

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA
JUNE 7, 2010
6:00 P.M.**

- I. Call to Order
(Closed Session)**
- II. Invocation/Pledge of Allegiance**
- III. Adjustments/Approval of Agenda**
- IV. Public Comments**
- V. Approval of Consent Agenda**
 - A. Minutes**
 - 1. **May 17, 2010 Regular Meeting Minutes**.....pg. 1-14
 - 2. **June 2, 2010 Agenda Meeting Minutes**.....pg. 15
 - B. Tax**
 - 1. **Motor Vehicle Valuation & Levy February 2010**pg. 16-19
 - C. Finance**pg. 20-25

General Fund-Sheriff's Department:

Expenditures:

Federal Drug Seizure	104310-459700	\$(55,000)
Capital Outlay Vehicles	104310-454000	\$55,000

The Sheriff's Department requests the transfer of funds from Federal Drug Seizure to Capital Outlay Vehicles for the purchase of two unmarked vehicles. The department requests authorization to purchase the vehicles from a local vendor at the State contract price.

General Fund-Register of Deeds:

Revenues:

ROD-Excise Tax	104180-324000	\$400,000
ROD-Deed Fees Cultural Resources	104180-334101	\$19,000
Educational Program Fees	104180-334125	\$11,000

Expenditures:

ROD-Retirement Fund	104180-413400	\$225
ROD-Excise Tax St NC	104180-466001	\$225,000
ROD-Floodplain Mapping	104180-466003	\$10,780

ROD-Deed Cultural Resources	104180-466004	\$18,620
Miscellaneous	104290-449900	\$175,375

This budget amendment is to appropriate Register of Deed additional revenues anticipated in excess of amounts budgeted in the amount of \$430,000 for required payments to the State. The excess is requested to be appropriated in the non-departmental budget to serve as a reserve for year end overages and prevent audit exceptions.

General Fund-Sheriff's Department:

Revenues:

NC Concealed Weapons Permits	104310-334810	\$7,125
Miscellaneous Revenue-Dare Camp	104310-383306	\$1,406
Civil Fees	104310-383909	\$10,847
Other Permits & Fees	104310-383962	\$10,608

Expenditures:

NC Concealed Weapons	104310-466500	\$21,125
Dare Camp Expense	104310-423109	\$1,406
Salaries	104310-412100	\$7,455

The budget amendment requested is to appropriate Sheriff's Department additional revenues in the amount of \$29,986 to program related expenditures. The State has back billed from July 2004 to current year for concealed weapons permits in the amount of \$14,000 which is due and payable. The department has received \$7,125 in additional revenues for concealed weapons permits resulting in additional current period amounts due the State in the amount of \$3,563.

Health Fund:

Revenues:

Clinic Fees	135163-335006	\$424
Clinic Fees	135164-335006	\$7,560
Clinic Fees	135173-335006	\$1,985
Title XIX Funds	135173-332009	\$159

Expenditures:

Contracted Services	135163-439900	\$424
Contracted Services	135164-439900	\$7,560
Travel-Mileage	135173-431100	\$535
Travel-Subsistence	135173-431200	\$284
Dues	135173-449100	\$1,325

This budget amendment is to appropriate additional clinic fees and Title XIX Funds in excess of amounts originally budgeted to cover expenditures related to corresponding programs.

General Fund-Non Departmental:

Revenues:

Fund Balance	100000-399100	\$112,000
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Expenditures:

Miscellaneous Expense	104290-449900	\$112,000
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This budget amendment is to appropriate funds for the purchase of service award pins for staff based on years of service to county.

Health Fund-Bioterrorism:

Revenues:

Transfer from General Fund	139800-398110	\$(7,434)
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Expenditures:

Special Projects	135186-423104	\$(7,434)
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General Fund-Emergency Management:

Expenditures:

Transfer to Health Fund	109800-498013	\$(7,434)
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Special Projects	104330-423104	\$7,434
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This budget amendment is to transfer funds from the Bioterrorism program to the Brunswick County Volunteer Center for use in developing a program of medical volunteers to be utilized in the event of an emergency. These funds were originally awarded in the amount of \$10,000 to the Bioterrorism Program in Health for the Medical Reserve Corps and only \$2,566 has been expended to date.

General Fund-Library:

Revenues:

Gifts & Memorials	106110-383303	\$2,600
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Expenditures:

Major Operating	106110-426200	\$2,600
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This budget amendment is to appropriate funds received from the Gates Foundation in the amount of \$1,300 for purchase of 2 computers for the library. There is a 50% match required that was provided by the Leland Friends of the Library in the amount of \$1,300.

General Fund:

Expenditures:

Non-Departmental-Misc Expense	104290-449900	\$(26,010)
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GIS-Salaries	104142-412100	\$2,000
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Cape Fear Sentencing-Salaries	104162-412100	\$300
CJPP-Salaries	104314-412100	\$600
CJPP-FICA	104314-418100	\$200
CJPP-Substance Abuse	104314-439901	\$15,000
CJPP-Rent of Equipment	104314-441400	\$7,210
Soil & Water Salaries	104960-412100	\$700

This budget transfer is to appropriate funds for projected budget deficits through the fiscal year end.

School Capital Project Fund:

Revenues:

NC Education Lottery	428006-332850	\$765,000
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Expenditures:

Proceeds from NC Education Lottery Expended	428006-464103	\$765,000
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The schools received notification of State approval of a prior request to expend lottery proceeds. The above amendment and capital project ordinance below are to appropriate the funds for fire alarm system upgrade at WBHS and SBHS and an access road improvement at SBMS.

**County of Brunswick, North Carolina
Schools Category 1 Project**

Be it ordained by the Board of County Commissioners of Brunswick County that pursuant to Section 13.2 of the General Statutes of North Carolina, the following ordinance is hereby adopted:

Section 1. The following amounts are hereby appropriated in the Brunswick County Schools Capital Projects Fund for the Schools Category 1 Projects:

Schools Capital Project Fund:

Revenues:

NC Education Lottery	\$2,747,520
Transfer from General Fund	\$372,871
Transfer from School Capital Reserve	\$14,302,255
Transfer from Special School Capital Reserve	<u>\$3,628,226</u>
Total Schools Capital Project Fund Revenues	\$21,050,872

Expenditures:

Capital Projects Funded By Excess Ad Valorem	\$3,628,226
Capital Projects Funded By Sales Tax	\$14,302,255
Capital Projects Funded By NC Education Lottery	\$2,747,520
Capital Projects Funded by Hold Harmless Medicaid Settlement	<u>\$372,871</u>
Total Schools Capital Project Fund Expenditures	\$21,050,872

Section 2. The following amounts are hereby appropriated in the Brunswick County Schools Capital Reserve Fund:

Contributions to the Capital Project	\$14,302,255
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Section 3. It is estimated that the following revenues will be available in the Brunswick County School Capital Reserve Fund:

Current Funds Appropriated	\$14,302,255
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Section 4. The following amounts are hereby appropriated in the Brunswick County Special Schools Capital Reserve Fund:

Contributions to the Capital Project	\$3,628,226
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Section 5. It is estimated that the following revenues will be available in the Brunswick County Special School Capital Reserve Fund:

Current Funds Appropriated	\$3,628,226
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Section 6. The following amounts are hereby appropriated in the Brunswick County General Fund:

Contributions to the Capital Project	\$372,871
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Section 7. It is estimated that the following revenues will be available in the Brunswick County General Fund:

Current Funds Appropriated	\$372,871
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Section 8. This Capital Project Ordinance shall be entered into the minutes of the June 7, 2010 meeting of the Brunswick County Board of Commissioners.

- D. **Social Services – Proposed Contract for Coastal Med Labs, LLC d/b/a ARCpoint**pg. 26-44
Staff requests approval of Contract with Coastal Med Labs, LLC d/b/a ARCpoint for Random Drug Screenings.
- E. **Sheriff’s Department – Proposed 2010 Justice Assistance Grant (JAG) Application**pg. 45-62
Staff request approval of 2010 Justice Assistance Grant Application.
- F. **Planning-Community Development – Proposed 2010 Housing Preservation Grant Pre-Application**pg. 63-74
Staff requests approval of a Pre-Application for the 2010 USDA Housing Preservation Grant in the Amount of \$100,000.

- G. **Finance – Proposed Declaration of Surplus Personal Property and Donation to Graham County Sheriff’s Department**pg. 75-80
Staff requests approval of Declaration of Surplus Property and Donation to Graham County Sheriff’s Department.
- H. **James Henry Frink Resolution (Huey Marshall)**pg. 81
Staff requests approval of the Resolution.
- I. **Administration – Proposed Workers Compensation Agreement (Eileen Gardner)**pg. 82-95
Staff recommends approving Third Party Administration Agreement with PMA Management Corporation and Worker’s Compensation Excess Coverage Agreement with Wells Fargo Insurance Services of North Carolina.
- J. **Administration – Proposed FY2010-2011 Participation Agreement for Liability and Property Insurance (Eileen Gardner)**pg. 96-105
Staff recommends approving the Annual Participation Agreement for Liability and Property Insurance for FY 2010-2011 with the NCACC Risk Management Pool.
- K. **Public Utilities – U.S. Geological Survey Joint Funding Agreement (Jerry Pierce)**pg. 106-111
Staff requests approval of a Joint Funding Agreement with USGS for Continued Monitoring of Groundwater Levels in Brunswick County.

VI. Public Hearing

- 1. **Planning - 2010 Community Development Block Grant Housing Development Grant Application (Leslie Bell)**pg. 112-113
Staff requests to Conduct Second Public Hearing on 2010 CDBG Housing Development Block Grant.
- 2. **Planning – Proposed Map Amendment Z-10-656 Second Reading & Adoption (Leslie Bell)**pg. 114-128
Planning Staff recommends approval to C-LD (Commercial Low Density) for Tax Parcel 20300039.
Planning Board recommends approval to C-LD (Commercial Low Density) for Tax Parcel 20300039 [unanimous 5 to 0 with Mr. Loyack absent].

Planning Staff recommends approval to the Official Brunswick County CAMA Land Use Map from LDR (Low Density Residential) to Commercial for Tax Parcel 20300039 located off Southport-Supply Road SE (NC 211) near Oak Island.

Planning Board recommends approval to the Official Brunswick County CAMA Land Use Map from LDR (Low Density Residential) to Commercial for Tax Parcel 20300039 located off Southport-Supply Road SE (NC 211) near Oak Island.

- 3. **Planning – Proposed Map Amendment Z-10-657 Second Reading & Adoption (Leslie Bell)**pg. 129-142
Planning Staff recommends approval to C-LD (Commercial Low Density) for a portion of Tax Parcel 18600015.
Planning Board recommends approval to C-LD (Commercial Low Density) for a portion of Tax Parcel 18600015 [unanimous 5 to 0 with Mr. Loyack absent].

Planning Staff recommends approval to the Official Brunswick County CAMA Land Use Map from LDR (Low Density Residential) to Commercial for a portion of Tax Parcel 18600015 located off Southport-Supply Road SE (NC 211) near Oak Island.

Planning Board recommends approval to the Official Brunswick County CAMA Land Use Map from LDR (Low Density Residential) to Commercial for a portion of Tax Parcel 18600015 located off Southport-Supply Road SE (NC 211) near Oak Island.

4. **Planning – Proposed Unified Development Ordinance Text Amendment UDO-10-01 (Leslie Bell)**pg. 143-153
 Planning Staff recommends approval.
 Planning Board recommends approval [unanimous 6 to 0 with Mr. Loyack being absent].
5. **Planning – Proposed Unified Development Ordinance Text Amendment UDO-10-02 (Leslie Bell)**pg. 154-156
 Planning Staff recommends approval.
 Planning Board recommends approval [unanimous 6 to 0 with Mr. Loyack being absent].
6. **Planning – Proposed Unified Development Ordinance Text Amendment UDO-10-03 (Leslie Bell)**pg. 157-160
 Planning Staff recommends approval.
 Planning Board recommends approval [unanimous 6 to 0 with Mr. Loyack being absent].
7. **Planning – Proposed Unified Development Ordinance Text Amendment UDO-10-04 (Leslie Bell)**pg. 161-165
 Planning Staff recommends approval.
 Planning Board recommends approval [unanimous 5 to 0 with Mr. Candler being absent].
8. **Proposed Golf Cart Ordinance (Huey Marshall)**pg. 166-174
 Staff requests Consideration of the Proposed Ordinance.
9. **Proposed Tobacco Ban Implementation (Steve Stone)**pg. 175-181
 Staff recommends approval of an Ordinance Prohibiting Smoking and the Use of Smokeless Tobacco Products on all County Property Effective December 1, 2010.
10. **Proposed FY 2010-2011 Annual Budget (Marty Lawing)**pg. 182-185
 Staff requests to Conduct a Public Hearing on the FY 2010-2011 Budget.

VII. Administrative Report

1. **Planning – Proposed Unified Development Ordinance Text Amendment UDO-10-05 First Reading (Leslie Bell)**pg. 186-201
 Staff recommends approval of First Reading of UDO-10-05 and schedule a Public Hearing for July 6, 2010.
2. **Planning – Proposed Unified Development Ordinance Text Amendment UDO-10-06 First Reading (Leslie Bell)**pg. 202-206
 Staff recommends approval of First Reading of UDO-10-06 and schedule a Public Hearing for July 6, 2010.
3. **Utility Operations–Preliminary Engineering Report Contract with AECOM (John Nichols)**pg. 207-224
 Staff recommends approval of the Contract with AECOM for a Preliminary Engineering Report for the Carolina Shores WWTP and the Associated Budget Amendment.
4. **Utility Operations-Notice of Award Construction Contract with Wharton-Smith, Inc. for the Construction of the Northwest Water Treatment Plant Improvements Phase I (John Nichols)**pg. 225-230
 Staff recommends approval of the Notice of Contract Award to Wharton-Smith, Inc. for the Construction of the Northwest Water Treatment Plant Improvements Phase I and the Associated Budget Amendment and Capital Project Ordinance.
5. **Utility Operations-Notice of Award Construction Contract with Sanford Contractors, Inc., for the 74/76 Industrial Park Force Main Project (John Nichols)**pg. 231-243
 Staff recommends approval of the Notice of Award to Sanford Contractors, Inc. for the Construction of the Highway 74/76 Industrial Park Force Main Project and the Associated Budget Amendment and Capital Project Ordinance.
6. **Utility Operations-Additional Services Agreement with AECOM for the Highway 211 Water Main Project (John Nichols)**pg. 244-247

- Staff recommends approval of Additional Services Agreement/Change Order to the Contract of AECOM for the Highway 211 Water Transmission Main Project.
7. **Utility Operations-Notice of Award Construction Contract with Frank Horne Construction Inc., for Shingletree Acres Water System Improvements Project (Jerry Pierce)**pg. 248-252
Staff recommends approval of the Notice of Contract Award to Frank Horne Construction, Inc. for Construction of the Shingletree Acres Water System Improvements.
 8. **Utility Operations-Notice of Award Construction Contract with Carmichael Construction Company for the Randolphville Road and Mt. Zion Church Road Water System Improvements Project (Jerry Pierce)**pg. 253-257
Staff recommends approval of the Notice of Contract Award to Carmichael Construction Company for the Construction of Randolphville and Mt. Zion Church Road Water System Improvements and the Associated Budget Amendment and Capital Project Ordinance.
 9. **Administration – Waste Industries, Inc. County-Wide Curbside Recycling Proposal (Steve Stone)**pg. 258-259
 10. **Finance – Enterprise Systems Revenue Bond Order & Resolution (Marty Lawing)**pg. 260-294
Staff recommends approval of the Bond Order Authorizing the Issuance of Enterprise System Revenue Bonds and a Resolution Authorizing the Approval, Execution and Delivery of Various Documents in Connection with the Issuance of Enterprise System Revenue Bonds, Series 2010; Provide for the Sale of the Bonds; Setting Forth the Terms and Conditions Upon Which the Bonds are to be Issued; and Providing Certain Other matters in Connection with the Issuance, Sale and Delivery of the Bonds.
 11. **Administration – Proposed Name Change of the Brunswick County Airport (Marty Lawing)**.....pg. 295-297
Staff recommends support to change the name of the Brunswick County Airport to The Cape Fear Regional Jetport.

VIII. County Attorney’s Report

1. **County Assisted & Private Rescue Service Providers Franchise and Agreements (Huey Marshall)**pg. 298-309
2. **Deed of Dedication Coastal Communities at Ocean Ridge Plantation, LLC (Huey Marshall)**pg. 310-320
3. **Declaration of Surplus Property/Galloway Cemetery (Jana Berg)**pg. 321-323
4. **Proposed Ordinance to Require Electronic Reporting for Pawn Brokers and Scrap Metal Dealers (Jana Berg)**pg. 324-326

IX. Other Business/Informal Discussion

X. Adjournment