BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
December 4, 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 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 Jim Hartsell, 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.

Commissioner Cooke made the motion to approve the agenda. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0).

IV. ELECTION OF BOARD CHAIR

1. Mr. Shaver, County Attorney, explained the process of the election of the Chairman and opened the floor for nominations.

   Commissioner Williams moved to nominate Commissioner Randy Thompson as Chairman. The motion was seconded by Commissioner Forte. Mr. Shaver opened the floor discussion. Hearing no further discussion, the nominations were closed. The vote for approval passed (4 to 1) in favor of Commissioner Thompson as the Board Chairman. The poll is as follows:

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

Mr. Shaver turned the meeting over to Chairman Thompson.

V. ELECTION OF VICE – CHAIR

Chairman Thompson opened the floor for nominations and moved to nominate Commissioner Forte as Vice-Chairman. The motion was seconded by Commissioner Williams. Commissioner Sykes nominated herself for the Vice – Chair position. Chairman Thompson opened the floor for discussion. Hearing nothing further, the nominations were closed. Mr. Shaver advised there is a motion and a second already on the floor for Commissioner Forte and if that vote failed, the nomination of Commissioner Sykes could be considered. The vote for approval passed (4 to 1) in favor of Commissioner Forte as the Vice-Chairman. The poll is as follows:

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

VI. APPROVAL OF THE BONDS

1. The Board adopted a Resolution approving the bonding of county officials. Vice – Chairman Forte made the motion to adopt the Resolution with Commissioner Sykes seconding and all in favor (5 to 0). The Resolution reads as follows:

RESOLUTION APPROVING THE BONDING OF COUNTY OFFICIALS

WHEREAS, North Carolina General Statute § 105-349(c) requires the Tax Collector to provide a performance bond in an amount prescribed by this Board; and

WHEREAS, NCGS §159-29(a) requires the Finance Officer to provide a performance bond with sufficient sureties in an amount to be fixed by this Board but not less than $1,000,000; and

WHEREAS, NCGS §161-4 requires the Register of Deeds to provide a performance bond with sufficient surety to be approved by this Board, in an amount of not less than $10,000 nor more than $50,000; and

WHEREAS, NCGS §162-8 requires the Sheriff to provide a performance bond of any amount to be determined by this Board but not to exceed $25,000; and

WHEREAS, NCGS §58-72-55 requires the Clerk to the Board to record in the proceedings the names of those Commissioners who are present at the time of approval of official bonds and who voted for such approval; and

WHEREAS, NCGS §58-72-55 further provides that any Commissioner may cause his or her written dissent to an official bond to be entered into the record of this Board.

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

1. That this Board hereby accepts and approves bonds for public officials as follows:
   a. Jeff Niebauer, Tax Collector, $500,000.00 with Travelers Insurance;
   b. Aaron Smith, Finance Director, $1,000,000.00 with Western Surety Company;
   c. Brenda Clemmons, Register of Deeds, $10,000.00 with Travelers Insurance;
   d. Brian M. Chism, Sheriff, $25,000.00 with Western Surety Company;

2. That pursuant to NCGS 58-72-55, the Clerk is hereby instructed to record the names of all Commissioners present at this meeting who vote in favor of this resolution.
3. That pursuant to NCGS 58-72-55, any Commissioner who votes against this resolution may cause his or her written dissent to be entered into the record of the Board.
4. That this resolution shall be effective upon its adoption.

Approved and adopted this, the 4th day of December 2023.

Randy Thompson, Chair
Brunswick County Board of Commissioners

ATTEST:
Daralyn Spivey, NCCCC
Clerk to the Board

VII. PUBLIC COMMENTS

Gordon Hargrove, City Manager for Boiling Spring Lakes, spoke to the expansion of sewer services and the reinstatement of the Sewer Steering Committee.

Carl Parker spoke about the need for water infrastructure in the underserved areas of the County.

VIII. APPROVAL OF CONSENT AGENDA

Commissioner Sykes moved to approve the Consent Agenda. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0). See individual items for approval status:

1. **Administration – Demolition of Civietown Fire Department Building - Approved**
The Board authorized Operations Services to dismantle the existing Civietown Fire Department Building and dispose of the resulting debris at the C&D landfill.
2. **Clerk to the Board – Meeting Minutes – November 20, 2023 - Approved**
The Board approved the Meeting Minutes for November 20, 2023.
3. **County Attorney Richmond Hills, Phase 2 DOD – Approved**
The Board approved the Deed of Dedication for water and sewer infrastructure in Richmond Hills, Phase 2.
4. **Emergency Services- Brunswick Search and Rescue Agreement- Approved**
The Board approved the Grant Application Evaluation Form and award for the 2022 Duke Energy Preparedness Grant, in the amount of $25,000 for the purchase of drones to assess damage after hurricanes and severe weather events.
5. **Emergency Services Columbus County EMS Ambulance Franchise Agreement - Approved**
The Board approved the annual ambulance franchise agreement with Columbus County, EMS.
6. **Emergency Services MED1 NC Ambulance Franchise Agreement - Approved**
The Board approved the annual ambulance franchise agreement with MED1 NC, Inc.
7. **Emergency Services St. James Fire and EMS Ambulance Franchise Agreement - Approved**
The Board approved the annual ambulance franchise agreement with St. James Fire and EMS. This franchise agreement also includes a county budget supplement of $14,300.00. This amount was approved in the FY 23/24 county budget.
8. **Emergency Services Stryker Annual Preventative Maintenance Contract - Approved**
The Board approved the annual Stryker preventative maintenance contract.
9. **Emergency Services Stryker Stretcher Purchase Approval - Approved**
The Board approved the purchase of four Stryker Power Pro 2 stretchers.
10. **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:

-Sheriff's Additional Revenues Budget Amendment

Appropriated Sheriff's Office anticipated additional revenues and expenditures.

-Airport Grant 36237.45.20.1 Budget Amendment and CPO

Appropriated $53,595 of federal airport grant revenues and transfer $5,955 of local match from county capital reserve undesignated for airport grant 36237.45.20.1 Airport Grant for Preliminary Siting for AWOS Relocation.

11. Finance – Resolution Approving Construction Management at Risk Construction Delivery Method for Phase II Addition at Town Creek Elementary – Approved

The Board adopted the resolution approving construction management at risk construction delivery method for the Phase II Addition to Town Creek Elementary School Project. The Resolution reads as follows:

RESOLUTION APPROVING CONSTRUCTION MANAGEMENT AT RISK CONSTRUCTION DELIVERY METHOD FOR THE PHASE II ADDITION TO TOWN CREEK ELEMENTARY SCHOOL PROJECT

WHEREAS, the Brunswick County Board of Education has directed the Operations Committee to pursue a Phase II Addition to Town Creek Elementary School; and

WHEREAS, the Brunswick County Board of Education has requested the Brunswick County Board of Commissioners adopt a resolution to declare Construction Manager at Risk the preferred construction method for Town Creek Elementary Phase II addition; and

WHEREAS, the Board has compared the advantages and disadvantages of using the Construction Management at Risk method for the project instead of the delivery methods identified in G.S. 143-128(a1)(1) through G. S. 143-128(a1)(3); and

WHEREAS, the Board finds the Construction Management at Risk method allows for the selection of the most qualified contractor for the project; and

WHEREAS, Construction Management at Risk provides an opportunity for the involvement of the contractor during the design process to provide the architect with feedback on constructability and other design issues; and Whereas, Construction Management at Risk requires the Construction Manager to use prequalified subcontractors; and

WHEREAS, Construction Management at Risk allows for transparency of the overall bidding and construction process, including the costs incurred by the Construction Manager; and

WHEREAS, Construction Management at Risk has been shown to achieve significant MBE participation during the construction process; and

WHEREAS, Construction Management at Risk method has resulted in the consistent completion of projects on schedule; and

WHEREAS, the Board has concluded the Construction Management at Risk method is in the overall best interest of the project compared to the use of one of the delivery methods in G.S. 143- 128(a1)(1) through G.S. 143-128(a1)(3);

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Brunswick County Board of Commissioners approves the use of the Construction Management at Risk construction delivery method in accordance with G.S. 143-128.1 for the Phase II Addition to Town Creek Elementary School project.

Resolved this 4th day of December 2023.

Randy Thompson, Chair
Board of Commissioners

Attest:
Daralyn Spivey, NCCCC, CMC
Clerk to the Board

12. **Health Services - Receipt of Grant Funds from NC DHHS Division of Public Health, Communicable Disease Branch, for Mosquito Control Activities – Approved**
The Board approved receipt of grant funds from NC DHHS Division of Public Health, Communicable Disease Branch, for mosquito surveillance, suppression, and associated activities to more fully develop the county integrated mosquito management program operated by our Operations Services Department.
13. **IT – Approval of the Use of ARPA Enabled Funds for the Procurement of a Replacement Audio/Video System for the Board of Commissioners Chambers - Approved**
The Board approved the use of ARPA enabled funds for the procurement of a replacement Audio/Video system for the Board of Commissioners Chambers.
14. **Operations Services - Tip Fee Exemption Request – Approved**
The Board approved a tip fee exemption at the Brunswick County Landfill for Stray Dog Ranch, Inc.
15. **Sherrif's Office - 911 Center Phone System Contract Extension – Approved**
The Board approved a sixth extension of the existing 911 Center Phone System agreement with ePlus Group, Inc. for six months, maintaining the current monthly rate in the state's Emergency Telephone System Fund (ETSF).
16. **Sheriff's Office - SCAAP Grant Award Acceptance – Approved**
The Board accepted an award from the BJA FY 2023 State Criminal Alien Assistance Program (SCAAP) grant in the amount of $28,290 with no county match requirement.
17. **Soil and Water - Brunswick Soil and Water Transfer of Conservation Easement Grant to Working Lands Trust - Approved**
The Board approved a request to transfer the NCDA&CS Farmland Preservation, Agricultural Development and Farmland Preservation (ADFP) trust fund grant, contract number 22-086-4035, project title Bellamy Family Farms Conservation Easement +/- 64 Acres to Working Lands Trust.
18. **Soil and Water - District Matching Funds Application - Approved**
The Board approved the application for matching funds between the Brunswick Soil and Water Conservation District and the NCDA&CS Division of Soil and Water as part of District Master Agreement Contract 21-035-4066, amendment number 01-2022.
19. **Tax Administration – Request for 1 new FTE DMV Supervisor Position – Approved**
The Board approved a new DMV supervisor position in Tax Administration.
20. **Utilities - Rogers Excavating and Grading, Inc. Contract – Approved**
The Board approved the award of a contract for an estimated 65 long-side water taps for a total amount of $227,500.00 with Rogers Excavating and Grading Inc. upon County Attorney approval of the final contract and authorize the County Manager to execute the contract.
21. **Utilities – Water Treatment Chemical JCI Jones Chemical Supplier Agreement – Approved**
The Board approved the Supplier Agreement with JCI Jones in the amount of $154,000.

IX. PRESENTATION

1. **Proclamation Honoring Brenda Bozeman, Town of Leland Elected Official**
Commissioner Williams presented the proclamation and made the motion to approve. Commissioner Sykes seconded the motion with all in favor (5 to 0). The Proclamation reads as follows:

PROCLAMATION HONORING BRENDA BOZEMAN'S TWENTY-YEAR ANNIVERSARY ON LELAND TOWN COUNCIL

WHEREAS, Brenda Bozeman is a native of Brunswick County, NC and spent her entire life in Leland where she and her husband James raised with their two children; and

WHEREAS, it is desirable to recognize and honor Town of Leland Public Official Brenda Bozeman for dedicated and distinguished service to the community; and

WHEREAS, Mrs. Bozeman was first elected to serve on the Town of Leland Council as a councilmember from November 2003 until November 2011; and

WHEREAS, Mrs. Bozeman was elected to serve as the Mayor in November 2011 and is honored to still hold the position today; and

WHEREAS, Mrs. Bozeman has held a position on the Town Council for twenty years of the thirty-four years that the Town of Leland has been incorporated; and

WHEREAS, currently Mrs. Bozeman's services also include serving regionally on the Cape Fear Council of Government Board of Directors, Wilmington Urban Area Metropolitan Planning Organization (MPO) Board, North Carolina Metropolitan Mayors Coalition, and is this year's President for the North Carolina Mayors Association; and

WHEREAS, while it has been a period of challenges, changes, rapid growth, and development, the Brunswick County Commissioners are grateful to Brenda Bozeman for her service and accomplishments, and the County expresses its sincere appreciation for her wisdom and guidance during her tenure on the Town of Leland Council.

NOW, THEREFORE, BE IT PROCLAIMED the Brunswick County Board of Commissioners wishes to congratulate Brenda Bozeman, Mayor of the Town of Leland, for her twenty years of service on the Leland Town Council and urges all citizens to join in extending their appreciation to Mrs. Bozeman.

Adopted this, 4th day of December, 2023

Randy Thompson, Chairman
Brunswick County Commissioners

Attest:
Daralyn Spivey, NCCCC, CMC
Clerk to the Board

X. ADMINISTRATIVE REPORT

1. **Administration - City of Boiling Spring Lakes Sewer Steering Committee Request**
   The City of Boiling Spring Lakes requested two (2) members of the Board of Commissioners be appointed to the Sewer Steering Committee. Commissioner Sykes made the motion to appoint Chairman Thomspon and Vice – Chairman Forte to fill the requested seats. Commissioner Williams seconded with all in favor (5 to 1).
2. **Finance - Request for Two (2) Full Time Meter Reader Positions and Two (2) Temp Meter Reader Positions in Utility Billing**
   Commissioner Sykes made the motion to approve the additional full-time and temporary staff, vehicles, and other recurring costs to facilitate accurate billing, in

addition to the budget amendment necessary. Commissioner Williams seconded the motion with all in favor (5 to 0).

3. **Utilities - Longwood Rd SRF Grant-Funded Sewer Project**
Vice – Chairman Forte made the motion to approve the Longwood Road SRF Grant-Funded Sewer Project Special Connection Program, authorizing the notification of affected property owners of the program, authorizing staff to waive fees and manage grant funds in accordance with the Special Connection Program, and adjust the Special Connection Program necessary to meet SRF Grant requirements. Commissioner Williams seconded the motion with all in favor (5 to 0).

XI. BOARD APPOINTMENTS

1. **Clerk to the Board - Board Appointment – Annual Board Seat Assignments**
The Board seat assignments are as follows:
Brunswick Business & Industry Development: Chairman Thomspon and Vice – Chairman Forte.
Brunswick Columbus Industrial Park: Chairman Thompson
Cape Fear Council of Governments: Vice - Chairman Forte and Commissioner Cooke as the alternate.
Cape Fear Rural Planning Organizational Transportation Advisory Board: Commissioner Williams.
Grand Strand MPO Transportation Advisory Committee: Chairman Thompson and Commissioner Sykes will maintain their seats. Chairman Thompson has requested that Deputy Manager Haynes Brigman be added as an alternate.
Greater Wilmington Metro Transportation Advisory Committee: Commissioner Williams with Vice – Chairman Forte as the alternate will remain.
Health and Human Advisory Board: Commissioner Cooke will remain.
JCPC: Vice – Chairman Forte will step down and Commissioner Cooke will assume that role.
Local Emergency Protection Committee: Commissioner Cooke will remain.
Lower Cape Fear Water and Sewer Authority: Commissioner Williams will remain.
Trillium Regional Board: Commissioner Cooke will remain.
Southeastern Economic Development Commission: Commissioner Sykes will remain.
MOTSU: Commissioner Sykes with Vice – Chairman Forte as the alternate will remain.

XII. OTHER BUSINESS/INFORMAL DISCUSSION

Commissioner Sykes would like information regarding the need for a county morgue and report findings to the Board in the near future.

Chairman Thomspon requested staff to look at alternative "Years of Service" recognition options.

XIII. CLOSED SESSION

The Board entered Close Session pursuant to N.C.G.S. 143-318.11(a)(1) (3) to approve Closed Session Minutes from the October 16, 2023, meeting and to consult with its attorney in order to preserve the attorney-client privilege.

Mr. Shaver noted the above statutory requirements.

Commissioner Williams made the motion to enter Closed Session at 4:02 p.m. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

Chairman Thompson called the Regular Session to order at 4:28 p.m.

XIV. ADJOURNMENT

Vice – Chairman Forte moved to adjourn the meeting at 4:29 p.m. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:

Daralyn Spivey, NCCCC
Clerk to the Board