

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA
DECEMBER 7, 2009
6:30 P.M.**

- I. Call to Order**
- II. Invocation/Pledge of Allegiance**
- III. Election of Chairman and Vice-Chairman**
- IV. Adjustments/Approval of Agenda**
- V. Public Comments**
- VI. Approval of Consent Agenda**
 - A. Minutes**
 - 1. **November 9, 2009 Recovery Zone Bond Workshop Minutes**pg. 1-2
 - 2. **November 16, 2009 Regular Meeting Minutes**pg. 3-12
 - 3. **December 2, 2009 Agenda Meeting Minutes**pg. 13
 - B. Tax**
 - C. Finance**pg. 14-20

General Fund- Register of Deeds:

Revenues:

ROD-Deed Fees Cultural Resources	104180-334101	\$8,000
ROD-D/T Fees State GF	104180-334102	\$34,000
Fund Balance Appropriated	100000-399100	<u>\$(6,160)</u>
Total		\$35,840

Expenditures:

ROD-Deed Cultural Resources	104180-466004	\$7,840
ROD-D/T State GF	104180-466005	<u>\$28,000</u>
Total		\$35,840

The above amendment is to appropriate new State fees imposed for recording Deeds and Deeds of Trust/Mortgages. The State imposed a new fee of \$5 per recorded Deed and required the amount to be collected by the Registrar with \$4.90 of that amount sent to the Department of Cultural Resources monthly effective October 1, 2009. The estimated amount that Brunswick County will collect for the partial fiscal year period is \$8,000 with \$7,840 remitted to the Department of Cultural Resources.

The State also imposed an increase in the fee for recording Deeds of Trust and Mortgages of \$6 going from \$22 to \$28 and required that the Registrar forward \$5 per Deed of Trust/Mortgage to the State Treasurer's General Fund effective October 1, 2009. The estimated amount that Brunswick County will collect for the partial fiscal year period is \$34,000 with \$28,000 remitted to the State Treasurer.

Due to the additional projected revenue that the county may retain from the new fees, the above amendment reduces the annual fund balance appropriation by \$6,160.

Health Fund- Immunizations:

Revenues:

State Revenue Restricted	135126-332000	\$30,825
---------------------------------	----------------------	-----------------

Expenditures:

Travel Mileage	135126-431100	\$3,000
----------------	---------------	---------

Postage	135126-432500	\$1,325
---------	---------------	---------

Contracted Services	135126-439900	<u>\$26,500</u>
---------------------	---------------	-----------------

Total		\$30,825
--------------	--	-----------------

The above amendment is to appropriate a funding authorization from the State of North Carolina providing an additional \$30,825. The funds are provided for the immunization program to increase the number of school age children vaccinated for seasonal influenza.

Health Fund- WIC Program:

Revenues:

State Revenue Restricted	135169-332000	\$25,920
---------------------------------	----------------------	-----------------

Expenditures:

Supplies & Materials	135169-426000	\$5,920
----------------------	---------------	---------

Contracted Services	135126-439900	<u>\$20,000</u>
---------------------	---------------	-----------------

Total		\$25,920
--------------	--	-----------------

The above amendment is to appropriate a funding authorization from the State of North Carolina providing an additional \$25,920. The funds are provided for the WIC program to increase the client base.

Wastewater Fund- Sewer Administration:

Revenues:

Insurance Proceeds	627210-383913	\$6,803
---------------------------	----------------------	----------------

Expenditures:

Repair & Maintenance-Equipment	627290-435200	\$5,603
--------------------------------	---------------	---------

Repair & Maintenance-Instrumentation	627290-435203	<u>\$1,200</u>
--------------------------------------	---------------	----------------

Total		\$6,803
--------------	--	----------------

The above budget amendment is to appropriate insurance proceeds for repairs resulting from a lightning strike at the Southwest Regional Wastewater Facility.

County Capital Reserve Fund:

Expenditures:

Airport Certification Designated	269800-464254	\$(20,000)
Transfer to County Capital Reserve	269800-498043	<u>\$20,000</u>

Total **\$0**

The above budget amendment is to transfer \$20,000 from the County Capital Reserve to the Avalon Capital Project as an advance in anticipation of receiving funds from the bonding company to complete the project. The funds that are being held in the capital reserve fund for the Airport grant advance which does not appear to be needed by the Airport at this time.

County Capital Project Fund- Avalon:

Revenues:

Trans from County Capital Reserve	438193-398226	\$20,000
--	----------------------	-----------------

Expenditures:

Legal and Engineering Professional Fees	438193-464001	\$20,000
--	----------------------	-----------------

The above amendment and capital project ordinance below are to appropriate funds from the County Capital Reserve Fund identified above for the Avalon Capital Project in anticipation of replenishment from the bonding company.

County of Brunswick, North Carolina
Avalon Project 438193

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 Capital Projects Fund and County Wastewater Capital Reserve Fund and the County Capital Reserve Fund for the Avalon Project:

County Capital Project Fund:

Revenues:

Transfer from County Capital Reserve	<u>\$150,000</u>
Total County Capital Project Fund Revenues	<u>\$150,000</u>

Expenditures:

Legal and Engineering Professional Fees	\$50,000
Land	<u>\$100,000</u>
Total County Capital Project Fund Expenditures	<u>\$150,000</u>

Section 2. This Capital Project Ordinance shall be entered into the minutes of the December 7, 2009 meeting of the Brunswick County Board of Commissioners

General Fund-JCPC:

Revenues:

Teen Court-ARRA Stimulus Debt/Grant Proceeds	105846-331008	\$14,970
Coastal Horizons-ARRA Stimulus Debt/Grant Proceeds	105859-331008	<u>\$25,000</u>
Total		\$39,970

Expenditures:

Teen Court-ARRA JCPC Youth Gang Grant	105846-449998	\$14,970
Coastal Horizons-ARRA JCPC Youth Gang Grant	105859-449998	<u>\$25,000</u>
Total		\$39,970

The JCPC Program was awarded a community-based youth gang violence prevention grant from the NC Department of Juvenile Justice and Delinquency Prevention in the amount of \$39,970 awarded to Communities in Schools Teen Court Program and Coastal Horizons Teen Intervention Program.

The following amendments are to ratify corrections made by the finance officer of budget amounts estimated near the fiscal year ending June 30, 2009 once actual amounts were known. The amendments did not authorize any additional expenditures.

Water Capital Reserve Fund:

Revenues:

Fund Balance Appropriation	639800-399100	\$(24,082)
-----------------------------------	----------------------	-------------------

Expenditures:

Water System Improvements	639800-464301	\$(24,082)
----------------------------------	----------------------	-------------------

The fund balance was over estimated at 6/30/2009. The water system improvements were recorded in the CIP as \$1,000,000 so the amendment is to correct the over appropriation of fund balance by reducing the excess of \$24,082 placed in the system improvements.

General Fund:

Revenues:

Fund Balance Appropriation	106131-399100	\$(2,310)
-----------------------------------	----------------------	------------------

Expenditures:

Parks & Recreation –Cheerleading	106131-423108	\$(2,310)
---	----------------------	------------------

The original rollover budget amendment was for \$17,730, but \$2,310 of the invoices associated with this program was paid in fiscal year 2009 reducing the original rollover by \$2,310 to \$15,420.

County Capital Reserve Fund:

Expenditures:

Building N Roof	269800-464332	\$1,000
Transfer to General Fund	269800-498010	<u>\$(1,000)</u>
Total		\$0

General Fund:

Revenues:

Transfer from County Capital Reserve	109800-398226	\$(1,000)
---	----------------------	------------------

Expenditures:

COL- Buildings	104950-458000	\$(1,000)
-----------------------	----------------------	------------------

The County received a \$1,000 discount on the Cooperative Extension Roof because two roofs were contracted at one time leaving an additional \$1,000 in the reserve fund

General Fund:

Revenues:

Fund Balance Appropriated	100000-399100	\$(109,991)
----------------------------------	----------------------	--------------------

Expenditures:

Transfer to Health Fund	109800-498013	\$(19,404)
Transfer to DSS Fund	109800-498014	<u>\$(90,587)</u>

Total		\$(109,991)
--------------	--	--------------------

The above budget amendment is a revision to the DSS and Health fund rollovers. General fund balance is replenished and the fund balances of those funds are appropriated since those balances have now been determined to be sufficient.

General Fund-Sheriff's Department:

Revenues:

State Revenues Restricted	104310-332000	\$(80,091)
----------------------------------	----------------------	-------------------

Expenditures:

Major Operating Equipment	104310-426200	\$(14,000)
Contracted Services	104310-439900	\$(1,091)
Service and Maintenance Contracts	104310-444000	\$(65,000)

Total		\$(80,091)
--------------	--	-------------------

Grant Fund-Sheriff's Department Grants:

Revenues:

ARRA Stimulus Debt/Grant Proceeds	238177-331008	\$80,091
--	----------------------	-----------------

Expenditures:

ARRA 2009-SB-B9-2921	238177-449996	\$80,091
-----------------------------	----------------------	-----------------

The above budget amendments are an accounting entry only to reclassify the ARRA funded in the

Grant Fund rather than the General Fund.

County Capital Reserve Fund:

Revenues:

Fund Balance Appropriated	269800-399100	\$(6,500)
----------------------------------	----------------------	------------------

Expenditures:

Affordable Housing Programs	269800-464312	\$(6,500)
------------------------------------	----------------------	------------------

The affordable housing amount of \$6,500 was transferred to the general fund for a contract late June 2009 after the FY10 budget was adopted. This amendment is to adjust the amount for the timing.

Schools Capital Projects Fund:

Revenues:

Trans from School Capital Reserve	428006-398227	\$918,794
--	----------------------	------------------

Expenditures:

School Capital Reserve	428006-464016	\$918,794
-------------------------------	----------------------	------------------

The amount above is to reflect the budget ordinance appropriation made in the school capital reserve fund for annual projects into the school capital project fund. This is an accounting entry necessary because the capital project funds are not a component of the budget ordinance.

- D. **Finance-NC 401(k) Plan Roth Feature-Employee Payroll Deduction**pg. 21-24
Staff requests to approve the NC 401(K) Plan Roth Feature for County Employee Payroll Deduction Option.
- E. **Social Services-Hope Harbor Contract**pg. 25-48
Staff requests approving contract with Hope Harbor Home, Inc. to assist victims of domestic violence.
- F. **Finance-Fitch Rating Affirmation**.....pg. 49-52
Staff requests receiving Fitch Ratings Affirmation of Brunswick County's A+ Enterprise System Revenue Bond Rating as information.
- G. **Board of Education-School Resource/DARE Officer Agreement**pg. 53-60
Staff requests approving School Resource Officer and DARE Officer Agreement.
- H. **Utility Operations-Schedule Public Hearing for Revised Water Shortage Response Plan**pg. 61-67
Staff requests to Schedule Public Hearing on Revised Water Shortage Response Plan for January 4, 2010 at 6:30 p.m.
- I. **Board of Commissioners 2010 Regular Meeting Schedule**pg. 68
Staff requests approval of the 2010 Regular Meeting Schedule.

- J. **Administration-Letter of Agreement with NC Department of Corrections for Lease Reimbursement**.....pg. 69-79
Staff requests approval of the Letter of Agreement with the North Carolina Department of Correction for Lease Reimbursement.

VII. Presentation

1. **Utility Operations - NC American Waterworks Association/Water Environment Association-Walter J. Courman Safety Award- (Jerry Pierce)**pg. 80-81

VIII. Public Hearing

1. **Planning-Proposed UDO Text Amendment UDO-09-09 (Leslie Bell)**pg. 82-89

Item 1 – Planning Staff recommends approval.

Item 1 - Planning Board recommends approval with the noted revisions regarding adding a broad definition for flea markets, and add language stating the Board of Adjustment may extend the hours and/or days of operation, and reword Item 6 to say “Buffering must be provided at 0.6 opacity consistent with the requirements outlined in Section 7.2.9.B. ‘Buffer Alternatives’ of the UDO for any side of the property abutting or across the street from a residential district and/or use.” [unanimous 6 to 0, with Mr. Loyack and Mrs. Gilbert being absent].

Item 2 – Planning Staff has some long-term concerns. However, staff recommends that if this proposed text amendment is approved, to do so in its entirety, at minimum. Additionally, staff recommends that the proposed text amendment be approved with all proposed standards and Planning Board’s additional language (see below) included.

Item 2 - Planning Board recommends approval with the noted revisions to allow one (1) Stand-Alone Residential/Personal/Non-Commercial Storage Structure for lots up to one (1) acre, two (2) Stand-Alone Residential/Personal/Non-Commercial Storage Structures for lots greater than one (1) acre up to ten (10) acres and one (1) additional Stand-Alone Residential/Personal/Non-Commercial Storage Structure for each additional ten (10) acres of lot size beyond ten (10) acres. This is consistent with Section 4.8.4.C. of the UDO that allows multiple structures in the RR District. [unanimous 6 to 0, with Mr. Loyack and Mrs. Gilbert being absent].

2. **Planning-Proposed Map Amendment Z-09-650 (Leslie Bell)**pg. 90-100

Planning Staff recommends approval to NC (Neighborhood Commercial).

Planning Board recommends approval to NC (Neighborhood Commercial) [unanimous 6 to 0].

Planning Staff recommends approval to the Official Brunswick County CAMA Land Use Map from MDR (Medium Density Residential) to CC (Community Commercial) for Tax Parcels 1390004205 (Requested by Applicant), and 1390004206 and 1390004207 (Request by Staff) located off Old Ocean Highway (Old US 17), N. Piney Grove Road (SR 1445) and Thomasine Lane NE near Bolivia, NC.

Planning Board recommends approval to the Official Brunswick County CAMA Land Use Map from MDR (Medium Density Residential) to CC (Community Commercial) for Tax Parcels 1390004205 (Requested by Applicant), and 1390004206 and 1390004207 (Request by Staff) located off Old Ocean Highway (Old US 17), N. Piney Grove Road (SR 1445) and Thomasine Lane NE near Bolivia, NC [unanimous 6 to 0].

3. **Proposed Term Limits for Board Appointments (Huey Marshall)**.....pg. 101-102

IX. Administrative Report

1. **Planning-Proposed UDO Text Amendment UDO-09-10 (Leslie Bell)**pg. 103-107
Staff recommends to Schedule Public Hearing on Text Amendment UDO-09-10 for January 4, 2010 at 6:30 p.m.
2. **Planning-Proposed Map Amendment Z-09-651 (Leslie Bell)**pg. 108-119
Staff recommends to Schedule Public Hearing on Proposed Map Amendment Z-09-651 for January 4, 2010 at 6:30 p.m.
3. **Planning-Urgent Repair Grant Application 2010 (Louise McGarva)**pg. 120-131
Staff recommends authorizing the submittal of a 2010 Urgent Repair Program Grant through the North Carolina Housing Finance Agency.
4. **Planning-CDBG Scattered Site Housing Grant and Funding Agreements and Adoption of Administration Guidelines and Policies (Louise McGarva)**pg. 132-177
Staff recommends approving Administration Guidelines and Policies for the 2009 Community Development Block Grant (CDBG) Scattered Site Housing Grant.
5. **Planning-Urgent Repair Contracts (Louise McGarva)**.....pg. 178-203
Staff recommends awarding Four (4) Urgent Repair Contracts as presented.
6. **Engineering-Recovery Zone Projects Reimbursement Resolutions and Contract Award (Jeff Phillips)**pg. 204-234
Staff recommends approving the Award of Engineering Contracts to Bowman Design and Engineering Services and Tripp Engineering and approve a Reimbursement Resolution for the 2010 Recovery Zone Bond Capital Projects.
7. **Finance-US Treasury Allocations for Recovery Zone Economic Development Bonds (Ann Hardy)**pg. 235-250
Staff recommends approving Recovery Zone Declaration Resolution, Notice of Intent to Issue Recovery Zone Bonds, Identify Recovery Zone Bond Projects and Authorize Request for Reallocation of Funds from the Department of Commerce in the amount of \$24,165,000 for the Northwest Water Plant Expansion and Sunset Beach Island Sewer Collection System Projects.
8. **Administration-Appointment of 2010 Census Complete Count Committee Discussion (Marty Lawing)**.....pg. 251-254
Staff recommends to Discuss Complete County Committee for Brunswick County.
9. **Administration-Interim Sewer Agreement/Ocean Isle Palms LLC (Marty Lawing)**.....pg. 255-261
Staff recommends approval of the Interim Sewer Agreement with Ocean Isle Palms LLC.
10. **Utility Operations-Boiling Spring Lakes Draft Water and Sewer Service Agreement (Jerry Pierce)**.....pg. 262-270
Staff recommends authorizing the Submittal of the Draft Water and Sewer Service Agreement to the City of Boiling Spring Lakes.

X. Board Appointments

1. **Coastal Resources Commission Nomination**.....pg. 271-273
2. **ABC Board (1 appointment)**.....pg. 274-275
3. **Commissioner Board Appointments**.....pg. 276

XI. County Attorney’s Report (Huey Marshall)

1. **Deed of Dedication Bedford Springs (Sea Walk)**pg. 277-284
2. **Deed of Dedication Sweet Bay Village, LLC-Villages of Mariner’s Point**pg. 285-293
3. **Closed Session**

XII. Other Business/Informal Discussion

XIII. Adjournment