

BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
September 3, 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
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
LeAnn Weigand, Executive Assistant/Deputy Clerk
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 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.

Commissioner Williams requests the appointment to the Substance Use, Addiction, and Mental Health Commission Mental Health Provider be added to the agenda under Board Appointments.

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

IV. **PUBLIC COMMENT**

Chairman Thomspson recognized Detention Officers Covington and Boyd for receiving the American Red Cross Life Saving Award.

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

Mr. Bob Fulton listed his requested items to be added to the Legislative Goals for the submission to the NCACC.

V. **APPROVAL OF CONSENT AGENDA**

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

1. **Administration – ARPA Brunswick Community College Vaccine Site Repair**
The Board approved \$100K of APR enabled funds to Brunswick Community College for the repair to the Odell Williamson parking lot.
2. **Administration – Fee Waiver for Properties Within the Former Southport ETJ**
The Board approved the request to waive fees for permits within the former Southport ETJ which have already been paid to the City of Southport.
3. **Clerk to the Board – Meeting Minutes – August 19, 2024, Regular Meeting Minutes**
The Board approved the Minutes of the August 19, 2024, Regular Meeting.
4. **Code Administration – Approval of the Contract Geosyntec Consultants of NC, PC d/b/a ATM of NC- CawCaw and Little CawCaw Swamp Floodplain Study, 316 – AD Continued Services**
The Board approved the restated 2024 contract with Geosyntec Consultant and appropriated \$32K for expenses to date for services related the CawCaw floodplain study.
5. **Code Administration Interlocal Agreement – Town of Belville – Fire Code Inspection Services**
The Board approved the interlocal agreement for Fire Code Review, Inspection and Enforcement Services with Town of Belville.
6. **Code Administration – Interlocal Agreement – Town of Bolivia – Fire Code Services**
The Board approved the interlocal agreement for Fire Code Review, Inspection and Enforcement Services between Brunswick County and the Town of Bolivia.
7. **Code Administration – Re-Classification of Position from a Fire Plans Reviewer (10355) to a Building Plan Reviewer II (104350)**
The Board approved the reclassification of the position of Fire Plan Reviewer from the Fire Marshall (104355) to a Building Plans Reviewer II (104350) within Code Administration.
8. **County Attorney – Driving Creek Hunting Club Lease Renewal**
The Board approved the renewal of the Driving Creek Hunting Club Lease.
9. **Finance – Fiscal Items**
The Board approved Budget Amendments, Capital Project Ordinances, and Fiscal Items if a routine nature to include the following:

 -Health Services Additional State Revenues Budget Amendment
 Appropriated additional state revenues restricted in Immunizations \$18,823, WIC-Client Services \$3,969, Breastfeeding Peer Counselor \$11,610 programs to support the corresponding Health Services program expenditures.
10. **Finance – Resolution Approving Construction Management at Risk Construction Delivery Method for a New School at the North End of the County**
The Board approved a resolution approving the construction management at risk construction delivery method for a new school on the north end of the County. The Resolution reads as follows:

**RESOLUTION APPROVING CONSTRUCTION MANAGEMENT AT RISK
CONSTRUCTION DELIVERY METHOD FOR A NEW SCHOOL PROJECT
IN THE NORTH END OF THE COUNTY**

WHEREAS, the Brunswick County Board of Education has directed the Operations Committee to pursue a new school in the north end of the county; and

WHEREAS, the Brunswick County Board of Education has requested the Brunswick County Board of Commissioners adopt a resolution to declare Construction Manager at Risk the preferred construction method for a new school project in the north end of the county; and

WHEREAS, the Board has compared the advantages and disadvantages of using the Construction Management at Risk method for the project instead of the delivery methods identified in G.S. 143-128(a1)(1) through G. S. 143-128(a1)(3); and

WHEREAS the Board finds the Construction Management at Risk method allows for the selection of the most qualified contractor for the project; and

WHEREAS, Construction Management at Risk provides an opportunity for the involvement of the contractor during the design process to provide the architect with feedback on constructability and other design issues; and

WHEREAS Construction Management at Risk requires the Construction Manager to use prequalified subcontractors; and

WHEREAS Construction Management at Risk allows for transparency of the overall bidding and construction process, including the costs incurred by the Construction Manager; and

WHEREAS Construction Management at Risk has been shown to achieve significant MBE participation during the construction process; and

WHEREAS Construction Management at Risk method has resulted in the consistent completion of projects on schedule; and

WHEREAS, the Board has concluded the Construction Management at Risk method is in the overall best interest of the project compared to the use of one of the delivery methods in G.S. 143- 128(a1)(1) through G.S. 143-128(a1)(3);

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Brunswick County Board of Commissioners approves the use of the Construction Management at Risk construction delivery method in accordance with G.S. 143-128.1 for a new school project in the north end of the county.

Resolved this 3rd day of September 2024

Randy Thompson, Chair
Board of Commissioners

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

- 11. Health Services – Annual Approval of the Board of Health Policies and Procedures**
The Board reviewed and adopted the Board of Health policies and procedures for rule making, rules adjudication, Board of Health training, and tobacco free facilities.

12. Health Services – NC Alliance of Public Health Agencies Staffing Agreement FY 24-25

The Board approved the agreement with NC Alliance of Public Health Agencies (NCAPHA) for FY24-25.

13. Health Services – Opioid Settlement Resolution for Naloxone

The Board approved a resolution to use Opioid Settlement Funds to purchase Naloxone for our municipalities and community partners. The Resolution reads as follows:

A RESOLUTION BY THE COUNTY OF BRUNSWICK COUNTY TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS

WHEREAS, Brunswick County has joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids.

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and bankruptcy resolutions (“Opioid Settlement Funds”) are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (“MOA”) and the Supplemental Agreement for Additional Funds from Additional Settlements of Opioid Litigation (“SAAF”);

WHEREAS, Brunswick County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA;

WHEREAS, section E.6 of the MOA states that, before spending opioid settlement funds, the local government’s governing body must adopt a resolution that:

- (i) indicates that it is an authorization for expenditure of opioid settlement funds; and,
- (ii) states the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy; and,
- (iii) states the amount dedicated to each strategy for a specific period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the NC MOA and SAAF, Brunswick County authorizes the expenditure of opioid settlement funds as follows:

- 1. Strategy authorized
 - a. Name of strategy: Naloxone Distribution
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #7
 - d. Amount authorized for this strategy: \$25,000
 - e. Period of time during which expenditure may take place: Start date September 3, 2024, through End date June 30, 2025
 - f. Description of the program, project, or activity: Purchase Naloxone for distribution to community partners and agencies. Naloxone is an opioid antagonist and is a safe medication that rapidly reverses an opioid overdose.

g. Provider: Health Services The total maximum dollar amount of Opioid Settlement Funds appropriated for the above-named strategies for the period of this resolution is \$25,000.00.

Adopted this the 3rd day of September 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

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

- 14. Operation Services – EKOS, Inc – Fuel Consignment Agreement**
The Board approved a fuel consignment agreement with EKOS, Inc. (formerly Go Energies, LLC).
- 15. Sheriff’s Office – Tower Lease Agreement Approval**
The Board approved tower lease agreement with WWAY-TV and Gray Media Group for the continued use of their tower for 911 communication purposes.
- 16. Utilities – Approval of Tencarva Machinery Company, LLC Contract and Sole Source Resolution**
The Board approved the Sole Source Resolution and contract with Tencarva Machinery Company, KKC authorizing the purchase of three (3) KSB Model Sewabloc K 200-316G VF pumps for the West Brunswick Wastewater Treatment Plant repair in the amount of \$89,230.00. The Resolution reads as follows:

**RESOLUTION AUTHORIZING PURCHASE OF KSB MODEL SEWABLOC
K 200-316G VF PUMP FOR WEST BRUNSWICK WASTEWATER
TREATMENT PLANT REPAIR 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 Board of Commissioners previously approved a sole source exception to competitive bidding for an Aurora pump manufactured by Pentair due to standardization and compatibility with existing systems at the West Brunswick Wastewater Treatment Plant; and

WHEREAS, the aforementioned pump has now been discontinued and is no longer available for purchase by the County; and

WHEREAS, the County has identified a replacement pump for the discontinued model to ensure continued standardization and compatibility with existing systems; and

WHEREAS, the replacement KSB Model Sewabloc K 200-316G VF Pump identified for replacement is only available from Tencarva Machinery Company, LLC, as the exclusive representative and distributor for KSB municipal products in the state of North Carolina; 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 3rd day of September 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:

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

17. Utilities – Approval of Water and Wastewater Treatment Facilities Chemical Contracts

The Board approved eleven (11) contracts to the recommended vendors in the amount of \$2,251,344.00 for budgeted annual purchase of chemical for water and wastewater treatment.

18. Utilities – State Utility Contractors, Inc. – On Call Services Task Order 1

The Board approved the Task Order 1 for services provided from State Utility Contractor’s Inc. The funding request for the on-call services is \$29,3025.

VI. PRESENTATIONS

1. Planning – Unified Development Ordinance (UDO) Project Update

The Board received an update from Planning on the status of the Unified Development Ordinance (UDO) modernization project.

VII. ADMINISTRATIVE REPORT

1. Administration – FY25 NCACC State Legislative Goals

The Board proposed the following legislative goals for consideration of the NCACC for inclusion its 2025-2026 Legislative Agenda:

- Consider and include any of Brunswick County’s remaining recommended goals originally submitted but not included in the NCACC 2023-2024 legislative agenda.
- Support legislation to repeal the provision in the Regulatory Reform Act of 2024 that requires counties to physically post delinquency notices on land parcels. The Board recommended this goal due to concerns over the logistics of carrying out such a requirement, safety of staff, and the additional expense that would be incurred to carry out such work.
- Support legislation to reform the certificate of need law to increase access to health care facilities statewide.
- Support legislation to provide State assistance for orphan roads and help transition such roads into the statewide road system.

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

VIII. BOARD APPOINTMENTS

1. **Governing Body– Board Appointments:** (added to the agenda with the amendment at the beginning of the meeting)

Commissioner Williams made the motion appoint Anthony Grimaldi as the Mental Health Professional to the Substance Use, Addiction, and Mental Health Commission. Vice – Chairman Forte seconded the motion and passed unanimously (5 to 0).

IX. **BUSINESS/INFORMAL DISCUSSION**

Commissioner Cooke:

County Signage:

Would like to see signage as you enter the County with the new seal and to include a slogan for the County and “In God We Trust”.

Youth Council:

Would like to see a Youth Council instituted in Brunswick County.

Commissioner Sykes:

Surplus Equipment:

How can citizens purchase items? Mr. Stone advised that citizens are allowed to bid through the County’s website when available.

Commissioner Williams:

Flags:

New flags for both the COG Offices and the Chambers.

Tax Office:

Assisted in a DMV transaction and customer service was excellent.

Vice Chairman Forte:

Drivers Licenses:

Appointments for renewal is booked 90-120 days leaving citizens to drive on an expired license for an extended period.

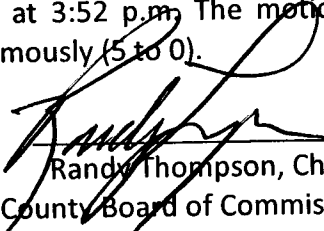
Chairman Thompson:

Road Signage:

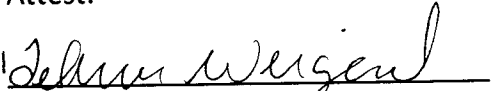
Excessive signs that do not meet County sign ordinances along Highway 17 between Ocean Isle and Bolivia. Mr. Brigman reminded the Board that Staff does remove signage that is not permitted and will look into civil fines to be applied.

X. **ADJOURNMENT**

Commissioner Sykes moved to adjourn the meeting at 3:52 p.m. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0).


Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:


LeAnn Weigand, NCCCC
Deputy Clerk to the Board