

BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
February 19, 2024
6:00 P.M.

The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:00 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
 Bryan Batton, County Attorney
 David Stanley, Deputy County Manager
 Haynes Brigman, Deputy County Manager
 Daralyn Spivey, Clerk to the Board
 LeAnn Weigand, Executive Assistant
 Meagan Kasczak, 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 6:01 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 to include:

Administrative Reports: Table Sheriff’s Office – Notice of Award & Agreement – Inmate Medical for further review to the March 4, 2024, Regular Meeting.

Commissioner Sykes made the motion to approve the agenda as amended. The motion was seconded by Vice – Chairman Forte and passed unanimously (5 to 0).

IV. PUBLIC COMMENT

Chairman Thompson opened the public comment period at 6:03 p.m. with the following comments:

Ms. Holly Long spoke of her concerns with the UDO and encouraged the Board to use any consultants they may hire from the local area.

Ms. Jean Toner spoke of her concerns for the UDO and no need to hire a consultant for the project.

Mr. Tom Simmons spoke of his concerns for the Cape Fear Memorial Bridge and the possibility of a future toll being assessed.

Mr. Jim Bradshaw spoke of his concerns in supporting changes to the UDO and the establishing of a tree ordinance.

Mr. Pete Key spoke of his concerns with the current UDO and the level of infrastructure necessary to include fire, EMS, utilities, schools and stormwater mitigation.

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).

1. Clerk to the Board – Meeting Minutes – February 5, 2024 Regular Meeting

The Board approved the meeting minutes of February 5, 2024.

2. County Attorney – Anderson Farm Deed of Dedication

The Board accepted the Deed of Dedication for water and sewer infrastructure for Anderson Farm.

3. County Attorney – Isabella Park Deed of Dedication

The Board accepted the Deed of Dedication for water and sewer infrastructure in Isabella Park.

4. Finance – FEMA Hazard Mitigation State Centric Program 4393DR

The Board approved an MOA and Designated Applicant's Agent and Application Assurances for Public Assistance for the FEMA Hazard Mitigation State Centric Program and delegated the County Manager to sign the affiliated agreements/forms.

5. Finance Fiscal Items

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

-Immunizations Additional Revenues Budget Amendment

Appropriated \$65,000 of additional Medicare Revenues for the purchase of necessary vaccines to accomplish the Teen Initiative with Brunswick County Schools as well as other traditional vaccines as needed.

-Sheriff Seizure Restricted Revenues Additional Funding Budget Amendment

Appropriated \$30,000 of Sheriff's Office Sheriff Seizure Restricted Revenues for use in the Sheriff Seizure expenditures.

-Parks and Recreation Insurance Proceeds Budget Amendment

Appropriated insurance proceeds for repair of vehicle damaged in parking deck and a trailer damaged and needing replacement.

-Financial Reports for January 2024 (unaudited)

Summary Information for General and Enterprise Funds, ARPA and Opioid project statuses, key revenue indicators, and Cash and Investment detail are included. All year-to-date fiscal reports are provided at:

<https://www.brunswickcountync.gov/305/Financial-Reports#>

6. Information Technology – Approval of Funding for Technology Needs for Probation and Parole.

The Board approved funding for technology related needs for the new Probation and Parole office space.

7. Information Technology – Approval of ImageTrend Elite Rescue (Records Management System) for EMS and Fire.

The Board approved the procurement of the ImageTrend Elite Rescue records management system for Emergency Medical Services and Fire.

8. Sheriff's Office – 911 Board Grant Award Approval

The Board approved the acceptance of a grant award from the State 911 Board valued at \$66,647.12 with no County match requirement.

9. Sheriff’s Office – GHSP LEL Grant Change Request

The Board approved a change request related to the Governor’s Highway Safety Programs Law Enforcement Liaison (LEL) Grant increasing the grant overall award by \$5000 with no County match and requested by GHSP.

10. Tax – Tax Admin – February 2024 Tax Releases

The Board approved the February 2024 releases.

11. Tax – Tax Admin – Request for One (1) New FTE LPA Specialist in Tax Administration

The Board approved an additional LPA Specialist position in Tax Administration.

12. Utilities – Paragon – Final Adjusting Change Order 1 – Utilities Operations Center

The Board approved a final adjusting change order with Paragon Building Corporation for the construction of the Utilities Operation Center Building Expansion. This change order consists of a time extension of 142 days and a contract deduction in the amount of \$67,654.00 for various adjustments to the contract as detailed.

13. Utilities – Water Meter Replacement Program for the Town of Shallotte – ARPA Funds.

The Board authorized the use of \$500,000 in County ARPA funds for the water meter replacement project in the Town of Shallotte.

VI. PRESENTATION

1. Clerk to the Board – Award Presentation from Veterans Experience Action Center

The Board received a presentation from Tom Cerniglia of the Veterans Experience Action Center for the Board’s support of Veterans.

2. Administration – Planning Updates: Tree Standard Overview and Unified Development Ordinance (UDO) Update

Staff has previously been requested by the Board to bring back options for tree and greenspace regulations, in addition to an update on the status of updating the County’s Unified Development Ordinance (UDO). Deputy County Manager, Haynes Brigman, and Planning Director, Kirstie Dixon, provided the Commissioners with recommendations for selecting a consultant to perform the UDO update, establishing a steering committee made up of stakeholders in the community, and a timeline for the work to be complete.

The presentation then outlined the current tree and greenspace standards currently utilized by the County, solutions for addressing additional tree and greenspace standards via amendments to the County’s UDO or by requesting special legislative authority from the General Assembly. The Commissioners also received a list of available changes that could be considered, in addition to public feedback from a community meeting held regarding tree and greenspace requirements.

Commissioner Williams:

Managing growth is a major concern among citizens, and as a Brunswick County native who grew up in a very rural part of our County I understand and share their concerns. We can address some pressing issues in the short term, and then complete a comprehensive review of our Unified Development Ordinance.

The road to bad public policy is often paved with the unintended consequences of good sounding but poorly vetted ideas. That is why we

must adopt a thoughtful, methodical, balanced approach to updating and modernizing our development ordinances that is built on a cohesive vision, not a reactive approach that results in a patchwork quilt of incomprehensible regulations.

Brunswick County is a large, diverse County, and one size does not fit all. What works in St. James may not be suitable for Exum or Waccamaw. What works in Leland may not be suitable for Varnamtown. We must find the right balance between sensible regulations to manage our growth and, as one resident said to me this weekend, preventing the County “from acting like an HOA.”

That is why we must ensure that we engage a broad base of community stakeholders throughout this process to ensure that the result is one that works for our entire County. Key stakeholders include agriculture groups such as Farm Bureau and the Voluntary Ag District, landowners, those engaged in the timber industry, economic development professionals, electric utility providers, homeowners’ organizations such as the Alliance of Brunswick County Property Owners Associations (ABCPOA), affordable housing advocates, and of course both developers and citizens who are concerned about over-development. While I suggested forming a stakeholder committee to staff many months ago, I am less concerned about the mechanism for gaining broad-based stakeholder input than about ensuring that it happens.

Suggestion for a committee, including:

- Buffers for residential developments
- Appropriate buffers between residential development and agricultural or industrial development
- Ensuring that our development ordinances are aligned with our recently updated stormwater standards.
- Ensuring that every development either has a funding mechanism and responsible party for maintenance in place when roads are constructed or builds subdivision roads to state standards and seeks to turn them over to the N.C. Department of Transportation.
- Interconnectivity within major developments to limit the number of highway connections.
- Developers contributing to the cost of stoplights and intersection improvements.
- Reasonable steps to preserve heritage trees, with clear definitions of what is and is not a heritage tree.
- Incentives for diverse housing options, including workforce housing.
- Incentives for developers to preserve greenspace and include quality-of-life amenities in their communities.
- Remember and respect the importance of private property rights throughout the process.

Each and every idea, including these, that are considered by the planning board, planning staff, and any others needs to be well-vetted, and all regulations need to be clear and predictable for those who are seeking to abide by them.

Commissioner Sykes:

- Totally against temp UDO Committee.
- Opposes consultant.
- The timeline is too long.

- From the UDO, the general provision and purpose is to promote health, safety and general welfare, protecting both citizens and visitors.
- No blame on the Planning Board but instead the Board of Commissioners and staff for not looking at this 18-24 months ago when changes were requested.
- Article 6 of the UDO can be changed immediately. Looking to slow down, not stop development.
 - Page 6.2 First paragraph should read “required” and alternative design must be approved by the Board of Commissioners.
 - 6.1.4 Credits for existing vegetation must be addressed.
 - 6.4 The planning board director should have the authority to permit selective removal of heritage trees, should be the Board of Commissioners.
 - 6.4 Item 2 Prior to development needs to be enforced.
 - 6.4 Item 3 Properties shall not be clear cut while undertaking development activities. This needs to read required instead of encouraged.
- Add to the UDO:
 - State TIA’s for a development over 350 homes before plan approval.
 - A sewer and water report about the capacity and water pressure and flow before plan approval to the Board of Commissioners either monthly or quarterly basis.
 - Add penalties for not following the development requirements.
- Supports allowing sidewalks in every development.
- Not enough EMS and law enforcement personnel to cover the growing population.
- Fire districts don’t exist.
- Seven (7) projects on the last Planning Board agenda from the previous Monday. Members are to report at 6:00pm for the meeting and to hear all cases listed, the Planning Board is now reporting at 4:00pm to get all the cases heard. There are too many projects being handled under the direction of the Planning Director. The Board of Commissioners needs to be notified of what is on the Planning Board agenda each month.
- Surveys from Brunswick 2040 Plan can be used for informational purposes as it was made clear in that survey no one wants clearcutting.
- Would like to see a reduction from 100% of the stormwater plan used for open space to 20% as the calculation.
- Would like to see street tree requirements.
- Opposed to clearcutting happening before plan is submitted during the development process.
- At the next meeting, provide information to help stabilize the situation.
- Opposed to a tree ordinance.

Commissioner Cooke:

- The landowner has the right to do with their property as they wish.
- Property for any development must be shaped.
- The word “heritage” must be defined, and species of trees must be listed.
- Hardwood should be preserved and the brambles, pines etc. need to be removed.
- Re-plant to get the green area in and preserve those defined “heritage” trees.
- Supports the consultant as the County needs to be objective and have a fair perspective.

- Opposed to another committee. This is the responsibility of the existing Planning Board.
- Long arduous process.
- Will look to the County Manager for direction to get this done.
- Must be vetted.
- Large diverse County, not a one-size-fits-all.
- Pursue special legislation for tree ordinance and an RFQ.
- Look to the Planning Board for changes that can be completed now without becoming overly restrictive in both the short and long term.

Vice - Chairman Forte:

- Opposed to another committee.
- Supports hiring a consultant.
- Planning staff must work closely with consultants.
- Stormwater is very important.
- "Heritage tree" definition must be done.
- Supports special legislation to create a County Tree Ordinance which can be changed as the County's needs change. Tree ordinance is a must.
- 18-24 months is too long. Changes must be made and must be expedient.
- Supports phasing in items where we can.
- Gather feedback from both the Planning Board and Board of Commissioners regarding what can be done now.

Chairman Thompson:

- Opposed to another committee but would like to see a listing of what the consultant would do and be responsible for.
- Understands when clearcutting happens, flooding in the adjoining properties occurs when it rains.
- Staff is currently studying how to better address in what way the fire service can improve.
- Use the listserv and check with other counties along the coast to see where they are with their percentage of stormwater and open space stands and report back.
- Any changes that can be made, report back at the next meeting.

Mr. Stone:

- While street trees are aesthetically pleasing, it would create future issues with utility lines such as water, sewer, and electricity.
- The Traffic Impact Analysis (TIA) could be moved to the beginning of the development process from the current post-Planning Board approval of the development.

Mr. Brigman restated collective feedback from the presentation to include:

- The desire from the Board to expedite the UDO revision process, but without the use of a steering committee.
- The Board has requested a qualified consultant, in addition to Planning staff and the Planning Board lead the update and revision project, with specific engagement of stakeholder groups and the public during the process.

Commissioner Sykes made the motion to petition the State Legislature to authorize the County to move forward with a tree ordinance. Vice - Chairman Forte seconded the motion and passed unanimously (5-0).

Commissioner Sykes made the motion to allow for the County Manager to make the change to allow for the traffic impact analysis (TIA) to be completed before the Planning Board approves the development. Vice – Chairman Forte seconded the motion and passed unanimously (5-0).

Vice – Chairman Forte made the motion to approve staff's placement of a Request for Qualifications (RFQ) for a consultant to begin the process of updating the Unified Development Ordinance. The consultants will be required to hold public meetings, provide survey documents, and target specific areas of the County as part of the agreement. Commissioner Cooke seconded the motion and passed unanimously (5-0).

VII. ADMINISTRATIVE REPORT

1. Sheriff's Office – Night Shift Differential – Consideration of Additional Eligible Shifts

The Sheriff's Office requests expanding the implementation of the Night Shift Differential of \$2.50 per hour to employees assigned to the Sheriff's Office overnight patrol, overnight detention, and overnight 911 Communication shifts. Commissioner Cooke made the motion to approve the request with Commissioner Sykes seconding and passed unanimously (5-0).

2. Sheriff's Office – Notice of Award & Agreement – Inmate Medical RFP

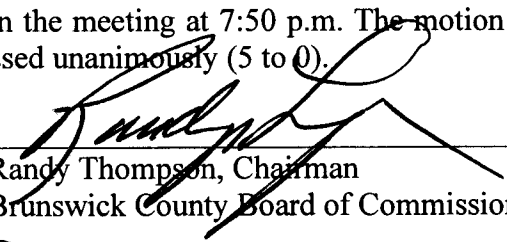
This item was tabled under the Adjustments/ Approval of the Agenda section of the meeting, until the March 4, 2024, Regular Meeting.

VIII. OTHER BUSINESS/INFORMAL DISCUSSION

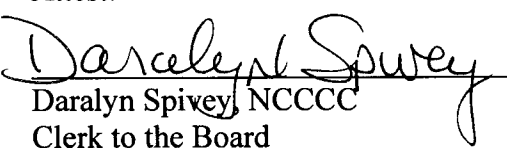
There was no further business to be brought before the Board.

IX. ADJOURNMENT

Commissioner Williams moved to adjourn the meeting at 7:50 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
Clerk to the Board

