

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
July 8, 2024
2:00 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 2:00 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
Aaron Smith, Finance Director
Daralyn Spivey, Clerk to the Board
LeAnn Weigand, Executive Assistant
Meagan Kascsak, Communications Director
Currie Elkins, IT
Lt. Bond, 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 2:00 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 2:03 p.m. with the following comments:

Ms. Maryann Harris spoke of the need to have shade laws in place for animals and the implementation of an animal welfare advisory board.

Ms. Jean Toner spoke of her concerns over the UDO amendments and encourages the Board to move forward with the proposed amendments.

Ginny Prunty spoke of her concerns regarding the Resolution of April 1, 2024, that was submitted to the local legislative delegation with no action to date requesting the authority to preserve heritage trees and regulate clearcutting.

V. APPROVAL OF CONSENT AGENDA

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

1. **Administration – Job Description for New Code Compliance Office Position (Code Administration)**

The Board acknowledged the change in the job title/classification of the newly created position.

2. **Administration – Resolution – GSTATS Boundary Expansion Request**

The Board approved a resolution requesting all proposed boundary expansion areas of the Grand Strand Area Transportation Study be considered by the full Board of Commissioners before being adopted by NCDOT. The Resolution reads as follows:

A RESOLUTION OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS OPPOSING THE GRAND STRAND AREA TRANSPORTATION STUDY BOUNDARY EXPANSION

WHEREAS, the Grand Strand Area Transportation Study (GSATS) is the designated Metropolitan Planning Organization (MPO) responsible for carrying out the urban transportation planning process for the Grand Strand area, including urbanized areas of southern Brunswick County; and

WHEREAS, on August 5, 2013, Brunswick County entered into a Memorandum of Understanding with GSATS to provide “comprehensive, cooperative, and continuing transportation planning” to “1) actively participate in and join the GSATS MPO, 2) ensure the thoughtful consideration and coordination of transportation improvements affecting participating North Carolina communities and the region, and 3) establish a mechanism to ensure equitable representation for member communities”; and

WHEREAS, on May 5, 2023, GSATS held a joint meeting with the Transportation Advisory Committee (TAC) and the Transportation Coordinating Committee (TCC) to discuss potential GSATS Study Area boundary expansion options; and

WHEREAS, during the joint meeting on May 5, 2023, four (4) distinct boundary expansion areas were identified by GSATS staff as potential expansion options, with each being identified with an alphabetical assignment of Area A, B, C, and D; and

WHEREAS, much of the expansion of Area C and D were located within the municipal boundaries of Boiling Spring Lakes, St. James, Oak Island, Southport, and Caswell Beach, the proposed expansion areas of A and B were located in unincorporated Brunswick County; and

WHEREAS, GSATS made specific efforts to meet with staff and elected officials of the municipalities within Areas C and D to gauge their interest in joining the GSATS study area, those same efforts were not made with Brunswick County management or the Brunswick County Board of Commissioners to determine their interest in expanding the boundaries identified in Areas A and B; and

WHEREAS, GSATS boundary expansion into areas of unincorporated Brunswick County would have secondary impacts to Brunswick County and the existing transportation planning services it receives from the Cape Fear Council of Government in these areas; and

WHEREAS, Brunswick County staff and elected representation on the Transportation Advisory Committee and the Transportation Coordinating Committee questioned the process, outcome, timing, and benefits of boundary expansion into Area A and B; and

NOW THEREFORE BE IT RESOLVED that the Brunswick County Board of Commissioners hereby oppose the boundary expansion process and approval of the Transportation Advisory Committee for Areas A and B based on the following factors:

- 1) the lack of clear and concise communication from GSATS with County staff and Board of Commissioners prior to proceeding with the expansion proposal;
- 2) the urgency GSATS staff members communicated to make the expansion approval;
- 3) the inaccurate information provided to member representatives on the approval process; and
- 4) the lack of cooperative discussion and consideration of Brunswick County by GSATS staff and the other local government members regarding the questions, concerns, and ultimate desires of the County when voting on boundary expansion into unincorporated areas of the County; and

FURTHER BE IT RESOLVED that the Brunswick County Board of Commissioners request that the entire Board of Commissioners be given the opportunity to discuss and provide feedback on the proposed boundary expansions of Area A and B prior to any additional vote or action by GSATS, including the Policy Committee and Transportation Advisory Committee.

Randy Thompson, Chair
Board of Commissioners

Attest:

Daralyn Spivey, NCCCC, CMC
Clerk to the Board

3. Clerk to the Board – Resolution in Support of Medaci Wellness Institute, LP for Grant Application from the NC Department of Commerce

The Board approved a resolution in support of Medaci Wellness Institute, LP for Grant Application from NC Department of Commerce. The Resolution reads as follows:

**BRUNSWICK COUNTY RESOLUTION APPLICATION
FOR NC DEPARTMENT OF COMMERCE MEDACI
WELLNESS INSTITUTE, LP**

WHEREAS, Brunswick County Board of Commissioners have indicated its desire to assist in economic development efforts for business and industry within Brunswick County; and

WHEREAS, the Board fully supports the proposed Medaci Wellness Institute, LP Building Reuse Grant which will result in the renovation of a facility located at 1 Medical Drive SW, Supply, NC 28462 and will create a minimum of 25 new jobs for Brunswick County; and

WHEREAS, the Board wishes to pursue a formal application for Building Reuse funds in the amount of \$250,000 from the NC Department of Commerce; and

WHEREAS, the Board certifies it will provide the 5% match required and will meet all other requirements of the North Carolina Department of Commerce,

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

That Brunswick County is authorized to submit a formal application to the North Carolina Department of Commerce in order to provide assistance to benefit Medaci Wellness Institute, LP.

That this Resolution shall take effect immediately upon its adoption.

Adopted this the 8th day of July 2024 in Brunswick County, North Carolina.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:
Daralyn Spivey, Clerk to the Board NCCCC, CMC
Brunswick County Board of Commissioners

- 4. Clerk to the Board – Meeting Minutes – June 17, 2024 Regular Meeting Minutes**
The Board approved the Regular Meeting Minutes of June 17, 2024 Regular Meeting.
- 5. Code Administration – Approval of Interlocal Agreement – Town of St. James Fire Code Services**
The Board approved the interlocal agreement with the Town of St. James for Fire Code Services.
- 6. Code Administration – Approval of Interlocal Agreement – Town of Varnamtown Fire Code Services**
The Board approved the interlocal agreement with the Town of Varnamtown for Fire Code Services.
- 7. County Attorney – Deed of Dedication for NBHS and H2Go**
The Board ratified the Deed of Dedication for the North Brunswick High School addition to H2Go.
- 8. County Attorney – Olde Georgetown Phase 1B-B Deed of Dedication**
The Board accepted the Deed of Dedication for water and sewer infrastructure in Olde Georgetown, Phase 1B-B.
- 9. County Attorney – Opioid Litigation Settlement with Kroger**
The Board approved the resolution authorizing the execution of Kroger Opioid Settlement and the supplemental agreement for additional funds. The Resolution reads as follows:

**RESOLUTION BY THE COUNTY OF BRUNSWICK AUTHORIZING
EXECUTION OF KROGER OPIOID SETTLEMENT AND
APPROVING THE SECOND SUPPLEMENTAL
AGREEMENT FOR ADDITIONAL FUNDS**

WHEREAS, the opioid overdose epidemic has taken the lives of more than 37,000 North Carolinians since 2000; and

WHEREAS, the COVID-19 pandemic has compounded the opioid overdose crisis, increasing levels of drug misuse, addiction, and overdose death; and

WHEREAS, the Centers for Disease Control and Prevention estimates the total economic burden of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, relative to other counties in the State, Brunswick County ranks among the highest in dispensed opioid prescriptions and has experienced opioid overdose death rates higher than the state average; and

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers, pharmaceutical distribution companies, and chain drug stores to hold those companies accountable for their misconduct; and

WHEREAS, a settlement has been reached in litigation against the Kroger Co. ("Kroger") as well as its subsidiaries, affiliates, officers, and directors named in the Kroger Settlement; and

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Second Supplemental Agreement for Additional Funds (SAAF-2) to provide for the equitable distribution of the proceeds of these settlements; and

WHEREAS, by joining the settlements and approving the SAAF-2, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments, including Brunswick County and its residents, to sign onto the settlements and SAAF-2 and demonstrate solidarity in response to the opioid overdose crisis, and to maximize the share of opioid settlement funds received both in the state and this county to help abate the harm; and

WHEREAS, the SAAF-2 directs substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Brunswick County hereby authorizes the County Attorney to execute all documents necessary to enter into opioid settlement agreements with Kroger, to execute the SAAF-2, and to provide such documents to Rubris, the Implementation Administrator.

Adopted this the 8th day of July 2024.

Randy Thompson, Chair
Brunswick County Board of Commissioners

Attest:
Daralyn Spivey, NCCCC
Clerk to the Board

10. Finance – Fiscal Items

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

-FY25 JCPC Funding Budget Appropriation

Appropriating state revenues restricted of \$242,486 as awarded by the Juvenile Crime Prevention Council from the NC Department of Public Safety and approved at the 5/20/2024 board meeting. The following has been awarded to the JCPC Programs; JCPC Administration \$8,500, Coastal ART \$39,068, Guiding Good Choices (GCC) & Systematic Training for Effective Parenting (STEP) \$41,342, Providence Home \$13,500, and Restitution and Community Service and Teen Court Program \$140,076.

-Airport Grant 36244.58.16.2 Grant Agreement

Approved and authorized the Chairman to sign the grant agreement for the airport grant 36244.58.16.2 in the amount of \$146,844 with a local match of \$16,316 required and the associated budget amendment and grant ordinance. Appropriated revenues and anticipated corresponding expenditures through June 30, 2024.

11. Health Services – AA910 Funding Redirection for CawCaw Excavator

The Board approved the redirection of AA910 Funding from an amphibious track vehicle to a large excavator for CawCaw and attachment of mower head.

12. Human Resources – Proposed Extension Request – Telecommuting Pilot Program

The Board approved an extension of the Temporary Telecommuting Pilot Program through June 30, 2025.

13. Human Resources – Proposed Night Shift Differential Pay Policy

The Board approved the proposed Night Shift Differential Pay Policy.

14. Library – Library Acceptance of LSTA Grant and MOA for NC Cardinal Migration

The Board approved the application and acceptance of the Library Services and Technology Act (LSTA) grant awarded to Brunswick County from the State Library of North Carolina in the amount of \$10,0000 to fund the migration of the Library to NC Cardinal along with the MOA to join NC Cardinal.

15. Library – Purchase of Library Furnishings Using ARP Enabled Funds

The Board approved the \$19,700 in ARP-enabled funds to be allocated for the purchase of shelving at the Rourk Branch Library and workstation tables for the Leland Brach Library.

16. Operation Services – Sole Source Resolution – Fuel Services, Software and GPS

The Board approved a Sole Source Resolution for fuel and fleet management software, fleet cards for onsite and offsite fueling, global positioning system, bulk fuel including deliveries and inventory management. The Resolution reads as follows:

**RESOLUTION AUTHORIZING PURCHASE OF FUEL AND FLEET
MANAGEMENT SOFTWARE, FUELING, AND GPS DEVICES
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, Brunswick County currently utilizes a fuel management system that calculates the cost of fuel, which is consigned to Brunswick County, records each delivery, pricing transaction, and generates billing reports for sub departments and guests; and

WHEREAS, the infrastructure for the current system, including, without limitation, fuel cards and equipment is currently established at all fuel sites; and

WHEREAS, adding global positioning system (GPS) devices integrated with this fuel management system will provide accurate mileage to be incorporated; and

WHEREAS, to fully integrate with existing infrastructure, GPS services, fuel purchasing, and fuel management must be purchased from EKOS, Inc. (formerly, Go Energies, 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 8th day of July, 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

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

17. Sheriff’s Office – GHSP Traffic Grant Resolution

The Board approved a resolution and an agreement of conditions as the next stage in application process for the Governors Highway Safety Program Grant. This is the third year of the grant for the three-person traffic unit and federal funds cover 50% of the salary and travel expenses this year. The Resolution reads as follows:

**NORTH CAROLINA GOVERNOR’S HIGHWAY SAFETY PROGRAM
LOCAL GOVERNMENTAL RESOLUTION**

WHEREAS, the Brunswick County Sheriff’s Office (herein called the “Agency”) has completed an application contract for traffic safety funding; and that the Brunswick County Board of Commissioners (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED by the Brunswick County Board of Commissioners in open meeting assembled in the city of Bolivia, North Carolina, this the 8th day of July 2024, as follows:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and

2. That Sheriff Brian Chism is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$149,303.00 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$149,302.00 as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by: Chairman Randy Thompson.

Attested by:
Daralyn Spivey
July 8, 2024

18. Sheriff's Office – SCAAP Grant Application Approval

The Board approved a grant application for the State Criminal Alien Assistance Program (SCAAP) offered by the Office of Justice programs (OJP) of the U.S. Department of Justice (DOJ). This grant requires no matching funds for the County and is submitted annually.

19. Social Services – Brunswick Family Assistance Funded Agency Agreement

The Board approved the renewal of the funded agency agreement between Brunswick County and the non-profit agency – Brunswick Family Assistance.

20. Social Services – Carolina Staffing Contract

The Board approved the Social Services contract with Carolina Staffing Agency.

21. Social Services – Energy Outreach Plan FY 2024-2025

The Board approved the Social Services Energy Outreach Plan for the fiscal year 2024-2025.

22. Social Services – Non-Emergency Medical Transportation Contracts

The Board approved the Non-Emergency Medicaid Transportation contracts with Brunswick Transit Systems and Med Trans for Fiscal Year 2024-2025.

23. Social Services – Wortman Law Firm Contract

The Board approved the FY24-25 contract with Wortman Law Firm, PLLC.

24. Tax – Tax Admin – ESRI Small Government Agreement (SGEA)

The Board approved the licensing agreements for GIS mapping services with ESRI.

25. Tax – Tax Admin – July 2024 Releases

The Board approved the July 2024 releases.

26. Utilities – Approval of MRO Contracts

The Board approved the award of three (3) contracts for the recommended vendors in the amount of \$2,231,409.19 for the budgeted purchase of annual maintenance, repair, and operational materials to include: Miller Supply – Brass

and Clamp Groups \$340,667.29, Ferguson – Meter Box Group - \$1,835,161.82 and AMP Utility d/b/a CITCO – Valves Group - \$55,580.08.

VI. PRESENTATIONS

1. Clerk to the Board – Presentation for Boys and Girls Club of Southeast NC

Ms. Hilsey Hardy presented to the Board her experiences as a member of the Boys and Girls Club of Southeast NC. She will be attending the NCACC YouthVoices program in August and her presentation tonight is a pre-requisite to participating.

2. Planning – Proposed Brunswick County Unified Development Ordinance Text Amendments Related to Trees, Landscaping, and Greenspace.

The Board heard a presentation from Haynes Brigman, Deputy County Manager, regarding proposed text amendments for the UDO as it relates to Trees, Landscaping, and Greenspace.

3. Planning – Proposed Brunswick County Unified Development Ordinance Text Amendment related to Adding a Transportation Overlay Zone (TOZ)

The Board heard a presentation from Haynes Brigman, Deputy County Manager, regarding proposed text amendments for the UDO as it relates to adding a Transportation Overlay Zone (TDA).

VII. BOARD APPOINTMENTS

1. Clerk to the Board - 2024 Annual Board Appointments

Substance Use, Addiction and Mental Health Commission (SUAMHC):

Due to excessive unexcused absences, the Commission has requested replacements be sought for Districts 4 and 5.

District 4:

Vice - Chairman Forte made the motion to appoint Ms. Samatha Hickman as the District 4 appointee. Commissioner Cooke seconded the motion and passed unanimously (5 to 0).

District 5:

Commissioner Williams made the motion to appoint Mr. Jeremy Gunn as the District 5 appointee. Commissioner Cooke seconded the motion with all in favor (5 to 0).

Sheriff's Office Appointee:

Mr. Jon Oliver will be stepping down. The Sheriff's Office has requested the approval of Ms. Acacia Alston as the new appointee. Commissioner Williams made the motion to approve the appointment. Commissioner Cooke seconded the motion and passed unanimously (5 to 0).

Juvenile Crime Prevention Council:

Commissioner Williams made the motion to re-appoint Mr. Lavar Marlowe to the JCPC. Vice – Chairman Forte seconded the motion and passed unanimously (5 to 0).

Roster approval for the JCPC:

Commissioner Cooke made the motion to approve the roster as presented. Vice – Chairman Forte seconded the motion and passed unanimously (5 to 0).

2. Clerk to the Board – NCACC Voting Delegate Appointment

Commissioner Cooke made the motion to appoint Vice – Chairman Forte as the voting delegate for the NCACC Annual Conference in Forsythe County in August 2024. Commissioner Williams seconded the motion and passed unanimously (5 to 0).

VIII. BUSINESS/INFORMAL DISCUSSION

Public Comments:

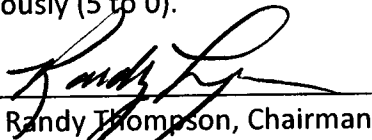
Chairman Thompson made the motion to have all Commissioner appointed Boards to collect names and addresses for public comments and to keep accurate minutes for those meetings. Vice – Chairman Forte seconded the motion and passed unanimously (5 to 0).

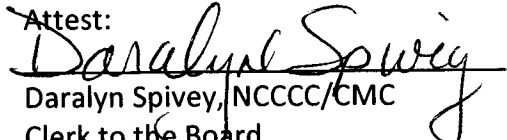
Funding for Tourism Development Authority (TDA):

There is \$2.5M in County money that is earmarked for the TDA to advertise Brunswick County. Chairman Thompson would like Staff to report back with other options for that funding and be ready to present to the next session of the state legislature, options to reappropriate and better utilized said funds.

IX. ADJOURNMENT

Commissioner Sykes moved to adjourn the meeting at 5:01 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

