

BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
October 21, 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
 Aaron Smith, Finance Director
 Daralyn Spivey, Clerk to the Board
 LeAnn Weigand, Executive Assistant/Deputy Clerk
 Meagan Kascsak, Communications Director
 Jim Hartsell, 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 6:04 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Cooke gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Thompson asked for adjustments to the agenda.

Commissioner Cooke made the motion to table agenda item VII Public Hearings. No second was given, motion failed.

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

IV. PUBLIC COMMENT

Chairman Thompson opened the Public Comment period at 6:06 p.m. with the following comments:

Mr. Gene Vasile spoke on behalf of the ABC-POA in support of the development moratorium.

Mr. Walter Eccard spoke to his support of the development moratorium.

Ms. Jean Toner spoke to her support of the development moratorium.

Ms. Samatha Werner, speaking on behalf of the beekeepers in Brunswick County, expressed her concerns with the aerial mosquito spraying of October 11-18, 2024.

Mr. Robert Needham spoke to his opposition of the development moratorium.

Mr. Jonathon Damico spoke to his concerns with the completion date of the Northwest Water Treatment Plant.

Ms. Christy Merak, speaking on behalf of the Brunswick County Conservation Partnership spoke to her support of the development moratorium.

V. APPROVAL OF CONSENT AGENDA

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

1. **Administration – Budget Calendar FY 2026.**

The Board approved the FY 2026 Budget Calendar.

2. **Clerk to the Board - Meeting Minutes – October 7, 2024, Regular Meeting Minutes**

The Board approved the Minutes of October 7, 2024, Regular Meeting.

3. **Cooperative Extension – Farm Bureau Donation for Dairy Calf Project**

The Board approved an appropriation of \$1,300 donated to the Cooperative Extension from Farm Bureau for the Sandhills Dairy Project.

4. **County Attorney – Hewett Tract, Phase 1 Deed of Dedication**

The Board accepted the Deed of Dedication for water infrastructure for the Hewett Tract, Phase 1.

5. **County Attorney - Refund Request for Excise Tax**

The Board authorized a refund requested for excise taxes paid in error in the amount of \$539.00.

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7. **County Attorney - Woodstork Landing Deed of Dedication**

The Board accepted the Deed of Dedication for water infrastructure for Woodstork Landing

8. **Finance – Fiscal Items**

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

-Sheriff's Office Gifts and Memorials Budget Amendment

Appropriated \$10,000 of gifts and memorials revenue designated for use in the helicopter expense line item.

-Sheriff's Seizure Revenue and Rollover Budget Amendment

Appropriated \$484,798 Sheriff Seizure restricted revenues to account for the liability and corresponding expenditure lines to adjust the accounting for GASB 84.

-Financial Reports for September 2024 (unaudited)

Summary Information for General and Enterprise Funds, ARPA, and Opioid project statuses, key revenue indicators, and Cash and Investments details are included. All year-to-date fiscal reports are provided at:
<https://brunswickcountync.gov/finance/reports>

-McKinsey Opioid Settlement Funds

Appropriated \$124,886 of opioid restricted revenues for the September McKinsey Opioid Settlement disbursement. McKinsey payments are not part of the NC MOA litigation settlement dollars and will be tracked in the general fund.

9. Finance - MOTSU Intergovernmental Support Agreement (IGSA) with Brunswick County Utility Billing

The Board approved the IGSA with MOTSU for potable water service.

10. Health Services - ARPA TSF Public Health Funds

The Board approved the Health Department's receipt of an additional \$50,000.

11. Health Services - COVID - 19 Vaccination Program Funds

The Board approved the acceptance of additional funding from the NC Division of Public Health.

12. Library - Nonrecurring (ARPA) State Aid to Libraries

The Board accepted additional ARPA Nonrecurring State Aid to Libraries for Brunswick County Library.

13. Sheriff's Office - GHSP Grant Award Acceptance - LEL

The Board approved a grant award from the North Carolina Governor's Highway Safety Program (GHSP) for the Region 3 Law Enforcement Liaison position. This is the fourth year of this grant, and federal funds cover 100% of the total award valued at \$30,000.

14. Sheriff's Office – GHSP Grant Award Acceptance - Traffic Unit

The Board approved a grant award from the North Carolina Governor's Highway Safety Program (GHSP) which will allow for the continuation of the Traffic Unit at the Sheriff's Office. The grant provides federal funding for three deputy positions. This is the third year of this grant with a total value of \$298,605; the County's share of this award is 50%.

15. Sheriff's Office - Motorola Solutions Agreement - Southport VIPER Tower Upgrade

The Board approved the agreement with Motorola Solutions for the Southport VIPER Tower upgrade project valued at \$160,000.

16. Social Services - Every Student Succeeds Act (ESSA) Agreement

The Board reviewed and approved the Every Student Succeeds Act (ESSA) agreement between the Department of Social Services and Brunswick County Board of Education.

17. Tax - October 2024 MV Discovery Valuation & Levy for September 2024

The Board approved the October 2024 motor vehicle value and levy discovery created in September 2024.

18. Tax - Tax Administration - October 2024 Releases

The Board approved the October 2024 releases.

19. Tax - Tax Administration - Project 4 Amendment to Pictometry Agreement

The Board approved the Project 4 Amendment to the current Pictometry contract.

VI. PRESENTATIONS

1. Utilities – WEF Utility of the Future Today Award

Mr. Nichols, Utility Director, presented the Board with the Water Environment Federation (WEF) Utility of the Future Today Award for Partnering and Engagement presented to Brunswick County Public Utilities at the recent WEFTEC annual conference.

VII. PUBLIC HEARING

1. Planning - Boones Neck Road Closing

Kirstie Dixon, Planning Director, presented the request and recommended denial of the Boones Neck Road Closing based on the following reasons:

Closing the road will eliminate community access to the Intracoastal Waterway

- Surrounding residential neighborhoods.
- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives that support the denial of road closing:
 - Public Access Goal: Brunswick County & participating municipalities will maximize public access to their shorelines and public trust waters.
 - PA-1. Retain and maintain current public shoreline access and features.
 - G-1. Make consulting Blueprint Brunswick in advance of decision-making a regular practice of the County's elected and appointed officials, County staff, and the County's strategic partners.
 - NR-1. Conserve natural resources of the County.
 - NR- 2. Maintain the "green" of Brunswick County
 - DQ-2. Maintain the character of the county, particularly the unique features that contribute to the identity of the place.
 - Bullet #1 – Protect natural and cultural heritage.

Chairman Thomspson opened the public hearing at 6:50 p.m. to consider closing a portion of Boones Neck Road public right-of-way located at the Intracoastal Waterway near Holden Beach. The following people spoke:

Mr. Christopher Smith spoke in support of the closing of Boones Neck Rd.

Mr. Danny Matthews spoke to his support of the closing of Boones Neck Rd.

Mr. Larry May spoke to his support and the support of the Oyster Harbor HOA to close the Boones Neck Rd.

Clerk Note: Mr. Josh Winslow sent an email to the Clerk in support of the closing of Boones Neck Rd.

Mr. Ryan Smithwick, local attorney for the Bellamy Family, spoke to the Bellamy Family's opposition to closing Boones Neck Rd. and the support of the Planning Departments decision to deny the closure. Mr. Smithwick indicated that it was his legal opinion that the Bellamy Family still owns the right-of-way.

Mr. John Setzer spoke in opposition to the closing of Boones Neck Rd. Mr. Setzer submitted a petition on opposition to the closing of the road.

Chairman Thomspson closed the Public Hearing at 7:24 p.m.

Commissioner Williams made the motion to approve the denial of the closing of Boones Neck Rd. Commissioner Cooke seconded the motion with all in favor (5 to 0).

2. Planning – Rezoning Case Z-895 Appeal Request

Marc Pages, Deputy Planning Director, presented the Board with the requested appeal to rezone tax parcel # 23100041 and a portion of 2310004103. The Planning Department recommendation was to approve both parcels to be rezoned. The

Planning Board recommendation is to approve the rezoning of tax parcel 23100041 and deny the change of zoning for tax parcel 2310004103.

Chairman Thomspson opened the public hearing at 7:42 p.m. to rezone tax parcel 23100041 and a 2-acre portion of 2310004103 from R-6000 (High-Density Residential) to CLD (Commercial Low Density). The following people spoke:

Mr. Jeff Kelly spoke to his opposition of the change in zoning to CLD (Commercial Low Density).

Ms. Theresa Rhodes spoke of her support of the rezoning of both pieces of property to CLD.

Mr. Buddy Rhodes spoke of his support of the rezoning of both pieces of property to CLD.

Commissioner Williams made the motion to approve parcel 23100041 and to deny parcel 2310004103 in conjunction with the consistency statement reading as follows:

This request is not consistent with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and consistent with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request reasonable, appropriate, and in the public interest based upon the following findings:

1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-2. Support development in areas that are best suited for future development.
 - ED-1. Maintain and expand job opportunities in the county.
 - The Commercial Suitability Map identifies the subject parcels as more suitable for commercial development.
 - Not in a significant heritage natural area.
2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
3. Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

Commissioner Sykes seconded the motion. The motion passed (3 to 2). The poll is as follows:

Commissioner Thompson: Nay

Commissioner Forte: Aye

Commissioner Cooke: Nay

Commissioner Sykes: Aye

Commissioner Williams: Aye

3. Planning - Rezoning Case Z-898 Appeal Request

Jeff Walton, Planner II, presented to the Board the requested appeal to rezone the former Southport ETJ to R-7500 (Medium Density Residential), R-6000 (High-Density Residential), SBR-6000 (High Density Site Built Residential), MR-3200 (Multifamily Residential), NC (Neighborhood Commercial), CLD (Commercial Low Density), CLDCZ (Commercial Low Density Conditional District), IG (Industrial General), RR (Rural Residential), and CP (Conservation & Protection).

Chairman Thompson opened the public hearing at 8:19 p.m. The following people spoke:

David Bland spoke to his opposition of the rezoning of 303 Yaupon Dr. to SBR6000.

Candance Bland spoke to her opposition to the rezoning of 303 Yaupon Dr. to SBR-6000.

Ms. Debroah Appleby spoke to her opposition to the rezoning of her property at 307 Yaupon Dr. to SBR-6000.

Ms. Sue Marsh spoke to her support of rezoning the area to conservation/preservation land.

Mr. Caleb Rash, Attorney, on behalf of GGH Properties LLC, property owners of parcel 23800004 and 2380000401 adjacent property owner to 23800001 which is the property in question and is opposed to SBR-6000 rezoning of the property.

Ms. Maureen Meehan, Planning Director Southport, will look forward to continuing to work with the County and supports the smooth transition. She also requests a North Howe St. Corridor Zoning District be considered.

Mr. Craig Stoeckle spoke of his concerns with wildlife habitat and where will they go when development occurs with the rezoned areas.

Chairman Thompson closed the Public Hearing at 8:56 p.m.

Mr. Batton stated there are two (2) parcels that will be removed from this rezoning hearing. Parcel 221NC0002, property owner Commissioner Pat Sykes pending her recusal from the vote and 23800001 tabled to the November 4, 2024, Board of Commissioners meeting to receive feedback from the property owner.

Commissioner Cooke made the motion to remove parcel # 221NC0002 from the decision. Vice – Chairman Forte seconded the motion and passed unanimously (5 to 0).

Commissioner Williams made the motion to table, until November 4, 2024, Board of Commissioners meeting, the decision of parcel 23800001 appeal as the owners not present, did not appeal and are currently unavailable. Commissioner Sykes seconded the motion and passed unanimously (5 to 0).

Vice – Chairman Forte made the motion to approve the zoning for all properties, minus the two aforementioned properties and are consistent with the consistency statement. Commissioner Williams seconded the motion and passed unanimously (5 to 0). The consistency statement reads as follows:

This request is consistent with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and consistent with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request reasonable, appropriate, and in the public interest based upon the following findings:

1. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - G-1. Make consulting Blueprint Brunswick in advance of decision-making a regular practice of the County's elected and appointed officials, County staff, and the County's strategic partners.
 - LU-1. Recognize the County's position in its evolution and how to leverage that position for positive change.
 - LU-2. Support development in areas that are best suited for future development.
 - NR-1. Conserve natural resources of the County.

- DQ-2. Maintain the character of the county, particularly the unique features that contribute to the identity of the place.
- 2. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- 3. Biodiversity & Wildlife Habitat Assessment Score: Within the SP-ETJ, the assessment score ranges from 0 within the developed/commercial areas but increases from 7 to 9, indicating more wildlife habitat. Areas in this zone are the larger undeveloped parcels.

Commissioner Williams made the motion to recuse Commissioner Sykes from this vote. Vice – Chairman Forte seconded the motion and passed unanimously (5 to 0).

Commissioner Williams made the motion to approve the staff recommendation to rezone Commissioner Sykes property parcel # 221NC0002. Commissioner Cooke seconded the motion and passed unanimously (4 to 0). The consistency statement reads as follows:

This request is consistent with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and consistent with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request reasonable, appropriate, and in the public interest based upon the following findings:

4. The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals & objectives support the rezoning:
 - G-1. Make consulting Blueprint Brunswick in advance of decision-making a regular practice of the County's elected and appointed officials, County staff, and the County's strategic partners.
 - LU-1. Recognize the County's position in its evolution and how to leverage that position for positive change.
 - LU-2. Support development in areas that are best suited for future development.
 - NR-1. Conserve natural resources of the County.
 - DQ-2. Maintain the character of the county, particularly the unique features that contribute to the identity of the place.
5. Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
6. Biodiversity & Wildlife Habitat Assessment Score: Within the SP-ETJ, the assessment score ranges from 0 within the developed/commercial areas but increases from 7 to 9, indicating more wildlife habitat. Areas in this zone are the larger undeveloped parcels.

The consensus of the Board is to direct staff to create an R15 zoning district for the Board to review.

The Board also directed staff to waive the rezoning fees for those rezoned as part of the rezoning identified as Rezoning Case Z - 898 beginning now through one year beyond completion of the UDO.

VIII. ADMINISTRATIVE REPORT

1. Administration – PTC8 After - Action Report Process

Mr. Stone presented his plans for the upcoming after-action report from PTC8. The Board authorized a task force to conduct an in-depth evaluation of the County's response. Mr. Stone expects completion by the January Board of Commissioners meeting.

Commissioner Williams made the motion to approve the task force with the additions of National Weather Service, Duke Progress, Brunswick Electric, Atlantic Telephone,

FOCUS Broadband partners to participate. Vice – Chairman Forte seconded the motion with all in favor (5 to 0).

2. Administration - Residential Development Concerns Information and Recommendations

Mr. Stone presented the Board with information regarding residential moratoria under the provisions of N.C.G.S. 1060D-107 and staff recommendations to address public safety concerns raised by the Board at the meeting of September 23, 2024.

Chairman Thompson made the motion to proceed with the moratorium addressing the issues of fire fees, outdated UDO, flood prevention ordinance update, evacuation study, stormwater utility and a flood study, for 120 days pending answers to the above questions as an imminent threat to public safety. No second was offered, motion failed.

Commissioner Williams made the motion to change the stormwater ordinance and to direct staff to bring back the amendment language. Vice – Chairman Forte seconded the motion. The motion passed unanimously (5 to 0).

At the request of Commissioner Sykes, Chairman Thompson made the motion to proceed with the moratorium addressing the issues fire fees, outdated UDO, flood prevention ordinance update, evacuation study, stormwater utility and a flood study, for 120 days pending answers to the above questions as imminent threat to public safety. Commissioner Sykes seconded the motion. The motion failed with a 2-3 vote. The poll is as follows:

Commissioner Thompson: Aye
 Commissioner Forte: Nay
 Commissioner Cooke: Nay
 Commissioner Sykes: Aye
 Commissioner Williams: Nay

IX. BUSINESS/INFORMAL DISCUSSION

Commissioner Cooke:

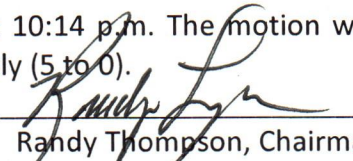
- Mr. McKee from Brunswick Town has requested assistance with organizing a committee to participate in NC250 celebrations.
- Ms. Myers, with Daughters of the American Revolution, is looking for the correct contact to have a plaque installed in the Courthouse. Mr. Stone informed Commissioner Cooke that the Clerk of Superior Court has responded.
- Youth Council status and Mr. Stone advised this program is in motion.

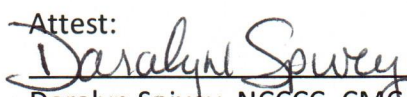
Vice- Chairman Forte:

- Requested an update on the upfitting of the Chambers for the broadcasting of meetings.
- Mayors within the County have requested an annual meeting with the County.

X. ADJOURNMENT

Commissioner Cooke moved to adjourn the meeting at 10:14 p.m. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).


 Randy Thompson, Chairman
 Brunswick County Board of Commissioners

Attest:

 Daralyn Spivey, NCCCC, CMC
 Clerk to the Board

