARP – Enabled Funds – Approved**
The Board approved \$9,000 of ARP – enabled funds to be allocated for the purchase of a circulation desk for the entranceway to the Southwest Brunswick Brank Library.
9. **Operation Services – Piedmont Truck Center Supplier Agreements - Approved**
The Board approved two supplier agreements with Piedmont Truck Center, Inc..
10. **Sheriff's Office – Sole Source Resolution - Public Safety Agreement – Approved**
The Board approved a resolution authorizing the purchase of public safety equipment under Sole Source Exception. The Resolution reads as follows:

RESOLUTION AUTHORIZING PURCHASE OF KINETIC BREACHING TECHNOLOGY EQUIPMENT 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 Brunswick County Sheriff's Office utilizes forced entry tools to assist deputies in various response needs, including, without limitation, responding to active threats; and

WHEREAS, the Kinetic Breaching Tool™ manufactured by KBT, LLC d/b/a Kinetic Breaching Technology is a new powder actuated, pneumatic breaching tool, which utilizes a self-contained impact ram that has no projectiles or explosive pressures exiting the tool, thus saving time and affording additional safety and security for officers; and

WHEREAS, AARDVARK is the exclusive sole source distributor of the Kinetic Breaching Tool™ in Noth America; 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 5th day of September, 2023.
Randy Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:

Daralyn Spivey, NCCCC
Clerk to the Board

11. Utilities – Navassa Wastewater System SRP Grant Funding Resolution and Acceptance – Approved

The Board approved a corrected resolution to accept the grant offer and associated assurances to secure \$2,825,818 in North Carolina Department of Environmental Quality Clean Water State Reserve Grant (SPR) funding for the repair and rehabilitation of the Town of Navassa wastewater system and to authorize the County Manger to furnish such information the appropriate State agency may request in connection with the acceptance of funding. The Resolution reads as follows:

**RESOLUTION TO ACCEPT NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CLEAN WATER STATE REVOLVING FUND AWARD**

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environment and Natural Resources has offered a State Reserve Grant (SRP) in the amount of \$2,852,818.00 for the repair and rehabilitation of the Town of Navassa wastewater system, hereafter referred to as the “Project”; and

WHEREAS, Brunswick County intends to construct said Project in accordance with engineering plans and specifications that have been or will have been approved by the North Carolina DEQ Division of Water Infrastructure.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Brunswick County:

- 1) That Brunswick County does hereby accept the State Reserve Grant (SRP) offer in the amount of \$2,852,818.00; and
- 2) That Brunswick County does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the Funding Offer –Assurances (Project Number: SRP-W-0186); and
- 3) That Steve Stone, County Manager, as the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the Project; to make the Assurances as contained above; and to execute such other documents as may be required in connection with the application; and

- 4) That Brunswick County has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

ADOPTED this the 5th day of September 2023.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Clerk to the Board of Commissioners of the County of Brunswick does hereby certify: That the above resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Brunswick County Board of Commissioners duly held on the 5th day of September 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of September 2023.

Daralyn Spivey
Clerk to the Board

12. Utilities – Purchase of Vac Truck for Public Utilities – Approved

The Board approved the budgeted appropriated purchase of a Single Engine Combination Sewer Cleaner Truck from City Works Equipment and Supply, LLC, DBA Southern Vac for \$553,375.00 as an exception to the bidding requirements in accordance with \$105,420.20 for an excavator for Utilities in accordance with NCGS 143-129 (e)(3).

VI. ADMINISTRATIVE REPORT

1. Finance – Mulberry Branch Water Reclamation Facility – Resolution of Tentative Award

The Board adopted the Resolution of Tentative Award to Harper General Contractors, Inc. for \$46,413,000 contingent on the necessary approval and receipt of funding. The Resolution reads as follows:

RESOLUTION OF TENTATIVE AWARD

WHEREAS, the County of Brunswick, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the Mulberry Branch Water Reclamation Facility, and

WHEREAS, WK Dickson & Co., Inc., the Consulting Engineers have reviewed the bids; and

WHEREAS, Harper General Contractors, Inc. was the lowest bidder for in the base bid of \$46,358,000 and

WHEREAS, the consulting Engineers recommend **TENTATIVE AWARD** to the lowest bidder accepting Alternate G-1.

NOW, THEREFORE, BE IT RESOLVED that **TENTATIVE AWARD** is made to Harper General Contractors, Inc. in the Total Amount of \$46,413,000.

BE IT FURTHER RESOLVED that such **TENTATIVE AWARD** be contingent upon the approval of the Local Government Commission and North

Carolina Department of Environmental Quality and the receipt of bond funds and other project funding sources.

Upon motion of Commissioner Williams, seconded by Vice – Chairman Forte, the above **RESOLUTION** was unanimously adopted.

This the 5th day of September, 2023.

Randy Thompson
Board Chair

ATTEST:

Daralyn Spivey NCCCC/CMC
Clerk to the Board

VII. OTHER BUSINESS/INFORMAL DISCUSSION

1. Chairman Thompson noted the presence of the Board for the BSRI and appreciate what is being done for the seniors in our community. Commissioner Williams, Cooke, and Sykes echoed Chairman Thompsons comments.
2. Commissioner Williams commended David McIntire and his team for the work that was done during Tropical Storm Idalia. Commissioners Cooke, Sykes, and Forte echoed the comments of Commissioner Williams.

VIII. CLOSED SESSION

The Board entered Close Session at 3:10 p.m. pursuant to N.C.G.S. 143-318.11(a)(1) (3) and (4) to approve Closed Session Minutes from the August 7, 2023 meeting, to consult with its attorney in order to preserve the attorney-client privilege, and to discuss matters relating to the location or expansion of industries or other businesses.

Mr. Shaver noted the above statutory requirements.

Commissioner Williams made the motion to enter Closed Session at 3:10 p.m. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).

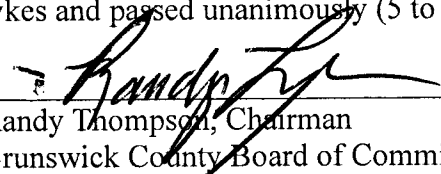
Chairman Thompson called the Regular Session to order at 4:24 p.m.

Mr. Shaver reported the Board wishes to instruct staff to publish a Notice of Public Hearing for the next regular meeting for the purpose of acquiring up to 539 acres of land in the Mid-Atlantic Industrial Rail Park for economic development.

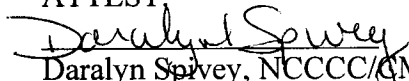
Vice – Chairman Forte made the motion to approve the notice of public hearing. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0).

IX. ADJOURNMENT

Commissioner Williams made the motion to adjourn the meeting at 4:25 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 Spivey, NCCCC/CMC
Clerk to the Board



