

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
August 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 Frank Williams
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
Currie Elkins, IT
Lt. Nathan Hester, 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 6:00 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 requested V.16 Utilities - McKim & Creed - 23 - EPA Grant - Bell Swamp Water Transmission Main Design be removed from the agenda for further study.

Commissioner Williams requests the Board Appointments for the Health and Human Services and the Substance Use, Addiction, and Mental Health Commission be removed until the September 3, 2024, Regular Meeting.

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

IV. PUBLIC COMMENT

Chairman Thompson opened the Public Comment period at 3:02 p.m. with the following comments:

Ms. Marilyn Matteo commented on her concerns with the development in the County and the resulting toll on wildlife.

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

Ms. Lora Smith spoke to her concerns with the current animal welfare ordinances and the needed revisions to those ordinances.

Ms. Holly Long spoke of her concerns with the current Planning Board and their decisions to allow unchecked development.

Mr. Gerald Deltz spoke to his concerns regarding the charge of Doshier Hospital Tax on his DMV renewal when he lives in Winnabow.

Ms. Judy Andricak spoke to her concerns over the conditions of the roads in the County and the lack of a proper evacuation plan.

Ms. Terri Holly spoke of her concerns with traffic on NC 211, the implications of the upcoming widening of NC 133, the increase of traffic with the current rate of development, and clearcutting.

V. APPROVAL OF CONSENT AGENDA

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

1. Administration – Tropical Storm Debby Event Pay

The Board approved the 5:00 p.m. on Wednesday, August 7th as the time of closing of County Offices for the purpose of administration of the County's Inclement Weather Policy as it relates to Tropical Storm Debby.

2. Clerk to the Board – Meeting Minutes – August 5, 2024, Regular Meeting Minutes

The Board approved the Minutes of the August 5, 2024, Regular Meeting.

3. County Attorney – Blue Water Mini- Storage Deed of Dedication

The Board accepted the Deed of Dedication for water infrastructure for Blue Water Mini-Storage.

4. County Attorney – Eagle Run Phase 4B Deed of Dedication

The Board accepted the Deed of Dedication for water and sewer infrastructure in Eagle Run, Phase 4B.

5. County Attorney – Evolve Apartments at St. James, Phase 1A, Deed of Dedication

The Board accepted the Deed of Dedication for water and sewer infrastructure for Evolve Apartments at St. James, Phase 1A.

6. Emergency Management – Brunswick and New Hanover Counties IPAWS Mutual Aid Agreement

The Board approved the Brunswick and New Hanover Counties IPAWS Mutual Aid Agreement to allow for cross-jurisdictional Wireless Emergency Alerting (WEA) messages during emergency situations.

7. Finance – NC Forestry Service Agreement FY2025

The Board approved the agreement with the North Carolina Department of Agriculture and Consumer Services for the protection, development, and improvement of forest land in Brunswick County.

8. Operation Services – Unifirst Corporation – Service Agreement

The Board approved the service agreement with Unifirst Corporation for uniform services.

9. Tax – Administration- August 2024 Releases

The Board approved the tax releases for August 2024.

10. Tax Administration – FY 2023-2024 Settlement Report

The Board received the FY 2023-2024 annual tax collectors’ settlement report.

11. Tax – Administration- Order of Collections

The Board approved the ordering and entering into the minutes the order to collect the taxes charged in the records and receipts.

12. Tax - Administration – Relief from Collections August 2024

The Board relieved the tax collector from “charge of collections” for three specific instances: 1) on taxes after all remedies have been expired (10 years from the due date); 2) on personal property insolvents that are five years past due; and 3) on classified motor vehicles taxes that are one year or more past due when it appears they are uncollectible.

13. Utilities – Acceptance of DEQ Funding Offer Mulberry Branch – Shallotte WWTP

The Board approved the below resolution accepting the Funding Offer from the Department of Environmental Quality (DEQ) in the amount of \$29,783,014 for the construction of the Shallotte WWTP Expansion and Transmission (Mulberry Project) Project (CS370714-03). The action item also requests the Board delegate signing authority to the Cuntly Manager for the documents in connection to the award/loan. The Resolution reads as follows:

**RESOLUTION TO ACCEPT AN STATE REVOLVING FUND- REPAYABLE
LOAN FUNDING OFFER FROM THE NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY**

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a (State Revolving Loan, State Grant, or State Bond Loan) in the amount of \$29,783,014 for the construction of Shallotte WWTP Expansion & Transmission (Mulberry Project), and

WHEREAS, Brunswick County intends to perform said Project in accordance with the agreed upon scope of work.

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

1. That Brunswick County does hereby accept the (State Revolving Loan, Grant, or State Bond Loan) offer of \$29,783,014.
2. That Brunswick County does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the (loan or grant) offer, Section II- Assurances will be adhered to.
3. That Mr. Steven T. Stone, County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with Project; to make

the assurances as contained above; and to execute such other documents as may be required in connection with the award/loan.

- 4. That Brunswick County has substantially complied or will substantially comply with all Federal, State and Local Laws, rules, regulations, and ordinances applicable to the project and to Federal and State Grants and Loans pertaining thereto.

Adopted this the 19th day of August 2024 at Brunswick County, North Carolina.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

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

14. Utilities – Approval of Contract with Evoqua Water Technologies LLC for Purchase of Odor Control Unit

The Board approved the budgeted FY24 purchase of an Odor Control Unit from Evoqua Water Technologies LLC for the budgeted \$182,414.

15. Utilities – Approval of Heritage Water Systems Contract for Replacement of Grinder Pumps and Kits

The Board approved the contract with Heritage Water Systems for the purchase of replacement grinder pumps and kits manufactured by Crane Pumps Systems (Barnes Grinder Pumps).

16. Utilities – McKim and Creed – 23-EPA Grant – Bell Swamp Water Transmission Main Design

The Board tabled this item for further study.

VI. PRESENTATIONS

1. Administration – Federal Advocacy Activities Update

The Board received an update from Former Congressman Mike McIntyre of Ward & Smith, accompanied by Roger Guinn, CEO of the Furgeson Group, regarding the status of federal funding received in the last federal legislative session.

2. Clerk to the Board – NC DOT and NC133 Bridge Project Overview

The Board heard a presentation from Dan Cumbo, NC DOT, regarding the upcoming NC 133 bridge project/road closure slated for October 28, 2024 through August 1, 2025. Commissioner Williams would like to see a stakeholder meeting held here at the County to include the following entities: Brunswick County Schools, Brunswick County Sheriff’s Office, Duke Energy, Archer Daniels Midland, each of the municipalities in the affected area, MOTSU, Brunswick County EMS, and Emergency Management to discuss the implications of the closure.

3. Clerk to the Board – Resolution – Preparedness Month September 2024

The Board was presented a resolution for Preparedness Month 2024. Commissioner Williams read the resolution and made the motion to approve. Vice – Chairman Forte seconded the motion and passed unanimously (5 to 0). The Resolution reads as follows:

RESOLUTION DECLARING SEPTEMBER 2024 AS “PREPAREDNESS MONTH” IN BRUNSWICK COUNTY

WHEREAS, National Preparedness Month is an observance each September to raise awareness about the importance of preparing for disasters and emergencies that could happen at any time; and

WHEREAS, Counties throughout North Carolina have been affected by a variety of emergencies, including hurricanes, tornadoes, mudslides, wildfires, flooding and earthquakes; and

WHEREAS, the peak period of hurricane season is historically mid-August through October, and September 10 marks the peak of hurricane season; and

WHEREAS, Brunswick County has already been affected by Tropical Storm Debby in 2024; and

WHEREAS, Brunswick County Commissioner Frank Williams, Past President of the N.C. Association of County Commissioners, created the *100 Counties Prepared* NCACC Presidential Initiative; and

WHEREAS, all five Brunswick County Commissioners, three members of the Brunswick County management team and several members of Brunswick County's emergency services team have now completed the *100 Counties Prepared* training, which focuses on training county commissioners on how to effectively lead during emergencies, compiling resources to assist commissioners during emergency situations, and helping commissioners establish relationships with key emergency management partners; and

WHEREAS, Brunswick County has the highest percentage of adults over the age of 65 in North Carolina; and,

WHEREAS; the Brunswick County Board of Commissioners desires that every household, property owner, and business in Brunswick County be prepared for potential emergencies.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Brunswick County hereby declares September 2024 as Preparedness Month in Brunswick County and encourages all citizens to prepare for potential emergencies by developing an emergency plan, building an emergency kit, identifying sources for credible, accurate emergency information, and communicating their emergency plan to all members of their household and/or workplace.

Adopted this the 19th day of August 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

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

VII. PUBLIC HEARING

1. Planning – UDO Text Amendment – Above Ground Pool Fencing

Kirstie Dixon, Planning Director, provided the Board with information in reference to amending the Brunswick County Unified Development Ordinance (UDO) to clarify requirements for above ground pool fencing.

Staff recommends approval of the Pool Related Text Amendments based upon information provided, and the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan).

The Planning Board recommends approval of the Pool Related Text Amendments.

The consistency statement reads as follows: Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is consistent with the goals, recommendations, and policies of the following plans adopted by Brunswick County and is reasonable and appropriate based upon the following findings:

- Consistent with NC Building Code.
- Clarifies above-ground pool fencing requirements in the Unified Development Ordinance (UDO).

☐ <i>Agricultural Development Plan</i>	☐ <i>Unified Development Ordinance</i>
☐ <i>Brunswick County Comprehensive Transportation Plan (CTP)</i>	☐ <i>Southeastern North Carolina Hazard Mitigation Plan</i>
☐ <i>Brunswick County Trail Plan</i>	☐ <i>Airport Height Control Ordinance</i>
☒ <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	☐ <i>Other: _____</i>

Chairman Thompson opened the Public Hearing at 7:22 p.m. and hearing no comments, closed the Public Hearing at 7:22 p.m.

Vice – Chairman Forte made the motion to approve the proposed text amendment. Commissioner Williams seconded the motion and passed unanimously (5 to 0).

2. **Planning – UDO Text Amendment – Board of Adjustment (BOA) Alternate Member**
Kirstie Dixon, Planning Director, provided the Board with information in reference to amending the Brunswick County Unified Development Ordinance (UDO) to increase the number of alternate members on the Board of Adjustments.

Staff recommends approval of Zoning Board of Adjustment Alternate Member Text Amendments based upon information provided, and the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan).

The Planning Board recommends approval of Zoning Board of Adjustment Alternate Member Text Amendments.

The consistency statement reads as follows: Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is consistent with the goals, recommendations, and policies of the following plans adopted by Brunswick County and is reasonable and appropriate based upon the following findings:

- Better support the Zoning Board of Adjustments meeting facilitation
- Addresses Zoning Board of Adjustments workloads

☐ <i>Agricultural Development Plan</i>	☐ <i>Unified Development Ordinance</i>
☐ <i>Brunswick County Comprehensive Transportation Plan (CTP)</i>	☐ <i>Southeastern North Carolina Hazard Mitigation Plan</i>
☐ <i>Brunswick County Trail Plan</i>	☐ <i>Airport Height Control Ordinance</i>
☒ <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	☐ <i>Other: _____</i>

Chairman Thompson opened the Public Hearing at 7:25 p.m. and hearing no comments, closed the Public Hearing at 7:25 p.m.

Commissioner Sykes made the motion to approve the text amendment. Commissioner Williams seconded the motion and passed unanimously (5 to 0).

3. **Planning – UDO Text Amendment – Casitas in Outdoor RV Parks**

Kirstie Dixon, Planning Director, provided the Board with information in reference to amending the Brunswick County Unified Development Ordinance (UDO) to allow casitas as an accessory use to an RV/Travel Trailer on the same lot within an Outdoor RV Resort.

Staff recommends approval of Outdoor RV Resorts/Casitas UDO Text Amendments based upon information provided, and the Blueprint Brunswick 2040 Comprehensive Plan (CAMA Land Use Plan).

The Planning Board recommends the approval of the Outdoor RV Resorts/Casitas UDO Text Amendments.

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is consistent with the goals, recommendations, and policies of the following plans adopted by Brunswick County and is reasonable and appropriate based upon the following findings:

- Enhance economic development and tourism opportunities
- Clarifies that casitas can be utilized in Outdoor RV Resorts

☐ Agricultural Development Plan	☐ Unified Development Ordinance
☐ Brunswick County Comprehensive Transportation Plan (CTP)	☐ Southeastern North Carolina Hazard Mitigation Plan
☐ Brunswick County Trail Plan	☐ Airport Height Control Ordinance
☒ Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)	☐ Other: _____

Chairman Thompson opened the Public Hearing at 7:31 p.m.

Barry Poole spoke to his support of allowing the casitas to be added as an accessory use to an RV/Travel Trailer in the same lot within an Outdoor RV Resort.

Chairman Thompson closed the Public Hearing at 7:39 p.m.

Commissioner Williams made the motion to approve the casitas in Outdoor RV Resorts. Commissioner Sykes seconded the motion and passed unanimously (5 to 0).

VIII. **BOARD APPOINTMENTS**

1. **Clerk to the Board – Board Appointments:**

Commissioner Williams made the motion appoint Commissioner Cooke as the Commissioner appointee and Arthur Dornfeld as the Board of Commissioners appointee to the Local Emergency Planning Committee (LEPC). Vice – Chairman Forte seconded the motion and passed unanimously (5 to 0).

IX. **BUSINESS/INFORMAL DISCUSSION**

There was no discussion brought forward.

X. CLOSED SESSION

The Board entered Closed Session pursuant to N.C.G.S. 143-318.11(a)(1)(3)(6) to approve Closed Session Minutes from the June 17, 2024, and the August 5, 2024, meetings, to consult with its attorney in order to preserve the attorney-client privilege, and to discuss a personnel matter.

Mr. Batton noted the above statutory requirements, adding personnel (6).

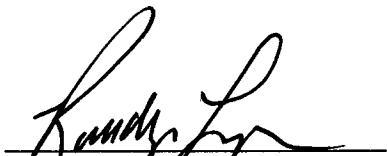
Commissioner Williams made the motion to enter Closed Session at 7:41 p.m. The motion was seconded by Commissioner Cooke and passed unanimously (5 to 0).

Chairman Thompson called the Regular Meeting to order at 8:28 p.m.

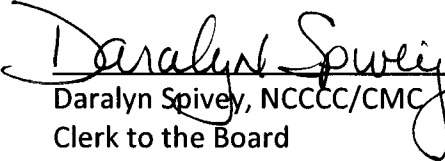
Mr. Batton stated there was nothing to report at this time.

XI. ADJOURNMENT

Commissioner Williams moved to adjourn the meeting at 8:29 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/CMC
 Clerk to the Board

