

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS  
OFFICIAL MINUTES  
REGULAR MEETING  
MARCH 15, 2010  
6:30 P.M.**

**The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, David R. Sandifer Administration Building, County Government Center, Bolivia, North Carolina.**

PRESENT: Commissioner Phil Norris, Vice-Chairman  
Commissioner J. Martin Cooke  
Commissioner Charles Warren  
Commissioner Scott Phillips  
Commissioner William M. Sue, Chairman

STAFF: Marty K. Lawing, County Manager  
Steve Stone, Assistant County Manager  
Huey Marshall, County Attorney  
Jana Berg, Assistant County Attorney  
Debby Gore, Clerk to the Board  
Ann Hardy, Fiscal Operations Director

Lt. Mark Trull

**I. CALL TO ORDER**

Chairman Sue called the meeting to order at 6:30 p.m.  
(Attached to these Minutes is an item called Board Action containing all items on this agenda and those items are incorporated herein.)

**II. INVOCATION/PLEDGE OF ALLEGIANCE**

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

**III. ADJUSTMENTS/APPROVAL OF AGENDA**

Chairman Sue asked if there were any adjustments to the agenda. The following adjustments were made:

1. Commissioner Phillips requested to add an update on the Marine Fisheries hearing for commercial fishermen that was held on March 6, 2010 as Item X-2.
2. Huey Marshall, County Attorney, requested to add discussion of the county serving as Emergency Operator for the Brick Landing sewer as Item X-3.
3. The Attorney requested approval to schedule a Public Hearing for April 5, 2010 to receive input regarding Animal Control Ordinance Amendments approved by the Board of Health as Item X-4.

Commissioner Warren moved to approve the agenda as amended. The vote of approval was unanimous.

**IV. PUBLIC COMMENTS**

Chairman Sue asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. The following citizens addressed the Board:

1. Ken Horton, President of Bricklanding Plantation Property Owners Association, voiced concerns with the failing sewer system at Bricklanding and asked for the Boards consideration to take over the system as Emergency Operator.
2. Bernest Hewett, voiced concerns of the need of a Human Relations Board stating that it would keep both sides fair and prevent hatred. Mr. Hewett also spoke in support of the energy bill proposed by Commissioner Warren stating that someone died last week due to their power being cut off and they froze to death and asked the Board for support.
3. Eva Pittman, Oak Creek property owner, voiced concerns that the county allows lots to be sold without septic permits stating that she bought a lot with the understanding as indicated in her closing papers, which stated she would receive a septic permit within 6 months only to find out that the lot would not perk. Ms. Pittman informed that the developers were no longer in business and the amenities that were promised were never provided leaving her with a \$75,000 lot that is useless. The Board informed that they would look into this matter.
4. Linda Horne, Ms. Pittman's mother, stated that there was another factor in regards to this issue, and that is the hurt associated with a monthly payment for a long period of time for a useless piece of property and asked the Board for compassion in this matter.

#### **V. APPROVAL OF CONSENT AGENDA**

Commissioner Warren moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

- A. **Minutes**
  1. **January 19, 2010 Regular Meeting Minutes**
  2. **February 24, 2010 Agenda Meeting Minutes**
  3. **March 1, 2010 Regular Meeting Minutes**
  4. **March 10, 2010 Agenda Meeting Minutes**
- B. **Tax**
  1. **November 2009 Motor Valuation & Levy**
  2. **Monthly Tax Collection February 2010**
  3. **Tax Releases for March 2010**

C. **Finance**  
**General Fund:**

Revenues:

Fuel Reimbursement Revenues	104250-383931	\$(364,000)
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Expenditures:

Reimbursement of Motor Fuels	104250-425102	\$270,000
Motor Fuels & Lubricants	104250-425100	<u>\$(564,000)</u>
Total		\$(364,000)

The above budget amendment is to reduce fuel reimbursement revenues and motor fuels expenditures to those projected thru the remainder of the fiscal year. This is due to decision to discontinue allowing guests to use the fuel sites.

**County Capital Reserve Fund:**

Expenditures:

Buildings E,F,H, & I Renovations	269800-464214	\$(7,500)
Transfer to the General Fund	269800-498010	<u>\$7,500</u>
Total		\$0

**General Fund:**

Revenues:

Trans from County Capital Reserve	109800-398226	\$7,500
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Expenditures:

Building E Renovation	104280-458002	\$7,500
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The above budget amendments are to transfer funds for design services for HVAC replacement in Building E with an estimated total project cost of \$142,500. Once actual construction costs are known, additional funding over the current designation in the County Capital Reserve Fund will require appropriation by the Board of Commissioners.

**Wastewater Fund:**

Revenues:

Expendable Net Assets Appropriated	629800-399200	\$100,000
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Expenditures:

Professional Services-Legal	627250-419200	\$100,000
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The above budget amendment is to appropriate expendable net assets for legal fee expenditures associated with the North Brunswick Sanitary District Lawsuit in the amount of \$100,000.

**General Fund:**

Revenues:

Transfer to Workers Compensation Internal Services Fund	109800-498081	\$145,380
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Expenditures:

Transfer to County Capital Reserve Fund	109800-498026	\$(145,380)
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The above amendment is to transfer the workers' compensation insurance refund received in the General Fund to establish a new Internal Services Fund for Workers' Compensation rather than the original method of transferring the refund to the County Capital Reserve Fund. In review of Generally Accepted Accounting Practices and consultation with auditors, an Internal Services Fund must be established for the self-funded insurance program rather than paying premiums from the General Fund and placing excess in the County Capital Reserve Fund.

Workers' Comp Internal Services Fund

Revenues:

Transfer from Water Fund	812000-398661	\$15,836
Transfer from Wastewater Fund	812000-398662	\$5,877
Transfer from General Fund	812000-398110	\$145,380
Workers' Compensation Premium	812000-383986	<u>\$1,041,985</u>
Total		\$1,209,078

Expenditures:

Workers' Compensation Claims	812000-418303	\$1,209,078
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The above amendment appropriates the charges budgeted for workers' compensation from the operating funds to the Internal Service Fund to pay workers' compensation claims with any remainder remaining in the Internal Services Fund for future claim periods.

County Capital Reserve Fund:

Revenues:

Transfer from General Fund	269800-398110	\$(145,380)
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Expenditures:

Reserve for Workers' Compensation Claims	269800-464395	\$(145,380)
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The above amendment eliminates the transfer to the County Capital Reserve Fund for the workers' compensation refund.

Water Fund:

Revenues:

Transfer to Workers Comp Internal Service Fund	619800-498081	\$15,836
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Expenditures:

Transfer to Water Capital Reserve Fund	619800-498063	\$(15,836)
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The above amendment is to transfer the workers' compensation insurance refund received in the Water Fund to establish a new Internal Services Fund for Workers' Compensation rather than the original transfer to the Water Capital Reserve Fund.

Water Capital Reserve Fund:

Revenues:

Transfer from Water Fund	639800-398661	\$(15,836)
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Expenditures:

Reserve for Workers' Compensation Claims	639800-464395	\$(15,836)
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The above amendment eliminates the transfer to the Water Capital Reserve Fund for the workers' compensation refund.

Wastewater Fund:

Revenues:

Transfer to Workers Comp Internal 629800-498081 \$5,877  
Service Fund

Expenditures:

Transfer to Waste Water Capital 629800-498064 \$(5,877)  
Reserve Fund

The above amendment is to transfer the workers' compensation insurance refund received in the Waste Water Fund to establish a new Internal Services Fund for Workers' Compensation rather than the original transfer to the Waste Water Capital Reserve Fund. The amendment below eliminates the transfer to the Waste Water Capital Reserve Fund for the workers' compensation refund.

Waste Water Capital Reserve Fund:

Revenues:

Transfer from Waste Water Fund 649800-398662 \$(5,877)

Expenditures:

Reserve for Workers' Compensation 649800-464395 \$(5,877)  
Claims

**D. CJPP-Grant Application for Continued Funding**

Staff requests to approve submittal of Grant Application for continued funding for Criminal Justice Partnership Program in the amount of \$100,322 for FY 2010-2011.

**E. Parks & Recreation-Resolution of Support for Waccamaw River Paddle Trail**

Staff requests to approve Resolution of Support for Waccamaw River Paddle Trail.

**F. Parks & Recreation-Thomas & Hutton Engineering Extension of Services Contract.....**

Staff requests to approve extension of services contract with Thomas & Hutton Engineering for the Ocean Isle Beach Park.

**G. Operation Services-Proposed Water Management Projects**

Staff requests to approve Water Management projects as presented.

**VI. PRESENTATION**

**1. Voluntary Agricultural District Board Annual Report (Al Hight)**

Al Hight, Cooperative Extension Director, presented the Agricultural District Board Annual Report. The Board thanked the Agricultural Board for their continued efforts for the citizens of Brunswick County.

**2. Recognition of North Carolina Recreational Soccer Association of the Year  
Southport-Oak Island Youth Soccer Association (Jim Pryor)**

Jim Pryor, Parks and Recreation Director, recognized the Southport Oak Island Youth Soccer as the Recreational Soccer Association of the Year for their devotion and commitment to the youth. Commissioner Warren presented a plaque to President John Goelz, Vice-President Trent Savidge,

and Treasurer Sandy Arhelger who were present. Other members of the organization include Secretary, Jennifer Foltz and Members-At-Large, Ted Johnson, Stephanie Hall and Scott Gouger.

**3. Government Finance Officers Association Budget Award (Marty Lawing)**

Marty Lawing, recognized Ann Hardy, Fiscal Operations Director, and the Brunswick County Finance Department for receiving the Distinguished Budget Presentation Award for the current budget from the Government Finance Officers Association, the highest form of recognition in governmental budgeting and a significant achievement. Ms. Hardy also recognized Julie Miller, Yvette Glenn, Ingrid Oliver, Tiffany Rogers, Bill Noland and Ventzie Penev.

**VII. PUBLIC HEARING**

**1. Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted Public Hearings in the Commissioners' Chambers, David R. Sandifer Administration Building, County Government Center, Bolivia, North Carolina.**

**1. Finance-Resolution to Adopt Bond Order Authorizing Issuance of General Obligation Water Bonds (Ann Hardy)**

**I. CALL TO ORDER**

Chairman Sue called the hearing to order at 7:09 p.m. and announced that the purpose of the hearing was to receive input regarding the Resolution to Adopt Bond Order Authorizing the Issuance of Not To Exceed \$4,450,000 General Obligation Water Bonds of the County of Brunswick, North Carolina.

Ann Hardy, Fiscal Operations Director, explained the following:

**Background Information**

Brunswick County and the City of Boiling Spring Lakes are in agreement to transfer the City's water system to the County and for the County to assume the existing USDA general obligation debt. A County may issue up to 2/3rd's of the amount of General Obligation Bonds retired in the previous fiscal year as General Obligation Bonds without a referendum of the public. General Obligation Bonds provide for repayment thru the pledge of the taxing power of the issuer. General Obligation Bonds do not require that tax revenues be used to repay the debt. Water revenues may be used to repay the debt on the Boiling Spring Lakes water system if a general obligation debt is authorized and issued/assumed.

**Current Status**

The County has general obligation 2/3<sup>rd</sup>'s debt capacity of \$4.45 million in fiscal year 2009-2010. The USDA assumption requires the County to utilize General Obligation 2/3<sup>rd</sup>'s capacity or hold a referendum since the existing debt is general obligation. The City made a request to the USDA that the County assume their debt balance. The Local Government Commission has accepted the County's application for approval and scheduled the matter for April 6, 2010. The County has submitted all required documents to USDA for consideration.

Bond Counsel prepared the documents necessary for the County to issue and assume the debt. The public hearing for March 15, 2010 is being held for the Commissioners' consideration that authorizes the issuance of not to exceed \$4,450,000 of General Obligation bonds for the assumption of the USDA Rural Development City of Boiling Spring Lakes water system debt.

## **II. PUBLIC COMMENTS**

Chairman Sue asked if there were any members of the audience who wished to address the Board regarding the proposed amendment. There were no comments from the audience.

## **III. ADJOURN**

Vice-Chairman Norris moved to close the hearing at 7:10 p.m. The vote of approval was unanimous.

Commissioner Phillips moved to approve the Resolution to Adopt Bond Order Authorizing the Issuance of Not to Exceed \$4,450,000 General Obligation Water Bonds of the County of Brunswick. The vote of approval was unanimous.

### **2. Finance-Application to Use Recovery Zone Economic Development Allocation for Leland Library Expansion (Ann Hardy)**

## **I. CALL TO ORDER**

Chairman Sue called the hearing to order at 7:11 p.m. and announced that the purpose of the hearing was to receive input regarding Installment Financing of the Leland Library

Ann Hardy, Fiscal Operations Director, explained the following:

### **Current Status**

The library is a general government project with the most economical method of financing being an installment financing contract given the plan to use the County's 2/3<sup>rd</sup> General Obligation Capacity for the assumption of the debt on the Boiling Spring Lakes Water System.

Bond Counsel prepared the documents necessary for the County to negotiate the contract, make application to the LGC, Retail Special Counsel and Placement Agent and hold a public hearing.

## **II. PUBLIC COMMENTS**

Chairman Sue asked if there were any members of the audience who wished to address the Board regarding the proposed amendment. The following citizens addressed the Board:

1. Clif Bridgers spoke in support of the expansion.
2. Ron Vinton, spoke in support of the expansion.

## **III. ADJOURN**

Vice-Chairman Norris moved to close the hearing at 7:15p.m. The vote of approval was unanimous.

Chairman Sue moved to approve to make application to use the County's Recovery Zone Economic Development Allocation to finance the Leland Library Expansion. The vote of approval was unanimous.

## **VIII. ADMINISTRATIVE REPORT**

1. **Parks & Rec Strategic Plan Presentation (Jim Pryor)**  
Staff recommends receiving Presentation of Parks & Recreation Strategic Plan.

Jim Pryor, Parks and Recreation Director, explained that in attempt to keep the Parks & Recreation Comprehensive Plan active and updated, the Parks & Recreation Advisory Board participated in Strategic Planning efforts. Planning sessions started in December 2009 and continued until the plan was adopted by the board on February 16, 2010.

The major involvement of the Board was to identify departmental strengths and weaknesses as well as restructure recommended future capital projects per the Comprehensive Plan. This information is very beneficial to the department in terms of budgeting and update of the Capital Improvement Plan. The Parks and Recreation Advisory Board members are appointed per Commissioner District and this Plan serves as a very important tool to get all members supporting the projects that have the greatest impact on Parks & Recreation services for the entire county. This plan is designed to be reviewed and updated annually by the Parks & Recreation Advisory Board.

The Board received the information and no action was taken.

## **2. Parks & Rec-Cape Fear Southern Off Road Biking Association MOA (Jim Pryor)**

Staff recommends approving Memorandum of Agreement with the Cape Fear Southern off Road Biking Association to develop and Maintain Biking Trails at Brunswick Nature Park.

Jim Pryor, Director, explained that the Site Master Plan for the Brunswick Nature Park contains approved trail plans for biking, hiking and equestrian activities. In the current economic times, a popular partnership is governmental entities teaming up with local national chartered associations for assistance in developing and maintaining such facilities. Recently the Parks & Recreation Department has been working with local associations for mountain biking and equestrian to form such partnerships.

A local group previously called the Cape Fear Cyclists recently became chartered under the International Mountain Biking Association and a local chapter called Cape Fear Southern Off Road Biking Association (SORBA) was formed. This group has worked in the past in partnership with New Hanover County with the development of the Blue Clay Biking Park using trained membership as volunteer labor to construct and maintain the trails. Through their nonprofit status, they solicit donations, supplies and grants to assist with funding efforts to build the trails.

Standard process of such partnership is a formal Memorandum of Agreement between the parties. This agreement is based from a national model program in Mecklenburg County, North Carolina with their local association. Under the agreement, the volunteer members are covered under a liability policy of the nation charter. Any citizen wanting to volunteer their time at the park will need to become a member of Cape Fear SORBA to participate under the agreement.

The item was presented to the Parks & Recreation Advisory Board at the February 16, 2010 meeting and the MOA was endorsed by a unanimous vote.

Mr. Greg Brinson, President of Cape Fear Southern Off Road Biking Association offered his support of the MOA.

Commissioner Phillips moved to approve the Memorandum of Agreement with the Cape Fear Southern Off Road Biking Association to develop and maintain biking trails at Brunswick Nature Park. The vote of approval was unanimous.

## **3. Utility Operations-Boiling Spring Lakes Water and Sewer Service Agreement (Jerry Pierce)**

Staff recommends approving the Water & Sewer Service Agreement between the County of Brunswick and the City of Boiling Spring Lakes.

Jerry Pierce, Utility Operations Director, explained that the City of Boiling Spring Lakes and Brunswick County have negotiated a Water and Sewer Service Agreement that includes the construction of a sewer collection system within the commercial corridor within the City and transfer of the current City of Boiling Spring Lakes Water System to Brunswick County effective on the sooner of the following dates: May 1, 2010, or the first day of the next month after approval of the County's assumption of the current City debt associated with the water system by the Local Government Commission and USDA.

The City of Boiling Spring Lakes requested that the County provide proposals to the City for the construction of a wastewater collection system within the commercial corridor of the City. Staff prepared several proposals and submitted them to the City for review. The City indicated a willingness to accept the County's proposal to construct the wastewater collection system within the commercial corridor of the City. After the City indicated a willingness to accept the County's proposal, a Water and Sewer Service Agreement was negotiated by the City and Brunswick County.

Under the provisions of the Water and Sewer Service Agreement, the County will be responsible for the design and construction of the wastewater collection system within the commercial corridor. The funds needed to construct the improvements will be provided by an assessment of the property owners who will receive sewer service with the construction of the collection system. The Board of Commissioners will be responsible for the assessment of the property owners. The County will also be responsible for construction of the transmission and treatment system needed to treat wastewater generated with the commercial corridor of the City.

The agreement also includes the transfer of the existing City of Boiling Spring Lakes water system to Brunswick County effective on the sooner of the following dates: May 1, 2010, or the first day of the next month after approval of the County's assumption of the current City debt associated with the water system by the Local Government Commission and USDA. After the transfer of the water system, all water and sewer customers within the City limits will become retail customers of the Brunswick County Public Utilities Department. As retail customers of the County, the customers inside the City limits will be charged the same water and sewer rates as all other Brunswick County retail customers.

At meetings of the Board of Commissioners of the City of Boiling Spring Lakes on February 25, 2010, and March 2, 2010, the Board of Commissioners approved the Water and Sewer Service Agreement and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Commissioner Phillips moved to approve the Water & Sewer Service Agreement between the County of Brunswick and the City of Boiling Spring Lakes and authorize the Chairman and Clerk to execute the agreement. The vote of approval was unanimous.

#### **4. Utility Operations-Lower Cape Fear Water & Sewer Authority Agreement (Jerry Pierce)**

Staff recommends approving License Agreement with Lower Cape Fear Water and Sewer Authority for installation of an Algal Monitor at the Kings Bluff Raw Water Pump Station.

Jerry Pierce, Utility Operations Director, requested approval of a License Agreement with the Lower Cape Fear Water and Sewer Authority for installation of an algal monitor at the Kings Bluff Raw Water Pump Station and authorize the Chairman and Clerk to the Board to execute the Agreement on behalf of the County

On September 8, 2009, the Board of Commissioners authorized the purchase of equipment to monitor the algae level in the Lower Cape Fear River. County staff ordered the equipment and the equipment has finally been delivered. The best place for installation of the equipment is the Kings Bluff Raw Water Pump Station. In the process of pumping and transmission to the Northwest Water Treatment Plant, the algae in the water are broken into smaller pieces that are harder to detect. The equipment would be most effective in accurately determining algae levels by being located as close to the river as possible.

County staff requested permission from the Lower Cape Fear Water and Sewer Authority to install the equipment at the Kings Bluff Raw Water Pump Station and they prepared a License Agreement to allow the County to install this equipment.

Vice-Chairman Norris moved to approve the License Agreement with Lower Cape Fear Water and Sewer Authority for installation of an Algal Monitor at the King s Bluff Raw Water Pump Station. The vote of approval was unanimous.

#### **5. Administration-New Hanover County Agreement/Southeastern Center for Mental Health Building Construction Funding (Steve Stone)**

Steve Stone, Assistant County Manager, explained that New Hanover County and Southeastern Center for Mental Health (SEMH) have requested our concurrence for the construction and financing of a new 20,000 square foot facility proposed to be built on Medical Center Drive in Wilmington. In 2007 twelve acres of property and \$5,000,000 of fund balance cash were transferred from SEMH to New Hanover for the construction of a new building for SEMC on the transferred property. The Brunswick Board of Commissioners concurred with that proposal. Because of an operating funding shortfall in 2008, \$2,000,000 of the fund balance was returned to SEMH from New Hanover to cover program service costs. SEMH and New Hanover have now proposed to construct the 20,000 square foot building at a project cost of \$5,780,000. New Hanover would assume debt to fund the project, and would use the remaining \$3,000,000 of fund balance and \$500,000 of proceeds from the sale of two acres of the site to pay the debt service through 2019. Beginning in 2020, New Hanover, Pender and Brunswick would proportionately share the annual debt service, with New Hanover paying two-thirds of the total cost. Given the numerous variables, it is impossible to project an exact amount of the county's share of the future debt service. A range between \$100,000 and \$150,000 per year is probably a reasonable estimate.

SEMH has been primarily housed in a building owned by New Hanover as long as anyone can remember, and New Hanover does not charge building maintenance costs back to them. Staff has been advised that (non-charged) indirect costs incurred by New Hanover on the current Southeastern occupied facilities exceed \$350,000 annually.

A draft copy of an agreement for the project was included in the packet, as well as a spreadsheet of the proposed financing plan. Pender County approved a similar agreement in January of this year.

There was discussion involving how to provide the best care for Brunswick County clients and the availability of care givers that are already located in the county and the costs associated with the proposed new facility.

Chairman Sue moved to appoint Vice-Chairman Norris and Commissioner Warren to work with staff to negotiate further with Southeastern Center for Mental Health before making a decision. The vote of approval was unanimous.

**6. Finance-Financial Report for Period Ending February 28, 2010 (Ann Hardy)**

Staff recommends receiving the February 28, 2010 Financial Report as information.

Ann Hardy, Fiscal Operations Director, explained the following:

**General Fund**

Presented on the Brunswick County Government website is a schedule of revenues and expenditures-budget and actual for the General Fund for the period ended 2/28/10 on the cash basis with comparative actual amounts for the period ended 2/28/09.

Total revenues for the General Fund at 2/28/10 are \$125.1 million compared to \$126.3 million at 2/28/09 for a decrease of (\$1.2) million or (0.95%). Total revenues collected are currently 84.9% of the amended budget for the fiscal year.

Total expenditures for the General Fund at 2/28/10 are \$91.9 million compared to \$96.8 million at 2/28/09 for a decrease of (\$4.9) million or (5.1%). Total expenditures are currently 59.6% of the amended budget for the fiscal year.

Total revenues are greater than total expenditures by \$33.2 million at 2/28/10 compared to \$29.4 million at 2/28/09 for an improvement of \$3.8 million.

Net other financing sources and transfers to reserve funds of (\$1.2) million are reported as compared to (\$10.6) million at 2/28/09. Revenues and other financing sources are greater than expenditures and other financing uses by \$32.1 million at 2/28/10 as compared to \$18.9 million at 2/28/09.

**Water Fund**

Presented on the Brunswick County Government website is a schedule of revenues and expenditures-budget and actual and changes in fund balance for the Water Fund for the period ended 2/28/10 on the cash basis with comparative actual amounts for the period ended 2/28/09.

Total revenues for the Water Fund at 2/28/10 are \$12.2 million compared to \$13.7 million at 2/28/09 for a decrease of (\$1.5) million or (11.0%). Total revenues collected are currently 68.7 % of the amended budget for the fiscal year.

Total expenditures for the Water Fund at 2/28/10 are \$8.0 million compared to \$8.2 million at 2/28/09 for a decrease of (\$0.2) million or (2.4%). Total expenditures are currently 51.3% of the amended budget for the fiscal year.

Net transfers to the Water Capital Reserve for Water Capital Projects of (\$2.8) million are reported. Revenues and other financing sources are greater than expenditures and other financing uses by \$1.4 million as of 2/28/10 as compared to (\$3.3) million at 2/28/09.

**Wastewater Fund**

Presented on the Brunswick County Government website is a schedule of revenues and expenditures-budget and actual for the Wastewater Fund for the period ended 2/28/10 on the cash basis with comparative actual amounts for the period ended 2/28/09.

Total revenues for the Wastewater Fund at 2/28/10 are \$7.1 million compared to \$6.4 million at 2/28/09 for an increase of \$1.0 million or 15.6%. Total revenues are currently 56.0% of the amended budget for the fiscal year.

Total expenditures for the Wastewater Fund at 2/28/10 were \$5.1 million compared to \$4.8 million at 2/28/09 for an increase of \$0.3 million or 6.3%. Total expenditures are currently 37.1 % of the amended budget for the fiscal year.

Net transfers to the Wastewater Fund from the Wastewater Capital Reserve and Wastewater Capital Projects of (\$0.1) million are reported. Revenues and other financing sources are greater than expenditures and other financing uses by \$1.8 million as of 2/28/10 as compared to \$3.1 million at 2/28/09.

#### **Key Indicators of Revenues and Expenditures**

Presented on the Brunswick County Government website are charts with actual history, current month actual amounts and annual budget information for major revenues and expenditures in both the enterprise and general funds.

#### **Cash and Investments**

A Summary of Cash and Investments is presented on the Brunswick County Government website as of 2/28/10 reports that the County had \$153.2 million of unrestricted cash and investments in all funds including those accruing for outside agencies that the county performs collections plus \$17.4 million of capital project restricted cash from debt proceeds. All cash and investments are earning an average yield of 0.59%. The total of cash balances per fund as of 2/28/10 was \$88.4 million General Fund, \$9.8 million County Capital Reserve Fund, \$18.8 million in the Water Fund, \$2.0 million in the Water Capital Reserve Fund, \$2.6 million in the Wastewater Fund and \$4.6 million in the Wastewater Capital Reserve Fund.

#### **Capital Reserve Funds**

A report of the budget and actual amounts for all capital reserve reports is presented on the Brunswick County Government website.

#### **Grants and Capital Project Funds**

A report of all grant and capital project funds as of is presented on the Brunswick County Government website.

The various unaudited and interim financial reports were presented for information and no action was taken.

### **7. Administration – April 2010 Proclamation for National County Government Month (Marty Lawing)**

Staff recommends approving National County Government Month Proclamation.

Marty Lawing, County Manager, explained that the National Association of Counties (NACo) the only national organization that represents and provides essential services to the nation's 3,068 counties has encouraged counties to actively promote county government services and programs since 1991. Historically, one week in April has been designated as County Government Week.

The designation has been expanded to a month to offer counties more opportunities to participate. This year's theme is "Healthy Counties". Since county governments provide many services and programs that either directly or indirectly impact the health of the public and our employees we should be able to develop interesting activities to promote Healthy Counties theme during the month of April.

If approved, a planning committee will be established to plan, organize and coordinate all activities related to the National County Government Month.

Commissioner Warren moved to approve the Proclamation to Proclaim the Month of April 2010 as National County Government Month in Brunswick County. The vote of approval was unanimous.

**NATIONAL COUNTY GOVERNMENT MONTH  
APRIL 2010  
"HEALTHY COUNTIES"**

**WHEREAS**, the nation's 3,068 counties provide a variety of essential public services to communities serving 300 million Americans; and

**WHEREAS**, Brunswick County and all counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

**WHEREAS**, county governments are integral to America's healthcare system and are unique in their responsibility to both finance and deliver health services through public hospitals and clinics, local health departments, long-term care facilities, mental health services and substance abuse treatment, and coverage programs for the uninsured; and

**WHEREAS**, as employers, counties provide health insurance benefits to nearly three million county employees and their retirees nationwide; and

**WHEREAS**, the National Association of Counties is the only national organization that represents county governments in the United States; and

**WHEREAS**, since 1991 the National Association of Counties has encouraged counties across the country to actively promote county government programs and services to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the needs of the community; and

**WHEREAS**, the National Association of Counties and Brunswick County are working together to **Restore the Partnership** among all levels of government to better serve American communities.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Brunswick County Board of Commissioners does hereby proclaim April 2010 as National County Government Month and encourages all Brunswick County officials, employees, schools and residents to participate in county government celebration activities.

This the 15<sup>th</sup> day of March, 2010.

s/William M. Sue, Chairman  
Brunswick County Commissioners

Attest:

s/Deborah S. (Debby) Gore, CMC  
Clerk to the Board

**IX. BOARD APPOINTMENTS**

**1. Economic Development Commission (District 3)**

Commissioner Warren nominated Stephen Dragos. Vice-Chairman Norris moved to close the nominations. The vote of approval was unanimous. Vice-Chairman Norris moved to approve the

appointment of Mr. Dragos. The vote of approval was unanimous. Stephen Dragos will serve a three-year term that will expire on March 1, 2013 filling the expired term of Don Hughes.

## **2. Criminal Justice Advisory Board**

Vice-Chairman Norris nominated Jane Evans, Birdie Frink, Jerry Dove, Tonya Gilley, Pauline Hankins, Adam Milligan, Jeff Melton and Steve Bowers. Chairman Sue moved to close the nominations. The vote of approval was unanimous. Vice-Chairman Norris moved to approve the recommended appointments by the CJPP Advisory Board. The vote of approval was unanimous. Birdie Frink was reappointed to serve another term that will expire on February 1, 2011 and Tonya Gilley was reappointed to serve another term that will expire on July 1, 2012. Jane Evans, Jerry Dove and Pauline Hankins were reappointed to serve another three-year term that will expire on March 1, 2013. Adam Milligan was reappointed to serve another three-year term that will expire on July 1, 2013. Jeff Melton and Steve Bowers were reappointed to serve another three-year term that will expire on June 1, 2013.

## **XI. OTHER BUSINESS/INFORMAL DISCUSSION**

### **1. Charter Day School**

Marty Lawing, County Manager, informed that the county had received a request from the Roger Bacon Academy indicating the need for water service to the school. There was discussion regarding costs and the possibility of a quick fix until the economy turns around.

Commissioner Phillips moved to approve an engineering cost estimate for a 12-inch line to run down Saw Mill Road (74/76) all the way to the Charter School and removed the section from Hwy 87 to the Charter School and compare it to the costs of assisting the Charter School with upgrading their well water system and compare costs of adding the community that runs down through Truckers Lane. The vote of approval was unanimous.

### **2. Marine Fisheries Hearing Update (Commissioner Phillips) (Added Under Adjustments to the Agenda)**

Commissioner Phillips updated the Board concerning the Commercial Fishermen hearing held on March 6, 2010 regarding issues currently facing the commercial fishing industry such as dock space, market prices, imported seafood and federal regulations limiting type and amounts of catch. Commissioner Phillips also informed of discussion regarding the proposed site to be located near the new Oak Island Bridge that would provide dock space, lifts, cranes, rail and a fish house for commercial fishermen indicating that the county had no desire to be in the commercial fishing business but with a commitment from the fishermen, the county would pursue obtaining the land from the state but the fishermen would have to form a committee and decide how this proposed area would be used and that a non-profit group would probably need to be formed. There were 44 fishermen who were in favor of the proposal and 2 who were against the proposal. Commissioner Phillips asked for input from the Board.

There was discussion regarding sending a proposal to the Army Corp of Engineers and the State parallel to the creation of a non-profit group or an existing non-profit group.

Chairman Sue moved to direct Commissioner Phillips to proceed and for staff to assist with a proposal to send to the State and the Army Corp of Engineers contingent upon the creation of a non-profit group or an existing non-profit to take ownership of this project. The vote of approval was unanimous.

### **3. Bricklanding Sewer Proposal (Added Under Adjustments to the Agenda)**

Huey Marshall, County Attorney, informed that the NC Utilities Commission had contacted the county asking them to be the Emergency Operator of the Bricklanding Sewer System that is failing.

There was a long discussion regarding the legalities associated with this proposal, associated costs of getting the system up to county standards, maintenance, labor and participation from the Bricklanding Property Owners Association.

Vice-Chairman Norris moved to approve a reply to the Utilities Commission that Brunswick County would be the Emergency Operator for a period not to exceed 3 months as recommended by the Utilities Director and at the end of that 3 month period staff would reassess the status depending upon the progress made of the acquisition of the Bricklanding Sewer System from the current owner, CTC Bricklanding. The Board directed the Attorney to investigate the county's position in front of the Utilities Commission and what steps to take to protect the county's ability to assist Bricklanding sewer customers without incurring unreasonable debt. The vote of approval was unanimous.

**4. Proposed Animal Control Ordinance Amendments (Added Under Adjustments to the Agenda)**

Huey Marshall, County Attorney, informed that the Board of Health had approved Amendments to the Animal Control Ordinance and a Public Hearing must be held to receive public input.

Vice-Chairman Norris moved to schedule a Public Hearing for April 5, 2010 at 6:30 p.m. The vote of approval was unanimous.

Commissioner Cooke moved to amend the agenda to discuss the Fire Department Fuel Reimbursement issue and possibly sending a statement to the Departments of the county's intentions. The vote of approval was unanimous.

There was discussion regarding the concerns from the Fire Departments of the difference in the amount that would go back to them from the amount that each Fire Department has been invoiced.

After more discussion the Board directed staff to send a letter clarifying that the intent was that the Fire Departments apply for the refund and if any money is left, they will not be billed for the remainder, which was the county's original position.

**XII. ADJOURNMENT**

Vice-Chairman Warren moved to adjourn the Regular Meeting at 9:00 p.m. The vote of approval was unanimous.

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William M. Sue, Chairman

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Deborah (Debby) Gore, Clerk to the Board