

BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
April 1, 2024
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
Bryan Batton, County Attorney
David Stanley, Deputy County Manager
Daralyn Spivey, Clerk to the Board
LeAnn Weigand, Executive Assistant
Meagan Kascsak, Communications Director
Currie Elkins, IT
Capt. Siler, 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

Chairman Thompson 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 Vice – Chairman Forte and passed unanimously (5 to 0).

IV. PUBLIC COMMENT

Chairman Thompson opened the public comment period at 3:03 p.m. with the following comments:

Mr. Patrick Newton encourages the Board to consider the verbiage of the Tree Resolution he emailed.

Ms. Marjorie Burnside spoke of her concerns with the evacuation routes in place with the nuclear plant should an evacuation become necessary in respect to the current pace of development.

Ms. Holly Long spoke of her support to the traffic impact analysis movement to pre-Planning Board approval.

V. APPROVAL OF CONSENT AGENDA

Commissioner Williams moved to approve the Consent Agenda. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

- 1. **Administration – NC Cooperative Extension Memorandum of Agreement**
The Board approved an updated MOA between NC State University and Brunswick County for the Cooperative Extension Department, including a payroll agreement addendum that will continue the status of the Brunswick County Coop. Ext. Center as a Non-Lock In County for payroll.
- 2. **Clerk to the Board – Meeting Minutes – March 18, 2024 Regular Meeting**
The Board approved the meeting minutes of March 18, 2024.
- 3. **Code Administration – Vehicle Acquisition – 2 Vehicles**
The Board appropriated \$84,000 for the acquisition of two (2) vehicles. One is for the replacement of Vehicle 14-04 which suffered a blown engine. The second is for the filling of a vehicle for an inspector that has been operating within a vehicle that is assigned to the County motor pool. Replacement vehicles will be 2024 Toyota Tacoma pick-up trucks, priced at \$42,000 each. Appropriation is proposed to be 23-24 Budget line item 104350-454000 Capital Outlay -Vehicle on Road.
- 4. **County Attorney – Custom Home Distribution Center, 2100 Enterprise Drive, Deed of Dedication**
The Board accepted the Deed of Dedication for water infrastructure from the Custom Home Distribution Center, 2100 Enterprise Drive.
- 5. **County Attorney – Electronic Advertising for Public Contracts.**
The Board approved the resolution advertising public contracts solely by electronic means. The Resolution reads as follows:

**RESOLUTION AUTHORIZING ADVERTISING SOLELY BY
ELECTRONIC MEANS**

WHEREAS, N.C.G.S 143-129, Procedure for Letting of Public Contracts, requires contracts for the purchase of apparatus, supplies, materials, and equipment and contracts for construction or repair work that meet the monetary thresholds established by said statute to be publicly advertised; and

WHEREAS, pursuant to N.C.G.S. 143-129(b), the governing board may approve advertising solely by electronic means as an alternative to newspaper advertisements either for particular contracts or generally for all contracts that are subject to the aforementioned statute; and

WHEREAS, in most circumstances, advertising solely by electronic means is a more effective and efficient method for timely soliciting competitive bids for the award of a contract and will likely result in a cost savings to the County; and

WHEREAS, in some cases, advertisement in a newspaper having general circulation in the State of North Carolina may continue to be the best practice, and the County will consider the need for such newspaper advertisement on a case-by-case basis.

NOW, THEREFORE, BE IT RESOLVED BY THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS THAT:

- 1. Advertising solely by electronic means pursuant to N.C.G.S. 143-129(b) is hereby authorized generally for all contracts subject to the thresholds set forth in N.C.G.S. 143-129.
- 2. Advertising by electronic means may be used together with or as an alternative to newspaper advertisements provided that the minimum requirements set forth in N.C.G.S. 143-129(b), including, without limitation, the minimum time required for advertisements, have been met.
- 3. When advertising solely by electronic means, information regarding the solicitation shall be made available to the public by published notice, posting in a place where similar notices are placed, and/or posting to the official website of Brunswick County Government.

Adopted this the 1st day of April, 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:
Daralyn Spivey, NCCCC
Clerk to the Board of Commissioners

- 6. **County Attorney – Glendale Arbor, Phase 1 B & 2 Deed of Dedication**
The Board approved the Deed of Dedication for water and sewer infrastructure for Glendale Arbor, Phase 1B and 2.
- 7. **County Attorney - Middle Creek Village, PH 1, Sec. 1 Deed of Dedication**
The Board accepted the Deed of Dedication for water and sewer infrastructure for Middle Creek Village, Phase 1, Section 1.
- 8. **Emergency Services – 2023 North Carolina Statewide Mutual Aid Agreement**
The Board approved the County’s participation in the statewide mutual aid process by signing the updated 2023 North Carolina Statewide Mutual Aid Agreement.
- 9. **Finance - Agreement Amendment for a Vendor Payment Platform**
The Board approved the service agreement amendment with PaymentWorks that provides a secure vendor payment platform and authorizes the Chairman and Clerk to the Board to approve the multi-year contract.
- 10. **Finance – Fiscal Items**
The Board approved Budget Amendments, Capital Project Ordinances, and Fiscal Items if a routine nature to include the following:
 - Register of Deeds Additional Revenues**
Appropriate \$1,000,000 of Register of Deeds Revenue and anticipated expenditures.
 - Occupancy Tax Additional Revenues**
Appropriate Occupancy Tax revenue of \$800,000 and corresponding expenditures for projected Occupancy tax through June 30, 2024.
 - Closeout Sea Trail WWTP Improvements Project Budget Amendment and Capital Project Ordinance**
Closing Sea Trail WWTP Improvements project and return \$25,847 to the reserve undesignated and transfer \$718,000 designated in the reserve for Sea Trail projects to undesignated for use in future wastewater projects.

11. Health Services – Consolidated Agreement for FY 2024-25 with NC DHHS Division of Public Health and Division of Child and Family Well-Being.

The Board reviewed and approved the annual FY 2024-25 Consolidated Agreement with NC DHHS Division of Public Health and Division of Child and Family Well-Being.

12. Health Services – Health Services Agreement Addenda 121: NC ARPA Temporary Savings Funds Allocation

The Board approved allocation of funds from the NC ARPA Temporary Savings Fund to Health Services

13. Library - ARPA-enabled Staff Computers

The Board approved ARP-enabled funds to purchase desktop computers, laptops, and peripherals for Library staff use.

14. Parks and Recreation – Resolution Exempting Smithville Park-Bidding & Construction Admin Services

The Board approved a resolution exempting the Smithville Park-Bidding & Construction Admin Services from N.C.G.S 143-64.31 and associated budget amendment. The Resolution reads as follows:

RESOLUTION EXEMPTING SMITHVILLE PARK PHASE THREE PROJECT BIDDING AND CONSTRUCTION ADMINISTRATION SERVICES FROM G.S. 143-64.31

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and designbuild services (collectively “Services”) to be based on qualifications and without regard to fee; and

WHEREAS, the County proposes to enter into one or more contracts for bidding, construction administration, and other consulting services for Smithville Park Phase Three site additions and stormwater modifications; and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for such Services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than \$50,000; and

WHEREAS, the estimated fee for the Services for the above-described project is less than \$50,000.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS THAT:

1. The above-described project is hereby made exempt from the provisions of G.S. 143- 64.31.
2. This resolution shall be effective upon adoption.

Adopted this the 1st day of April, 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:

Daralyn Spivey, NCCCC
Clerk to the Board

15. Risk Management – ARPA Funded Safety Equipment and Training Materials

The Board approved the purchase of Risk Management training materials using ARPA funds.

16. Sheriff’s Office – 911 Center Phone System Contract Extension

The Board approved a seventh extension of the existing 911 Center Phone System lease agreement with ePlus Group, Inc. to the end of the fiscal year. The monthly rate remains unchanged and is paid with the Emergency Telephone System Fund (ETSF).

17. **Sheriff’s Office – Sole Source Resolution & Agreement - Mobile Communications America, Inc.**

The Board approved Sole Source Resolution and associated agreement authorizing the purchase of two tower monitoring sites approved as part of the FY24 budget. The Resolution reads as follows:

RESOLUTION AUTHORIZING PURCHASE OF PUBLIC SAFETY COMMUNICATIONS TOWER SITE MONITORING SOLUTIONS 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 desires to purchase and install equipment at two public safety communications tower sites for remote monitoring purposes, specifically for monitoring and recording data for the Brunswick County Fire Paging System; and

WHEREAS, Mobile Communications America, Inc. has previously designed, built, and configured the existing system utilized across multiple Brunswick County tower sites pursuant to the County’s unique specifications and requirements; and

WHEREAS, these two additional sites, as well as any future sites, must be standardized and compatible with existing infrastructure to monitor and record data; and

WHEREAS, in addition to the foregoing, the programming logic inside the equipment at all sites is the intellectual property of Mobile Communications America, Inc.; 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 18th day of March, 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:
Daralyn Spivey, NCCCC
Clerk to the Board

18. **Utilities – Ratify Emergency Hauling Contract-EMA Resources Inc- West Brunswick Regional WWTF**

The Board ratified the emergency contract with EMA Resources Inc., for emergency hauling of dewatered waste activated solids (WAS) in an amount not

to exceed \$91,100 at the West Brunswick Regional Wastewater Treatment Facility (WWTF).

19. Utilities – T & H Construction-Town of Navassa Water Distribution System Rehabilitation (WIF-2017) (ARPA Project #14)

The Board approved appropriations, authorized staff to issue a Notice of Award, authorized the Chairperson and Clerk to the board to execute the contract with T&H Construction of NC Inc., in the amount of \$2,522,360.37 for the construction of the Town of Navassa Water Distribution System Rehabilitation project (SRF# WIF2017); contingent on the County Attorney's review and approval of the construction contract, performance bond, payment bond, NC E- Verify Affidavits of Compliance, and insurance certificates; and, also contingent upon receiving Authorization to Award from NCDEQ-Division of Water Infrastructure, authorized the use of \$700,000 in County ARPA funds to supplement the Drinking Water State Revolving Fund principal forgiveness loan for construction of the Town of Navassa Water Distribution System Rehabilitation project.

20. Risk Management – Firehouse Subs Public Safety Foundation Grant Application

The Board granted permission to apply for a Firehouse Subs Public Safety Foundation grant award.

VI. PRESENTATIONS

1. Sheriff’s Office – Law Enforcement Memorial Project

The Board received a presentation from Sheriff Brian Chism for a Law Enforcement Memorial Project slated to be completed this calendar year. The project is fully funded with undesignated donations to the Sheriff's Office. Commissioner Williams made the motion to approve the project. Commissioner Cooke seconded the motion and passed unanimously (5 to 0).

2. Sheriff’s Office – National Public Safety Telecommunicators Week Resolution

Commissioner Cooke read the following resolution in support of National Public Safety Telecommunicators Week:

**RESOLUTION SUPPORTING
NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK
APRIL 14-20, 2024**

WHEREAS, emergencies can occur at any time that require police, fire, or emergency medical services; the 911 Communications Center was created to provide a vital contribution to the quality of life enjoyed by citizens and visitors to Brunswick County; and

WHEREAS, the Telecommunicators are trained, prepared and ready; the safety of our law enforcement officers, firefighters and EMS personnel are dependent upon the quality and accuracy of information obtained from citizens who telephone the Brunswick County 911 Communications Center; and

WHEREAS, Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Telecommunicators of the Brunswick County Sheriff’s Office 911 Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each Telecommunicator has exhibited compassion, understanding, and professionalism during the performance of their job; and

WHEREAS, National Public Safety Telecommunicators Week will serve to recognize the Telecommunicators of Brunswick County who provide a vital public safety service.

NOW, THEREFORE BE IT RESOLVED, that the Brunswick County Board of Commissioners proclaim and declare the week of April 14th to 20th of 2024 as National Public Safety Telecommunicators Week in Brunswick County, in honor of the men and women whose diligence and professionalism keep our County's citizens and visitors safe.

Adopted this the 1st day of April 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:
Daralyn Spivey, NCCCC
Clerk to the Board

Commissioner Cooke made the motion to approve the Resolution. Commissioner Williams seconded the motion and passed unanimously (5 to 0).

VII. ADMINISTRATIVE REPORT

1. **Administration - Traffic Impact Analysis (TIA) Timing Process and Options**
Commissioner Sykes made the motion to place the TIA before a development is approved by the Planning Board with the required number of 200 peak hour trips. Commissioner Williams seconded the motion and passed unanimously (5 to 0).

1. **Administration - Resolution - Tree Standard Regulation Request to NC General Assembly**
Commissioner Williams made a motion to approve this Resolution with the following three (3) changes/additions from the Resolution supplied in the packet:

- paragraph 7 changes from 10 acres to 25 acres
- paragraph 10 changes from 10 acres to 25 acres
- adding the final paragraph.

Vice - Chairman Forte seconded the motion on the amended Resolution and passed unanimously (5 to 0). The Resolution reads as follows:

A RESOLUTION OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS REQUESTING LIMITED AUTHORITY TO REGULATE TREES WITHIN ITS JURISDICTION

WHEREAS, Brunswick County is the fastest growing county in the State of North Carolina; and

WHEREAS, the Brunswick County FY23 - FY27 Strategic Plan identifies Growth and Sustainability as a key focus area and encourages "forward-thinking development and construction practices that balance respect for natural resources and private property"; and

WHEREAS, a number of community meetings were held with Brunswick County residents and community members regarding growth and development, which culminated in the adoption of the Blueprint Brunswick 2040 Plan in February 2023; and

WHEREAS, the Blueprint Brunswick 2040 Plan encourages maintaining the aesthetics that draw visitors to the county, protecting environmental resources, and seeking options for effectively preserving and protecting trees; and

WHEREAS, Brunswick County residents and community members further participated in a Tree and Landscaping Community Meeting in December 2023 wherein concerns were raised regarding the clear-cutting of trees within the jurisdiction of Brunswick County; and

WHEREAS, several counties and municipalities in North Carolina have received local acts of the General Assembly authorizing the regulation of trees; and

WHEREAS, Brunswick County desires the option to regulate trees in order to help mitigate growth impacts solely by preserving and protecting heritage trees and limiting clear cutting related specifically to new development of land over 25 acres when not part of forestry, timber, or agricultural activities as contemplated by N.C.G.S. § 160D-921, and for no other purposes and through no other methods; and

WHEREAS, Brunswick County will not implement any tree regulation standards that impact existing developed parcels or engage in enforcement or tree permit requirements for tree removal on existing developed parcels; and

WHEREAS, the Brunswick County Board of Commissioners finds that the authority to regulate trees may serve the best interests of the people of Brunswick County.

NOW THEREFORE BE IT RESOLVED that the Brunswick County Board of Commissioners hereby requests the North Carolina General Assembly to grant Brunswick County the limited authority to regulate trees solely through the preservation and protection of heritage trees and the limitation of clear cutting related specifically to new development of land over 25 acres when not part of forestry, timber, and agricultural activities and for no other purposes and through no other methods; and

FURTHER BE IT RESOLVED that the Brunswick County Board of Commissioners requests that any such authority granted be limited and narrow in scope to prevent abuse or over-use by a future Board of Commissioners.

Adopted this the 1st day of April 2024.

Randell Thompson, Chairman
Brunswick County Board of Commissioners

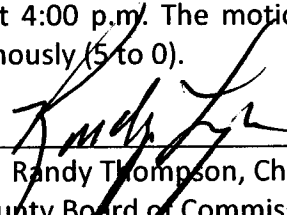
ATTEST:
Daralyn Spivey, NCCCC
Clerk to the Board

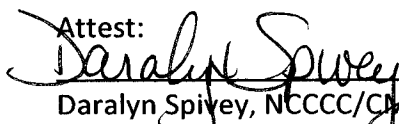
VIII. OTHER BUSINESS/INFORMAL DISCUSSION

There was no other business brought before the Board.

IX. ADJOURNMENT

Commissioner Sykes moved to adjourn the meeting at 4:00 p.m. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0).


Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:

Daralyn Spivey, NCCCC/CMC
Clerk to the Board

