

BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
August 5, 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 Frank Williams

ABSENT: Commissioner Pat Sykes

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
Jim Hartsell, IT

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 an update from David McIntire, Emergency Services Director, regarding the impending weather from Tropical Storm Debby.

Commissioner Cooke asked for an update from Mr. McIntire, regarding the FEMA Graded Hostile Action Exercise that was conducted in partnership on July 30, 2024 with Duke Progress Energy and other County and Municipal partners.

Mr. Batton, County Attorney, also requested to add a Closed Session to the meeting following Board Appointments.

Commissioner Williams made the motion to approve the amended agenda. The motion was seconded by Commissioner Cooke and passed unanimously (4 to 0).

IV. PUBLIC COMMENT

Chairman Thompson opened the Public Comment period at 3:06 p.m. with the following comments:

Ms. Tracy Harris is here representing a church and a local non-profit and wished to introduce herself.

Mr. William Flythe spoke to his concerns with the County's current assumption of Southport's ETJ, annexations and the County issues with the traffic impact analysis.

Ms. MaryAnn Harris spoke to her concerns with current County animal welfare ordinances, specifically the lack of shade laws.

Ms. Anita August spoke to her concerns regarding animal welfare in Brunswick County and the lack of requested funding in the FY 25 budget.

Ms. Karen Moldoff spoke to her concerns regarding animal welfare in Brunswick County and the demographic changes that have come with growth.

Mr. Jonathon Damico spoke to his concerns regarding the availability for all citizens to access safe water.

V. APPROVAL OF CONSENT AGENDA

Commissioner Williams moved to approve the Consent Agenda. The motion was seconded Commissioner Cooke and passed unanimously (4 to 0).

- 1. Clerk to the Board – Meeting Minutes – July 8, 2024, Regular Meeting Minutes**
The Board approved the Minutes of the July 8, 2024, Regular Meeting.
- 2. Communications – Job Description & Department Change for New Paralegal Position (Communications/County Attorney's Office)**
The Board approved the management-recommended change to the title and department of supervision and the associated budget transfer for the new position already approved in the FY2025 budget.
- 3. County Attorney – Bella Point Ph. 3, Lots 195-334 Deed of Dedication**
The Board accepted the Deed of Dedication for water and sewer infrastructure for Bella Point, Phase 3
- 4. County Attorney – Ocean Point Phase 2, Lots 9-46 Deed of Dedication**
The Board accepted the Deed of Dedication for water and sewer infrastructure in Ocean Point, Phase 2, Lots 9-46.
- 5. County Attorney – Rich Square Single-Family Section, Phase 2, Lots 1-36 and 98-120, Deed of Dedication**
The Board accepted the Deed of Dedication for water and sewer infrastructure for Rich Square Single-Family Section, Phase2, Lots 1-36 and 98-120.
- 6. Engineering – FY16 Enterprise Water Mains Top (7) Contract C&D Project Closeout**
The Board approved the final adjusting change order with the T.A. Loving Company, Inc., and close out the FY16 Enterprise Water Main Top (7) project.
- 7. Finance – Charlotte Cooperative Purchasing Alliance Interlocal Agreement**
The Board approved becoming a participating member of the Chalotte Cooperative Purchasing Alliance and delegate the signing authority agreement to the Finance Director.
- 8. Finance – Fiscal Items**
The Board approved Budget Amendments, Capital Project Ordinances, and Fiscal Items if a routine nature to include the following:

-Southport Project Cost Transfer

Grant revenues were budgeted at the June 17th Board of Commissioners meeting to offset engineering expenditures paid for by Southport. These were transferred to the County as part of three ongoing capital projects. The Construction Find and Fix project was one of these and is funded by an SRP-W-ARP-0299 ARP pass-through grant. After June 30, an additional invoice in the amount of 87,493.38 was paid by the City and was provided to Finance. It should be posted back to the previous fiscal year. Since this does not result in an exchange of cash, but instead receivables due from the granting agency, we request the commissioners approve additional grant funds necessary in the prior year to correctly account for this expense.

-Shallotte Transmission Main Closeout Budget Amendment and CPO

Close the Shallotte Transmission Main Project and return \$86,346 to the water capital reserve undesignated funds.

9. Finance – Grant Evaluation Application – DEQ Loan for Mulberry Branch

The Board approved the Brunswick County Grant Application Evaluation Forms for the NCDEQ State Revolving Fund loan for the 0.75 MGD expansion of the Shallotte Wastewater Treatment Plant as part of the merger with Southport.

10. Operation Services – BMAP Cooperative Service Agreement

The Board approved a Cooperative Service Agreement with the U.S. Department of Agriculture, Animal and Plant Health Inspection Services Wildlife Services.

11. Operation Services – Community Waste Reduction and Recycling Grant Agreement

The Board approved and accepted the Grant Agreement with the NC Department of Environmental Quality total contract amount is \$30,183 with a grant award of \$25,000 and a cash match of \$5.183.

12. Operation Services – HVAC Goods and Services Agreement

The Board approved the goods and services agreement for HVAC repairs and maintenance with HVAC StarPlus, LLC.

13. Parks and Recreation – Brunswick County Offsite Properties – Lawn Care Maintenance Agreement

The Board approved the additional costs associated with the Lawn Care Maintenance Agreement for three additional properties.

14. Sheriff's Office – Resolution to Donate Surplus Vehicles

The Board approved a resolution to donate two vehicles, currently assigned to the Sheriff's Office, to the Village of Bald Head Island. The Resolution reads as follows:

**RESOLUTION AUTHORIZING THE BRUNSWICK COUNTY SHERIFF TO
TRANSFER OWNERSHIP OF BRUNSWICK COUNTY LAW
ENFORCEMENT VEHICLES NO LONGER NECESSARY OR USEFUL
FOR LAW ENFORCEMENT PURPOSES**

WHEREAS, the Brunswick County Board of Commissioners, on behalf of the citizens of Brunswick County, wishes to support another governmental unit in Brunswick County seeking to make the County a better place for its residents; and

WHEREAS, pursuant to N.C.G.S. § 160A-280, personal property that the Board of Commissioners deems to be surplus, obsolete, or unused may be donated to another governmental unit within the United States, a sister county, or a non-profit organization incorporated by the United States, one of the United States, or the District of Columbia; and

WHEREAS, the Village of Bald Head Island is another governmental unit within the State of North Carolina and situated in Brunswick County; and

WHEREAS, the Brunswick County Sheriff has two vehicles, namely: a 2013 DODGE CHARGER VIN# 2C3CDXAGXDH647999 and a 2013 DODGE CHARGER VIN# 2C3CDXAG2DH648001, that are fixed assets of Brunswick County, and that are no longer suitable or useful for law enforcement or other County purposes; and

WHEREAS, the Brunswick County Sheriff requests that he be allowed to transfer ownership and possession of the above-described vehicles to the Village of Bald Head Island.

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

1. That the Sheriff, or his designee, is hereby authorized to transfer ownership and possession of two above-described vehicles that are no longer useful or necessary for law enforcement or other County purposes from Brunswick County to the Village of Bald Head Island.
2. That the transfer of the above-described vehicles are "AS IS, WHERE IS" and without any warranties, express or implied.
3. That this resolution shall be effective upon adoption.

Adopted this the 5th day of August 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:

Daralyn Spivey, NCCCC, CMC
Clerk to the Board

15. Utilities – Crane Pumps – Grinder Packages Contract Approval

The Board approved a Grinder Package contract with Crane Pumps for the budgeted purchase of Crane grinder packages.

16. Utilities – Crowder – 24-ST-WBR WWTP Biosolids Processing Facility DB Contract

The Board authorized the Chairman and the Clerk to the Board to execute the Design – Build Agreement with Crowder Construction Company in the amount of \$3,248,084 for engineering services and additional related services necessary to complete Phase 1 of the project including design, permitting, and price proposal for construction of Phase 2 as well as an equipment allowance enabling the purchase of long lead time materials.

17. Utilities – Evoqua Water Technologies, LLC Sole Source Resolution and Contract

The Board approved the sole source exemption and contract for the replacement of new parts from Evoqua Water Technologies, LLC for the repair of proprietary equipment used in water treatment.

**RESOLUTION AUTHORIZING PURCHASE OF REPAIR PARTS FOR THE
THICKENER LOCATED AT THE NORTHWEST WATER TREATMENT PLANT
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 Northwest Water Treatment Plant produces 14 million gallons of potable water per day through filtration of solids using proprietary equipment, including, without limitation, a thickener, manufactured by Evoqua Water Technologies LLC; and

WHEREAS, replacement parts and/or new pieces of equipment associated with the existing treatment system are required from time to time; and

WHEREAS, any replacement parts and equipment are proprietary to Evoqua Water Technologies LLC to ensure compatibility with the existing system; 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 August 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

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

18. Utilities – Grant App Evaluation Midway to Clemmons FM, Southport Sewer Replacement, Southport Meter Replacement.

The Board approved the following projects: 1) Midway Rd to Clemmons Rd Force Main Project, 2) Southport Water and Irrigation Meter Replacement Project, and 3) Southport Sewer Replacement Project. The Board also authorizes the County Manager to sign and allows staff to submit the required application/ background data.

19. Utilities – Grant Evaluation Applications for ARPA Funded Southern FIFI Design, DEQ Loan for FIFI Construction, and Southport Lift Station Replacement Projects

The Board approved the following projects:

- 1) ARPA Southport Fint It/Fix It Projects** - Design grant and construction loan and
- 2) ARPA Southport Lift Station Replacement Project** - authorizes the County Manager to sign and allows staff to submit the required application /background data.

20. Utilities – Preferred Sources Inc. (Myers Grinder Pumps) Grinder Packages Contract Approval

The Board approved the contract with Preferred Sources Inc., for the annual purchase of Myers Grinder Pump packages.

21. Utilities – Resolution to Waive Mini-Brooks Act – Professional Land Surveying

The Board approved the resolution exempting qualification-based selection requirements from the Mini-Brooks Act for Professional Land Surveying Services for pump station, temporary benchmarks and an elevation certificate at Brunswick Plantation Golf Course. The Resolution reads as follows:

**RESOLUTION EXEMPTING WITHERSRAVENEL–
PROFESSIONAL SURVEYING SERVICE 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 design-build services (collectively “Services”) to be based on qualifications and without regard to fee;

WHEREAS, the County proposes to enter into one or more contracts for services for work with the County’s sewer lift stations; 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 5th day of August 2024.

Randell Thompson, Chairman
Brunswick County Board of Commissioners

Attest:

Daralyn Spivey, NCCCC, CMC
Clerk to the Board

22. Utilities – State Utility – 23 Southeast Area Improvements – St. James Water DB Contract

The Board authorizes the Chairman and the Clerk to the Board to execute the Progressive Design-Build Agreement with State Utility Contractors Inc., in the amount of \$1,717,136 for engineering and other related services necessary to complete Phase One of the project. Phase One includes design, permitting and price proposals for construction (Phase 2).

23. Clerk to the Board – Resolution Approving the Bonding of Interim Tax Administrator

The Board affirmed the appointment and adopted a resolution approving the bonding of the Interim Tax Administrator. The resolution reads as follows:

**RESOLUTION APPROVING THE BOND OF INTERIM
TAX ADMINISTRATOR**

WHEREAS, NCGS § 105-349(c) requires the Tax Collector to provide a performance bond in an amount prescribed by this Board; 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 that this Board hereby accepts and approves the bond for Tony Masiero, Interim Tax Administrator, in the amount of \$500,000.00 with Travelers Insurance; and

BE IT FURTHER RESOLVED 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 and any Commissioner who votes against

this resolution may cause his or her written dissent to be entered into the record of the Board.

That this resolution shall be effective upon its adoption.

Adopted this the 5th day of August, 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

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

VI. PRESENTATIONS

A1. Current Actions from Tropical Storm Debby

Mr. McIntire updated the Board on the planning process readying for Tropical Storm Debby and the status of County partners, both internally and externally.

A2. FEMA Hostile Action Graded Exercise

The County participated in an exercise partnering with Duke Progress Energy using the scenario of a hostile action involving a cargo plane affecting the nuclear plant. The County worked with internal and external partners during the training exercise to include Municipal and County agencies.

1. Certificate of Excellence in Financial Reporting and Distinguished Budget Presentation Award

The Board was presented and received the Government Finance Officers Association Certificate of Excellence in Financial Reporting and the Distinguished Budget Presentation Award.

2. Communications – Presentation on Recommended Strategic Planning Dashboard Solution.

The Board heard a presentation regarding the recommended Envisio Strategic planning dashboard solution. Commissioner Williams made the motion to authorize staff to execute a contract based on the proposed agreement following the County Attorney’s review and approval of final terms. Vice – Chairman Forte seconded the motion with all in favor (4 to 0).

3. Health Services – Proclamation for International Overdose Awareness Day

The Board was presented a proclamation for international Overdose Awareness Day. Vice - Chairman Forte read the proclamation and made the motion to approve. Commissioner Williams seconded the motion and passed unanimously (4 to 0). The Resolution reads as follows:

**PROCLAMATION DESIGNATING AUGUST 31st, 2024
INTERNATIONAL OVERDOSE AWARENESS DAY IN
BRUNSWICK COUNTY, NORTH CAROLINA**

WHEREAS, drug overdose claimed the lives of 58 Brunswick County Residents in 2023 and we must do all we can to reduce the toll of overdose in our community; and

WHEREAS, the people affected by drug overdose are our sons and daughters, our mothers and fathers, our brothers and sisters, and deserving of our compassion and support; and

WHEREAS, Brunswick County acknowledges the harm and hardship caused by drug overdose; and

WHEREAS, Brunswick County acknowledges the power of a united community with the shared goal of preventing, and ultimately, ending drug overdoses; and

WHEREAS, the purpose of International Overdose Awareness Day is to remember everyone lost to drug overdose and to end the stigma of drug-related deaths.

NOW, THEREFORE, I, Randy Thompson, Chair of the Brunswick County Board of Commissioners and on behalf of the Brunswick County Board of Commissioners, do hereby proclaim that Saturday, August 31st, 2024, will be recognized as "International Overdose Awareness Day" in Brunswick County with the theme of "Together, We Can." All community members are called upon to unite in memory of loved ones we have lost, and to draw upon the strength found in unity which we can utilize to end drug overdose in Brunswick County.

This, the 5th day of August 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:

Daralyn Spivey, NCCCC, CMC
Clerk to the Board of Commissioners

4. Information Technology – Presentation: AV Platform Recommended Solution – BOC Chambers

The Board heard a presentation regarding the recommended Avidex proposal for the audio-visual solution for the Chambers. Vice - Chairman Forte made the motion to proceed with the procurement of the recommended audio-visual solution for the Chambers with Avidex. Commissioner Cooke seconded the motion and passed unanimously (4 to 0).

VII. ADMINISTRATIVE REPORT

1. Administration – GSATS Boundary Area Expansion

Mr. Haynes Brigman requested the Board provide feedback on the proposed GSATS Boundary Area expansion options. Commissioner Willaims made the motion that the County does not support any proposed options. Commissioner Cooke seconded the motion and passed unanimously. (4 to 0).

2. Transfer of Property to Brunswick County Board of Education

Commissioner Cooke made the motion to transfer Tax Parcels 15200058 and 1370000806 to the Brunswick County Board of Education contingent on the use for school purposes only. Commissioner Williams seconded the motion and passed unanimously (4 to 0).

VIII. BOARD APPOINTMENTS

1. Clerk to the Board – Board Appointments: Board of Equalization and Review (E&R) and Substance Use, Addiction and Mental Health Commission (SUAMHC):

District 2 Board of E&R Appointment:

Commissioner Cooke made the motion to appoint Mr. James Hardy to the Board of E&R as the District 2 appointee. Commissioner Williams seconded the motion and passed unanimously (4 to 0).

Board of Education SUAMHC Appointee:

Commissioner Williams made the motion to approve the appointment of Ms. Jennifer Faircloth as the Board of Education appointee.

Vice - Chairman Forte seconded the motion and passed unanimously (4 to 0).

Trillium Representative Appointment:

Commissioner Williams made the motion to approve the appointment of Ms. Cecilia Peers as the Trillium appointee as required by the bylaws. Vice - Chairman Forte seconded the motion and passed unanimously (4 to 0).

Substance Use, Addiction and Mental Health Commission - Mental Health Provider

Commissioner Williams made the motion to table the appointment of a mental health provider to the SUAMHC until the August 19, 2024, Regular Meeting. Vice - Chairman Forte seconded the motion and passed unanimously (4 to 0).

IX. BUSINESS/INFORMAL DISCUSSION

NCACC Voting Delegate

Vice Chairman Forte stated he would not attend the NCACC Summer Conference due to the impending weather thus relinquishing his voting delegate status. As Commissioner Williams still plans to attend, Vice – Chairman Forte made the motion to appoint Commissioner Williams as the new voting delegate. Commissioner Cooke seconded the motion and passed unanimously (4 to 0).

Engineer Review Committee

Commissioner Williams requested the Board of Commissioners create a committee to sit on a review board for the scoring, reviewing, criteria and selection process of engineers for projects the County is proposing. Vice - Chairman Forte and Commissioner Sykes have agreed to sit on that committee as Board of Commissioner representatives. Commissioner Williams has asked for this to be ready for discussion of the full Board in September.

X. CLOSED SESSION

The Board entered Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) to consult with its attorney in order to preserve attorney-client privilege.

Mr. Batton noted the above statutory requirements.

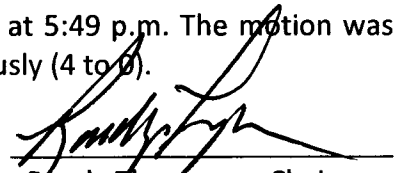
Vice – Chairman Forte made the motion to enter Closed Session at 5:38 p.m. The motion was seconded by Commissioner Williams and passed unanimously (4 to 0).

Chairman Thompson called the Regular Meeting to order at 5:49 p.m.

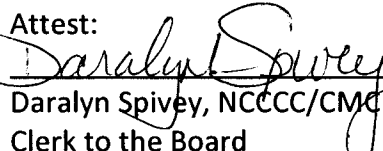
Mr. Batton stated there was nothing to report at this time.

XI. ADJOURNMENT

Commissioner Williams moved to adjourn the meeting at 5:49 p.m. The motion was seconded by Commissioner Cooke and passed unanimously (4 to 0).


Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:


Daralyn Spivey, NCCCC/CMC
Clerk to the Board

